

ORDINANCE NO. 21-2025

AN ORDINANCE OF THE CITY OF TITUSVILLE, FLORIDA AMENDING THE CODE OF ORDINANCES TO PROVIDE STANDARDS REGULATING THE USE OF ARTIFICIAL TURF BY AMENDING SECTIONS 30-202 “STORMWATER MANAGEMENT PERMIT”, 30-321 “PLANT MATERIALS”, 30-323 “EXISTING VEGETATION”, AND 37-1 “DEFINITIONS”, AND CREATING SECTION 30-325 “ARTIFICIAL TURF”; PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCES, INCORPORATION INTO THE CODE AND AN EFFECTIVE DATE.

WHEREAS, Artificial vegetation, such as artificial grass, negatively impacts the environment due to its non-biodegradable plastic composition, which contributes to landfill waste, microplastic pollution, and harmful chemical releases during manufacturing and disposal; additionally, the production process itself is energy-intensive, generating significant greenhouse gas emissions while displacing natural vegetation that absorbs carbon dioxide.

WHEREAS, Artificial surfaces replace natural vegetation, reducing habitat for insects and other wildlife as well as hindering water infiltration into the soil negatively affecting groundwater supplies and disrupting soil ecosystems.

WHEREAS, According to the University of Plymouth, Plymouth United Kingdom artificial grass has the following negative impacts:

- does not provide any food for living creatures. It restricts access to the soil beneath for burrowing insects and to the ground above for soil dwellers such as worms.
- restricts access to natural materials like leaf litter and grass clippings – essential for feeding soil organisms like worms and microscopic animals and keeping the soil healthy.
- reaches significantly greater temperatures than those reached by natural grass under the same weather conditions. Plastic lawns can overheat in hot weather making them unusable.
- Artificial grass can contribute to global warming by absorbing significantly more radiation than living grass and, to a lesser extent, by displacing living plants that could remove carbon dioxide through photosynthesis.
- Reduces the amount of rainfall entering the soil negatively affecting soil health and groundwater supplies. Additional stormwater runoff is also created, increasing the potential for flooding and negative impacts to receiving water bodies

WHEREAS, the City Council has become aware of the increased use of artificial turf based upon variances granted by the Board of Adjustments and Appeals; and

WHEREAS, the City Council desires to provide guidelines for the use of artificial turf within the City.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF TITUSVILLE, FLORIDA as follows:

SECTION 1: Recitals. The foregoing recitals are deemed true and correct and are hereby adopted and incorporated herein by this reference.

SECTION 2: That Chapter 30 "Development Standards", Article III "Improvements", Division 6 "Stormwater Management and Aquifer Protection", Subdivision 1 "Stormwater Management and Erosion Control", Section 30-202 "Stormwater management permit" of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

Sec. 30-202. Stormwater management permit.

- (a) The following activities alter or disrupt existing stormwater runoff patterns or affect aquifer recharge areas and will require a permit prior to the initiation of any project except as exempted in Section 30-203.
 - (1) Filling, clearing and/or drainage of land as an adjunct to construction.
 - (2) Clearing, filling and/or draining of nonagricultural land for agricultural purposes.
 - (3) Converting agricultural lands to nonagricultural uses.
 - (4) Subdividing land.
 - (5) Replatting recorded subdivisions and the development of recorded and unrecorded subdivisions.
 - (6) Changing the use of land and/or the construction of a structure including the construction of parking areas or impervious surfaces or a change in the size of one (1) or more structures.
 - (7) Altering the shoreline or bank of any surface water body.
 - (8) Altering of any ditches, dikes, terraces, berms, swales, or other water management facility.
 - (9) Removal of earth or moving of earth on a parcel. For all activities that require a permit.
 - (10) Construction or size modification of a structure including parking areas or impervious surfaces, including artificial turf.
 - (11) Site and subdivision development requiring City approval of all new construction including buildings, parking, new impervious area accessory structures.
- (b) Site and subdivision development requiring city approval all new construction including buildings, parking, new impervious areas (including artificial turf), accessory structures, etc.

