

Legislative Issue FY 26/27
Fire Station Along Atlanta Ave. and US 19

Funding Request: \$8 million

County Match: \$3 million

Action

Hernando County seeks legislative appropriation to fund the development of a new fire station, estimated at \$8 million, covering both engineering and construction costs. The proposed station will be located along Atlanta Ave. and US 19 just south of Weeki Wachee High School. This funding will allow the County to build a fully equipped facility to enhance fire and emergency medical services in a rapidly growing area.

Background

Current emergency call data clearly indicates an increasing demand for fire and EMS services in the southeastern portion of the County, specifically near Weeki Wachee. The area is experiencing population growth and development, which places added strain on existing stations. Based on service projections and response time analysis, this location has been identified as the next critical site for expansion.

State Interest

Supporting this appropriation promotes public safety and emergency readiness, aligning with the State's interest in ensuring timely and effective emergency response across all communities. A new fire station in this underserved area enhances statewide disaster preparedness, reduces response times, and supports the health and safety of both residents and visitors—core priorities in Florida's emergency management and public health strategies.

**Legislative Issue FY 26/27
Public Safety Training Center**

Funding Request: \$7,100,000

County Match: \$1,010,000

Action

Phase 1 Development

The proposed Public Safety Training Complex will be developed in phases, with the first phase including essential infrastructure and facilities. The total estimated cost for Phase 1 is \$8,110,000. Below is the breakdown of the costs involved:

Site Design/Studies: \$175,000

Site Roads & Retention: \$2,100,000

Water Infrastructure: \$750,000

Fire Tower: \$1,500,000

Shooting Ranges: \$965,000

Driving Pad (Asphalt): \$2,160,000

Concrete Estimate: \$3,240,000

Pavilion: \$75,000

Septic: \$15,000

Restrooms: \$150,000

Electrical Service Main: \$135,000

Technology Infrastructure: \$85,000

Total Phase 1: \$8,110,000

Background

The Hernando County Public Safety Departments—including Sheriff's Office, Fire Rescue, and Emergency Medical Services (EMS)—currently lack the necessary training facilities within the county. As a result, they must travel outside the county to access training, which results in several challenges:

Availability: Travel distances make it difficult for personnel to attend training while ensuring that they remain available to respond to emergencies in Hernando County.

Scheduling Challenges: Coordinating schedules across multiple departments and agencies for external training facilities is complex and inefficient.

Inadequate Facilities: Local candidates and staff lack appropriate training environments, which hinders the development of skills necessary for effective response to emergencies.

The need for an in-county Public Safety Training Center has been recognized since 2012, and Hernando County now has 60 acres of land designated for this purpose.

State Interest

The proposed Public Safety Training Center will not only serve Hernando County but will also provide significant regional and state-level benefits:

Legislative Issue FY 26/27 Public

Safety Training Center (con't)

- **Statewide Impact:** With the ongoing shortage of firefighters and law enforcement officers across Florida, this facility will provide training for local, regional, and state public safety personnel.
- **Certification and Continuing Education:** The facility will offer certification and ongoing education programs to ensure public safety professionals maintain up-to-date skills to effectively manage emergencies, including hurricanes and other disasters.
- **Emergency Response:** The ability to train locally will increase the efficiency and availability of first responders in times of emergency, reducing response time and improving overall effectiveness during hurricanes and other critical situations.

This facility is essential for addressing the increasing demands on public safety services and will directly support the safety of Hernando County residents while contributing to broader state needs for properly trained first responders.

Conclusion

Hernando County urgently needs this Public Safety Training Complex to ensure that law enforcement, fire, and EMS personnel are adequately trained to protect the community, especially in the face of frequent natural disasters such as hurricanes. The proposed training center will greatly improve local and regional emergency response capabilities and provide long-term benefits to both the county and the state of Florida.

Legislative Issue FY 26/27
Waterways/Multi-Agency Building

Funding Request: \$3,500,000

County Match: \$725,123.50

Action

Hernando County Waterways Division seeks to construct a facility which will fulfill the operational needs of the Parks and Recreation Department's Waterways Division, Hernando County Sheriff's Office Marine Unit, and the Florida Fish and Wildlife Commission (FWC) marine officers and provide direct accessibility to waterways within Hernando County. The goals of the project are to serve as a home base for the Waterways Division, FWC and Sheriff's Office while allowing interagency cooperation and coordination for all issues/concerns on HC waterways. The proximity of the project location allows for quick access to Gulf waters and associated rivers and tributaries. The current facility required extensive damage assessment post natural disaster before staff could begin to address damage assessment of public waterways. This also delayed commercial activities (fishing, charters, etc.) dependent on water access in the area from resuming normal operations. This facility must consider the current and anticipated future needs and functions of the division. The property will be maintained by Hernando County following project completion, as is custom for all county owned properties.

Background

The Waterways Department is responsible for managing projects such as marine habitat enhancements, aquatic plant removal, and for providing safe, navigable waterways as well as maintaining the County's network of aids-to-navigation, docks, piers, lights, and buoys in a manner consistent with applicable State and Federal regulations.

