

ORDINANCE No. 2021-15

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, APPROVING/DENYING A TEXT AMENDMENT TO THE CITY OF DORAL LAND DEVELOPMENT CODE, CHAPTER 71, "LANDSCAPING AND BUFFERS," ARTICLE II, "MINIMUM STANDARDS," DIVISION 7, "ARTIFICIAL TURF," MODIFYING EXISTING REGULATIONS OF ARTIFICIAL TURF; PROVIDING FOR INCORPORATION INTO THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Doral has the authority to enact laws which promote the public health, safety and general welfare of its citizens; and

WHEREAS, the City seeks to promote xeriscape principles through the use of drought-tolerant landscape species, grouping of plant material by water requirements and other water efficient landscaping material which reduces both potable and non-potable water used for irrigation; and

WHEREAS, the City seeks to increase and improve green space in order to improve storm water management; and

WHEREAS, City Staff deems necessary to amend Chapter 71 of the City's Land Development Code to update existing regulations of artificial turf; and

WHEREAS, on April 28, 2021, the City Council of the City of Doral sitting as the Local Planning Agency (LPA) at a properly advertised hearing received testimony and evidence related to the proposed text amendment to the City's Land Development Code as required by state law and local ordinances; and

WHEREAS, the City Council of the City of Doral held a public hearing on April 28, 2021, at which hearing all interested persons were afforded an opportunity to be

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heard and this text amendment to the City's Land Development Code was approved on first reading; and

WHEREAS, the City Council of the City of Doral held a public hearing on May 19, 2021, at which hearing all interested persons were afforded an opportunity to be heard and this text amendment to the City's Land Development Code was approved on second reading.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

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

Section 2. Code Amended. The Land Development Code of the City of Doral, Florida is hereby amended to read as follows:

CHAPTER 71. LANDSCAPING AND BUFFERS

ARTICLE II. – MINIMUM STANDARDS

DIVISION 7. – ARTIFICIAL TURF

Sec. 71-225. Intent.

- (a) *Use of artificial turf.* The use of artificial turf is permitted subject to obtaining homeowner association and ~~building department~~ City approval, and meeting and maintaining compliance with the provisions of this subsection.
- (b) *Installation.* The installation of artificial turf is permitted in the Single Family and Multifamily MF-1 zoning districts and in ~~residential, public parks and recreation,~~

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private parks and for recreation purposes, open space, and commercial uses, and in centerline median of city-owned roads.

Sec. 71-226. Minimum requirements.

(a) All artificial turf shall comply with the following minimum requirements:

~~(1) Artificial turf shall consist of green like individual blades of grass that emulate natural turf in look and color and shall have a pile height of 1 1/8 to 1 1/2 inches for all uses, except for indoor and/or outdoor recreational uses where the pile height shall be 1.75 to 2.5 inches. The residential and non-residential minimum turf weight is 56 ounces per square yard. The indoor and outdoor recreational uses, including playground the minimum turf weight is between 50 and 81.5 ounces per square yard.~~

(1) Artificial turf may be permitted within rear and side yards in Single Family and Multifamily (MF-1) zoning districts and is allowed as a component of the overall design for landscape requirements. Artificial turf installed for commercial or recreational purposes shall require a building permit.

(2) Artificial turf shall not be allowed in any front yard areas or in any area visible from the public right-of-way, unless it is placed between paver blocks or similar material for purposes of a driveway and where the area for the artificial turf does not exceed four (4) inches in width, provided that the artificial turf area does not exceed 50% of the total area using the paver blocks.

(3) Landscape permit plans shall be provided with artificial turf specifications, sections and details for review and approval by the Planning and Zoning Department.

(4) Applicants shall provide an owner affidavit agreeing to perpetually maintain the artificial turf system in good working conditions in order to ensure that there is continued ground permeability.

(5) Where artificial turf is utilized for institutional recreational uses (e.g., playgrounds, athletic fields), the artificial turf product installed shall be designed for the intended use and meet the appropriate industry standards.

