

**Authorization for Stewardship Agreement:
Procedures and Guidelines for Right-of-Way and
Drainage Facility Enhancements - Landscaping,
Signage, Maintenance, and Protection**

Land Development

PURPOSE:

The Board of County Commissioners has extensive public land holdings in the form of road right-of-way and drainage facilities and is granted authority over publicly owned right-of-ways and their associated drainage systems under Florida Statute 125 and 336. These properties are maintained for the purpose of safe and efficient transportation and the proper capture, storage and treatment of stormwater generated by improvements within the right-of-ways.

The Board recognizes that these public holdings can support selected and defined improvements that will not adversely impact the safety and function of these roadways and drainage facilities. Further, such improvements when properly selected, placed, and maintained, enhance the aesthetic value of the community and provide continued benefits to the local environment. Due to limited resources with which to improve and maintain them, the County welcomes local community organizations to enter Stewardship Agreements to improve and/or maintain the appearance of these lands.

It is the Board's intent to adopt this administrative regulation to allow for the approval of Stewardship Agreements which can facilitate improvements and maintenance practices within County-owned right-of-ways and drainage facilities and authorize entities to improve and maintain those areas to the benefit of the overall community.

The following procedures and guidelines have been established to facilitate local community organization stewardship.

PROCEDURES:**A. General**

1. Eligible organizations shall be of a formal nature such as a homeowner's association, civic organization, school/church-affiliated club or a 501(3)C Not-for-Profit. The organization chief executive or a designated officer shall serve as liaison to the County on all issues regarding the agreement. Should the designee change, the organization shall provide written notification of the change within 30 days.
2. Before a community organization is authorized to improve (install, maintain, monitor, etc.) County lands, an application must be completed and filed with

County Administration outlining the project(s) proposed to be conducted. After review by County Administration and other County staff as deemed appropriate, a Stewardship Agreement will be developed and placed on a Board agenda for Board review and approval. By a majority vote, the Board may enter a Stewardship Agreement for an initial period of no greater than 3 years with a renewal clause of 5 years.

3. Community organizations may be required to execute an indemnification and hold harmless agreement in conjunction with the Stewardship Agreement when the project(s) warrants one.
4. Community Organizations may be required to submit for review and approval, separate applications for permits (Right-of-Way Permit) for the construction and/or placement of improvements (landscaping, lighting, structures, etc.) within County lands designated with the limits of the Stewardship Agreement. Citrus County reserves the right to review, approve, modify, or deny any project involving County facilities proposed under the Stewardship Agreement.

B. Maintenance

1. Signage – In the interest of public health, safety, and welfare, Citrus County prohibits the placement of signs within County rights-of-way with some exceptions. Authorization may be granted by the Director of Public Works and approved by execution of a Stewardship Agreement with a community organization or temporary use authorized by the Board of County Commissioners and in accordance with the Land Development Code.

There is an implied intent that any signage placed within County right-of-way without Board authorization is an abandoned sign and subject to removal and disposal. This includes signs, which may be placed on poles, trees, or other physical objects, which exist within County right-of-ways. Upon execution of a Stewardship Agreement, a community organization has the authority to remove illegal signage within County right-of-ways. Such removal does not require prior notice to the sign owner. Any dispute over removed signage may be appealed to the County's Code Enforcement Board, provided the appeal is filed in writing within 30 days of removal of the sign.

The County retains the right to remove signage for the purposes of public safety, road, or utility maintenance and is not responsible for replacement.

2. Litter Control – Upon execution of a Stewardship Agreement, a community organization may conduct litter control at their discretion. Arrangements can be made with the County to establish a designated drop-off site(s) and schedule for litter disposal if the organization chooses to not handle litter disposal directly.

3. Mowing – The County provides mowing only on an established frequency. Upon execution of a Stewardship Agreement, a community organization may contract for or conduct more frequent mowing, provided the mowing is consistent with the County's established blade height.
4. Landscaping – The County discourages landscaping within County right-of-ways due to concerns over public safety and to maintain efficiency in right-of-way maintenance. However, upon execution of a Stewardship Agreement, a community organization may assume maintenance responsibility for landscaping that has been installed or is occurring naturally in County right-of-ways. The County retains the right to remove or alter landscaping for the purposes of public safety, road, or utility maintenance and is not responsible for replacement.

