

Existing Communities

What to consider for Florida-Friendly Landscaping™ Guidelines

(Revised March 2011)

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Considerations for ARB guidelines, and covenants, conditions and restrictions

1. The Legislation

The Legislature passed and the governor signed SB2080 into law June 30, 2009.

As defined in Chp. 373.185, Florida Statutes, Florida-Friendly Landscaping™ means:

“...quality landscapes that conserve water, protect the environment, are adaptable to local conditions, and are drought tolerant. The principles of such landscaping include planting the right plant in the right place, efficient watering, appropriate fertilization, mulching, attraction of wildlife, responsible management of yard pests, recycling yard waste, reduction of stormwater runoff, and waterfront protection. Additional components include practices such as landscape planning and design, soil analysis, the appropriate use of solid waste compost, minimizing the use of irrigation, and proper maintenance.”

“(a) The Legislature finds that the use of Florida-friendly landscaping and other water use and pollution prevention measures to conserve or protect the state’s water resources serves a compelling public interest and that the participation of homeowners associations and local governments is essential to the state’s efforts in water conservation and water quality protection and restoration.

“(b) A deed restriction or covenant may not prohibit or be enforced so as to prohibit any property owner from implementing Florida-friendly landscaping on his or her land or create any requirement or limitation in conflict with any provision of part II of this chapter or a water shortage order, other order, consumptive use permit, or rule adopted or issued pursuant to part II of this chapter.”

2. About the Legislation

(See also, *Questions and Answers: 2009 Florida-Friendly Landscaping™ Legislation*: <http://edis.ifas.ufl.edu/ep440>)

HOA covenants, restrictions, and ordinances may not prohibit Florida-Friendly Landscaping practices.

Does not invalidate HOA architectural control committees or landscaping committees.

Prohibits HOA mandates that are not Florida-Friendly. HOAs may not require:

- water-wasting practices such as overwatering of plants or inappropriate site design
- inappropriate placement of plants such that regular irrigation is required to keep the plants healthy
- excessive or improper fertilization
- excessive use of pesticides
- violation of water management district water use restrictions.

Forbids prohibitions on:

- reasonable and appropriate use of mulch,
- plants attractive to wildlife such as butterfly or hummingbird gardens or other non-nuisance wildlife,
- attractive, well suited plants in the landscape in favor of other plants that are less well suited to the site (wrong plant, wrong place)
- swales or rain gardens, waterfront buffers or other protective practices,
- composting bins or rain barrels, etc.

Does not prohibit reasonable limits on Florida-Friendly Landscapes such as:

- to be well maintained
- to have compost bins and specialty gardens limited to a backyard, side area or screened, where feasible.

3. Summary List: Considerations for ARB guidelines, and covenants, conditions and restrictions

Architectural review board (ARB) approval process

□ Establish an approval process for residents. Indicate when approval is needed for residential sites, such as when the homeowner proposes new landscape configurations, including:

- Installing new beds
- Expanding beds
- Replacing lawn with a different kind of turfgrass
- Replacing lawn with a non-lawn plant material that provides the same function as grass (must be living plants)
- Adding non-living materials to the landscape
- Removing plants, shrubs, trees, and turfgrasses that are not appropriate for the area in accordance with Florida-Friendly Landscaping™.
- List pre-approved Florida-Friendly Landscaping™ plants (or other site-appropriate plants that might not be listed in the UF/IFAS [The Florida-Friendly Landscaping™ Guide to Plant Selection & Landscape Design](#)), shrubs, trees, and mulch types, and include the sun and water requirements along with their height at mature growth.
- Submit drawing that includes existing beds and proposed changes to beds and turf.
- Include proposed changes to irrigation.

Develop an ARB application and include information on county contacts if the resident proposes to make changes in easements.

The Wilderness Lake Preserve Homeowners Association in Pasco County uses the below sample application; it does not require a fee if a resident is enhancing his or her lawn with Florida-Friendly Landscaping™. For the community's full "Alteration Application" package, visit:

<http://www.wlphoa.com/attachments/ARC%20FFL%20application.pdf>

Use the right plant in the right place

Plant groupings--ensure groups of plants have similar needs (soil, light, water, fertilizer etc.)

Specify alternative groundcovers for shady areas, hard-to-maintain narrow areas, and eroding areas.

Review use of annuals and perennials—assure they can be maintained with minimal inputs.

Include provisions on allowing fruit trees, including types and maintenance.

Include clauses that do not allow artificial turf.

Follow right plant, right place concepts (allow sod and plant replacement options when existing vegetation has to be replaced continually).

Remove invasive exotic plants.

Water efficiently; minimize irrigation

Develop Irrigation Reduction Plans

Include regular inspection, maintenance and repair plans.

Operate irrigation systems manually, especially when rains are expected.

Use soil moisture sensors.

Match watering zones to plant needs.

Encourage conversion to micro-irrigation in planting beds and separate irrigation zones to match watering needs to groups of plants with similar needs.

Cap any irrigation heads where irrigation is not needed (mature established shrubs and trees).

After establishment, water only when plants and turfgrasses show signs of wilt.

Use a rain gauge to monitor current rainfall and determine supplemental irrigation need.