The Waterways building received 2.5 feet of storm surge inside the building from Hurricane Idalia (2023). The water damage was extensive, however the County decided to repair the internal damage (drywall, electrical, flooring, furniture) to the building with the hope of utilizing it for a few more years. In 2024, Hurricane Helene's storm surge caused 5 feet of water inside the building along with structural damage (shifted cinder blocks and concrete spalling due to rusted rebar). The damage was too extensive to justify repairs, so the building was deemed condemned and is slated for demolition. The adjacent shed (concrete block) was also damaged due to storm surge which caused shifting of cinder blocks and exposure of rebar. This structure will also be demolished. The existing chain link fence around the facility was pushed over by storm surge and debris. The fence is showing rust from the saltwater inundation from numerous years of storm surge

The current Waterways building was built in 1960 and supports Hernando County Waterways division, Hernando County Sheriff's Office, and the Florida Fish and Wildlife Conservation Commission (FWC). The facility is considered a non-compliant structure for both Florida Building Code and the current floodplain elevations pursuant to the Flood Insurance Rate Maps. This project will entail the replacement of the non-compliant 1960's building by providing design and construction costs of a new elevated facility including improved storage yard for vessels, equipment, docks, slips, and materials. The completion of this project will assist in improvements for the jointly operated facility and enhance operations for Hernando County.

In March 2025, Hernando County Board of County Commissioners approved the purchase of the adjacent lot to allow for the proper expansion to account for current and future needs of the division in addition to our partners that are collocated at the site, Hernando County Sheriff's Office and Florida Fish and Wildlife (FWC). The proposed project includes the demolition of existing structures on both properties, the construction of a new Waterways facility to include an approximately 4,340 sq. ft. elevated office building, seawall addition, dock addition, and boat ramp renovation. All proper infrastructure will be added to the property as well as addressing the required drainage modification to allow for proper flow of stormwater on and through the site. The infrastructure required will include water, sewer, electric, network connection, and access to the Gulf of America. A new building will be designed above the base flood elevation allowing for adequate storage of vessels below and accommodating future expansion needs as they may arise well into the future. The project will address the existing docks and provide necessary improvements and upgrades. All maintenance and storage will be performed and provided at the ground floor level. An elevator or ADA compliant ramp will be included to meet accessibility requirements. Outdoor storage for boats and equipment will be incorporated under the elevated building and remaining site. Parking areas will be provided for staff, HC Sheriff, and FWC along with the occasional visitor. A portion of the site is currently fenced; however, it was damaged from the 2024 storms specifically and will require replacement to secure the site. The additional dock will allow for permanent location for the HC Sheriff's Fire Rescue boat which will allow enhanced response times for the public.

State Interest

Hernando County is a coastal community with rivers, tributaries, and canals that are directly connected to the Gulf of Mexico. As such, Hernando County has numerous aids to navigation, boat ramps, and waterbodies that require maintenance and enforcement to ensure public safety. Construction of a facility with direct connection to a main access channel that can be utilized by several agencies would provide several benefits to State waters such as increased response time to water emergencies, accessibility of boating equipment to assist with in-water rescues, safety zone for inclement weather, increased coordination of agencies, and swift repair of aids to navigation.

Legislative Issue
FY 26/27
Brooksville–Tampa Bay Regional Airport (BKV) Taxiway
and Infrastructure Project Summary

Funding Request: \$1 million
County Match: \$600,000

Action

The Hernando County Board of County Commissioners (BOCC) proposes a transformative infrastructure project at the Brooksville–Tampa Bay Regional Airport (BKV) to rehabilitate an abandoned runway into a new taxiway and extend water and sewer utilities across the airport's infield. This initiative will unlock over 423 acres of aviation and industrial development space, significantly enhancing the airport's operational capacity and attractiveness to aerospace, aviation, and manufacturing industries. With confirmed private investment already committed and the potential for high-wage job creation, this project serves as a cornerstone for Hernando County's long-term economic development strategy. The County match serves either as the local contribution required for external grant applications or, if grant funding is not awarded, as foundational infrastructure investment to begin phased implementation of the project. Total project cost is \$17 million, Hernando County is seeking \$13.4 million in U.S. Economic Development Administration funding towards the project. The remainder is the required match.

Background

Brooksville–Tampa Bay Regional Airport (BKV) is a National Plan of Integrated Airport Systems (NPIAS)-designated General Aviation airport with a National Role and an essential asset for regional economic growth and resilience. Located in Hernando County, BKV spans 2,403 acres with approximately 1,000 acres available for development. It supports diverse operations including military aviation, corporate flights, air cargo, and flight training.

The proposed project will:

- Rehabilitate 4,480 feet of abandoned runway into a fully operational taxiway.
- Install water and sewer utilities across the airport's infield.
- Unlock **195 acres** for immediate aviation development and **228 acres** for industrial and non-aviation use.
- Enhance airfield safety, efficiency, and resilience.
- Enable long-term commercial growth and diversify the local economy.

