

ORDINANCE NO. 25-003

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF BOYNTON BEACH, FLORIDA, AMENDING PART III "LAND DEVELOPMENT REGULATIONS," CHAPTER 1 "GENERAL ADMINISTRATION," ARTICLE II "DEFINITIONS;" AMENDING CHAPTER 2 "LAND DEVELOPMENT PROCESS," ARTICLE II "PLANNING AND ZONING DIVISION SERVICES," SECTION 5 "PERMIT APPLICATIONS;" AMENDING CHAPTER 3 "ZONING," ARTICLE V "SUPPLEMENTAL REGULATIONS," SECTION 3 "COMMON BUILDING APPURTENANCES, FREESTANDING STRUCTURES AND SITE AMENITIES, EXCLUDING WALLS AND FENCES;" AMENDING CHAPTER 4 "SITE DEVELOPMENT STANDARDS," ARTICLE VIII "UTILITY INFRASTRUCTURE DESIGN STANDARDS," SECTION 3 "STANDARDS;" ESTABLISHING REGULATIONS FOR ARTIFICIAL TURF; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission desires to establish regulations for the installation and use of artificial turf within the City; and

WHEREAS, the City Council finds that proper regulation of artificial turf is necessary to ensure drainage standards, environmental protection, and aesthetic quality throughout the City; and

WHEREAS, the City Council has determined that these regulations serve the public health, safety, and welfare of the citizens of the City of Boynton Beach.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BOYNTON BEACH, FLORIDA:

Section 1: The foregoing "WHEREAS" clauses are hereby ratified as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

Section 2: Part III "Land Development Regulations," Chapter 1 "General Administration," Article II "Definitions" is hereby amended to read as follows:

...

ARTIFICIAL TURF – A surface material made from synthetic, man-made fibers or similar materials designed to resemble natural grass. Artificial turf shall consist of green, lifelike individual blades that closely mimic the appearance and color of natural grass.

...

IMPERVIOUS SURFACE - A surface that does not allow or minimally allows water percolation.

...

PERVIOUS SURFACE – A surface that allows water to infiltrate and percolate through the underlying soil. At least 90% of the pervious surface area must be covered by living plant material, while the remaining 10% may consist of mulch or other non-living, pervious materials.

...

Section 3: Part III “Land Development Regulations,” Chapter 2 “Land Development Process,” Article II “Planning And Zoning Division Services,” Section 5 “Permit Applications” is hereby amended to read as follows:

...

B. Zoning Permit.

1. General.

a. Purpose and Intent. The purpose and intent of this subsection is to set forth a well-defined application process, review criteria, and uniform procedure for the processing of zoning permits and zoning verification letters, to ensure that certain structures and site improvements comply with the respective requirements and standards described in these Land Development Regulations and the city's Code of Ordinances.

b. Applicability. A zoning permit, issued by the Planning and Zoning Division, shall be required for accessory structures and site improvements proposed on any parcel or development, unless otherwise specified herein. The following types of requests or improvements do not require a building permit or other permits, but do require a zoning permit or zoning verification.

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Such ~~improvements~~ or requests that require a zoning permit include, but are not limited to the following:

- (1) Accessory structures, limited to a maximum of one (1) open air structure or gazebo less than one hundred (100) square feet and used in connection with a principal residential dwelling or use. Chickee huts are exempt from the above size limitation;
- (2) Animal enclosures;
- (3) Fences on residential property (single-family; two-family; and single-family attached if fee-simple ownership) with a maximum height of six (6) feet; unless used as a barrier around a swimming pool, spa, or rooftop equipment;
- (4) Impervious surfaces that are unenclosed and uncovered, including but not limited to driveways, patios, steps, stoops, terraces, sidewalks, and the like, regardless of proposed surface materials (e.g., pavers, asphalt, concrete, etc.). Impervious surfaces may be subject to review for compliance with the drainage standards of Chapter 4, Article VIII, Section 3.G, and/or the Engineering Design Handbook and Construction Standards. This review requires the submittal of a drainage plan prepared by a licensed Professional Engineer.

~~The zoning permit shall not be applicable to new impervious surfaces and improvements normally administered by other Divisions in the city, such as by the Engineering or Building Divisions. A land development permit (LDP) from the Engineering Division shall be required in lieu of a zoning permit for any proposed driveway, patio, terrace, sidewalk, or the like in excess of eight hundred (800) square feet. Impervious surfaces or improvements that would require a building permit (in lieu of a zoning permit) include reinforced concrete pads connecting with existing buildings to be used as a slab for future building additions; required handicapped accessible~~

82 routes; framed decking improvements; or other similar improvements. It should be
83 noted that any proposed impervious surface and/or site improvement that decreases
84 permeable land area in excess of eight hundred (800) square feet on any given parcel
85 in the city shall be reviewed.