C. Enhancement

1. Landscaping – The County may authorize landscaping enhancement, including signage, on County facilities upon execution of a Stewardship Agreement with a community organization. Prior to any landscaping of facilities, the parties shall submit a written request complete with a proposed landscape plan to County Administration staff who will forward to appropriate County staff for review and comment. Within 30 days of receipt, the County Administrator or designee shall issue a written finding of approval, approval with modifications, or denial. The Administrator's decision shall be deemed final.

The following guidelines are provided to assist in developing a landscape plan for review and approval and should generally include plant type, size at time of installation, and size at maturity. In general, plants should be drought resistant and/or native and derived from a commercial source.

- a. The proposed landscape plan shall be drawn to scale, be submitted for the proposed project and shall include the following information at a minimum:
 - 1) The location, type and size of proposed plantings within the right-of-way or near driveways and should be outside any visibility triangle. Additional sight visibility requirements may also be required in accordance with FDOT requirements.
 - 2) Trees within center isle right-of-way or near driveways should be of a small mature height or multi-stemmed. The planting of trees or tall shrubs under power lines is prohibited.
 - 3) Aggressive plants such as bamboo, mulberries, and other prolific colonizers should be avoided.

- 4) All existing surface features (i.e. edge of pavement, manholes, utility poles, telephone boxes, mail boxes, driveways, etc.) present within the proposed project site.
- 5) The location of existing drainage facilities or improvements.
- 6) The location and type of existing utilities if present.
- 7) The plan should include a maintenance schedule.

Upon approval of the landscape plan by staff, the community organization shall provide a commitment for maintenance throughout the life of the project. The County retains the right to remove or alter landscaping for the purposes of public safety, road, or utility maintenance, or failure to maintain and is not responsible for replacement.

b. The following general criteria shall apply to all proposed landscaping:

- 1) The proposed plantings shall be drought resistant, able to survive in the area proposed, and of quality stock or source. Native plants are preferred. Under no circumstances will invasive exotic species be allowed, and the landscaping parties will take all necessary measures to assure that invasive plants or seeds are not introduced during the landscaping improvement installation. The authorized party shall solely maintain areas planted in this manner. Should the County find that the planted area is not maintained properly or presents a safety hazard, the County shall notify the authorized party in writing that the authorization is revoked and the County will have complete authority to remove any plantings and restore the area to the original design configuration. Further, the applicant may be held responsible to pay all costs borne by the County for removal and restoration. The County may require a bond or financial assurances to cover the cost of restoration if the proposed landscaping would result in the removal or elimination of pre-existing turf. The financial assurance shall be maintained throughout the life of the project.
- 2) Low growing acceptable groundcover, wildflowers, or native grasses may be permitted to be planted in all areas of rights-of-way and medians. At a minimum, these improvements shall be at least 4 feet back from the edge of pavement. Rights-of-way or central medians less than 8 feet in width are limited to sod, wildflowers, or native grasses. Should a concrete curb, with a vertical height of four inches (4") or greater be present, low growing acceptable groundcover, wildflowers, or native grasses may be permitted to be planted to the inside edge of the curbing. Plants shall be maintained and not permitted to hang on to or over concrete curbs on to the pavement.

- 3) Low growing (less than 2 feet at maturity) acceptable small shrubs may be permitted to be planted in all areas of rights-of-way and medians. At a minimum, these improvements shall be at least 7 feet back from the edge of pavement. When central medians are less than 14 feet in width, a single middle planting may be installed.
- 4) Landscape plants (greater than 2 feet at maturity) and acceptable small trees may be permitted to be planted in all areas of rights-of-way and medians. At a minimum, these improvements shall be limited to areas where they do not create an obstruction to motorists. This shall include, but not limited to:
 - a) At a minimum, these landscape improvements shall be at least 10 feet back from the edge of the pavement.
 - b) When central medians are less than 20 feet in width, a single middle planting may be installed.
 - c) Additional separation shall be required when deemed appropriate.
- 5) Landscaping in drainage facilities shall not impede stormwater flow or adversely impact facility capacity. Plantings within swales or conveyance facilities will not be permitted.
- 6) Landscape plants, particularly trees, shall be located out of the acceptable clear zone and of a type that they do not present a large unyielding barrier to a vehicle that may leave the pavement at established speed. Specifically large single trunk hardwoods such as oaks, hickories, sweetgums, sycamores, and conifers such as pines and cypress shall not be allowed in rights-of-way or central medians, except for out of the clear zone. Acceptable plants should be small (typically a mature height of 30 feet or less), dense low growth canopy, or multi-stemmed. These include, but are not limited to, chickasaw plums, dogwoods, redbuds, fringe trees, hollies, myrtles, viburnums, and similar shrubs, or ornamental trees.
- 7) Landscape trees or shrubs should not be prone to aggressive spreading through root propagation or seedlings. Examples of these types of trees/shrubs that are specifically prohibited include red mulberry, bamboo, yuccas, and wisteria.
- 8) Landscaping shall be limited to planting at existing grade. Grade changes as a result of plantings are specifically prohibited unless expressly approved by the Department of Public Works.
- 9) Structural amenities such as signs, landscape timbers, bricks, border stones, as well as irrigation systems, irrigation wells, lighting or electrical