Confirmed private investment includes:

- **Pem Air:** \$65 million investment and 50 skilled jobs.
- **Judah1:** \$5–8 million investment and 15–20 skilled positions.

Economic Impact Estimates (IMPLAN):

- **\$154.6 million** in total economic output.
- **\$83.2 million** in labor income.
- **\$25.4 million** in new annual revenue potential.
- **\$97.2 million** GDP contribution.

This project also supports Hernando County's partnerships with workforce training organizations and its goals for sustainable development.

State Interest

The BKV Taxiway and Utilities Project directly aligns with Florida's economic, workforce, and aerospace priorities and supports key provisions of **Senate Bill 1662**, recently signed by the Governor to modernize and grow Florida's aviation and logistics sectors.

Alignment with SB 1662 and Florida's Strategic Vision:

- **Aerospace and Manufacturing Support:** The project creates development-ready land ideal for aviation manufacturing, MRO (Maintenance, Repair, and Overhaul), and logistics operations, reinforcing Florida's leadership in aerospace infrastructure. This directly supports SB 1662's aim to expand aerospace-related real estate and protect space-designated territories.
- **Workforce Development and Research Integration:** BKV's collaboration with CareerSource Pasco Hernando and local educational institutions complements SB 1662's establishment of the Florida Transportation Research Institute. The project lays groundwork for integrating regional aviation businesses into statewide research and innovation ecosystems.
- **Advanced Air Mobility (AAM) Readiness:** By improving taxiway infrastructure and enabling new development, BKV is preparing for next-generation aviation technologies, including AAM operations and vertiport-related investments, in line with SB 1662's directive for Florida to become a national leader in AAM.
- **Disaster Resilience and Logistics Capability:** BKV has already served as a Duke Energy storm readiness site, and with infrastructure upgrades, it will further enhance Florida's disaster response capabilities. These improvements increase the airport's value as a multi-modal logistics hub that supports statewide emergency operations.
- **Statewide Economic Growth:** By enabling \$73 million in confirmed private investment, hundreds of high-wage jobs, and increased industrial capacity, the project will amplify Florida's aviation economy while providing scalable benefits for the Tampa Bay region and beyond.

This project is a strategic opportunity to support Florida's aviation innovation, bolster its competitiveness in the global aerospace market, and advance the intent of SB 1662 across multiple dimensions.

Legislative Issue FY 26/27 Hermosa Lift Station Upgrade

Funding Request: \$3,410,000

County Match: \$850,000

Project Description:

The Hermosa Lift Station Upgrade Project involves the rehabilitation and modernization of a key wastewater lift station in Hernando Beach area. The lift station is a vital component of the Hernando County coastal community's wastewater transmission system, collecting flow from six upstream stations and conveying it to the Hernando County Airport Water Reclamation Facility (WRF) via the US19 Master Pump Station.

The Hermosa Lift Station receives wastewater from six upstream lift stations, including:

- Calienta Lift Station (HB-LS01) – 8-inch force main
- Companero Lift Station (HB-LS19) – 6-inch force main
- Gardenia Lift Station (HB-LS33) – 4-inch force main
- Amberjack Lift Station (HB-LS36)
- Bluefish Lift Station (HB-LS37)
- Sea Bass Lift Station (HB-LS38)

The three Hernando Beach South stations (Amberjack, Bluefish, and Sea Bass) combine at Bluefish Drive and Seabass Drive into a 6-inch force main, which runs east to Shoal Line Boulevard, then north to a collector manhole near Hermosa Boulevard. Flow enters the Hermosa Lift Station via gravity before being pumped out.

From the Hermosa Lift Station, effluent is discharged via a 10-inch PVC force main, transitions through a 12-inch HDPE segment, and eventually connects to a 16-inch force main at U.S. 19. This pipe network transports flow to the US19 Master Pump Station, which then routes flow to the Airport WRF.

The Hermosa Lift Station currently operates under fluctuating pressures and flow cycles from six upstream lift stations, placing stress on aging pumps and control systems. As the Hernando Beach area continues to grow, the existing infrastructure is not adequately equipped to manage increased flows. A recent engineering analysis concluded that the station must be upgraded to prevent sanitary sewer overflows, system backups, and potential public health hazards. Additionally, its electrical components are vulnerable to flooding and must be elevated to ensure resiliency.

Location: The Hermosa Lift Station is located at the intersection of Hermosa Boulevard and Shoal Line Boulevard in the coastal community of Hernando Beach.

Project Scope: The Hernando County Utilities Department commissioned a performance analysis of the Hermosa Lift Station. Findings indicate that the station's performance is highly dependent on discharge rates and pump cycling from upstream stations. With continued growth in Hernando Beach area, the analysis recommends pump upgrades at Hermosa Lift Station to accommodate future wastewater volumes.