86 (5) Artificial Turf. The permit application for artificial turf shall include the following:

87 (a) Documentation specifying the material and installation of the artificial turf system.

88 (b) Proof that the artificial turf is manufactured in the United States of America to
89 ensure compliance with current Federal and State safety standards and prevent harmful
90 chemicals from contaminating the soil or water.

91 (c) Artificial Turf may be subject to review for compliance with the drainage standards
92 required in Chapter 4, Article VIII, Section 3.G, and/or the Engineering Design
93 Handbook and Construction Standards. This review requires the submittal of a
94 drainage plan prepared by a licensed Professional Engineer.

95 (6) (5) Community gardens. See site plan review (Section 2.F. above) for community
96 gardens containing storage and/or agricultural structures that are greater than one
97 hundred (100) square feet. All agricultural structures and storage structures greater than
98 one hundred (100) square feet shall require approval of a building permit in accordance
99 Chapter 2, Article IV, Section 2.

100 ...

101 3. Review Criteria. Each structure or improvement shall comply with the following: 1) all zoning
102 requirements of Chapter 3, including the supplemental regulations of Article V; 2) all applicable
103 site development standards described in Chapter 4; and 3) the applicable regulations of City Code
104 of Ordinances Part II. Notwithstanding compliance with the aforementioned regulations and
105 standards, their specific provisions are referenced as follows:

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...
h. Artificial turf. Chapter 3, Article V, Section 3.CC.

...
Section 4: Part III “Land Development Regulations,” Chapter 3 “Zoning,” Article V
“Supplemental Regulations,” Section 3 “Common Building Appurtenances, Freestanding Structures and
Site Amenities, Excluding Walls And Fences” is hereby amended to read as follows:

SECTION 3. Common Building Appurtenances, Freestanding Structures, and Site Amenities,
Excluding Walls and Fences.

...
CC. Artificial Turf.

1. General. In all locations and uses, artificial turf shall be considered and reviewed as an impervious surface. However, it shall not be subject to Chapter 4, Article V, Sec. 2.A.4. Driveways and other impervious surfaces within front or side yards of single- and two-family dwelling units.
2. Prohibited Locations. Artificial turf shall be prohibited in the following areas:
 - a. Area designed for drainage, including but not limited to swales, ponds, drainage easements, and retention areas.
 - b. Utility Easements, unless approved by the utility provider.
 - c. Landscape area outlined under Chapter 4, Article I. Environmental Protection Standards, and II. Landscape Design and Buffering Standards.
 - d. Streets and Rights-of-way.
 - e. Waterways and waterway banks.
 - f. Historic Preservation Properties listed on the national or local registry.
 - g. Any area or circumstance that may threaten the natural habitat or conflict with other governmental regulations.

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130 3. Installation and Maintenance. All artificial turf must be:

- 131 a. Manufactured in the United States of America to ensure compliance with current safety
132 standards and prevent harmful chemicals from contaminating the soil or water.
- 133 b. Installed according to the manufacturer's specifications.
- 134 c. Kept clean and free of dirt, stains, debris, weeds, tears, and fading. Maintenance includes
135 regular cleaning, brushing, removing debris, repairing damage, and maintaining edges.
- 136 d. Replaced if it becomes damaged, such as fading, holes, or loose areas. Repairs or replacements
137 must match the original materials and blend seamlessly with the existing turf.

138 4. Outdoor plastic or nylon carpeting that attempts to mimic artificial turf is prohibited.

139 ...

140 **Section 5:** Part III "Land Development Regulations," Chapter 4 "Site Development Standards,"
141 Article VIII "Utility Infrastructure Design Standards," Section 3 "Standards" is hereby amended to read
142 as follows:

143 SECTION 3. Standards

144 ...

145 G. Drainage, Stormwater, and Wastewater Management.

146 1. Drainage.

147 a. Applicability. ~~Any p~~Proposed building additions, swimming pools, patios, driveways, decks, or
148 similar structures or improvements that decreases the pervious permeable land surface area by the
149 thresholds below, shall provide a drainage plan and drainage calculations prepared by a Florida
150 licensed Professional Engineer. in excess of eight hundred (800) square feet on any parcel shall
151 provide a professionally prepared drainage plan.

152 (1) Single Family and Two-Family Lots.

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153 (a) All impervious surfaces except artificial turf. If the addition exceeds eight hundred
154 (800) square feet or results in less than forty percent (40%) total pervious surface area
155 of the lot.

