

1 Section 2. City Code Amendment. A new Section 50-78 is hereby created in Chapter
2 50, Article III of the City Code of Ordinances, all as follows (words that are
3 stricken out are deletions; words that are underlined are additions; stars * * * *
4 * indicate breaks between sections, subsections, or paragraphs and do not indicate
5 changes to the City Code; provisions not included are not being amended):

6
7 ARTICLE III. - DEVELOPMENT STANDARDS

8 Sec. 50-78. - Artificial Turf Requirements

9 The use of artificial turf is permitted subject to obtaining a permit and
10 compliance with the provisions of this Section. Any such permit or permission
11 granted by the City (including such granted prior to the adoption of this Section)
12 shall be a revocable license and does not create any vested rights, property
13 rights, or privileges. All artificial turf shall, at a minimum, be installed
14 according to the manufacturer's specifications and may be subject to further City
15 stormwater requirements.

16
17 Definitions. The following terms, phrases, words, and their derivations shall
18 have the meaning given in this Section. Words used in the present tense include
19 the future tense; words in the plural tense include the singular tense and vice
20 versa. The word "shall" is considered mandatory, and the word "may" is considered
21 permissive.

1 *Artificial Turf* means an artificial grass mat manufactured with synthetic
2 materials such as polypropylene, polyethylene, or other materials used to
3 replicate the appearance of natural grass.

4
5 *Impervious Artificial Turf* means artificial turf that prevents or severely
6 restricts the natural percolation of water from the ground's surface to the water
7 table.

8
9 *Pervious Artificial Turf* means artificial turf specifically designed to allow the
10 natural percolation of water from the ground's surface to the water table with a
11 proper porous, permeable underlying material such as gravel.

12
13 Location. The installation of artificial turf is permitted on residential,
14 private parks and schools, and commercial sites and is limited to play areas of
15 public parks and institutions, subject to the requirements of this Section.
16 Installation of artificial turf within public and private rights-of-way is
17 prohibited. Artificial turf may not be installed within 50 feet of any artificial
18 or natural water body. Artificial turf is prohibited within drainage features
19 (e.g., retention ponds, swales, etc.).

20
21 *Impervious Artificial Turf.*

22 A permit shall be required to install impervious artificial turf. The permit for
23 impervious artificial turf may require additional information to establish the

1 impervious surface ratio unless impervious artificial turf is installed over
2 existing impervious surfaces.

3
4 The installation of impervious artificial turf shall be calculated as an
5 impervious surface. Total impervious area calculations shall be submitted with
6 any impervious artificial turf application. The quantity of impervious artificial
7 turf to be incorporated into the landscaping of a property shall be limited by the
8 maximum impervious surface ratio for the subject property within the applicable
9 zoning district and location requirements.

10
11 Impervious artificial turf installation in front yards shall require a variance,
12 which may require specific materials, installation techniques, maintenance
13 techniques, and area requirements.

14
15 Impervious artificial turf must be installed outside of the drip line of any tree.

16
17 Pervious Artificial Turf.

18 A permit shall be required to install pervious artificial turf.

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20 Pervious artificial turf shall be installed by a Florida licensed general
21 contractor or bonded and insured landscape contractor certified by the
22 manufacturer for installation of the turf.

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1 Pervious artificial turf shall have a backing of a uniform (every square inch)
2 woven material, which precludes the use of a solid-backed material with periodic
3 holes.

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5 The required minimum permeability rate shall be two and a half (2.5) inches per
6 hour and shall not be installed over a surface with a permeability of less than two
7 and a half (2.5) inches per hour.

8
9 Underlying material (gravel, drain field rock, sand setting, fabric, etc.) shall be
10 included in the design per the manufacturer's specifications to meet the minimum
11 permeability rate.

12
13 The specifications of allowable impervious artificial turf shall: simulate the
14 appearance and function of live turf, organic turf, grass, sod, or lawn, as
15 determined by the City; have a minimum "no fade" warranty of at least eight (8)
16 years; be lead-free; and be flame retardant.

17
18 Prior to the installation of artificial turf, the property owner shall enter into
19 an agreement, with and in a form acceptable to the City, providing for the property
20 owner's and its successors' and assigns' scheduled maintenance activities and
21 annual reports thereof to the City. Among other things, such agreement may provide
22 for: (i) the property owner's requirement to remove and/or replace the artificial
23 turf in the future if the artificial turf ceases to function as designed and
24 permitted, is not properly maintained and/or if the expiration of the artificial

1 turf's life expectancy occurs; (ii) the City's remedies in the event property owner
2 fails to comply with its maintenance, repair, and replacement obligations; and
3 (iii) property owner's indemnification and hold harmless of the City and its
4 officials and employees with respect to the artificial turf installation,
5 maintenance, and repair, including any drainage problem that may arise therefrom.