Additionally, due to a FEMA-designated flood elevation of 12.0 feet, the new electrical control panels for the upgraded pumps should be installed above the floodplain for resilience. The detailed project scope is to:

- Upgrade existing pumps to meet future wastewater flow demands.
- Elevate and replace electrical control panels to above FEMA's 12.0-foot flood elevation.
- Improve reliability and capacity of the station to accommodate current and future development in Hernando Beach area.
- Replace aging infrastructure to prevent leaks and system failures.
- Ensure compatibility with downstream systems and optimize operational efficiency.

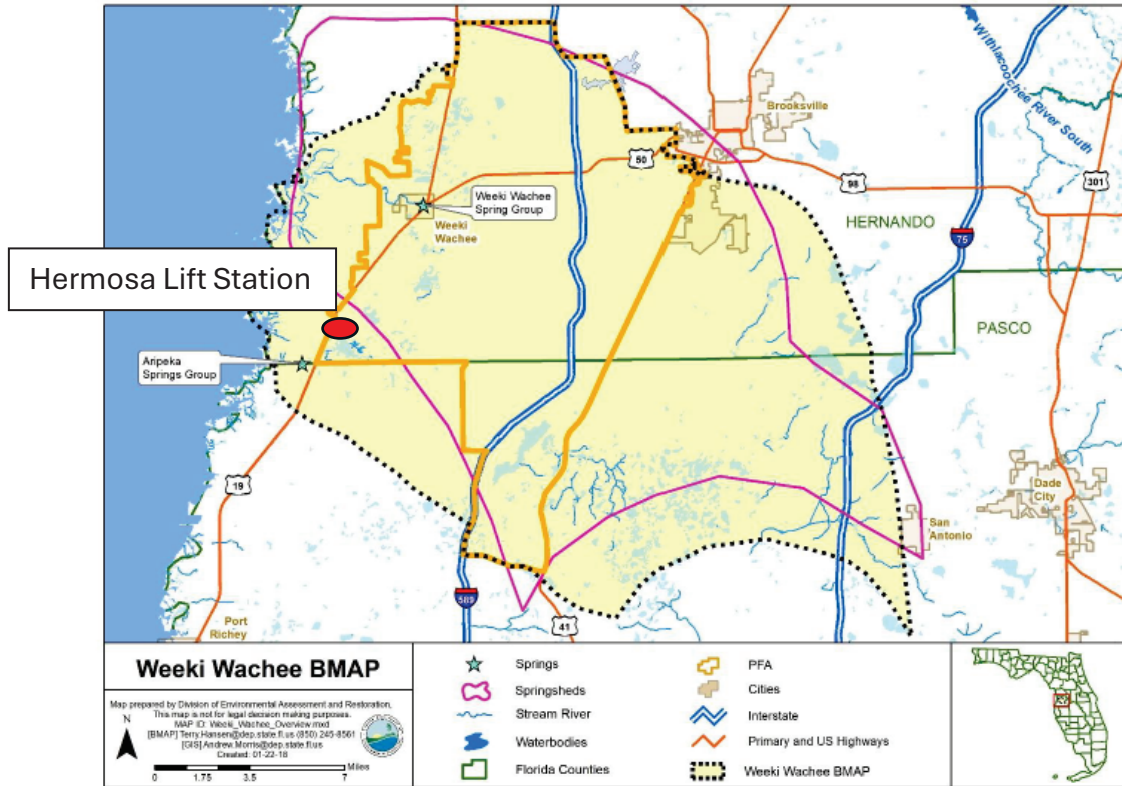
The design phase of this project is nearly complete, and construction funding has not yet been secured.

Environmental Benefit:

- Prevents sewage leaks and sanitary sewer overflows that could contaminate groundwater and surface water.
- Reduces nitrogen loading into the aquifer, helping protect the Weeki Wachee Springs, a sensitive and impaired waterbody.
- Enhances reclaimed water management and aquifer recharge capabilities.
- Supports water quality improvement and nutrient reduction goals under Florida's Basin Management Action Plan (BMAP).
- Promotes a more sustainable and climate-resilient wastewater infrastructure.

