

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** HOA Landscaping Reimbursement Policy – Review Request

**DEPARTMENT:** PUBLIC WORKS **DIVISION:** ENGINEERING

**AUTHORIZED BY:** W. Gary Johnson, P.E., Director **CONTACT:** Jerry McCollum, P.E. EXT. 5651

Agenda Date 04/22/03 Regular  Consent  Work Session  Briefing   
Public Hearing – 1:30  Public Hearing – 7:00

**MOTION/RECOMMENDATION:**

Maintain existing "Landscaping Reimbursement Policy" as previously approved by the Board of County Commissioners.

**BACKGROUND:**

Based on a request from the Board of County Commissioners on January 28, 2003, Public Works' staff has reviewed the current policy for financial reimbursement to homeowner associations (HOAs) for landscaping maintenance. Prior Board actions are attached. As a summary to prior actions, HOAs with landscape maintenance responsibilities that meet established criteria (major collector or arterial roadways with a maintained median approximately one mile in length) can be eligible for landscape maintenance reimbursement at the annual rate of approximately \$1.00 per linear foot.

Specifically, two HOAs and the respective roadways they perform maintenance upon are discussed. Recommendations as to consideration for maintenance reimbursement are as follows:

1. Bunnell Road – Country Creek HOA

Country Creek provides maintenance for their entrance onto Bunnell Road. There is no median in this area and only the south side of the right-of-way is maintained by them. Comparing the maintenance provided by this HOA to other similar circumstances in the County reveals there are hundreds of subdivisions and commercial sites that provide

Reviewed by:  
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Other: \_\_\_\_\_  
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File No. RPWE01



**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

SUBJECT: HOA Landscaping Reimbursement Policy

DEPARTMENT: Public Works DIVISION: Engineering

AUTHORIZED BY: W. Gary Johnson CONTACT: Jerry McCollum, P.E. EXT. 5651  
W. Gary Johnson, P.E., Director

Agenda Date <u>06/26/01</u>	Regular <input type="checkbox"/>	Consent <input checked="" type="checkbox"/>	Work Session <input type="checkbox"/>	Briefing <input type="checkbox"/>
	Public Hearing – 1:30 <input type="checkbox"/>		Public Hearing – 7:00 <input type="checkbox"/>	

**MOTION/RECOMMENDATION**

Approve and authorize the establishment of a "Landscaping Reimbursement Policy" to pay, on an annual basis, \$5,120,00 per mile to those Homeowner Associations that meet the criteria outlined herein for maintaining portions of County roads. Upon Board approval, the County Attorney's Office and the Engineering Division staff will develop an agreement for this policy and will bring this item back to the Board for final approval.

**BACKGROUND:**

At the February 13<sup>th</sup>, 2001, Board meeting a question was raised as to why the County could not participate financially when homeowner associations (HOA's) maintained landscaping on County major collectors or arterials. More specifically, the issue dealt with the maintenance of Lake Mary Boulevard from the west side of Interstate 4 to Markham Woods Road. The Heathrow Homeowner's Association funds the maintenance for landscaping this section of the roadway.

In order to develop a policy providing for financial participation with HOA's, the following criteria was first determined:

- 1 Roadway must be a four-lane or greater facility with a median. The roadway must be an arterial or major collector and the median length will be approximately 1 mile in length.
- 2 Any funding for maintenance would apply to medians only. The reasoning for this is that most residents on public roads and most commercial usages mow the right-of-way adjacent to their property. Also, numerous permits exist where HOA's voluntarily maintain their entrances or right-of-way adjacent to their subdivisions.

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With the above criteria in mind, three roadways were identified. The roadways, as well as any development order commitments pertaining to the roadways, are as follows:

◆ Hunt Club Boulevard

From: State Road 436  
To: Wekiva Springs Road

This section of roadway is 2.8 miles in length and heavily vegetated behind the curbs and especially in the median. Two PUD's front along Hunt Club Boulevard. They are the Wekiva PUD (from Sand Lake Road north to Wekiva Springs Road) and the Foxwood PUD (from State Road 436 to Sand Lake Road). Part 1 of Section IV. (Vehicle and Pedestrian Circulation Components) of the Developers Commitment Agreement for the Wekiva PUD says that the Developer shall construct Hunt Club Boulevard as a four-lane section. Part 8 of Section IV says "The developer shall insure that the boulevard median will be maintained by the Wekiva Hunt Club Community Association, Inc., as recorded on the deed restrictions".

