



## **Application Terms & Conditions, Guidelines, and Design Requirements**

### **Terms & Conditions**

Before you complete the application for this program you must read, understand, and accept the Front Yard Initiative's Terms and Conditions listed below, the Process Guidelines and the Design Requirements.

The following are the Terms and Conditions of the Urban Conservancy's Front Yard Initiative (FYI).

### **General**

Urban Conservancy= UC  
Front Yard Initiative = FYI

Only one FYI application may be approved per homeowner.

"Property Owner" is the owner of the property that is having impervious pavement removed, or in the case when the property is owned by a corporation, "Property Owner" shall be the individual legally acting on behalf of the owner of the property. FYI reserves the right to verify property ownership.

If a FYI incentive payment is eventually made, it can only be made payable to Property Owner.

Improvements= pavement removed

### **Property Owner**

- Property Owner must sign and submit the FYI application.
- Property Owner will receive two dollars and fifty cents (\$2.50) per square foot for pervious pavement replaced in accordance with the Terms and Conditions, Process Guidelines and Design Requirements.
- Property Owner has sole responsibility for any and all tax consequences resulting from Property Owner receiving the FYI payment, and will be *issued a 1099-M at the end of the year in which the incentive was issued. This is a taxable incentive program, not a rebate.*
- Property Owner has sole responsibility for complying with all applicable laws, permits, ordinances, codes, policies, covenants, and conditions that may apply to *performance of the lawn removal/landscape conversion project. For City of New Orleans building and permit information call 504-685-7100.* Those properties in historic districts may require

special permits from the City and these permits are the sole responsibility of the Property Owner.

- Property Owner has sole responsibility for concrete removal, including choosing a contractor or landscaper to perform the work. The UC and/or its agents bears no responsibility for the quality of the concrete removal or any damage caused by or discovered during the concrete removal process, including any damage to water lines.
- Property Owner has sole responsibility for the quality, appearance, and maintenance of the FYI landscape.
- Property Owner shall make the property available to the UC and/or its agents, in order (1) for the UC to verify compliance with the FYI program, including but not limited to: the condition of the landscape prior to and after the FYI installation, the size (in square-foot) of the FYI landscaped area (2) for the UC to exercise its rights under the FYI program to use the design of the FYI landscaped area as well as descriptions of it, and before- and after-photos and videos of it, for the purpose of promoting water tolerant landscapes
- Any application containing inaccurate or misleading information will be disqualified from the FYI program and any and all commitments made by the UC related to that application, including commitments to make FYI incentive payments, shall be automatically rescinded and rendered null and void.
- Property Owner is limited to *one application per property owner*.
- Property Owner, if submitting the FYI application on-line, may be required by the UC as a condition of receiving the incentive payment to sign a paper copy of the Application within two (2) weeks of being notified of having been approved, provided the UC makes that paper application available to them.
- Property Owner agrees to waive, release, relinquish and discharge the UC, its officials and employees from all liability, loss, claims, demands, causes of action, and damage arising out of Property Owner's participation in this Program.
- *"Impervious pavement removed"* refers to that part of the landscape, in square feet, which qualifies for the FYI and for which the UC will pay the FYI incentive of \$2.50 per square foot. The amount of pavement removed will determine the incentive amount.
- Pre-existing projects, or projects that don't remove pavement are not eligible for the Front Yard Initiative.
  - Must be no greater than 500 square feet; there is no minimum. (Actual area of impervious pavement removed may be larger than 500 square feet, but only the first 500 square feet are eligible for the FYI incentive.)
  - May only include the front yard and parkways; other landscaped areas, such as side yards or backyards or neutral grounds, are not eligible. The front yard area must be visible from the street.
  - All improvements must be based on a design approved by the UC, which approval will be based on the "Design Requirements" document.

