



MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMITTEE MEMORANDUM

TO: Land Use and Development Committee

FROM: Jorge M. Gonzalez, City Manager *JMG for JMG*

DATE: April 25, 2012

SUBJECT: **Discussion on Artificial Grass at Hotels and Homes and the Planning Department Procedure for Approving Same.**

BACKGROUND

A discussion regarding an amendment to the Land Development Regulations of the City Code to address the issue of artificial grass was referred by the City Commission on September 14, 2011 to the Land Use and Development Committee (LUDC) at the request of Commissioner Wolfson.

ANALYSIS

As a result of significant recent advances in the development of high quality artificial grass products, in terms of use, durability, desirability, and aesthetic appearance, the Planning Department has begun to receive requests for the use of these products.

From the public sector, requests have been received from the Parks and Recreation Department to approve the use of artificial grass in three particular areas, 1) on 'covered' children's playground areas, 2) on high-intensity-use football and soccer fields, and 3) in limited small public outdoor areas, where the use and maintenance of natural grass has become problematic.

A small number of hotels have requested to replace natural grass with artificial grass in limited areas of high-intensity-use where natural grass cannot be sustained in a healthy condition and good appearance without being frequently replaced, most particularly around highly active pool deck areas. In response to these requests, the Planning Department, in close consultation with the Department of Parks and Recreation, has developed a general policy with regard to the use of high quality artificial grass as a replacement for natural grass for certain appropriate applications and locations in Miami Beach (see attached).

However, while this has given the opportunity for hotels to install artificial grass with either staff or board approval, the policy specifically excludes the "Dune Preservation Overlay District," the easternmost portion of most oceanfront hotel properties. The Dune Preservation Overlay District is governed by Section 142-774 of the City Code, which states that these regulations "are designed to accommodate and promote recreational, open space and related uses" and that "this area functions as a transitional zone between the intensely developed uplands and the dune and beach. It accommodates uses and structures which are compatible and supportive of the beachfront park system and the natural beach environment." This has been interpreted to date by the Planning Department as a prohibition on artificial grass within this area.

Planning Board Review

At the January 24, 2012 meeting, the Planning Board reviewed both versions of the ordinance as requested by the Committee. By a vote of 5-0 (Fryd & Tobin absent), the Board recommended that the City Commission adopt the more restrictive ordinance, which is the one that limits the area where synthetic grass may be installed in the "Dune Overlay District."

CONCLUSION

The Administration recommends that the Committee approve the proposed ordinance with the limitations detailed above, as recommended by the Planning Board, and send that ordinance to the full Commission for first reading.

JMG/JGG/RGL/ML

c: Jorge G. Gomez, Assistant City Manager
Kevin Smith, Parks and Recreation Department Director

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Administrative Level Approval of the Use of Artificial Grass

1. Private or Public Football Fields or Soccer Fields where game action is very frequent and very intense and natural grass cannot recover adequately in between games uses, as determined by the Parks and Recreation Department or the respective institution. Planning staff may approve the installation of high grade artificial grass for use in these areas, limited to the 'game' area of the playing field.
2. Private or Public, Covered Children's Playgrounds where canopy shade structures above the playground equipment prevent the growth and use of natural grass. Planning staff may approve the installation of high grade artificial grass for use in these covered playground areas, limited to the area covered by the canopy.
3. High-Intensity-Use Small Public Outdoor Areas where natural grass cannot survive the intensity of use without the area being closed for extended periods of time for the natural grass to recover or be replaced, and/or where natural grass may be victim of frequent dog use and cannot be kept sanitary for use by small children. An example is the Euclid Oval on Lincoln Road where very small children frequently crawl and run bare foot. Planning staff may approve the installation of high grade artificial grass for use in these high-intensity-use small public areas at the request of the Parks and Recreation Department.

Board Level Approval of the Use of Artificial Grass

1. Hotel Property / Private Club / or Multi-family Residential Pool Deck Areas where lounge chairs cover the natural grass most of the time as well as produce beaten down 'foot paths' where bathers come from and go to the pool, and where the use of artificial grass would not have a significant adverse aesthetic impact. Natural grass cannot normally survive this level of constant shade or intensity of foot traffic without being frequently replaced; such applications may be submitted to and approved by the Historic Preservation Board or the Design Review Board ***provided they do not fall within the Dune Preservation Overlay District.***
2. Hotel Property / Private Club High-Intensity-Use Outdoor Areas where multiple high intensity events are held on a daily or weekly basis involving large concentrations of people on the natural grass as well as the moving of vehicles and equipment over the grass in preparation for such events, and where the use of artificial grass does not have a significant adverse aesthetic impact. These areas of natural grass often cannot be reasonably maintained in healthy condition and good appearance without frequent replacement. Such applications may be submitted to and approved by the Historic Preservation Board or the Design Review Board ***provided they do not fall within the Dune Preservation Overlay District.***

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE III, "OVERLAY DISTRICTS," DIVISION 2, "DUNE PRESERVATION OVERLAY," BY AMENDING SECTION 142-774, "USES AND STRUCTURES PERMITTED," TO ESTABLISH POLICIES REGARDING THE INSTALLATION OF SYNTHETIC GRASS; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, As a result of significant recent advances in the development of high quality artificial grass products in terms of use, durability, desirability, and aesthetic appearance, requests for the use of these products both from the public and private sectors are being received; and

WHEREAS, requests to replace natural grass for synthetic grass are for use in limited areas of high-intensity-use where natural grass cannot be sustained in a healthy condition and good appearance without being frequently replaced, most particularly around highly active pool deck areas; and

WHEREAS, the proposed amendments are necessary to effectuate the replacement of natural grass with synthetic grass in the Dune Preservation Overlay.

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

SECTION 1.

Section 1. That Chapter 142, "Zoning Districts and Regulations," Article III, Overlay Districts, Division 2, "Dune Preservation Overlay," Section 142-774, "Uses and Structures Permitted," is hereby amended as follows:

Section 142-774. - Uses and structures permitted.

Uses and structures permitted under this division shall be designed to accommodate and channel pedestrian movement in such a manner as to protect and enhance vegetation and the beach. No land or structure shall be used, in whole or in part, except for one or more of the following permitted uses:

* * *

(7) Landscaping conforming to the specifications of the beachfront park and promenade plan. In up to one-half of the area required to be open to the sky and landscaped (but not in required side yards,) synthetic grass which is fully pervious shall be permitted in high-traffic pedestrian, assembly or activity areas.