Section IV of the Foxwood Developers Commitment Agreement also requires the Developer to construct a four-lane arterial boulevard from State Road 436 to Sand Lake Road. Part 3 of this section states "The Developer shall maintain all boulevard medians within the PUD until such time as the responsibility is taken over by a homeowners association".

◆ Lake Mary Boulevard

From: Interstate 4  
To: Markham Woods Road

This section of roadway is 1.0 miles in length and moderately landscaped. The Heathrow PUD Commitment Agreement allows landscaping on Lake Mary Boulevard in the median and from back-of-curb to the right-of-way lines. Page 22, Parts G and I state "Shrubs, groundcover, trees, street lighting, signs and similar features may be located in the median and between the back-of-curb and right-of-way line, provided that they are maintained by the Developer or Homeowner Association and do not reduce visibility and other such safety considerations at intersections".

◆ Lockwood Boulevard

From: City of Oviedo – City Limits  
To: McCulloch Road

This section of roadway is 1.1 miles in length and has heavy vegetation behind the curb lines and in the median. Research does not indicate any commitment by the Developer or HOA along the corridor to maintain this roadway landscaping. Funding for the maintenance of this roadway is from HOA annual dues.

Based on the above information, the maintenance of Hunt Club Boulevard is mandatory by the HOA, Lake Mary Boulevard is more permissive, and Lockwood Boulevard has no Development Orders requiring any maintenance by the HOA. Coinciding with this information, it is recommended that only Lake Mary Boulevard and Lockwood Boulevard be further considered for any maintenance costs.

In order to develop a "standard cost" for annual maintenance of a "typical" median, both mowing and maintaining of plant bed areas were evaluated. A median 22 feet wide (grass 17.5 feet) and planting beds every quarter of a mile would represent a typical arrangement on a County road. Based on current County contracts, mowing per mile would cost \$1,620.00 and the maintenance of planting beds would cost \$3,500.00 per mile. The total annual maintenance cost would be \$5,120.00 per mile.

Based on the proceeding information, if the Board of County Commissioners choose to provide partial funding to Homeowner Associations who meet the criteria for maintaining portions of County roads, it is recommended that only Lockwood Boulevard (1.1 miles) and Lake Mary Boulevard (1.0 mile) receive these funds at an annual cost of \$5,120.00 per mile. Funding would need to be designated in the Road Operation Division's maintenance budget. Since the HOA's have been performing maintenance on these two roadways, there have been no funds allocated within the Road Operation Division for this activity. It is proposed that this policy become effective on October 1, 2001, with appropriate adjustments incorporated into the proposed FY 2001/02 and FY 2002/03 annual budgets prior to the September adoption hearings.

Item # 144

### SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

SUBJECT: HOA Landscaping Reimbursement Policy

DEPARTMENT: Public Works DIVISION: Engineering

AUTHORIZED BY: W. Gary Johnson CONTACT: Jerry McCollum, P.E. EXT. 5651  
W. Gary Johnson, P.E., Director

Agenda Date <u>08/28/01</u>	Regular <input checked="" type="checkbox"/>	Consent <input type="checkbox"/>	Work Session <input type="checkbox"/>	Briefing <input type="checkbox"/>
	Public Hearing – 1:30 <input type="checkbox"/>		Public Hearing – 7:00 <input type="checkbox"/>	

#### MOTION/RECOMMENDATION

Board direction as whether to adopt the proposed policy or maintain existing policy of non-reimbursement to Homeowner's Associations for maintenance of portions of the County roadway system.

#### BACKGROUND:

At the June 26, 2001, Board meeting the attached agenda item was brought to the Board of County Commissioners. The essence of this item was that a policy was developed that provided for payment to Homeowner's Associations (HOA's) for maintaining landscaping on County major collector or arterial roadways, if certain conditions were met. Only Lake Mary Boulevard from Interstate 4 to Markham Woods Road and Lockwood Boulevard from the Oviedo City Limits to McCulloch Road would be eligible, if the Board approved and authorized establishing this policy.

The Board moved this agenda item to August 28, 2001, and directed staff to meet with the individual Board members and address their concerns. Simply put, the concerns that were expressed centered around potential requests by HOA's that would be submitted for reimbursement on roadways that would be below the criteria outlined at the June 26, 2001 meeting.

It should also be stressed that staff would not recommend dropping the guidelines below the following critical criteria:

- Roadway must be a major collector or arterial
- Reimbursement is for median maintenance only.
- Roadway must be approximately one (1) mile in length.

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File No. <u>RPWE01</u>

Attachment