

June 9, 2009**SUBJECT:****ORIGINATING DEPARTMENT:****Authorization for Landscaping of County Right-of-ways,
Medians, and Drainage Retention/Detention Facilities****Development Services****Page 1 of 4****POLICY:**

The Board of County Commissioners is granted authority over publicly owned right-of-way and its associated drainage systems under Florida Statute 125 and 338. These properties are maintained for the purpose of safe and efficient transportation and the proper capture and storage of storm water generated by impervious improvements with the facility.

The Board recognizes that these public holdings can support selected and defined landscaping that will not adversely impact the safety and function of these roadways drainage systems. Further, such landscaping when properly selected, placed, and maintained improves the aesthetic value of the community and provides health benefits to the local environment.

It is the Board's intent to adopt this administrative regulation to facilitate safe landscaping practices within County-owned right-of-ways and drainage facilities by authorized entities to the benefit of the overall community.

PROCEDURE:

- A. Landscaping within County right-of-way, medians, and drainage areas/facilities shall only be conducted by County staff or entities recognized and authorized under A.R. 13.14.
- B. 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.
- C. A proposed landscape plan drawn to scale, shall be submitted for the proposed project and shall include the following information at a minimum:
 1. The location, type and size of proposed plantings.
 2. All existing surface features (i.e. edge of pavement, manholes, utility poles, telephone boxes, mail boxes, driveways, etc.) present within the proposed project site.

3. The location of existing drainage facilities or improvements.
4. The location and type of existing utilities if present.

D. 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. When central medians are less than 20 feet in width, a single middle planting may be installed. Additional separation shall be required when deemed appropriate.
5. Landscaping in drainage facilities shall not impede stormwater flow or adversely impact on facility capacity. Plantings within swales or conveyance facilities will not be permitted.
6. Landscape plants, particularly trees, shall be 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. 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 landscape timbers, bricks, border stones, as well as irrigation systems, irrigation wells, lighting or electrical installations are prohibited.
10. After installation of the landscaping, the authorized parties shall assume full and total responsibility for its maintenance. AR 13.14 and the controlling Stewardship Agreement shall guide such maintenance.
11. 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.

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 *

Azaleas	Nandina
Beautyberry	Oleander
Canna Lily	Photinia/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 *

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.