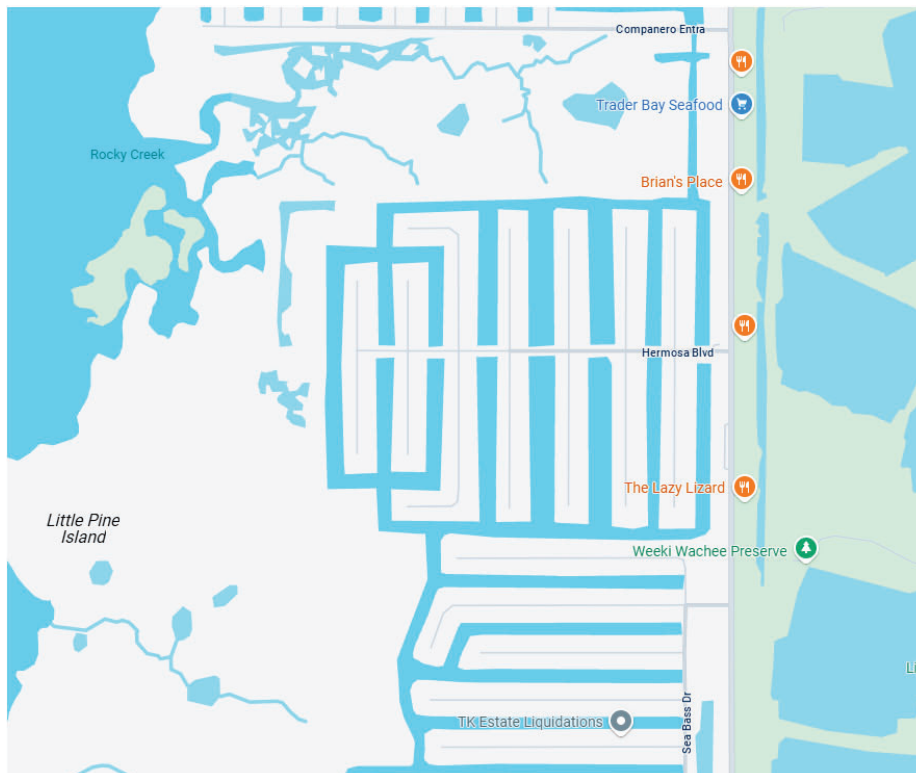
b. Attach maps showing system boundaries, existing and proposed service area, and project area.

Weeki Wachee BMAP and PFA Boundaries:



Project Service Area:





Design Ready Project:

HERNANDO COUNTY COMMISSIONERS

COMMISSIONER: RYAN AXLEY
COMMISSIONER: BRIAN HARRIS
COMMISSIONER: JIM ALLRED
COMMISSIONER: TERRY GARNETT
COMMISSIONER: TERRY HARRIS

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HERNANDO COUNTY UTILITIES DEPARTMENT
15566 CORTEZ BOULEVARD
BROOKSVILLE, FL 34613
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HERMOSA LIFT STATION IMPROVEMENTS

PURCHASE ORDER # 24000507
CONTRACT # 18-R00020/PH

90% DESIGN

COASTAL ENGINEERING PROJECT #24004

LOCATION MAP

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PREPARED BY:

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Checked by: [Signature] Date of Issue: [Date]

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Legislative Issue FY 26/27
Septic-to-Sewer Conversion – District A Phase 2

Funding Request: \$26 million

County Match: \$1,800,000

Weeki Wachee Springs has been designated as an impaired waterbody due to elevated nitrate levels, which pose a threat to water quality and spring ecosystem health. To address this issue, the Florida Department of Environmental Protection (FDEP) developed a Basin Management Action Plan (BMAP) requiring Hernando County to reduce nitrogen discharges to the groundwater within the BMAP boundary.

As part of this effort, FDEP funded Hernando County’s Onsite Sewage Treatment and Disposal Systems (OSTDS) Remediation Feasibility Analysis Report, which identified priority areas for septic-to-sewer conversions. These areas were selected based on their potential to reduce nitrogen loading most effectively.

Septic to Sewer District A Phase 2, the area closest to Weeki Wachee Springs, was determined to offer the most immediate water quality benefit. The district has been divided into two phases. Phase 1 is currently under construction, and this application pertains to the design and construction of Phase 2.

Project Location: Phase 2 encompasses the area south of SR 50, approximately 1.25 miles east of US 19, extending from India Drive to Hazelwood Road (east–west) and from Brentlawn Street to Elgin Boulevard (north–south).

Project Scope:

- Extend central sewer service to approximately 353 properties, over 300 of which currently utilize individual septic systems.
- Eliminate approximately 300 septic tanks, significantly reducing nutrient contributions to groundwater.
- Integrate new customers into the Hernando County central wastewater collection system, enhancing system capacity and efficiency.