156 (b) Artificial turf. If the addition exceeds one thousand (1,000) square feet or results in
157 less than forty percent (40%) total pervious surface area of the lot.

158 (2) All Other Lots.

159 (a) All impervious surfaces except artificial turf. If an addition of impervious surface
160 exceeds eight hundred (800) square feet or results in less than sixty percent (60%) total
161 pervious surface area of the lot.

162 (b) Artificial turf. If the addition exceeds one thousand (1,000) square feet or results in
163 less than sixty percent (60%) total pervious surface area of the lot.

164 ~~In addition, an adequate storm, surface and ground water drainage system, including necessary~~
165 ~~ditches, canals, swales, percolation areas, detention ponds, storm sewers, exfiltration trenches,~~
166 ~~drain inlets, manholes, headwalls, endwalls, culverts, bridges and other appurtenances shall be~~
167 ~~required in all subdivisions.~~

168 Any development that is part of an overall master stormwater plan may have the provisions of this
169 paragraph waived at the sole discretion of the City Engineer or designee.

170 b. Design Standards. Construction plans and certified drainage design data includes but is not
171 limited to the method of control of storm water and groundwater; drainage plan; existing water
172 elevations; recurring high water elevations; proposed design water elevations; drainage structures;
173 canals; ditches; and any other pertinent information pertaining to the system. Provide for drainage
174 of lots, streets, roads and other public areas including surface waters which drain into or through
175 the property. The drainage design must provide adequate surface water drainage of naturally
176 occurring or existing adjacent contributory areas. All drainage areas shall be designed in

177 accordance with the Engineering Design Handbook and Construction Standards or latest
178 supplement thereof. Where additional ditches and canals are required to accommodate contributory
179 surface waters, right-of-way shall be dedicated for future needs. An exception exists where a
180 developer may excavate or open sufficient capacity to provide for existing drainage needs whenever
181 the developed or undeveloped status of adjacent areas so warrants, subject to approval by the City
182 Engineer.

183 In addition, an adequate storm, surface and ground water drainage system, including necessary
184 ditches, canals, swales, percolation areas, detention ponds, storm sewers, exfiltration trenches,
185 drain inlets, manholes, headwalls, endwalls, culverts, bridges and other appurtenances shall be
186 required in all subdivisions.

187 ...

188 **Section 6:** **Codification.** It is the intention of the City Commission of the City of
189 Boynton Beach, and it is hereby ordained that the provisions of this Ordinance shall become and be made
190 a part of the Code and Ordinances of the City of Boynton Beach, Florida and that Sections of this Ordinance
191 may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article," or such
192 other word or phrase in order to accomplish such intention.

193 **Section 7:** **Severability.** If any clause, section, or other part of this Ordinance shall
194 be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or
195 invalid part shall be considered eliminated and in no way affect the validity of the other provisions of this
196 Ordinance.

197 **Section 8:** **Conflicts.** That all Ordinances or parts of Ordinances, Resolutions, or parts
198 of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

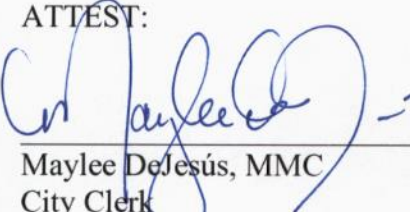
199 **Section 9.** **Effective Date.** That this Ordinance shall take effect immediately upon adoption
200 and signature by the Mayor.


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201 FIRST READING this 15th day of April, 2025.
202 SECOND, FINAL READING AND PASSAGE this 20th day of May, 2025.

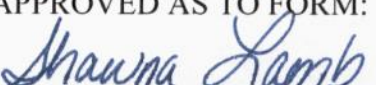
203 CITY OF BOYNTON BEACH, FLORIDA

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|-----|------------------------------|----------|---------------|
| 204 | | YES | NO |
| 205 | | | |
| 206 | Mayor – Rebecca Shelton | <u>✓</u> | <u> </u> |
| 207 | | | |
| 208 | Vice Mayor – Woodrow L. Hay | <u>✓</u> | <u> </u> |
| 209 | | | |
| 210 | Commissioner – Angela Cruz | <u>✓</u> | <u> </u> |
| 211 | | | |
| 212 | Commissioner – Thomas Turkin | <u>✓</u> | <u> </u> |
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| 214 | Commissioner – Aimee Kelley | <u>✓</u> | <u> </u> |
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217 ATTEST:
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221 Maylee DeJesus, MMC
222 City Clerk
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VOTE 5-0


Rebecca Shelton
Mayor

APPROVED AS TO FORM:


Shawna G. Lamb
City Attorney