installations are prohibited unless expressly approved by the Department of Public Works.

After installation of the landscaping, the authorized parties shall assume full and total responsibility for its maintenance. The County retains the right to remove or alter landscaping for the purposes of public safety, roadway modifications, or drainage/utility installation or maintenance and is not responsible for reimbursement or replacement of landscape materials.

2. Signage – In the interest of public health, safety, and welfare, Citrus County prohibits the placement of signs within County rights-of-way with some exceptions. Authorization may be granted by the Director of Public Works and approved by execution of a Stewardship Agreement with a community organization or temporary use authorized by the Board of County Commissioners and in accordance with the Land Development Code.

Guidelines for the placement of a sign (sign plan), shall follow the same general plan requirements as for the landscaping plan, referenced above, and shall be in conformance with the requirements within the Land Development Code.

3. Wildlife Enhancements – The County encourages the placement of bird boxes, butterfly gardens, and similar wildlife enhancements upon County facilities, particularly public parks and drainage retention areas. Prior to installation, a Stewardship Agreement between the County and the community organization shall be executed. Installation and maintenance of the enhancement shall be the sole responsibility of the community organization. In general, enhancements such as birdhouses shall be of sound construction and installed in a location and height which will encourage its use by the species targeted. When such birdhouses are proposed for installation on existing trees, bands rather than nails or other intrusive hardware will attach the boxes.

When installation occurs within secured sites such as DRA's and monitoring is desired arrangements for access shall be made with the County Division that oversees the site prior to installation. The County retains the right to remove or alter location of wildlife enhancements for the purpose of public safety or maintenance, but will endeavor to avoid such actions during the active season.

FOOTNOTES & REFERENCES TO RELATED AR's:

Supercedes AR 13.14 dated October 23, 2001

ACCEPTABLE SMALL TREES *

COMMON NAME	SCIENTIFIC NAME
American Holly	Ilex opaca
Blue Beech	Carpinus caroliniana
Cabbage Palm	Sabal palmetto
Chickasaw Plum	Prunus angustifolia
Crabapple	Malus angustifolia
Crape Myrtle	Lagerstroemia indica
Dahoon Holly	Ilex cassine
Dogwood, Flowering	Cornus florida
Florida Maple	Acer saccharum
Fringe Tree	Chionanthus virginicus
Hop Hornbeam	Ostrya virginiana
Ligustrum	Ligustrum japonicum
Needle Palm	Rhapidophyllum hystrix
Redbud	Cercis canadensis
Saw Palmetto	Serenoa repens
Sparkleberry	Vaccinium arboreum
Wax Myrtle	Myrica cerifera

* Other species may be acceptable upon staff review and approval.

ACCEPTABLE SMALL SHRUBS *

COMMON NAME	SCIENTIFIC NAME
Azaleas	Nandina
Beautyberry	Oleander
Canna	LilyPhotinia/Red Tip
Coralbean	Pittosporum
Fetterbush	Silverthorn
Florida Anise	St. John's Wort
Gallberry	Sweetshrub
Gardenia	Tarflower
Indian Hawthorn	Texas Sage
Junipers	Viburnums

* Other species may be acceptable upon staff review and approval.

ACCEPTABLE GROUND COVERS *

COMMON NAME	SCIENTIFIC NAME
Adam's Needle	Gerber Daisy
African Iris	Monda Grass
Blue Flag	Partidgeberry
Blue-Eyed Grass	Perwinkle
Border Grass	Ruellia
Coontie	Sea Oxeye Daisy
Day Lilies	Society Garlic
Ferns	Yellow Canna

* Or any other vegetation recognized as Florida Friendly landscaping.