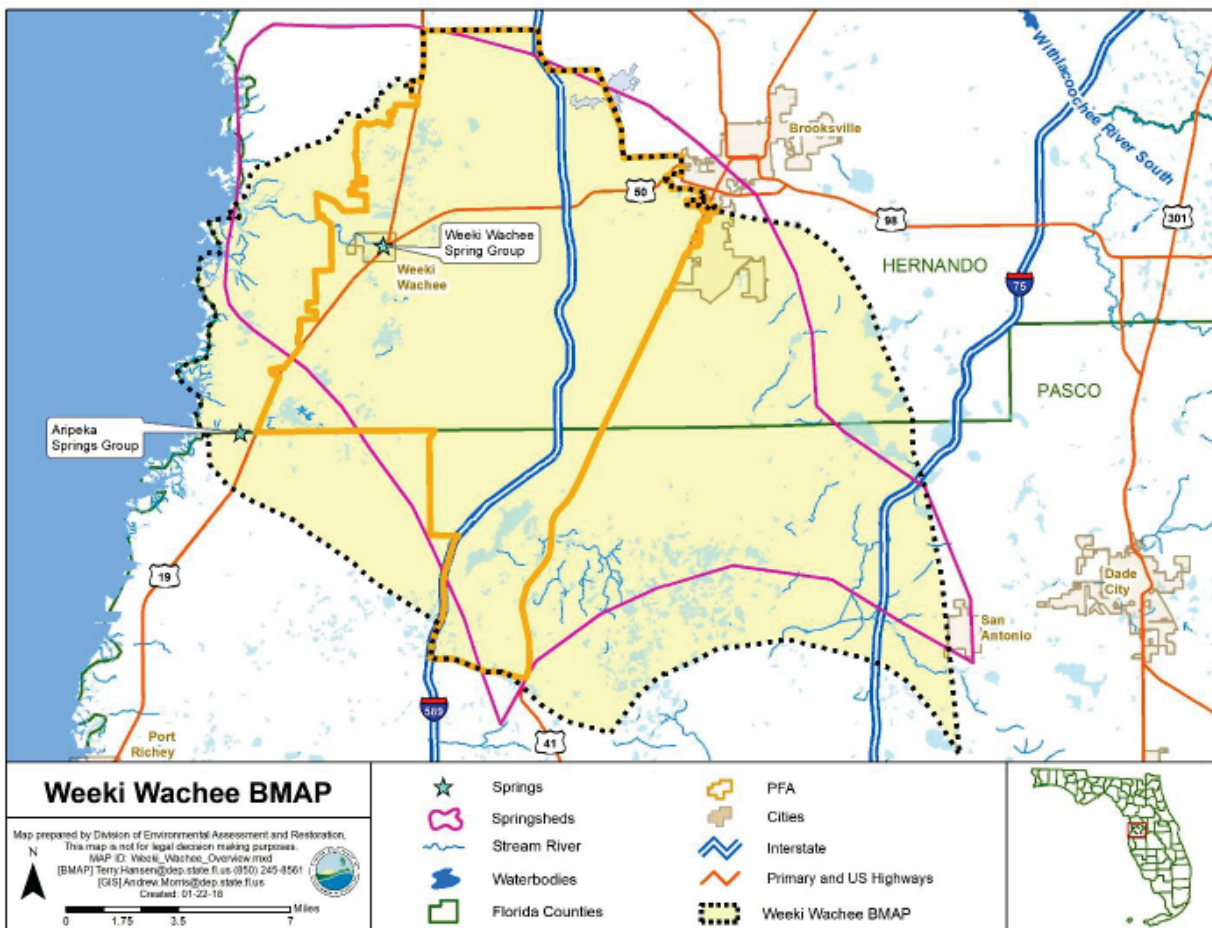
Environmental Benefits:

- Estimated reduction of 2,782 lbs/year of Total Nitrogen entering the groundwater.
- Substantial improvement in water quality in Weeki Wachee Springs.
- Increased availability of reclaimed water for beneficial reuse.

This project represents a critical step toward protecting one of Florida's unique and valuable spring ecosystems while supporting sustainable wastewater infrastructure improvements for Hernando County.

b. Attach maps showing system boundaries, existing and proposed service area, and project area.

Weeki Wachee BMAP and PFA Boundaries



Septic to Sewer District A Phase 2 Project Area:



Legislative Issue FY 26/27
Confidentiality of Official Estimates and Bid Analysis for local County/City Governments

Purpose:

To amend Florida law to authorize local County/City Governments to apply the same confidentiality provisions currently granted to the Florida Department of Transportation (FDOT) under Section 337.168, Florida Statutes, regarding official cost estimates and bid analysis systems.

Summary:

This legislative action proposes to extend the confidentiality and public records exemptions currently applicable to FDOT under Section 337.168, Florida Statutes, to the local County and City Governments. Specifically, the measure would:

1. **Exempt from public disclosure** any document or electronic file revealing the County/City's official cost estimate for a project until the project contract is executed or the project is no longer under active consideration.
2. **Exempt from public disclosure** the County/City's bid analysis and monitoring system, including all associated system documentation, input, processes, electronic data, and output—while preserving access to actual source documents unless separately exempted by law.

Rationale:

This action aligns local County/City Government with FDOT in safeguarding sensitive procurement and project data, reducing the risk of manipulation or unfair bidding practices. It ensures competitive integrity in the bidding process and protects confidential internal methodologies and analyses used in state project planning and contracting.

Impact:

If enacted, this measure will bolster the integrity and security of by protecting pre-contract cost estimates and internal bid evaluation tools from premature disclosure under Florida's public records laws (Section 119.07(1), F.S.).

Proposed Statutory Language:

Amend existing statutes or introduce a new provision modeled after Section 337.168, F.S., specifically applying the same exemptions to local County/City Governments.

Legislative Issue
FY 26/27
Prohibiting St. Augustine Grass in the Weeki Wachee BMAP Priority Focus Area

Action

By prohibiting St. Augustine Grass in the Weeki Wachee BMAP would reduce over usage of watering. The County is requesting a change to the Florida Statutes to allow restricting this high water use sod type in the Weeki Wachee BMAP Priority Focus Area.

