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Department of Transportation

LANDSCAPE, BEAUTIFICATION, AND PLAN REVIEW

AUTHORITY:

Sections 20.23(3)(a) and 334.048(3), Florida Statutes (F.S.)

REFERENCES:

- Article II, Section 7(a), Constitution of the State of Florida
- Sections 339.24, 339.2405, 334.044, F.S.
- Rule Chapter 14-40, Florida Administrative Code (F.A.C.), Beautification and Landscape Management
- Florida Department of Transportation (FDOT) publications are available on the Department website at <http://www.fdot.gov>.
- Beautification and Landscape Management Rule Chapter 14-40, F.A.C.
- FDOT Highway Beautification Policy, Topic 000-650-011
- FDOT Environmental Policy, Topic No. 000-625-001,
- FDOT Beautification Grant Application, Form No. 650-050-10
- FDOT Utility Accommodation Manual, Topic No. 710-020-001
- FDOT Contract Funds Approval Manual, Topic No. 350-020-200
- Pedestrian and Bike Design Resources, FDOT State Safety Office
- University of Florida IFAS Florida-Friendly Landscaping™ Program

STATEMENT OF POLICY:

To implement the Highway Beautification Policy. To provide safe, aesthetic, sustainable, cost effective, and manageable transportation corridors. To establish a uniform statewide process for the review of landscape plans, when part of an agreement with a local government for landscape funding, construction, and/or maintenance. For administration of the Beautification Grant Program. Establishment of the process for agreements between the Department and Outdoor Advertising Companies for Alternate View Zones.

SCOPE:

District Secretaries, District Operations, District Design, District Construction, District Maintenance, District Legal, District Work Program, District Financial Services Office/Disbursement Operations Office, Office of Design, Production Support Office. This procedure affects all Florida Department of Transportation personnel responsible for administering or reviewing landscape plans or projects.

GENERAL:

This document establishes processes for reviewing landscape plans when part of an agreement with a local government for landscape funding, construction, and/or maintenance. Processes are established for administering the Beautification Grant Program, and tracking expenditures for landscape beautification projects. The process for the establishment of agreements between the Department and Outdoor Advertising Companies for alternate view zones are established. No installation, alteration, or removal of any landscape materials (excluding routine maintenance and work approved by **General Use Permits**) shall be performed on FDOT right of way prior to written approval by the District Landscape Architect (DLA). The DLA or designee will initiate the plan review process and recommend the issuance of necessary permits and agreements, where and when deemed appropriate by the DLA.

DEFINITIONS:

Definitions are found in Rule Chapter 14-40, Florida Administrative Code.

1. LANDSCAPE PLAN REVIEW PROCEDURE

1.1 Landscape plans developed by or for the Department with roadway projects, or stand alone landscape design projects administered by the Department are not covered by this Procedure, and are included with review submittals as specified in the **Department's Design Manual, Topic No. 625-000-005** and processed accordingly.

2.2 All other Landscape Plans should be submitted to the District Office and reviewed according to this procedure. When it is determined that a landscape plan (plan) is complete, it is ready for the review process. There are no phase reviews in this procedure. Landscape architects should be instructed to work closely with the DLA from the beginning of the design process. Only minor revisions should be needed following the review.

2.3 When plans and related documents are complete, and meet the requirements of **Rule Chapter 14-40, F.A.C.**, the plans and related documents will be distributed to the units listed in **Section 3**. Plans can be shared with the Federal Highway Administration (FHWA), though an official review and approval by FHWA is not required. Appropriate time should be allowed for unit reviews. Each individual unit will be responsible for reviewing landscape plans in the allotted

time, checking for compliance with the FDOT standards as they are listed below. Units should make an on-site review of the project area with the proposed plans in hand.

2.4 The DLA is responsible for coordinating and assembling plan review comments prior to recommending action by the Department or making recommendations to the party submitting the plans. The District should maintain a record of the review process in a permanent digital file in accordance with Department retention policies.

2.5 Forward approved landscape plans to the District Maintenance Engineer or designee (DME) for permitting or approval of agreements. Plans that are not approved by the DLA should be returned with recommendations and notice that revised plans can be resubmitted.

2.6 The DLA can give final approval for the resubmitted plans. The DLA will provide written confirmation that plans have been approved. Units and/or the DLA may request that units recheck plans prior to final approval. If modifications to the plan are extensive, or beyond the comments made, the plan should be treated as a first submittal and rechecked by all units.

