

ORDINANCE NO. 2019-15

AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING ITS CODE OF ORDINANCES BY AMENDING CHAPTER 1 “GENERAL PROVISIONS”, SECTION 1-3 “DEFINITIONS”; AMENDING CHAPTER 66 “ENVIRONMENTAL REGULATIONS”, ARTICLE IV “LANDSCAPING”, DIVISION 2 “WATER EFFICIENT LANDSCAPE”, SECTION 66-141 “WATER EFFICIENT LANDSCAPE CODE”; ENACTING SECTION 66-142 “ARTIFICIAL TURF/SYNTHETIC GRASS” TO PROVIDE FOR REGULATIONS REGARDING ARTIFICIAL TURF/SYNTHETIC GRASS; PROVIDING FOR CODIFICATION, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Town of Ocean Ridge, Florida (the “Town”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town Commission wishes to provide for regulations regarding artificial turf/synthetic grass; and

WHEREAS, the Town Commission has determined that the enactment of this ordinance is for a proper municipal purpose and in the best interests of the residents of the Town.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:

SECTION 1 – Findings of Fact: The **WHEREAS** clauses set forth above are adopted herein as findings of fact.

SECTION 2 – Amendment: Chapter 1 “General Provisions”, Section 1-3 “Definitions”, is amended to read as follows:

Sec. 1-3. - Definitions.

Landscaping means all materials such as, but not limited to, grass, ground covers, shrubs, vines, hedges, trees or palms, and other material such as rocks, pebbles, artificial turf/synthetic grass, walls or fences, and decorative paving materials, all of which are approved by the administrative official.

SECTION 3 – Amendment: Chapter 66 “Environmental Regulations”, Article IV “Landscaping”, Division 2 “Water Efficient Landscape”, by amending Section 66-141 “Water efficient landscape code” to read as follows:

Sec. 66-141. - Water efficient landscape code.

- (a) *Intent and standards.* This water efficient landscape code establishes minimum standards for the development, irrigation, and maintenance of landscaped areas and requires specific water conservation measures, including the preservation of natural vegetation, where applicable.
- (b) *Applicability.* No site plan approval, construction permit or other development order shall be issued for new construction of a single-family or multifamily structure, or the "substantial improvement" of an existing single-family or multifamily structure, as defined in section 1-3 of the land development code, unless the water-efficiency actions included within the landscape plan comply with the provisions hereof, or unless exempted from these provisions. No certificate of completion, use, or use and occupancy shall be issued until the requirements of this division are met.
- (c) *Four-foot landscape minimum.* A minimum four-foot-wide area around the perimeter of the "footprint" of new construction shall receive landscape treatment, as provided herein.
- ~~(d) *Variances.* The town commission, for good cause shown, may grant variances, and conditional or partial exemptions from this land development code.~~
- ~~(e)~~ *Definitions.* Technical terms used herein shall be as defined in the model xeriscape code promulgated by the South Florida Water Management District.
- ~~(f)~~ *Water efficient landscape standards; established.*
 - (1) *Planning and design.* Site plans shall identify all vegetated areas, including those to be preserved. Installed trees and plant materials shall be grouped together into zones according to water use needs. Installed trees and vegetation shall be located to accommodate their mature size on the site. Unless the tree or other plant material is approved by the respective utility, no trees or other plant materials shall be located or planted in such a manner as to interfere with the use of recorded easements, power or other utility lines or facilities, or the use and maintenance of public rights of way. The water use zones shall correlate to the water use zone designations of plants listed in the Xeriscape Plant Guide II, published by the South Florida Water Management District. Impervious surfaces and materials within landscaped areas shall be limited to borders, sidewalks, step-stones, swimming pools, decks, spas, and other similar features. In no event shall all impervious materials on the lot exceed 40 percent of the total lot area, not including the "footprint" of the house.
 - (2) *Appropriate plant selection.* All landscaped areas shall include plant materials, which are noninvasive and native to the area, as listed in the Xeriscape Plant Guide II, previously cited. A minimum of 50 percent native plants shall be used within the landscaped area. Plants prohibited in section 66-151 of this land development code or which are prohibited elsewhere by this land development code, shall not be incorporated in a landscape plan for any reason, except educational purposes, at the request of a governmental agency.