Fertilize appropriately

Develop Fertilizer Reduction Plans

Limit fertilizers to slow-release, unless applied by professionals holding GIBMP certification. For more information, visit:

http://fyn.ifas.ufl.edu/professionals/BMP_overview.htm

Require use of GIBMP trained professionals for landscape maintenance. For a list of certified professionals in your county, visit:

http://fyn.ifas.ufl.edu/professionals/certification_lists/cert_county_name.shtml

No use of weed and feed products.

Require residents to pick up and properly dispose of pet wastes.

Fertilize only to maintain plant health.

Mulch

Require mulch and specify types. Use of fallen leaves, melaleuca, pine needles or pine bark for mulch. (Florida-Friendly does not recommend use of cypress mulch, as its origins may be difficult to determine.)

Include clauses that do not allow all mulch or rock areas (for yards), rubber mulch, mulch next to roads or driveways where decayed organic matter or the mulch may find their way into storm drains.

Maintain a 2- to 3-inch mulch layer.

Install edging around mulched landscape beds.

Replace grass with mulched landscape beds in shaded or difficult to mow areas.

Keep mulch 2 inches from the base of trees and shrubs.

Attract wildlife

Indicate what is allowable for the appearance and location of wildlife attractors.

Address placement and maintenance of artificial wildlife shelters and attractors (such as nest boxes and bird baths).

Preserve snags to attract wildlife, as long as the snags do not endanger structures.

Plant vines, shrubs and trees to provide cover, nesting areas and food.

Provide a water source such as birdbath or water garden.

(For information about Community Butterfly *Scaping*, visit:
<http://edis.ifas.ufl.edu/pdffiles/EP/EP42000.pdf>)

Manage yard pests responsibly

Develop Pesticide Reduction Plans

Plant a diverse landscape.

Use plants that have no known serious pests or disease potential.

Use proper pruning techniques (no excess pruning, which encourages pests).

Use Integrated Pest Management.

Reduce irrigation to reduce pest problems.

No use of weed and feed products.

Limit pesticide use by spot treating only the areas that need attention.

In butterfly gardens, refrain from applying pesticides to nectar and caterpillar host plants.

Whenever feasible, remove pests by hand or with a strong water spray.

Choose the least toxic pest management sprays such as horticultural oil, insecticidal soap and *Bacillus thuringiensis* (also called, "Bt").

Recycle yard waste

Indicate what is allowable for the appearance and location of composters.

Address replacement and care of trees and tree debris.

Leave grass clippings on lawn areas for extra nitrogen.

Use fallen leaves and pine needles for mulch.

Compost garden and food scraps (no meat or dairy).

Reduce stormwater runoff

Indicate what is allowable for the appearance and location of rain barrels, cisterns and rain gardens.

Where downspouts are used, specify that they empty to pervious areas.

Encourage pervious areas for hardscapes, such as pavers or mulch for driveways and patios.

Prohibit alteration in stormwater systems (e.g., stormwater swales, culverts, ditches, etc) without proper authorization.

Use low areas (rain gardens) to hold, filter and recharge groundwater.

Protect the waterfront

Address plantings of vegetative buffers next to water bodies and in easements.

Keep grass clippings away from storm drains and water bodies.

Encourage residents to keep grass clippings on their lawns.

Establish at least a 10-foot no-maintenance zone along the shoreline.

Plant a buffer zone of low maintenance plants between lawn and shoreline to absorb nutrients and provide wildlife habitat.

Analyze soil

Conduct soil analyses to determine need for nutrients and guide plant choices.

Use solid waste compost appropriately

Use organic soil amendments to turn sand into soil, promote deeper roots, increase water holding capacity, and promote healthy soil microbes.

Use topdressing to increase water holding capacity, reduce runoff, reduce soil borne disease, and as a substitute for slow-release fertilizer.

Maintain landscapes properly

Allow turfgrasses to go dormant in winter.

Lay out provisions for appropriate mowing heights for the kinds of turfgrasses allowed.

Use a certified arborist.

Allow shrubs and trees to grow in their natural form with proper hand pruning and not shearing.

Landscape planning and design

For a reference list and design ideas for Florida-Friendly Landscaping™, see the *Florida Yards and Neighborhoods Handbook* and the *Florida-Friendly Landscaping™ Guide to Plant Selection & Landscape Design* at: <http://fyn.ifas.ufl.edu/homeowners/publications.htm>

For sample plant lists and specific landscaping ideas for the four major hardiness zones in Florida, and for landscaping options that address common situations encountered in various yards, see the Florida-Friendly Landscaping™ pattern books at: <http://fyn.ifas.ufl.edu/homeowners/publications.htm>

Consider provisions for Firewise Landscaping.
http://www.fl-dof.com/wildfire/firewise_landscaping.html
<http://fireinflorida.ifas.ufl.edu/landscaping.html>

Research mature growth before purchasing plants and plan for the appropriate spacing before installation.

Provide guidance on the size, shape and appearance of landscape beds.

Indicate the height of plants in various areas of the landscape.

Provide options for types of turfgrasses, groundcovers and other plants.

Include provisions on the appearance of the major landscape situations in yards, such as the front entryway, driveway, around mailboxes, utility boxes and poles.

Consider placement of trees and shrubs to maintain visibility and access for emergency services. (Contact your city or county for information on crime prevention through environmental design.)