2.7 When a landscape plan has been approved, the DLA will notify the State Outdoor Advertising Administrator by email, indicating the start and end points of the project with RCI Section and mileposts.

3. UNIT REVIEW RESPONSIBILITIES

3.1 All plans will be checked for compliance with criteria established in ***Rule Chapter 14-40, F.A.C. Beautification and Landscape Management***, and other Department policies, rules, and standards as applicable. Review criteria are listed below. It may be necessary for more than one unit to review for compliance with the same criteria, taking into consideration the unit's area of responsibility and expertise. Appropriate personnel in Planning, Environmental Management, Design, Traffic Operations, Utilities, Construction, and Maintenance should be assigned to review plans using the following evaluation criteria:

3.2 Review Criteria

- Compliance with ***Rule Chapter 14-40.003, F.A.C.***
- Compatibility with local indigenous plant communities and soil types.
- No introduction of invasive exotic plants.
- Use of Florida-Friendly Landscape Principles.
- Cost effectiveness.
- Appropriate environmental permits from other agencies.
- Availability of plant species.

- Appropriate protection measures for existing vegetation to remain, natural features and natural areas.
- Plant selection and placement.
- Protection and preservation of cultural resources.
- Aesthetic considerations.
- Compatibility with pedestrian, transit, and bicycle facilities.
- Impacts and compatibility with adjacent land uses and other local improvement projects.
- Compatibility with drainage structures, conveyances, and facilities.
- Compliance with appropriate erosion control procedures.
- Compatibility with the ***FDOT Drainage Manual, Topic 625-040-001***.
- Compatibility with the 5 year work plan.
- Compatibility with the design or re-design of the subject roadway section, including theme, design intent, or master design guidelines for the region and/or District (i.e. native, historical, unifying elements, etc).
- Compatibility with proposed construction projects.
- Compatibility with signs (existing and proposed), signals, roadway lighting, ITS devices, accident investigation site layouts, and lightning protection systems.
- Appropriate maintenance costs, feasibility, level of maintenance, including appropriate costs for mowing, pruning, and watering.
- Coordination with existing permit requirements (Department of Environmental Protection, Water Management District, mitigation site, county, and city), general use permits, vegetation management permits, driveway permits.
- Compatibility with all existing agreements.
- Confirmation that all landscape maintenance is addressed in agreements.
- Technical specifications are addressed when necessary.
- Compatibility with utilities, and coordination with utility companies. Proper annotation and location (horizontal and vertical) of existing and proposed utilities per the ***Utility Accommodation Manual, Topic 710-020-001***.
- Verify that legally permitted (existing and proposed) outdoor advertising signs will not be screened. See ***Vegetation Management at Outdoor Advertising Signs, Topic No. 575-070-055***.
- Florida Accessibility Code for Building Construction.

4. POST CONSTRUCTION REVIEW AND CERTIFICATION

4.1 The party initiating a landscape project (local government, grant applicant, consultant, etc.) is responsible for preparing and submitting accurate as-built plans or a summary of changes prior to the approval of the final invoice.

4.2 For all landscape projects, routine maintenance, and work approved by ***General Use Permits***, a copy of the as-built plans will be affixed to the maintenance agreements for permanent digital record.

4.3 Districts will keep in a permanent digital record, all new landscape maintenance agreements. Districts should review right of way covered by existing agreements to verify that landscape projects are properly maintained as required. When necessary, Districts will take appropriate action to enforce the agreements.

5. AGREEMENT FOR ALTERNATE VIEW ZONE FOR OUTDOOR ADVERTISERS

5.1 An alternate view zone (other than the first 500 feet within the first 1000 feet from the advertising sign) can be requested by an outdoor advertising sign owner or the Department. A request will be submitted as a written request to the appropriate Department District or to the sign owner. A request can be submitted at any time. No form or fee is required.

5.2 The District Maintenance Engineer or designee may agree to an alternate view zone on behalf of the Department. Also, the sign owner may agree to an alternative view zone on their own behalf.

5.3 Following the receipt of request for an alternate view zone, the Department has 60 days to acknowledge receipt of the request and respond with: an acceptance, denial with a written record, or a request for additional time to decide.