- (3) *Turf areas.* Turf shall be treated as a major planned element of the landscape plan. The use of drought resistant grass types, including experimental varieties, is permitted. ~~Sod shall normally be required, but large turf areas, not subject to erosion, such as play fields, may be grassed with methods other than sod.~~
- (4) *Efficient irrigation.*
 - a. If required to support plant life, an irrigation system shall be designed to correlate with the organization of plants into zones. The water use zones shall be shown on the landscape plan. Irrigation shall be required as follows: High water use zone shall be provided with central automatic irrigation systems. Moderate water use zones shall be provided with a readily available water supply, such as a hose bib, within 25 feet. Low water use zones shall be provided with a readily available water supply, such as a hose bib, within 50 feet.
 - b. Reclaimed nonpotable water may be used for irrigation, if an acceptable source is approved by the town commission.
 - c. Moisture sensor and rain shutoff switch equipment shall be required on automatic irrigation systems. The equipment shall consist of an automatic mechanical or electronic sensing device or switch which will override the irrigation cycle of the sprinkler system when adequate rainfall has occurred.
- (5) *Certification.* For each major site plan, a Florida licensed landscape architect, shall conduct a final field observation, and shall provide the administrative official with a certificate of substantial completion, indicating specific compliance with the elements of this land development code.

SECTION 4 – Amendment: Chapter 66 “Environmental Regulations”, Article IV “Landscaping”, Division 2 “Water Efficient Landscape”, by enacting Section 66-142 “Artificial turf/synthetic grass” to read as follows:

Sec. 66-142. – Artificial turf/synthetic grass.

- (a) Minimum material standards. All artificial turf, also referred to as synthetic grass, shall comply with the following minimum standards:
 - (1) Artificial turf shall consist of green lifelike individual blades of grass that emulate natural turf in look and color, as approved by the Town Building Official, and shall have a minimum pile height of one and one-half (1.5) inches, unless otherwise approved by the Town Building Official, and shall have a minimum tufted weight of fifty-six (56) ounces per square yard.
 - (2) Artificial turf installations shall have a minimum permeability of 30 inches per hour per square yard.
 - (3) All artificial turf shall have a minimum eight-year manufacturer's warranty that protects against color fading and a decrease in pile height.
 - (4) Artificial turf shall be lead free.

- (5) All materials must include test documentation which declares that the artificial turf yarn and backing materials are disposable under normal conditions, at any US landfill station (Total Content Leach Protocol (TCLP) test).
- (6) The use of indoor or outdoor plastic or nylon carpeting as a replacement for artificial turf or natural turf shall be prohibited.

(b) Installation, maintenance and repair.

- (1) All artificial turf shall, at a minimum, be installed according to the manufacturer's specifications.
- (2) All artificial turf installations shall be anchored to ensure that the turf will withstand the effects of wind.
- (3) All seams shall be nailed and glued, not sewn, and edges shall be trimmed to fit against all regular and irregular edges to resemble a natural look.
- (4) If artificial turf is planned to be installed immediately adjacent to a seawall, the artificial turf shall be pinned or staked behind the seawall. No artificial turf or installation mechanism shall be attached directly to or placed on a seawall or seawall cap.
- (5) Proper drainage shall be provided for all artificial turf installations to prevent excess runoff or pooling of water.
- (6) Artificial turf shall be visually level, with the grain pointing in a single direction.
- (7) An appropriate barrier device (e.g., concrete mow strip, bender board, brick pavers, river rock, landscaping) is required to separate artificial turf from soil and live vegetation.
- (8) Precautions for installation around existing trees shall be monitored and may be restricted to ensure tree roots are not damaged with the installation of the base material and that the overall health of the tree will not be compromised.
- (9) 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.
- (10) All artificial turf must be replaced if it falls into disrepair with fading or holes or loose areas. Replacement and/or repairs shall be done with like for like materials from the same manufacturer, if possible, and done so in a manner that results in a repair that blends in with the existing artificial turf.
- (11) An owner or applicant shall obtain a duly-authorized building permit from the town's building department prior to the installation of any artificial turf.
- (12) The town or other public entity or utility company may remove artificial turf at any time and for any reason, including but not limited to, in order to provide

underground access for utility work. The property owner shall bear and pay any and all costs to replace or reinstall the artificial turf.

