

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 an ~~conditional use~~ application is filed by the property owner and the application is approved by the Town Manager or his or her designee ~~Commission Administrator or designee~~ for all single-family residences, all multi-family residences, and the hotel located within the Town. 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 1. A site plan of the intended area of installation showing the location of  
2 the artificial turf, area of living plant material, and method of separation between  
3 these areas. All other minimum landscape requirements for the property shall be  
4 required.
- 5 2. Details regarding existing or proposed irrigation proximate to the artificial turf.
- 6 3. Brand and type of artificial turf including all manufacturer specifications and  
7 warranties. The application shall also include a sample of the material to be installed.
- 8 4. A scaled cross section and details of the proposed materials and installation, including  
9 but not limited to subgrade, drainage, base or leveling layer, and infill.

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

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

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

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

- 21 ~~1. Harmony with adjacent uses (existing or zoned). Simulate the appearance of~~  
22 ~~live turf, organic turf, grass, sod or lawn, and shall have a minimum teneight~~  
23 ~~(108) year "no fade" / excessive wear and tear warranty.~~
- 24 ~~2. Use not hazardous to the town. Have a minimum face weight of 75 ounces per~~  
25 ~~square yard.~~
- 26 ~~3. The landscape plan identifying the location and dimension of the use of artificial~~  
27 ~~plants and vegetation is compatible with the character and aesthetics of the~~  
28 ~~town. Be manufactured from 100% recyclable polyethylene monofilament, UV~~  
29 ~~stabilized, dual yarn system, with polyurethane coating and manufactured in the~~  
30 ~~United States.~~
- 31 ~~4. Have backing that is permeable.~~
- 32 ~~5. Be lead free and flame retardant.~~
- 33 ~~6. Be of a type known as cut pile infill with pile fibers of a minimum height of 1.75~~  
34 ~~inches and a maximum height of 2.5 inches, except for Putting Greens , which may~~  
35 ~~have a minimum height of ¼ inch.~~

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

- 39 1. Be installed in a manner prescribed by the manufacturer by a Florida-licensed  
40 general contractor with valid general liability and workers compensation  
41 insurance, a valid County business tax receipt or County occupations license, and

1 whose full time crew are identified as employees in a manner prescribed by the  
2 manufacturer.

3 2. Be installed over an evenly graded, porous crushed rock aggregate material that  
4 is a minimum of three inches in depth or four inches un-compacted. Any and all  
5 existing green vegetation, grass, or weeds shall be removed down to crushed rock  
6 aggregate surface.- Paver Sand to be installed at a minimum of two inches un-  
7 compacted or up to three inches un-compacted to form the second layer of sub-  
8 base.

9 3. Supplied and installed with a high density polyethylene (HDPE) nailer board at a  
10 minimum height of 2.5" at any open edges (i.e. landscape beds, tree wells, etc.) to  
11 retain the aggregate sub-base and act as a turf nailer fastened every 6" on center.

12 3. Be anchored at all edges and seams consistent with the manufacturer's  
13 specifications.

14 4. Not have visible seams between multiple panels.

15 5. Have seams that are joined in a tight and secure manner using a minimum six inch  
16 wide seaming membrane and glued with synthetic turf adhesive.

17 6. Be a minimum of six feet from a tree or palm and 12 inches  
18 from hedges, shrubs, or groundcover, including the separator.

19 7. Have an infill medium consisting of clean silica sand or other mixture, pursuant to  
20 the manufacturer's specifications that shall:

21 a. Be brushed into the fibers to ensure that the fibers remain in an upright  
22 position;

23 b. Provide ballast that will help hold the artificial turf in place; and

24 c. Provide a cushioning effect; and-

25 d. be at minimum rate of 2lbs per square foot

26 8. No water barrier inhibiting percolation shall be placed under the artificial turf.

27 (c) Additional Standards. Artificial turf shall comply with all of the following  
28 installation standards:

29 1. Consistent with an approved landscape plan, areas of living plant material shall  
30 be installed and/or maintained in conjunction with the installation of artificial  
31 turf. Living plant material shall be provided per the minimum code  
32 requirements.

33 2. Irrigation systems proximate to the Artificial Turf shall be designed and installed  
34 so that no Irrigation affects the artificial turf.

35 (d) Maintenance Standards. Artificial turf shall comply with all of the following  
36 maintenance standards and shall:

37 1. Be maintained in an attractive and clean condition, and shall not contain holes,  
38 tears, stains, discoloration, seam separations, uplifted surfaces or edges, heat  
39 degradation or excessive wear.

40 2. Be maintained in a green fadeless condition and free of weeds, debris, and  
41 impressions.

42 (e) Prohibitions. Artificial turf shall not be used as a screening material where screening  
43 is required by the Code.

