



Local Homeowner Association Florida Friendly Landscaping Ordinance



August 23, 2016



Florida Friendly Landscaping (FFL)

“A Florida Friendly Landscape is a quality landscape that is designed, installed, and maintained according to the nine FFL principles”





9 Principles of Florida Friendly Landscaping

1. Right plant, right place
2. Water efficiently
3. Fertilize appropriately
4. Mulch
5. Attract wildlife
6. Manage yard pests responsibly
7. Recycle
8. Manage Stormwater Runoff
9. Protect the waterfront





Right Plant, Right Place

- The FFL plant list currently includes over 400 plants.
 - Includes non-natives and high water use plants
- New plants are added each year.
- Some plants may be appropriate in one place, but not another
 - Example: St. Augustine Grass



What is Being Done Locally to Promote Florida Friendly Landscaping?

- Education by the State's FFL program, Alachua County Extension, and EPD
- Grant funded rebate program for property owners that replace irrigated turf with FFL
- Survey asking participants about HOA barriers to changing landscapes
- Drafting local FFL HOA Code, as directed at 6/23 BoCC meeting



Homeowner Association Restrictions on Florida Friendly Landscaping

Florida Statute 373.185

- Deed restrictions, covenants or local ordinances cannot prohibit implementation of Florida Friendly practices
 - Not assigned to a specific agency; enforced by court system
 - It is difficult to determine what is and is not FFL because the program is broad and subjective



Homeowner Association Restrictions on Florida Friendly Landscaping

Deed restrictions and covenants often dictate:

- Specific plants from the FFL list that homeowners must use (ie- St. Augustine)
- Percent cover of specific plants
- Disputes are handled through law suits



Homeowner Association Restrictions on Florida Friendly Landscaping

Why:

- Citizens have reached out to BoCC, EPD, Extension, and the State FFL program asking for help with their HOAs.
- Currently, no local agency has jurisdiction to resolve disputes



Local HOA FFL Code Adoption

- Prohibit deed restrictions from prohibiting the implementation of FFL
- Current local enforcement options
 - Citations
 - Codes Enforcement Board



Local HOA FFL Code Examples

- HOA only allows St. Augustine and this is the “right plant in the right place” for every lot, then the HOA did not prohibit the implementation of FFL.
- Homeowner wants to use Bahia and shows that St. Augustine is not the right FFL turf for the yard and Bahia is, then the HOA prohibited the implementation of FFL and violated the law.



Local HOA FFL Code Adoption- Considerations

- County enforcement would require contracting with a FFL expert on a case by case basis to resolve contested disagreements
- Staff recommends a Special Magistrate Code Enforcement Process



Local HOA FFL Code Adoption-Issues

- Implementation currently not staffed or budgeted (expenses for magistrate and FFL expert)



Staff Recommendation

- Provide staff direction on development of a Home Owners Association Florida Friendly Landscaping Code