SECTION 3: That Chapter 30 “Development Standards”, Article III “Improvements”, Division 10 “Landscaping”, Subdivision 2 “Landscape Materials”, Section 30-321 “Plant Materials” of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

Sec. 30-321. Plant materials.

- (a) *Quality:* Plant material used in conformance with the provisions of this article shall be good, healthy and sturdy plants. All plant material shall be Florida #1 grade or better. Plant materials which are known to be intolerant of paving environments or whose physical characteristics may be injurious to the public or which produce a quantity and/or quality of debris so as to present maintenance difficulties shall not be specified for use under this article.
- (b) *Native vegetation:* The applicant is encouraged to utilize plant material native to Brevard County in meeting these landscaping requirements. The existing vegetation that is native to Brevard County with the exception of that listed in Section 30-4(d) shall be preserved and utilized except when removal is justified and determined to be acceptable by the enforcement official (see Landscape Technical Manual).
- (c) *Ground cover:* Ground covers, other than grass, shall be planted in such a manner so as to present a finished appearance and reasonably complete coverage within six (6) months after planting (see Landscape Technical Manual).
- (d) *Lawn grass:* Grass areas shall be planted in species normally grown as permanent lawns in Brevard County. Seeding and sprigging may be used if grass cover is complete within six (6) months, or sodding will be required (see Landscape Technical Manual).
- (e) *Hedges:* Hedges, where required, shall be planted in sufficient number and maintained so as to form a continuous, unbroken, solid screen within a maximum of six (6) months after time of planting (see Landscape Technical Manual).
- (f) *Synthetic plants prohibited:* Synthetic or artificial material in the form of trees, shrubs, ground covers or vines are prohibited in landscaping and yards. Artificial turf shall not be used in lieu of the plant requirements in this section. Synthetic or artificial turf may only be used on single family lots. Synthetic or artificial turf may be placed in side or rear yards of single family lots when concealed from view from the adjacent right-of-way and consistent with the requirements of Section 30-325 “Artificial Turf”.
- (g) *[Overstory trees:]* Overstory trees shall be species having an average mature spread of crown of greater than twenty (20) feet and reach a mature height of at least sixty (60) feet, and having a trunk which can be maintained in a clean condition with over five (5) feet of clear wood (no branches). Trees, including palms, having an average mature spread of crown less than twenty (20) feet may be arranged in groupings so as to create the equivalent of twenty-foot crown spread and shall count as one (1) required tree. Invasives shall not be used to fulfill the requirements of this article (see Landscape Technical Manual).
- (h) *Caliper:* Plant materials required by this section shall comply with the minimum size requirements of Table 30-5, Minimum landscape planting specifications at the time

of installation. Plant height shall be measured from the average grade level of the immediate planting area to the top horizontal plane of the shrub at planting; for single-trunk trees, the measurement shall be taken six (6) inches above grade level; for multitrunk trees, the tree shall be measured from the average grade level of the immediate planting area.

- (i) *Planting areas and shrubs:* Planting areas shall consist of permeable surface areas only. The permeable surface areas for shrubs may be included with permeable surface areas required for trees.
- (j) *Pavement edges:* Each overstory, coniferous, understory [tree] or shrub shall be planted at least twelve (12) inches from the edge of any paved surface.
- (k) *Irrigation:* Irrigation must be indicated on the landscape plan. Any landscape area must be shown by water tolerant usage area.

SECTION 4: That Chapter 30 “Development Standards”, Article III “Improvements”, Division 10 “Landscaping”, Subdivision 2 “Landscape Materials”, Section 30-323 “Existing vegetation” of the Code of Ordinances of the City of Titusville is hereby amended to read as follows:

Sec. 30-323. Existing vegetation.

All open areas of any site not occupied by building, parking, storage, or required landscape plant materials shall be retained as a natural vegetated area or (sodded) grass or ground cover, except for artificial turf installed on single family lots consistent with the requirements of Section 30-325 “Artificial Turf”. The developer shall make a good faith effort to incorporate existing vegetation in the landscaping throughout the property.