If, in its sole discretion, the UC finds the improved area has not been properly maintained/implemented or if the implementation has been altered significantly from the approved design (for example: if impervious pavement is re-installed), Property Owner, if he/she has not sold the property by that time, shall reimburse the UC for the FYI payment as follows: 100% reimbursement if finding made in first 365-day period after payment; 80% reimbursement if finding made within 2nd 365 day period after payment; 60% if finding made within 3rd 365-day period after payment; 40% if finding made within 4th 365-day period after payment; and 20% if finding made within 5th 365-day period after payment.

The UC will only pay the FYI incentive of \$2.50 per square feet based on the smallest of the following: the size of the project as shown in your application, the size shown in your design, or the size of the FYI project you actually build.

Applications will be approved for funding in the order in which designs are approved. The FYI incentive program and the Terms and Conditions set forth herein, the Process Guidelines and the Design Requirements are subject to change without notice.

### **The Urban Conservancy's Front Yard Initiative**

Shall have the right to use the design of the Improved Area as well as before- and after-photos and videos of it, for the purpose of promoting water tolerant landscapes. This promotion could be in the form of videos, print, web, or other venues.

Shall have sole authority to resolve all disputes related to the FYI program, approval of applications, approval of landscape designs, and all other related matters relevant to the FYI program.

Shall not be obligated to make, and will not make, FYI payments for that part of the approved square footage, when the size of the actual landscape installed is less than that approved and/or when some or all of the landscape actually installed differs, as determined by the UC in its sole discretion, from the approved design. In other words, the UC shall only pay for the square footage of the landscape actually installed that is congruent with the approved design, up to the maximum amount of square feet approved in the application.



## **Process Guidelines**

Applying for your FYI incentive payment is easy. Just follow these steps to receive up to \$1,250.

The UC pays an incentive of \$2.50 per square foot when impervious paving is removed and replaced with pervious paving, landscaping, or other design approved pervious ground cover. Restrictions apply, so be sure to read the Terms and Conditions, and the Design Requirements.

There are a few highlights of the program:

- FYI program only applies to front yards (including side yards on corner lots);
- The maximum incentive payment is for 500 square feet of impervious surface removed or \$1250;
- If you remove your paving before your design is approved, you will not qualify for the incentive.

To help stay organized, see our **Project Checklist**.

### **Step 1 Complete and Submit Your Application**

The owner of the property to be improved must be the person that applies.

### **Step 2 Submit Design**

- Soon after you apply we will notify you if your application has been accepted. If accepted, you will be given 45 days to complete both of the following:
  - Conduct a yard assessment with one of the FYI-approved landscape architecture firms.
  - Design your new landscape: Don't be too concerned with creating a professional-level design, most of the drawings we receive are simple drawings done by homeowners like yourself. However, your design must meet certain standards.

We will notify you whether we have a record of your successfully submitting your design within two weeks of receiving it.

### **Step 3 Install Your FYI Improvements and Receive Your Incentive Payment!**

Soon after you have submitted your design, we will notify you if you are approved to begin Step 3. You will have 120 calendar days after we send this notice of approval to complete the FYI installation and for us to receive notice from you that the installation is complete.

Once we (UC) have documented to our satisfaction that you have met the requirements of the FYI program and that the improvement was constructed according to the FYI design we approved, we will provide the incentive payment to you in the form of a check made payable to the Property Owner. Payments will typically be made within approximately *60 calendar days* of our being notified that the FYI installation is complete.

### **Step 4 Maintain Improvements**

The FYI improvements must be maintained according to the requirements stated in the FYI Terms and Conditions.



## **Design Requirements**

Before you complete the application for this program you must read and understand these Design Requirements as well as the Terms and Conditions and the Process Guidelines.

If your application for the FYI Incentive program has been approved, the next steps in the process are for you to submit your design, within 45 calendar days of the UC having approved your application. The design **MUST** include *the six (6) items discussed* on the following page.

Remember: You have **NOT** yet been approved for funding. You cannot be approved until the UC approves the design of your improvements. So **IF** you begin work on your new improvements before the design is approved, you do so prior to a commitment from the UC to provide an incentive.