Background

Recently, a Pilot turfgrass swap project was performed in the Wellington Community in Spring Hill on four homes. The homes' existing high water use turfgrass (St. Augustine grass) was replaced with drought tolerant turfgrass (Bahia grass) and expanded planting beds were utilized. This resulted in a 25% reduction in water use and the turf performed better than the surrounding neighbors' yards which were St. Augustine grass. The project was successful and the Wellington Community is now resodding their yards with Bahiagrass as a result.

The Spring Hill area lies within the Weeki Wachee Springs Basin. The primary soil in the area consists of Candler fine sands (i.e. beach sand) that has an extremely high infiltration rate and exhibits poor moisture retention properties, making it less suitable for high water use turf such as St. Augustine. Homes within this area that utilize St. Augustine often violate the County's one day a week watering restrictions in an effort to maintain this turf on this sandy soil. Maintaining this turf on this type of soil questions the Florida Friendly Landscape principles of having the "right plant in the right place".

State Interest

Hernando County researched the possibility of prohibiting high water use turfgrass (St. Augustine grass) in these areas of the County and the County Attorney's Office prepared a legal opinion on the possibility of enacting an ordinance to limit the use of this turf (see attached). Below is an excerpt from the legal opinion on this matter:

"Since St. Augustine grass is listed as a Turfgrass under the Florida-friendly landscape standards, an ordinance that prohibits the use of such grass in the County would conflict with the standards and be barred by paragraphs 125.568(3)(c) and 373.185(3)(c), Florida Statutes. However, the Board of County Commissioners is authorized to promote the planting of appropriate turfgrass based on soil type by providing public education and offering incentives to local residents and businesses. § 125.568(2), Fla. Stat. Such activities may encompass educational programs for citizens, contractors and developers as well as financial incentives for landowners who install alternative turf or replace existing St. Augustine grass on their property."

The County already performs educational information through the Florida Friendly Landscape Coordinator and regularly conducts free trainings to County residents on this issue. However, St. Augustine still remains abundant in this native sandy area. The County is requesting a change to the above referenced Florida Statutes to allow restricting this high water use sod type in the Weeki Wachee BMAP Priority Focus Area.

**MEMORANDUM
HERNANDO COUNTY ATTORNEY'S OFFICE**

TO: Board of County Commissioners

VIA: Jon A. Jouben, County Attorney

FROM: Maureen S. Sikora, Assistant County Attorney *msa*

LR: 21-054

SUBJECT: Turfgrass Regulations

DATE: October 13, 2021

I. FACTUAL BACKGROUND

On January 15, 2008, the Hernando County Board of County Commissioners adopted Ordinance No. 2008-02, the 2008 Hernando County Landscape Ordinance, which is codified as Chapter 10, Article II, Hernando County Code of Ordinances. Subsection 10-17(2) and Section 10-18 of the Code of Ordinances require the Landscape Ordinance to be compatible with the Florida-Friendly Landscaping Design Standards.

II. ISSUE

The Board of County Commissioners has discussed revising the County's Landscape Ordinance to prohibit the installation of St. Augustine grass.

III. SUMMARY

The Hernando County Landscape Ordinance requires consistency with the Florida-Friendly Landscaping Design Standards prepared by the Florida Yards and Neighborhoods Program.

The Board has the legal authority to enact a Florida-friendly landscaping ordinance. The Board also has the power to promote Florida-friendly landscaping through public education and incentives to local residents and businesses.

Florida Statutes restrict the County's ability to adopt or enforce an ordinance which prohibits property owners from implementing Florida-friendly landscaping on their land.

Both the Florida-Friendly Landscape Model Ordinance and the Florida-Friendly Landscaping Guide to Plant Selection include St. Augustinegrass as an approved turfgrass. An ordinance prohibiting the installation of such grass within Hernando County would conflict with the

Florida-Friendly Landscaping Design Standards and consequently be precluded by Florida law.

IV. ANALYSIS

The 2008 Hernando County Landscape Ordinance is based on concepts of Xeriscape and Florida Friendly Landscaping under the Florida Yards and Neighborhoods (FYN) and Environmental Landscape Management (ELM) programs promoted by the University of Florida Cooperative Extension Service, along with the programs of the state's water management districts and Best Management Practices (BMPs). § 10-17(2), Hernando County Code of Ordinances. Section 10-18 of the Code of Ordinances states:

Application and interpretation of this article shall be generally consistent with "Landscape Irrigation & Florida-Friendly Design Standards" as promulgated by the Committee on Landscape Irrigation and Florida-Friendly Design Standards, dated December, 2006, or as subsequently revised or amended.

"Xeriscape or Florida-friendly landscape" is defined in Section 10-19 of the Code of Ordinances to mean:

[Q]uality landscapes that conserve water and protect the environment and are adaptable to local conditions and which are drought tolerant. The principles of Xeriscape include planning and design, appropriate choice of plants, soil analysis which may include the use of solid waste compost, efficient irrigation, practical use of turf, appropriate use of mulches, and proper maintenance.