44  
45 ~~(3) Conditional use approval amendments. A conditional use approval is specific to the~~  
46 ~~landscape plan and any supplemental conditions approved. Modifications to any of the~~

1 ~~specifics or conditions of the approval shall be deemed a code violation and subject to~~  
2 ~~code enforcement action and/or revocation of the conditional use approved.~~

3 (4) Each application ~~for a conditional use under this section~~ for artificial turf shall be  
4 submitted with a landscape plan and accompanied by a check made payable to the town  
5 in an amount set from time to time by resolution adopted by the Town Commission to  
6 offset administrative fees and costs.

7  
8 **Section 3.** If any section, subsection, sentence, clause or provision of this Ordinance is  
9 held invalid, the remainder of this Ordinance shall not be affected by such invalidity.

10  
11 **Section 4.** That all ordinances or parts of ordinances and all resolutions or parts of  
12 resolutions in conflict with this Ordinance are repealed to the extent of such conflict.

13  
14 **Section 5.** It is the intention of the Town Commission of the Town of Hillsboro Beach,  
15 that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of  
16 Town of Hillsboro Beach, Florida, and the Sections of this ordinance may be renumbered, re-lettered  
17 and the word "Ordinance" may be changed to "Section," "Article," or such other word or phrase in  
18 order to accomplish such intention.

19  
20 **Section 6.** This Ordinance shall be effective after its passage and adoption by the Town  
21 Commission of the Town of Hillsboro Beach.

22  
23 PASSED AND ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH,  
24 FLORIDA, ON FIRST READING, THIS 9<sup>th</sup> DAY OF NOVEMBER, 2021.

PASSED ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA,  
ON SECOND AND FINAL READING, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

25  
26 By: \_\_\_\_\_  
27 Deborah L. Tarrant, Mayor

28 ATTEST:

29  
30 By: \_\_\_\_\_  
31 Sherry D. Henderson, CMC, Town Clerk

32  
33  
34 APPROVED AS TO FORM:

35 \_\_\_\_\_  
36 Donald J. Doody, Town Attorney

Order ID: 7104389

\* Agency Commission not included

**GROSS PRICE \* :** **\$187.65**

**PACKAGE NAME: SSC Notice of Public Meeting**

Order ID: 7104389

\* Agency Commission not included

**GROSS PRICE \* :** \$187.65

**PACKAGE NAME: SSC Notice of Public Meeting**

**Product(s):** Sun Sentinel, Affidavit, Floridapublicnotices.com, Classified.ss.com\_Legal

**AdSize(s):** 1 Column

**Run Date(s):** Monday, December 27, 2021

**Zone:** Full Run

**Color Spec.** B/W

**Preview**

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**TOWN OF HILLSBORO BEACH, FLORIDA  
PUBLIC HEARING**

**ARTIFICIAL SYNTHETIC TURF  
TUESDAY, JANUARY 11, 2022, AT 9:00  
AM**

NOTICE IS HEREBY GIVEN that prior to the Town of Hillsboro Beach Commission's consideration of the Second Reading of Ordinance 2021-09, a Public Hearing will be held on Tuesday, January 11, 2022, at 9:00 AM. The Public can attend in person or provide comments via Live Zoom Video Conference.

ORDINANCE NO. 2021-09  
ARTIFICIAL SYNTHETIC TURF ORDINANCE

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.

All interested parties may appear at said meeting and be heard with respect to the proposed Ordinance, which may be inspected by the public. Email the Town Clerk at [TownClerk@TownofHillsboroBeach.com](mailto:TownClerk@TownofHillsboroBeach.com)

JOIN LIVE ZOOM MEETING Tuesday, January 11, 2022, at 9:00 AM (Eastern)  
Log-in details available on website.

PROVIDING PUBLIC COMMENT  
Persons desiring to provide public com-

Order ID: 7104389

\* Agency Commission not included

**GROSS PRICE \* : \$187.65**

**PACKAGE NAME: SSC Notice of Public Meeting**

Persons wishing to provide public comment may do so by one of the methods listed below. Please be sure to include your name and address for the record. Your comments will be limited to three minutes per person.

VIA EMAIL – Public comments and documents maybe submitted via email to [TownClerk@TownofHillsboroBeach.com](mailto:TownClerk@TownofHillsboroBeach.com). Comments will be read aloud to the Commission and public and incorporated into the record. Emails will be accepted up until the end of the Public Comment portion of the Meeting.

LIVE ZOOM PARTICIPATION – If attending via Zoom online, at the appropriate public comment period, click “raise hand” on the bottom of the “participants” tab, and your audio will be unmuted when you are recognized.

Sherry D. Henderson, CMC Town Clerk  
TOWN OF HILLSBORO BEACH, FLORIDA  
12/27/2021

12/27/20217104389