5.4 When both parties cannot agree to terms of the agreement, the District will provide a written record of the negotiation. The State Outdoor Advertising Administrator will be notified in writing of the disagreement.

5.5 When view zones are identified to be within a landscape project limit, The DLA will confirm that the sign owners have been notified in writing. An example notification letter is available from Central Office.

6. AGREEMENTS WITH LOCAL GOVERNMENTS FOR LANDSCAPE FUNDING, CONSTRUCTION AND/OR MAINTENANCE

6.1 When the Department is entering into an agreement with a local government for a landscape project in the right of way that involves project funding, construction and/or maintenance, the DLA will prepare the agreement in cooperation with the District Maintenance Engineer (DME) and the General Counsel.

7. BEAUTIFICATION GRANT PROGRAM

7.1 The DME will appoint a District Beautification Grant Coordinator (Grant Coordinator). Each District and the Central Office will designate one 'Grant Coordinator.' The Grant Coordinator may be the DLA, the District Landscape Coordinator, or anyone else in the District or Central Office. The Grant Coordinator can be a contract employee. Districts are responsible for notifying the CO of the designated Grant coordinator (if changed) by July 1 of each year.

The Grant Coordinator or designee will;

- promote the Beautification grant program to potential applicants,
- assist applicants through the grant application process,
- work with the DLA to ensure satisfactory completion of all landscape projects funded with Beautification grants,
- prepare and transmit forms as required for the financial tracking and payment of Beautification grant projects,
- maintain complete, accurate, and accessible files for each grant in a manner such that documentation can be produced for inspection or review when necessary,
- work with the Central Office Landscape Architecture staff to maintain a uniform statewide Beautification grant program, and
- review and rank the statewide applicants for Beautification Grants each year.

7.2 Promotion of the Beautification grant program: The Grant Coordinator and Central Office Landscape Architecture staff will educate potential applicants about the Beautification grant program through newsletters, websites, workshops, meetings, or other public presentations. ***Beautification Grant Application, Form No. 650-050-10 Part I and Part II*** will be available on-line from the Department's Forms Library.

7.3 Application process: Grants will be submitted online. The Grant Coordinator will be available by **July 1**, each year to receive draft grant applications. This provides 90 days for the Grant Coordinator to review, provide feedback, and assist applicants with the online submittal prior to the **October 1** application deadline. During this time, the Grant Coordinator will provide Grant Applicants with the website and log-in instructions for the online grant submittal. Upon completion of the online submittal, the applicant will receive a confirmation email verifying that their application was submitted.

7.4 Following the application deadline, the CO Landscape Architecture staff will email instructions to Grant Coordinators on how to review, accept and rank grants online.

7.5 Between **October 1** and **October 10**, Grant Coordinators will log into the online system and verify that applications located within their District are located

on the state highways system right of way, and are not in conflict with any proposed or existing landscape projects or outdoor advertising signage. Grant Coordinators will verify that the applications are complete and meet the criteria above, and will accept or reject the applications.

7.6 Between **October 15** and **November 1**, Grant Coordinators will review and rank the grant applications. At the beginning of the ranking period, the Central Office will organize a teleconference meeting. The publicly held meeting is intended to allow Grant Coordinators the ability to discuss the applications amongst themselves.

7.7 The CO Landscape Architecture staff will generate a prioritized list of grant applicants, as determined by the Grant Coordinators' rankings. Called the **Ranked Listing**, beginning with the highest (#1) ranked project, grants are awarded in the ranked order until the remaining budget is not enough to fund the next ranked project.

7.8 The CO Landscape Architecture staff will provide the Office of Work Program and Budget (OWPB) the **Ranked Listing**. The OWPB will confirm the availability of budget and funds.

7.9 The CO Landscape Architecture staff and the OWPB will contact their respective District counterparts to notify them of the grants. The District will then build candidate files on those projects. This will provide the CO Landscape Architecture staff with Financial Project Identification numbers (FPIDs) for each grant. The FPIDs will be included in the award letters signed by the Secretary.

