

AN ORDINANCE AMENDING CHAPTER 11 (ZONING) AND CHAPTER 12, EXHIBIT “A”, OF THE CODE OF ORDINANCES TO ADDRESS ARTIFICIAL TURF BY ESTABLISHING DEFINITIONS, CLASSIFYING ARTIFICIAL TURF AS IMPERVIOUS FOR LOT-COVERAGE PURPOSES, ESTABLISHING INSTALLATION AND LOCATION STANDARDS, CREATING PERMITTING AND MAINTENANCE REQUIREMENTS, PROVIDING GRANDFATHERING FOR EXISTING INSTALLATIONS, PROVIDING FOR SEVERABILITY, AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HILSHIRE VILLAGE, TEXAS:

SECTION 1. Amendment to Exhibit “A”, Chapter 12, Section 02:00 – Definitions.

Section 02:00 of Chapter 12, Exhibit “A” of the City’s Code of Ordinances is amended to insert the following definition and clarification:

02:A-02.1 Artificial Turf: A manufactured synthetic surface composed of plastic, nylon, polyethylene, or similar materials designed to simulate natural grass.

And amend 02:U-02 to state Unsurfaced area: "Unsurfaced area" shall mean, but is not limited to those areas of a Lot covered with grass and/or other vegetation, whether natural, planted, or landscaped, dirt surfaces, and unpaved surfaces. Artificial Turf shall not be considered an “unsurfaced area”.

SECTION 2. Amendment to Chapter 11, Section 11:01.06(d) – Maximum Lot Coverage.

Section 11:01.06(d) of the City’s Code of Ordinances is amended to include the following additional classification:

Amended to read: (d) For computation of lot coverage, by way of example only, "non-permeable constructed surface" shall include main buildings, accessory buildings, swimming pool, garage, driveways, any paved surface for automobiles, sidewalks, patios, pavers, including porous pavers, artificial turf and other non-permeable constructed surface areas," but shall exclude, by way of example only, air conditioner supports, landscape border stones, stepping stones, wooden decks and similar materials or structures.

SECTION 3. Adoption of New Section 11:01.09 – Artificial Turf Regulations.

A new Section 11:01.09 is hereby added to Chapter 11 of the City’s Code of Ordinances to read as follows:

11:01.09 Artificial Turf – Standards, Permits, and Limitations

- a. Permit Required: No artificial turf may be installed, expanded, modified, or replaced except as permitted under subsection (b) without first obtaining a permit from the City.
- b. Existing Installations: Artificial turf installed prior to the adoption of this section may be maintained or replaced “like-for-like” in the same location, size, and

configuration. Any enlargement, relocation, or material change shall require full compliance with this section.

- c. Location Standards.
 - 1. Artificial turf may be installed in any rear yard area provided that the total impervious coverage complies with the maximum lot coverage limits.
 - 2. Artificial turf may not be installed in front of the front building line, nor shall it be visible from any street.
 - 3. Artificial turf shall not be installed within the public right-of-way nor any drainage channel or easement.
- d. Installation Standards.
 - 1. A compacted crushed-stone or similar base between two and four inches (2"-4") shall be installed beneath all artificial turf.
 - 2. Installations shall not alter or obstruct natural drainage patterns or increase runoff onto adjacent property or public drainage systems. Engineered drainage plans may be required.
 - 3. All exposed turf edges shall include a permanent edging or restraint system.
 - 4. Turf materials shall be UV-stabilized and designed for exterior installation.
- e. Tree Protection.
 - 1. No trenching, excavation, soil compaction, or root disturbance may occur within the critical root zone of a tree which is 8" or greater.
 - 2. Base materials used near trees shall remain permeable to air and water exchange.
 - 3. Any installation that causes injury, decline, or death of a protected tree constitutes a violation of the City's tree-protection requirements under Chapter 12.
- f. Maintenance: Artificial turf shall be maintained in good repair and kept free from rips, uplift, exposed seams, depressions, infill migration, deterioration, or similar conditions. Failure to maintain may constitute a nuisance.
- g. Application Requirements: An application for an artificial turf permit shall include:
 - 1. A scaled site plan identifying the location of the turf, lot coverage calculations, and setback distances;
 - 2. Manufacturer specifications for turf materials, base materials, and edging;
 - 3. Drainage information and details of the base installation;
 - 4. Tree-protection measures, if applicable;
 - 5. Acknowledgment of right-of-way and easement restrictions.

SECTION 4. Amendment to Appendix A – FEE SCHEDULE

Appendix A ARTICLE 3.000. - BUILDING RELATED FEES of the City's Code of Ordinances is amended to include the following additional permit fee:

DRAINAGE AND YARD PERMIT FEES

Changes to yard (from grass to alternate surface material that includes less than 50% of lot area)**	\$240.00	2
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SECTION 5. Severability.

If any provision of this Ordinance or its application to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 6. Repealer.

All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 7. Effective Date.

This Ordinance shall take effect immediately upon its passage and adoption.

PASSED, APPROVED, AND ADOPTED this ___th day of _____, ____.

Attest:

Robert F. Buesinger, Mayor

Cassie Stephens, City Secretary

APPROVED AS TO FORM:

City Attorney