

ORDINANCE NO. 2021-09

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING CHAPTER 12 ENTITLED "LAND DEVELOPMENT CODE"; BY SPECIFICALLY AMENDING SECTION 12-396 ENTITLED "APPROPRIATE PLANT SELECTION, LOCATION AND ARRANGEMENT" TO PROVIDE FOR THE USE OF ARTIFICIAL TURF; PROVIDING FOR AN AMENDMENT TO PROCEDURE, REVIEW CRITERIA, AND DESIGN STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission hereby finds it is in the best interest of the Town to amend the Town Code of Ordinances, by specifically amending Chapter 12 related to appropriate plant selection, location and arrangement;

WHEREAS, the Town Commission deems it in the best interest of the Town to allow for the use of artificial turf under specific conditions.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF HILLSBORO BEACH, FLORIDA THAT:

**Section 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a part of this Ordinance.

**Section 2.** Chapter 12 entitled "Land Development Code" of the Town's Code of Ordinances, specifically Section 12-396 entitled "Appropriate Plant Selection, Location, and Arrangement" is hereby amended as follows:

**Sec. 12-396 - Appropriate plant selection, location and arrangement.**

(M) The use of artificial ~~plants and vegetation turf~~ shall be substituted for natural ~~plants and vegetation turf grass~~ only in those instances where a ~~n conditional use~~ application is filed by the property owner and the application is approved by the Town ~~Commission Administrator or designee for single-family residences within the R-2 Zoning District~~. The ~~conditional use allowing for the~~ use of artificial ~~plants and vegetation turf~~ for landscaping shall be subject to the following:

~~(1) Procedure. Artificial Turf Permit required. All conditional uses shall be subject to approval of the Town Commission, and no conditional use shall be approved until after a public hearing by the Town Commission, at which time all interested parties shall have an opportunity to be heard. The Artificial Turf Permit application shall include, at a minimum, the following information:~~

~~1. A site-landscape plan of the intended area of installation showing the location of the artificial turf, area of living plant material, and and method of separation between~~

1 these areas. All other minimum landscape requirements for the property shall be  
2 required.

3 2. Details regarding existing or proposed irrigation proximate to the artificial turf.

4 3. Brand and type of artificial turf including all manufacturer specifications and  
5 warranties. If not currently used within the Town, the application shall also include a  
6 sample of the material to be installed.

7 4. A scaled cross section and details of the proposed materials and installation, including  
8 but not limited to subgrade, drainage, base or leveling layer, and infill.

9 (2) Review criteria. The Town Manager or his or her designee ~~Commission~~ shall ~~not~~  
10 approve ~~a conditional use, unless and until it finds that the use of artificial turf based~~  
11 on compliance with the following criteria:

12 ~~(a) The use of artificial plants and vegetation is deemed desirable for the public~~  
13 ~~convenience or welfare, and the use is in harmony with the purpose and intent of~~  
14 ~~this chapter and will not be detrimental or injurious to the town.~~

15 ~~(b) When granting approval for a conditional use, the Town Commission may attach~~  
16 ~~conditions and safeguards, as it may determine is necessary for the protection and~~  
17 ~~aesthetic appearance of the town.~~

18 ~~(c)~~(a) Design Standards. The application shall meet all of the following ~~criteria design~~  
19 standards, and shall where appropriate:

20 1. ~~Harmony with adjacent uses (existing or zoned). Simulate the appearance of~~  
21 live turf, organic turf, grass, sod or lawn, and shall have a minimum eight (8) year  
22 "no fade" warranty.

23 2. ~~Use not hazardous to the town. Have a minimum face weight of 75 ounces per~~  
24 square yard.

25 3. ~~The landscape plan identifying the location and dimension of the use of artificial~~  
26 ~~plants and vegetation is compatible with the character and aesthetics of the~~  
27 ~~town. Be manufactured from polyethylene monofilament, dual yarn system, and~~  
28 manufactured in the United States.

29 4. Have backing that is permeable.

30 5. Be lead free and flame retardant.

31 6. Be of a type known as cut pile infill with pile fibers of a minimum height of 1.75  
32 inches and a maximum height of 2.5 inches, except for Putting Greens, which may  
33 have a minimum height of ¼ inch.

34  
35 (b) Installation Standards. Artificial turf shall comply with all of the following  
36 installation standards and shall:

37 1. Be installed by a Florida-licensed general contractor in a manner prescribed by  
38 the manufacturer.

39 2. Be installed over an evenly graded, porous crushed rock aggregate material that  
40 is a minimum of three inches in depth.

- 1 3. Be anchored at all edges and seams consistent with the manufacturer's
- 2 specifications.
- 3 4. Not have visible seams between multiple panels.
- 4 5. Have seams that are joined in a tight and secure manner.
- 5 6. Be a minimum of six feet from a tree or palm and 12 inches
- 6 from hedges, shrubs, or groundcover, including the separator.
- 7 7. Have an infill medium consisting of clean silica sand or other mixture, pursuant to
- 8 the manufacturer's specifications that shall:
- 9 a. Be brushed into the fibers to ensure that the fibers remain in an upright
- 10 position;
- 11 b. Provide ballast that will help hold the Synthetic Turf in place; and
- 12 c. Provide a cushioning effect.
- 13 (c) Additional Standards. Artificial turf shall comply with all of the following
- 14 installation standards and shall:
- 15 1. Areas of living plant material shall be installed and/or maintained in
- 16 conjunction with the installation of Synthetic Turf. Living plant material shall be
- 17 provided per the minimum code requirements.
- 18 2. Irrigation systems proximate to the Synthetic Turf shall be directed so that
- 19 no Irrigation affects the Synthetic Turf.
- 20 (d) Maintenance Standards. Artificial turf shall comply with all of the following
- 21 maintenance standards and shall:
- 22 1. Be maintained in an attractive and clean condition, and shall not contain holes,
- 23 tears, stains, discoloration, seam separations, uplifted surfaces or edges, heat
- 24 degradation or excessive wear.
- 25 2. Be maintained in a green fadeless condition and free of weeds, debris, and
- 26 impressions.
- 27 (e) Prohibitions. Synthetic Turf shall not be used as a screening material where
- 28 screening is required by the Code.

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30 ~~(3) Conditional use approval amendments. A conditional use approval is specific to the~~

31 ~~landscape plan and any supplemental conditions approved. Modifications to any of the~~

32 ~~specifics or conditions of the approval shall be deemed a code violation and subject to~~

33 ~~code enforcement action and/or revocation of the conditional use approved.~~

34 (4) Each application ~~for a conditional use under this section~~ for artificial turf shall be

35 submitted with a landscape plan and accompanied by a check made payable to the town

36 in an amount set from time to time by resolution adopted by the Town Commission to

37 offset administrative fees and costs.

38

39 **Section 3.** If any section, subsection, sentence, clause or provision of this Ordinance is

40 held invalid, the remainder of this Ordinance shall not be affected by such invalidity.

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42 **Section 4.** That all ordinances or parts of ordinances and all resolutions or parts of

43 resolutions in conflict with this Ordinance are repealed to the extent of such conflict.

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