

ORDINANCE NO. 475

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ATLANTIS, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES AT CHAPTER 8.5. LANDSCAPING AND TREE PROTECTION, ARTICLE I. IN GENERAL, SECTION 8.5-7. SUPPLEMENTAL REGULATIONS, SUBSECTION (D) ARTIFICIAL GRASS. TO UPDATE, REVISE, AND CLARIFY REGULATIONS FOR ARTIFICIAL GRASS; PROVIDING THAT EACH AND EVERY OTHER SECTION OF CHAPTER 8.5 SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, City Code currently regulates artificial grass locations and use within the City; and

WHEREAS, the Council recently considered an appeal of the Architectural Review Committee and approved a proposal for use of artificial grass as accent material in a front yard driveway; and

WHEREAS, the proposed use of artificial grass is aesthetically appealing and will enhance the appearance of the City when utilized pursuant to reasonable regulations; and

WHEREAS, the City Council has determined that the regulations for artificial grass contained in this ordinance are reasonable and in the best interests of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTIS, FLORIDA THAT:

SECTION 1: Chapter 8-5 Landscaping and Tree Protection. of the Code of Ordinances of the City of Atlantis, Florida is hereby amended at Article I. In General, Section 8.5-7.- Supplemental regulations. subsection (d) Artificial grass. to update, revise, and clarify regulations for artificial grass; providing that Section 8.5-7(d) shall hereafter read as follows:

Sec. 8.5-7. – Supplemental regulations.

(d) *Artificial grass.*

(1) The use in any front yard or portion thereof of artificial grass, turf, or lawn material as a substitute for natural grass or vegetation in a lawn or open space area is prohibited, except as provided below.

a. Artificial grass, turf or lawn material may be used as a decorative grid design in conjunction with approved pavement materials for a walkway and driveway as approved with a building permit. Artificial grass, turf or lawn material is prohibited in conjunction with an asphalt walkway or driveway. Artificial grass, turf or lawn material may not be used as a barrier or border to a paved walkway or driveway. Walkways may extend from the approved driveway to any side yard residence entry point. Any other application of Artificial grass, turf or lawn material in the required side yard must be screened from view from the adjacent street.

b. Artificial grass, turf or lawn material decorative grid design shall be a minimum 1:6 ratio to pavement material surface. A grid design shall utilize offset joints. Chevron, circular, and continuous grids which are parallel and/or perpendicular to the adjacent street are prohibited. A grid strip may be a maximum of four (4) inches wide. Artificial grass, turf or lawn material in a grid design shall be anchored in a subgrade suitable for permanent retention in a pedestrian/vehicle travel way.

c. Artificial grass, turf or lawn material shall be manufactured to appear natural in appearance and color compared to living grass and organic turf when seen from any public or private rights-of-way, or from neighboring properties. The use of indoor/outdoor plastic or nylon carpeting as artificial grass, turf or lawn material is prohibited. Backing material shall be non-latex and shall be permeable and manufactured with a minimum of three (3) layers. Surface fibers and backing shall be made of durable materials that guard against fading, discoloration, wear, cracking, drying, and pile height reduction. Inhibitors for ultra-violet rays shall be resin applied and topical inhibitors are prohibited. Minimum pile height shall be one and one-half inch (1.5 Inches) and minimum face weight of 65 ounces per square yard. The artificial grass, turf or lawn material shall be manufactured with a minimum 8-year warranty.

(2) The use in any side or rear yard or portion thereof of artificial grass, turf, or lawn material as a substitute for natural grass or vegetation is permitted with architectural review committee approval. In order to approve the use of artificial grass, turf, or lawn material as a substitute for natural grass or vegetation the architectural review committee must determine that the criteria found at subsection 15-10(e)(4) have been met.

SECTION 2: Each and every other section and subsection of Chapter 8.5-Landscaping and Tree Protection. of the Code of Ordinances of the City of Atlantis, Florida, shall remain in full force and effect as previously adopted.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: Should any section or provision of this Ordinance, or any portion thereof, be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

SECTION 5: Specific authority is hereby granted to codify this Ordinance.

SECTION 6: This Ordinance shall take effect immediately upon adoption.

FIRST READING this 19th day of April 2023

SECOND AND FINAL READING this ____ day of _____ 2023

CITY OF ATLANTIS

_____ Aye	_____ Nay	_____ Mayor Allan Kaulbach
_____ Aye	_____ Nay	_____ Vice Mayor Keller Lanahan
_____ Aye	_____ Nay	_____ Councilor Derek Cooper
_____ Aye	_____ Nay	_____ Councilor Michael LaCoursiere
_____ Aye	_____ Nay	_____ Councilor Guy Motzer

ATTEST:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY.

City Clerk Kristen Puhalainen

Keith Davis, City Attorney

(SEAL)