Chapter 10, Article II, of the Code of Ordinances does not contain a definition of turf or identify the types of turfgrass approved for installation in Hernando County. Sections of the Landscape Ordinance relating to development of residential lots and rural-residential parcels recommend that plant installations in low water-use zones be selected using guidelines described in the Florida-Friendly Plant List current year publication. §§ 10-29(a)(8), 10-29(b)(7), Hernando County Code of Ordinances.

In 2009, the Florida Legislature amended various statutes pertaining to Florida-friendly landscaping for the purpose of promoting water conservation and water quality protection and restoration. Ch. 2009-243, Laws of Fla. These laws apply to counties, § 125.568, Fla. Stat., municipalities, § 166.048, Fla. Stat., and local governments, § 373.185, Fla. Stat. The relevant provisions of Section 125.568 provide:

125.568 Conservation of water; Florida-friendly landscaping.—

(1)(a) The Legislature finds that Florida-friendly landscaping contributes to the conservation, protection, and restoration of water. In an effort to meet the water needs of this state in a manner that will supply adequate and dependable supplies of water where needed, it is the intent of the Legislature that Florida-friendly landscaping be an essential part of water conservation and water quality protection and restoration planning.

(b) As used in this section, "Florida-friendly landscaping" has the

same meaning as in s. 373.185.

(2) The board of county commissioners of each county shall consider enacting ordinances, consistent with s. 373.185, requiring the use of Florida-friendly landscaping as a water conservation or water quality protection or restoration measure. If the board determines that such landscaping would be of significant benefit as a water conservation or water quality protection or restoration measure, especially for waters designated as impaired pursuant to s. 403.067, relative to the cost to implement Florida-friendly landscaping in its area of jurisdiction, the board shall enact a Florida-friendly landscaping ordinance. Further, the board of county commissioners shall consider promoting Florida-friendly landscaping as a water conservation or water quality protection or restoration measure by: using such landscaping in any areas under its jurisdiction which are landscaped after the effective date of this act; providing public education on Florida-friendly landscaping, its uses in increasing water conservation and water quality protection or restoration, and its long-term cost-effectiveness; and offering incentives to local residents and businesses to implement Florida-friendly landscaping.

(3)(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.

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(c) A local government ordinance may not prohibit or be enforced so as to prohibit any property owner from implementing Florida-friendly landscaping on his or her land. (Emphasis added.)

The underlined language cited above is repeated in paragraph 373.185(3)(c), Florida Statutes, which forbids approval or enforcement of a local government ordinance that prohibits any property owner from implementing Florida-friendly landscaping on his or her land.

Paragraph 373.185(1)(b), Florida Statutes, defines the phrase "Florida-friendly landscaping" as follows:

"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.

The standards for Florida-friendly landscaping are set forth in a publication entitled "Florida - Friendly Landscape Guidelines for Model Ordinance Language for Protection of Water Quality

and Quantity (Jan. 2009)”, which was developed by the Department of Environmental Protection (FDEP), the University of Florida Institute of Food and Agricultural Sciences (UF/IFAS), and the FYN Program. Subsection 8.61 of the Model Ordinance defines the term “Turf and/or Turfgrass” to mean “[a] mat layer of monocotyledonous plants such as, but not limited to, Bahia, Bermuda, Centipede, Paspalum, St. Augustine, and Zoysia.”

“The Florida Friendly Landscaping Guide to Plant Selection & Landscape Design”, a handbook published by the FYN Program, includes a list of recommended Florida-Friendly Landscaping plants. The category entitled Turfgrass itemizes Bermudagrass, Bahiagrass, St. Augustinegrass, and Zoysiagrass adapted to the entire state and Centipedegrass adapted to North Florida and the Panhandle.

Since St. Augustinegrass is listed as a Turfgrass under the Florida-friendly landscape standards, an ordinance that prohibits the use of such grass in the County would conflict with the standards and be barred by paragraphs 125.568(3)(c) and 373.185(3)(c), Florida Statutes. However, the Board of County Commissioners is authorized to promote the planting of appropriate turfgrass based on soil type by providing public education and offering incentives to local residents and businesses. § 125.568(2), Fla. Stat. Such activities may encompass educational programs for citizens, contractors and developers as well as financial incentives for landowners who install alternative turf or replace existing St. Augustinegrass on their property.

In addition to restricting the ability of local governments to adopt, amend or enforce ordinances, Florida law affects homeowners’ associations in a similar manner. Paragraphs 125.568(3)(b) and 373.185(3)(b), Florida Statutes, read as follows: “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.” Paragraph 720.3075(4)(b), Florida Statutes, also relates to homeowners’ association documents, such as declarations of covenants, articles of incorporation, and bylaws.

If I can provide any additional information or answer any questions, do not hesitate to contact me.