(6) The use of rubber infill material shall be prohibited except where artificial turf is utilized for institutional recreational uses (e.g., playgrounds, athletic fields).

~~(4) All artificial turf shall have a minimum eight year manufacturer's warranty that protects against color fading and a decrease in pile height.~~

(7) Artificial turf shall be lead free.

~~(6) All materials submitted for approval must be accompanied by test documentation which declares that the artificial turf and yam and backing materials are disposable under normal conditions, at an US landfill station (Total Content Leach Protocol "TCLP" test).~~

(8) The use of indoor or outdoor plastic or nylon carpeting as a replacement of synthetic turf or natural turf shall be prohibited.

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Sec. 71-227. Installation, maintenance and repair standards.

- (a) All artificial turf shall comply with the following minimum installation/maintenance/repair standards:
- ~~(1) Artificial turf shall be treated as pervious. The quantity of artificial turf to be incorporated into the landscaping of a project shall be limited by the impervious surface ratio (ISR) for the subject property within the applicable zoning district.~~
 - (1) All artificial turf shall, at a minimum, be installed according to the manufacturer's specifications.
 - (2) All seams shall be nailed and glued, or sewn, and edges shall be trimmed to fit against all regular and irregular edges to resemble a natural look.
 - (3) All artificial turf installations shall be anchored to ensure that the turf will withstand the effect of wind.
 - ~~(5) Artificial turf shall be visually level with the grain pointing in a single direction.~~
 - (4) An appropriate solid barrier device (e.g., concrete mow strip, bender board) is required to separate artificial turf from soil and live vegetation.
 - (5) Precautions for installation around existing trees shall be provided to ensure that tree roots are not damaged with the installation of the base material and that the overall health of the tree will not be compromised.
 - ~~(8) All artificial turf shall be maintained in a green fadeless condition and shall be maintained free of dirt, mud, stains, weeds, debris, tears, holes and impressions. Maintenance shall include, but not be limited to cleaning, brushing, debris removal; repairing of depressions and ruts to maintain a visually level surface; elimination of any odors, flat or matted areas, weeds, and evasive roots; and all edges of the artificial turf shall not be loose and must be maintained with appropriate edging or stakes.~~
 - (6) All artificial turf must be replaced if it falls into disrepair with fading or holes or loose areas. Replacement and repairs shall be done with like materials from the same manufacturer and done so in a manner that results in a repair that blends in with the existing artificial turf.
 - (7) In no case shall artificial turf be installed within permanent drainage features (e.g., ponds, swales, and etc.).
 - (8) All artificial turf shall be installed on a permeable backing or subbase system that is pervious and contributes to stormwater drainage. in order to ensure proper drainage. Artificial turf shall be considered as 100% pervious area.

Secs. 71-228—71-242. Reserved.

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Section 3. Codification. It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and made part of the City of Doral Code; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word “Ordinance” shall be changed to “Section” or other appropriate word.

Section 4. Severability. That if any section, subsection, sentence, clause, phrase, work or amount of this ordinance shall be declared unconstitutional or invalid by competent authority, then the remainder of the ordinance shall not be affected thereby and shall remain in full force and effect.

Section 5. Conflicts. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

Section 6. Effective Date. This Ordinance shall be effective immediately upon passage by the City Council on second reading.

The foregoing Ordinance was offered by Vice Mayor Cabrera who moved its adoption. The motion was seconded by Councilmember Cabral upon being put to a vote, the vote was as follows:

Mayor Juan Carlos Bermudez	Yes
Vice Mayor Pete Cabrera	Yes
Councilwoman Digna Cabral	Yes
Councilwoman Claudia Mariaca	Yes
Councilman Oscar Puig-Corve	Yes

PASSED AND ADOPTED on FIRST READING this 28 day of April, 2021.

PASSED AND ADOPTED on SECOND READING this 19 day of May, 2021.



JUAN CARLOS BERMUDEZ, MAYOR

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



LUIS FIGUEREDO, ESQ.
CITY ATTORNEY

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