ARTIFICIAL GRASS - CHAPTER 126 LANDSCAPE

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 126, "LANDSCAPE REQUIREMENTS," SECTION 126-2, "DEFINITIONS," TO PROVIDE DEFINITIONS FOR "GRASS," AND "ARTIFICIAL GRASS"; BY AMENDING SECTION 126-6(B) BY MODIFYING THE REQUIREMENTS FOR ALLOWABLE SOD AREAS IN SINGLE FAMILY DISTRICTS, INCLUDING PROVISIONS FOR ARTIFICIAL GRASS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

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

WHEREAS, it is in the best interest of the City to improve the aesthetic appearance of new development and protecting designated historic landscapes; and

WHEREAS, the City seeks to promote sound landscaping principles through the use of drought and salt tolerant plant species and also to promote planting the right tree and plant in the right place; and

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

WHEREAS, the City seeks to utilize landscaping in order to ameliorate noise impacts and light pollution; and

WHEREAS, the adoption of the provisions set forth below are necessary to accomplish the above objectives.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. Chapter 126, entitled "Landscaping," of the Code of the City of Miami Beach is hereby amended as follows:

Sec. 126-2 – Definitions

The Definitions Section within Chapter 46, Environment, of the Code of the City of Miami Beach, forms part of this regulation. For the purposes of this Chapter, the following words and phrases shall have the meaning respectively ascribed to them by this Section:

* * *

Grass, Artificial: A grass mat manufactured with man-made materials such as polypropylene, polyethylene and installed as a pervious system on a finely graded sand layer over filter fabric on gravel, drainfield rock and on a compacted subgrade.

Grass: Any natural variation of grasses (such as St. Augustine, Zoysia, Bermuda) grown to form a dense surface layer. This definition shall also apply to sod.

* * *

Sec. 126-6 Minimum Standards

The following standards shall be considered minimum requirements unless otherwise indicated in the Land Development Regulations:

* * *

(b) Lawn Grass/Sod Area/Artificial Grass.

(1) ~~*Lawn grass/sod*~~ *Grass* areas, including lawn and sod areas, shall be planted with natural growing species well adapted to localized growing conditions in the City. Grass areas shall be sodded and used in swales or other areas subject to erosion.

(2) Exclusions from *maximum permitted lawn areas:*

a. Stabilized grassed areas used for parking
b. Grassed areas designated on landscape plans and actively used for sports, playgrounds or picnic areas.
c. Grassed areas in the right-of-way
d. Stormwater retention/detention areas planted in grasses which are very drought tolerant, as well as tolerant to wet soils.
e. Very drought tolerant grasses and low growing native plants, including grasses and forbs may be used as groundcover beyond the maximum permitted grass areas.

(3) *Artificial grass areas* may be permitted within required rear yards in single family zoning districts, in accordance with the following:

a. Artificial grass shall be allowed as an alternative to lawn grass and shall count towards the maximum lawn area as described in Table A.
b. Artificial grass shall be installed as a system that is pervious and contributes to storm drainage. The permeability shall be equal to or greater than that of natural grass.
c. Landscape permit plans shall be provided with artificial grass system specifications, sections and details for review and approval by planning department staff.
d. Applicants shall provide an owner affidavit agreeing to perpetually maintain the artificial grass system in good working order in order to ensure that there is continued ground permeability.

e. The artificial grass system shall utilize organic plant-derived and other natural infill components to the maximum extent feasible, including but not limited to cork, coconut, corn husk, rice husk, and sand. The use of crumb rubber and other synthetic materials shall be minimized.

(~~34~~) *Maximum permitted lawn grass/sod areas* for all zoning districts are referenced in Table A.

SECTION 2. REPEALER.

All ordinances or parts of ordinances and all Section and parts of sections in conflict herewith be and the same are hereby repealed.

SECTION 3. CODIFICATION.

It is the intention of the City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach as amended; that the sections of this ordinance may be renumbered or reentered to accomplish such intention; and that the word "ordinance" may be changed to "Section" or other appropriate word.

SECTION 4. SEVERABILITY.

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

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect ten (10) days following adoption.

PASSED and ADOPTED this _____ day of _____, 2018.

ATTEST:

_____
Dan Gelber, Mayor

_____
Rafael E. Granado, City Clerk

First Reading: March 7, 2018
Second Reading: April 11, 2018

(Sponsor: Commissioner John Elizabeth Aleman)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

2-26-18
City Attorney Date

Verified by: _____
Thomas R. Mooney, AICP
Planning Director

Underscore denotes new language
~~Strikethrough~~ denotes deleted language

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