(c) *Locations allowed.* Artificial turf/synthetic grass shall be allowed in rear and side yards, but not to exceed 25% of the total lot area (this area is defined as the total parcel area defined as a side or rear yard minus the area of the primary structure) of the rear and side yards. Artificial turf/synthetic grass shall not be allowed in any front yard areas or in any area visible from the public right-of-way (regardless of whether it is in the rear or side yard), unless it is placed in between paver blocks or similar items in a manner where the area for the artificial turf does not exceed four (4) inches in width, provided that the synthetic turf area does not exceed 50% of the total area using the paver blocks. Screening, as approved by the building official, may be used in order to comply with the visibility requirement, further any turf/synthetic grass placed in between paver blocks shall not count toward the 25% maximum amount allowed. No artificial turf shall be installed in the public right-of-way.

(d) *Existing artificial turf.* For those properties where artificial turf is currently installed that is not in compliance with this section, when the existing artificial turf is replaced or repaired, in an amount exceeding 50%, then compliance with this section shall be required. Further, all existing artificial turf, not in compliance with this section, must be replaced within ten (10) years of the adoption of this ordinance.

(e) *Pervious area.* Artificial turf shall be considered as 100% pervious area.

SECTION 5 - Codification: The ordinance shall be codified in the Code of Ordinances of the Town of Ocean Ridge, Florida.

SECTION 6 - Repeal of Conflicting Ordinances: All Ordinances, Resolutions or parts of Ordinances and Resolutions in conflict herewith are hereby repealed.

SECTION 7 - Severability: If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

SECTION 8 - Effective Date: This Ordinance shall become effective immediately upon adoption.

FIRST READING this 3rd day of February, 2020.

SECOND AND FINAL READING this 2nd day of March, 2020.

Commissioner _____ offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

STEVE COZ, Mayor _____

DON MAGRUDER, Vice Mayor _____

PHILIP BESLER, Commissioner _____

KRISTINE DE HASETH, Commissioner _____

SUSAN HURLBURT, Commissioner _____

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this 2nd day of March, 2020.

TOWN OF OCEAN RIDGE, FLORIDA

BY: _____
Steve Coz, Mayor

ATTEST: _____
Karla Armstrong, Town Clerk

Town of Ocean Ridge, Florida
Town Commission Agenda Memorandum
Office of the Town Manager

Meeting Date: March 2, 2020
Subject: CD Rates & Transfer Funds Between Bank Accounts

Mayor & Commissioners:

At the February 3rd meeting, the Town Commission authorized me to transfer two million dollars from the general fund to the money market account at City National Bank in order to maximize our interest income, as the CD rates were too low at that time to invest.

We are currently earning interest in our money market account with a rate of 1.65%, and the current CD rates are as follows:

3 month = 1.60%
6 month = 1.65%
9 month = 1.70%
12 month = 1.75%

Since we are already earning 1.65% on our money market account, I am recommending that we wait to purchase another CD until the rates rise. I am requesting that the Town Commission give me the authority to transfer funds from the general fund to the money market account and vice-versa as needed throughout the year to continue to maximize the Town's interest income, and to ensure we have adequate cash flow to meet our obligations.

Suggested Motion: I move to authorize Town Manager Stevens to transfer funds as needed from the general fund to the money market account and vice versa as needed to maximize the Town's interest income and to ensure the Town has adequate cash flow to meet its obligations.

Respectfully,



Tracey L. Stevens, MMC
Town Manager & Finance Director