

ORDINANCE No. 2022-11

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

WHEREAS, artificial turf regulations are set forth in Chapter 71, Article II, Division 7 of the City of Doral Land Development Code (the "City's Code"); and

WHEREAS, the City's Code restricts artificial turf to side and rear yards in Single Family and Multifamily Residential-1 (MF-1) zoning districts; and

WHEREAS, artificial turf effectively stimulates the appearance of natural grass and provides for permeability; and

WHEREAS, artificial turf allows property owners to beautify lawns with minimal maintenance and no irrigation; and

WHEREAS, the Mayor and City Council seek to improve the aesthetic appearance and promote sound landscaping principles through the use of drought tolerant material; and

WHEREAS, the Mayor and City Council deem necessary to amend the City's Code to allow artificial turf in front yards subject to the requirements set forth in Chapter 71, Article II, Division 7; and

WHEREAS, on April 27, 2022, the City Council of the City of Doral sitting as the Local Planning Agency (LPA) at a properly advertised hearing received testimony and

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evidence related to the proposed text amendment to the City's Land Development Code as required by state law and local ordinances; and

WHEREAS, on April 27, 2022, the City Council of the City of Doral at a properly advertised hearing (First Reading) 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, on August 24, 2022, the City Council of the City of Doral at a properly advertised hearing (Second Reading) 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 Mayor and City Council finds that the adoption of the text amendment to the City's Land Development Code is in the best interest of the health, safety and welfare of the residents of the City of Doral.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL 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 City Council of the City of Doral hereby approve the text amendment to the City's Land Development Code modifying Chapter 71, "Landscaping and Buffers," Article II, "Minimum Standards," Division 7, "Artificial Turf," to revise artificial turf regulations. The Land Development Code of the City of Doral, Florida, is hereby amended to read as follows:

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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 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 public parks, private parks, schools, and for recreation purposes.

Sec. 71-226. Minimum requirements.

- (a) All artificial turf shall comply with the following minimum requirements:
 - (1) Artificial turf may be permitted within front, 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) Installation of artificial turf shall only be allowed within the adjacent right-of-way of local or collector streets in residential districts. A “right-of-way” permit must be executed and submitted to the City of Doral Public Works Department.
In the event the City of Doral or public utility company conducts work in the public right-of-way adjacent to the lot, the homeowner (including homeowner associations) shall be responsible to reconstruct, restore, or repair the artificial turf in front or abutting upon such property.
~~Artificial turf shall not be allowed in any front yard areas or in any area visible from within 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 inches in width, provided that the artificial turf area does not exceed 50 percent 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. Artificial turf specifications and details shall include percolation rates.
 - (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.

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

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

- (a) All artificial turf shall comply with the following minimum installation/maintenance/repair standards:
- (1) All artificial turf shall 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.
 - (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.
 - (6) All artificial turf shall be kept free of dirt, mud, stains, weeds, debris, tears, holes and impressions. Maintenance shall include, but not limited to: cleaning, brushing, debris removal, repairing of depressions and ruts to maintain a visually-level surface; elimination of odors, flat or matted areas, weeds, and evasive roots.
 - ~~(7)~~ 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.
 - ~~(8)~~ In no case shall artificial turf be installed within permanent drainage features (e.g., ponds, swales, and etc.).
 - ~~(9)~~ All artificial turf shall be installed on a permeable backing or subbase system that is pervious and contributes to stormwater drainage. Artificial turf shall be considered as 100 percent pervious area. The permeability shall be equal to or greater than that of natural grass.

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 Councilmember Puig-Corve who moved its adoption. The motion was seconded by Vice Mayor Cabral upon being put to a vote, the vote was as follows:

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

PASSED AND ADOPTED on FIRST READING this 27 day of April, 2022.

PASSED AND ADOPTED on SECOND READING this 24 day of August, 2022.



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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