6
7 Installations in the front yard of residential or on any commercial land shall
8 contain areas of living plant material equal to or greater than ten percent (10%)
9 of the pervious artificial turf. Living plant material for purposes of this
10 Subsection shall include a combination of two or more shrubs, vines, trees, or
11 ground cover in planter areas and/or tree wells separate from the pervious
12 artificial turf. Pervious artificial turf shall be separated from planter areas by
13 a concrete mow strip, non-biodegradable bender board, or other barriers with a
14 minimum thickness of three-eighths (3/8) inch and minimum depth of four (4) inches,
15 which barrier shall not extend to the bottom of the engineered base for the
16 pervious artificial turf.

17
18 Pervious artificial turf shall be considered natural turf for purposes of
19 calculating permeability.

20
21 Pervious artificial turf shall not be considered environmental or green space.

22
23 Existing or new irrigation under the pervious artificial turf shall be on a least
24 one separate zone from natural turf irrigation on site.

1 Permit Requirements. All permits for artificial turf required under this Section
2 shall include, at a minimum, the following information:

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4 A complete landscape plan showing the area of synthetic turf, area of living plant
5 material, and area and method of separation between these areas;

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7 Details regarding existing or proposed irrigation proximate to the synthetic turf;

8
9 Brand and type of synthetic turf, including all manufacturer specifications and
10 warranties;

11
12 A scaled cross section and details of the proposed materials and installation,
13 including but not limited to subgrade, drainage, base or leveling layer, and
14 infill;

15
16 A survey of the property, signed and sealed by a licensed surveyor, depicting all
17 existing easements located on the property; and

18
19 A form signed by any holder of an easement on the property consenting to the
20 installation of the synthetic turf within the easement, with an accompanying
21 acknowledgment by the property owner that in the event the easement holder
22 performs work in the easement that it is the property owner's responsibility to
23 repair and replace the synthetic turf disturbed as a result of the work in the
24 easement.

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1 Appearance. Artificial turf shall consist of materials that appear natural in
2 appearance and color from any public or private right-of-way, neighboring
3 properties, or natural features (wetlands, lakes, parks, common areas, etc.). The
4 use of indoor/outdoor plastic or nylon carpeting as an installation of artificial
5 turf is prohibited.

6
7 Maintenance. All artificial turf shall be maintained in a fadeless condition and
8 shall be kept free of dirt, mud, stains, weeds, debris, tears, holes, and
9 impressions. Maintenance shall include, but not be limited to: cleaning, brushing,
10 and debris removal; repairing of depressions and ruts to maintain a visually-level
11 surface; elimination of any odors, flat or matted areas, weeds, and evasive roots;
12 and all edges of the artificial turf shall not be loose and must be maintained with
13 appropriate edging or stakes.

14
15 All artificial turf must be replaced if it falls into disrepair with fading, holes,
16 or loose areas. Replacement and repairs shall be done with like materials from the
17 same manufacturer and done so in a manner that results in a repair that blends in
18 with the existing artificial turf.

19
20 Section 3. Codification. Section 2 of this Ordinance will be incorporated into
21 the Belle Isle City Code. Any section, paragraph number, letter and/or any
22 heading may be changed or modified as necessary to effectuate the foregoing.
23 Grammatical, typographical, and similar or like errors may be corrected, and

1 additions, alterations, and omissions not affecting the construction or meaning
2 of this Ordinance and the City Code may be freely made.

3
4 Section 4. Severability. If any section, subsection, sentence, clause, phrase,
5 word, or provision of this Ordinance is for any reason held invalid or
6 unconstitutional by any court of competent jurisdiction, whether for substantive,
7 procedural, or any other reason, such portion shall be deemed a separate, distinct
8 and independent provision, and such holding shall not affect the validity of the
9 remaining portions of this Ordinance.

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11 Section 5. Conflicts. In the event of a conflict or conflicts between this
12 Ordinance and any other Ordinance or provision of law, this Ordinance governs and
13 controls to the extent of any such conflict.

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15 Section 6. Directions to City Staff. City Staff, under the direction of the City
16 Manager, are directed and authorized to take such actions as are necessary and
17 advisable to effect and carry out this Ordinance.

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19 Section 7. Effective Dates. This Ordinance shall become effective immediately
20 upon adoption by the City Commission of the City of Belle Isle, Florida (the
21 "Effective Date") and shall apply to all applications for permits received on or
22 after the Effective Date.

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First Reading held on .

Second Reading held on .

YES NO ABSENT

Ed Gold	_____	_____	_____
Anthony Carugno	_____	_____	_____
Karl Shuck	_____	_____	_____
Randy Holihan	_____	_____	_____
Beth Lowell	_____	_____	_____
Stanley Smith	_____	_____	_____
Jim Partin	_____	_____	_____

ATTEST: _____

CITY OF BELLE ISLE

Yolanda Quiceno, CMC-City Clerk

Nicholas Fouraker, Mayor

Approved as to form and legality

For use and reliance by

Giffin Chumley, City Attorney

1 STATE OF FLORIDA

2 COUNTY OF ORANGE

3 I, Yolanda Quiceno, CITY CLERK of the City of Belle Isle, do hereby certify that
4 the above and foregoing document ORDINANCE 23-04 was duly and legally passed by
5 the Belle Isle City Council, in session assembled on the _____ day of
6 _____ 2023. At this session, a quorum of its members was present.

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9 _____
Yolanda Quiceno, CMC-City Clerk

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