SECTION 5: That Chapter 37 “Definitions”, Section 37-1 “Definitions” of the Code of Ordinances of the City of Titusville is hereby amended to add a new definition which reads as follows:

Artificial turf (also known as Synthetic turf or grass): A surface that closely replicates the look and feel of natural grass. Synthetic turf includes fibers consisting of green life-like individual blades that emulate natural turf or turfgrass in color, texture and size. Synthetic turf is a type of landscaping that eliminates the potentially unpredictable growth of natural grass.

SECTION 6: That the Code of Ordinances, City of Titusville is hereby amended by adding a section, to be numbered Section 30-325 “Artificial Turf”, which said section reads as follows:

Sec. 30-325. Artificial Turf.

- (a).Artificial turf shall not be used in lieu of the plant requirements of this Article.
- (b).Artificial turf is prohibited in any public right-of-way.
- (c).Artificial turf shall be limited to use on single family lots.

- (d). Artificial turf shall be installed to have a minimum permeability of thirty (30) inches per hour per square yard. Artificial turf that does not meet the permeability minimum shall be considered 100% impervious area and required to receive a stormwater management permit consistent with Sec. 30-202 "Stormwater management permit."
- (e). Artificial turf shall have a minimum 15-year manufacturer's warranty that protects against color fading and decrease in pile height.
- (f). Artificial turf shall be lead-free.
- (g). Artificial turf shall come with "total content leach protocol" (TCLP) test documentation declaring that the yarn and backing material are disposable under normal conditions at any U.S. landfill station.
- (h). Infill materials for artificial turf must be organic or sand, with a non-toxic coating.
- (i). The use of "indoor/outdoor" carpeting as a replacement or substitute for artificial turf is strictly prohibited.
- (j). Any deviation from these minimum standards must be approved as a variance by the Board of Adjustments and Appeals. No variance may be granted for use within the shoreline protection buffers as established in Section 30-63, Shoreline Protection Setbacks.
- (k). Installation shall be, at a minimum, in accordance with manufacturer's specifications.
- (l). Artificial turf shall be anchored in order to withstand the effects of wind.
- (m). Seams shall be nailed and glued (not sewn) and all edges shall be trimmed to fit against all regular and irregular edges in order to present a natural look.
- (n). Sufficient drainage shall be provided in order to prevent excess runoff or pooling of water.
- (o). Artificial turf shall be maintained in a "like new" condition free of weathering and fading. Artificial turf areas shall be kept free of dirt, debris, stains, and weeds. Tears, holes, ruts, depressions and the like shall be repaired immediately with like for like materials, from the same manufacturer if possible. Edges shall be properly anchored and shall not present a "loose" appearance.
- (p). Artificial turf installed in compliance with this code shall NOT count toward the required minimum landscape area.
- (q). Artificial turf that is proposed with a building permit on single family lots shall be inspected for consistency with this Section. Artificial turf that is not proposed with a building permit shall not require a permit provided the materials, placement and installation are consistent with this Section.

SECTION 7. SEVERABILITY. If any provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 8. REPEAL OF CONFLICTING ORDINANCES. All ordinances or parts of ordinances, and all resolutions and parts of resolutions, in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 9. INCORPORATION INTO THE CODE. This ordinance shall be incorporated into the City of Titusville Code of Ordinances and any section or paragraph, number or letter, and any heading may be changed or modified as necessary to effectuate the foregoing: Grammatical, typographical, and like errors may be corrected and additions, alterations, and omissions, not affecting the construction or meaning of this ordinance and the Code may be made.


SECTION 10. EFFECTIVE DATE. This Ordinance shall become in full force and effect upon adoption by the City Council in accordance with the Charter of the City of Titusville, Florida.

PASSED AND ADOPTED, this 27th day of May, 2025.

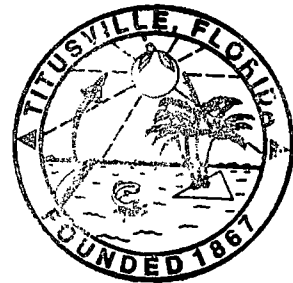


Andrew Connors, Mayor

ATTEST:



Wanda F. Wells, City Clerk



CC:

Laurie Dargie

Jolynn Donhoff