7.10 The CO Landscape Architecture staff will prepare **Grant Award Letters** for the Department Secretary to sign. Included in the package will be the **Ranked Listing**. The **Grant Award Letter** is a letter offering the grant awards, addressed to the applicant as listed in the application package, with copy to the appropriate District Secretary, District Maintenance Engineer, District Grant Coordinator, and District Landscape Architect. Referenced in the letter are the;

- fiscal year of the grant award,
- financial project number,
- project description,
- grant and matching amounts,
- conditions for the grant award,
- statement concerning the responsibility of the applicant to ensure that all agreements associated with the grant proposal are to be fully executed within one year from the date of the award letter,
- statement that there is no commitment of funds for the grant project until the **Notice to Proceed** is issued, and that expenditures for work prior to the **Notice to Proceed** are not reimbursable, and
- direction for accepting the grant by sending an email with delivery

confirmation to the Grant Coordinator within a period of 15 days from the date of the offer of the award.

7.11 Following the Secretary's signature of the **Grant Award Letters**, the CO Landscape Architecture staff will scan the letters and send by email with delivery confirmation to the recipients. A hard copy of the signed letter will also be mailed.

7.12 Central Office OWPB will initiate an **Allotment Transfer** to those Districts receiving grants in the total amount of the grants. Once the allotment transfer is posted, the respective District Work Program Offices will move the grant funded candidate projects into the amended file, and the Central Office OWPB will adopt those items into the current fiscal year.

7.13 The Grant Coordinator will provide written notice to all applicants not receiving awards, and upon request, provide the Grant Coordinators' reports of online ranking and comments.

7.14 Landscape plans for the grant project must be approved by the DLA before the execution of an agreement. The Agreement must be executed within one year of the notice of grant award. All agreements must contain beginning and ending dates, and include specific deliverables (allowable grant costs) which are in accordance with **Section 339.2405(11), F.S.** The Grant Coordinator will prepare and provide the agreement to the grant recipient, and communicate expectations for DLA approval. A standard agreement for Beautification Grants is available on the FDOT Forms and Procedures website.

7.15 A pre-work conference may be held by the Department's Project Coordinator prior to the construction of the grant project. Prior to the **Notice to Proceed** being sent to the recipient as listed in the original application package, the Grant Coordinator must verify that funds have been encumbered. When the **Notice to Proceed** is sent, a copy of the **Contract Status Change Notice** should be sent to the District/Central Office Contract Status Change person.

7.16 The Grant Coordinator will maintain a project file for each grant, containing:

- **Grant Award Letter**
- **Letter of Acceptance**
- **Notice to Proceed**
- **Allotment Transfer Notification**
- **Contract Status Change Notice**
- **Notice of Completion**
- **Letter of Final Completion**
- completed application package
- ranking information and comments
- email delivery confirmation receipts
- applicant's dated resolution

- executed agreements
- relevant project correspondence

7.17 Upon receipt of a **Notice of Completion** of the installation of the project, the District Landscape Architect or designee and the Grant Coordinator will make a final inspection of the project to ensure the project has been completed in compliance with the awarded grant and approved plan. The DLA will issue a **Letter of Final Completion** to the recipient noting that it has met with the terms and conditions of the approved plans and agreements. The recipient will provide the Department with a digital copy of the as-built drawings. After Department issuance of the **Letter of Final Completion**, the Grant Coordinator will then accept an invoice for payment of the project from the recipient and submit the invoice for payment to the District Financial Services Office or Disbursement Operations Office, as appropriate.

7.18 Invoices for all grant related expenses to be paid by the Department must be reviewed by the Grant Coordinator to verify that only the following items are paid: items delivered and properly installed as approved by the Department, and items that are allowable grant costs as described in **Section 339.2405(11), F.S.**

7.19 The Grant Coordinator will complete **Form No. 350-060-02, Contract Invoice Transmittal** and submit to the District Financial Services Office/Disbursement Operations Office. When approved, **Form No. 350-060-02, Contract Invoice Transmittal** will be submitted to the District Financial Services Office/Disbursement Operations Office for payment. The form and submittal may be filed online as part of FACTS.

8. TRAINING

Training and technical support necessary to implement this procedure are available, upon request, from the Production Support Office.

9. FORMS

FDOT forms are available to download from the FDOT Forms and Procedures Library.

- Form No. 350-060-02 (Comptroller-Disb Operations), Contract Invoice Transmittal.
- Form No. 375-020-03 (Contracts Administration), Notice of Beginning and Completion of Maintenance/Construction Projects.
- Form No. 650-50-10 (Production Support Office) Beautification Grant Application.