The design you submit to us is the design that must be installed. For example, the UC will not be required to make the FYI payment if the installed improvement is not the same as the approved design. Read carefully the Terms and Conditions for more information.

A professionally-drawn design is **NOT** required: A simple, hand-drawn design is fine, showing the pavement to be removed, and any other improvements such as landscaping (if applicable) to be added. The UC assumes most of the designs submitted to us will be simple pencil drawings done by your typical homeowner. The drawing must show enough detail to illustrate the overall project design.

When thinking about the design of your new landscape, don't forget to take advantage of the landscape resources we have developed for your benefit and use.

If, after reading these requirements, you have any questions about what's required here please contact us *at felice@urbanconservancy.org* or 504-617-6618.

## **What to Include in Your Design**

As mentioned, the drawing can be done by a non-professional and by hand. Although the drawing does not have to be at a high level of detail, it should show enough detail to illustrate the overall project design.

Your drawing must comply with the following:

1. The top-right corner of each page you submit **MUST** include the street address of the project, so we are able to match your drawing with your application

2. Your drawing **MUST** show exactly where the new improvements will be in relation to large, existing fixtures such as the street, sidewalk, driveway, home, etc.
3. In addition to showing these large existing features, the drawing must provide the measurements (or size) of the area to be improved, in square feet. These measurements should add up to no more square feet than the number of square feet you entered on your application. If you are eventually approved for an Incentive payment, the payment cannot be for more landscape than was approved on your application.
4. Your drawing **MUST** label the plants that you will include in the improvements, **AND** you must state if the plants are native and/or water-loving.
5. If the full names of the plants will not fit on the drawing, feel free to use a code for the plants on the drawing, adding the associated plant names on a separate piece of paper.
6. Only Louisiana-friendly plants may be installed as part of this project.
7. Your drawing **MUST** show that you have less than 40% of your front yard covered in impervious surfaces.
8. There can be no bare soil or installation of non-permeable (material water cannot easily penetrate) hardscape such as a concrete patio or walkway.



## **Helpful Tips if Including Landscaping**

### **Group by Hydrozones**

Plants are often categorized by how much water they require, or their hydrozone. When designing your garden it is wise to group together plants that have similar watering needs.

### **Capture Runoff**

Slowing down the flow of runoff through your landscape will allow more of it to infiltrate into the groundwater. This can be accomplished through the use of groundcovers, but also with a series of rocks and boulders to create a “dry streambed.” If your property is sloped, towards the street, you may want to install an infiltration basin, an underground layer of sand, gravel or other coarse material.

### **Shade**

When planning your garden, consider how much sun different areas of your garden will receive.

### **Animals**

Many Louisiana native plants have wonderful blooms that attract hummingbirds and butterflies. Tubular flowers are the perfect fit for a hummingbird’s beak and the same bright colors that attract them also look great in your garden. Also, some plants with thorns or strong scents can be used to deter undesired animals such as stray cats

### **Blooms**

Everyone has heard of spring flowers; however there are many plants that bloom during other seasons. You may want to select plants that bloom during the winter to brighten up your garden during gray days, or autumn bloomers to give your garden a “fall feel.” Your garden doesn’t have to be stark or bare during the other 3 seasons!

### **Maximum Size**

When placing plants, it is important to consider their maximum size. We all want our gardens to be healthy, and that means that the plants will grow! Be sure to allow adequate space between plants and away from buildings to avoid problems later on. If you feel that your garden looks too sparse, you can always sprinkle wildflower seeds in for a seasonal burst of color!

### **Irrigation**

Believe it or not, there are times when watering is necessary even in a city that receives 62” of rain annually. There are many irrigation options available. It is important to consider the slope and flow paths of your property as well as the placement and root systems of your plants. Drip irrigation, bubblers, rotating sprinkler heads, and hand watering are all efficient ways to irrigate your garden.