

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 turf shall be substituted for natural turf grass only in those instances where an application is filed by the property owner and the application is approved by the Town Manager or his or her designee for all single-family residences, all multi-family residences, and all commercial establishments located within the Town. The use of artificial turf for landscaping shall be subject to the following:

*(1) Procedure.* Artificial Turf Permit Required. The Artificial Turf Permit application shall include, at a minimum, the following information:

1. A site plan, prepared by a licensed Architect, Engineer, and Landscape Architect, of the intended area of installation showing the location of the artificial turf, area of living plant material, and method of separation between these areas. All other minimum landscape requirements for the property shall be required.
2. Details regarding existing or proposed irrigation proximate to the artificial turf.
3. Brand and type of artificial turf including all manufacturer specifications and warranties. The application shall also include a sample of the material to be installed.

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

(2) *Review criteria.* The Town Manager or his or her designee shall approve the use of artificial turf based-on compliance with the following criteria:

(a) Design Standards. The application shall meet all of the following design standards, and shall:

1. Simulate the appearance of live turf, organic turf, grass, sod or lawn, and shall have a minimum ten (10) year "no fade"/ excessive wear and tear warranty.
2. Have a minimum face weight of 75 ounces per square yard.
3. Be manufactured from 100% recyclable polyethylene monofilament, UV stabilized, dual yarn system, with polyurethane coating and manufactured in the United States.
4. Have backing that is permeable.
5. Be lead free and flame retardant.
6. Be of a type known as cut pile infill with pile fibers of a minimum height of 1.75 inches and a maximum height of 2.5 inches, except for Putting Greens , which may have a minimum height of ¼ inch.

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

1. Be installed in a manner prescribed by the manufacturer by a Florida-licensed general contractor with valid general liability and workers compensation insurance, a valid County business tax receipt or County occupations license, and whose full time crew are identified as employees.
2. Be installed over an evenly graded, porous crushed rock aggregate material that is a minimum of three inches in depth or four inches un-compacted. Any and all existing green vegetation, grass, or weeds shall be removed down to crushed rock aggregate surface. Paver Sand to be installed at a minimum of two inches un-compacted or up to three inches un-compacted to form the second layer of sub-base.
3. Supplied and installed with a high density polyethylene (HDPE) nailer board at a minimum height of 2.5" at any open edges (i.e. landscape beds, tree wells, etc.) to retain the aggregate sub-base and act as a turf nailer fastened every 6" on center.
3. Be anchored at all edges and seams consistent with the manufacturer's specifications.
4. Not have visible seams between multiple panels.
5. Have seams that are joined in a tight and secure manner using a minimum six inch wide seaming membrane and glued with synthetic turf adhesive.
6. Be a minimum of three (3) feet from a tree or palm and 12 inches from hedges, shrubs, or groundcover, including the separator.
7. Have an infill medium consisting of clean silica sand or other mixture, pursuant to the manufacturer's specifications that shall:
  - a. Be brushed into the fibers to ensure that the fibers remain in an upright position;

- b. Provide ballast that will help hold the artificial turf in place; and
- c. Provide a cushioning effect; and
- d. be at minimum rate of 2lbs per square foot

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

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

- 1. Consistent with an approved landscape plan, areas of living plant material shall be installed and/or maintained in conjunction with the installation of artificial turf. Living plant material shall be provided per the minimum code requirements.
- 2. Irrigation systems proximate to the Artificial Turf shall be designed and installed so that no Irrigation affects the artificial turf.

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

- 1. Be maintained in an attractive and clean condition, and shall not contain holes, tears, stains, discoloration, seam separations, uplifted surfaces or edges, heat degradation or excessive wear.
- 2. Be maintained in a green fadeless condition and free of weeds, debris, and impressions.

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

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

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

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

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

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

1 PASSED AND ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH,  
2 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 11<sup>TH</sup> DAY OF JANUARY, 2022.

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4 By: Deborah L. Tarrant  
5 Deborah L. Tarrant, Mayor

6 ATTEST:

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8 By: Sherry D. Henderson  
9 Sherry D. Henderson, CMC  
10 Town Clerk



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13 APPROVED AS TO FORM:

14 Donald J. Doody  
15 Donald J. Doody, Town Attorney  
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**ORDINANCE NO. 2021-09 "Artificial Synthetic Turf"**  
**RECORD OF TOWN COMMISSION VOTE:**

	<u>YES</u>	<u>NO</u>
MAYOR D. TARRANT	<input checked="" type="checkbox"/>	<input type="checkbox"/>
VICE MAYOR I. KIRDAHY (motion)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
COMMISSIONER V. FEAMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>
COMMISSIONER B. BALDASARRE (second)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
COMMISSIONER J. REISER	<input checked="" type="checkbox"/>	<input type="checkbox"/>