



TO: Ella Crandall, Development Review Manager
Rebecca Mulder, Code Compliance Manager

FROM: Gina L. Clayton, Planning and Development Manager

DATE: September 19, 2023

RE: Zoning Interpretation - Artificial Turf

This zoning interpretation is issued to specify and interpret the City of Clearwater Community Development Code (the “CDC”) provisions that provide the basis for the City’s prohibition of artificial turf. The CDC provisions that have been reviewed in developing this interpretation are from the code's property maintenance, landscaping, and definition sections.

Article 3, Division 15 Property Maintenance Standards

Code Section 3-1502.H.2 – Any portion of a lot not covered by a building or structure or otherwise devoted to parking, a service drive or a walkway shall be landscaped with grass or other appropriate ground cover and shall be maintained in a neat and orderly manner.

Code Section 3-1502.H.3 - All landscape materials, including turf, shrubs, and trees, whether required or optional, shall be maintained in a healthy live condition so as to present a neat and attractive appearance and so as to discourage the accumulation of trash or debris and/or infestation by pests.

The above CDC sections prescribe the use of live landscaping materials for areas not occupied by buildings, structures, or pavement. CDC Section 3-1502.H.3 specifically provides that “turf” shall be maintained in a healthy living condition. Artificial turf is man-made and is not in a living condition.

Article 3, Division 12 Landscaping/Tree Protection

Section 1202.B. Plant material specifications. Except as provided in subsection (8) below, plant materials which are utilized to satisfy the landscaping required by this development code shall comply with the following minimum standards:

1. *Minimum plant material standards:*

PLANT	SIZE (at installation)	OTHER REQUIREMENTS
Shade Tree	10' height 2.5" caliper	All materials shall be Florida Grade #1, and be planted a minimum of five feet from any impervious area.
Accent Tree	8' height 2" caliper	2 accent trees = 1 shade tree; unless overhead lines are unavoidable; no more

		<i>than 25% of required trees may be accent trees. All materials shall be Florida Grade #1.</i>
<i>Palm Tree</i>	<i>10' clear trunk</i>	<i>Can be used to satisfy 75% of tree requirements on Beach, Sand Key & Island Estates, 25% elsewhere in the City. Staggered clusters of 3 palm trees = 1 shade tree, except for specimen palm trees such as: phoenix canariensis (canary island date palm), phoenix dactylifera (edible date palm) and phoenix reclinata (senegal date palm), which count as shade trees on a 1:1 ratio. All materials shall be Florida Grade #1.</i>
<i>Ground Cover</i>	<i>1 gallon minimum - planted a maximum of 24" O.C.</i>	<i>Encouraged in lieu of turf to reduce irrigation needs.</i>
<i>Turf</i>	<i>N/A</i>	<i>Turf areas should be consolidated and limited to areas of pedestrian traffic, recreation and erosion control, and shall be a drought tolerant species.</i>

Turf is included in the above plant material standards with specific standards provided as to what species are permissible. This section confirms that turf used in the City needs to be a live plant. CDC Section 3-1202.B.2. provides for exceptions to the general landscaping standards.

2. *Exceptions.*

- a. *Single-family detached and two-family attached dwellings. The above size requirements with regard to shade trees and accent trees shall not be applied to single-family detached dwellings and two-family attached dwellings. For those uses shade trees shall have minimum height of eight feet and minimum caliper of two inches, and accent trees shall have minimum height of six feet and minimum caliper of one inch.*
- b. *Parks and athletic fields. Artificial turf may be used in lieu of plant materials in parks and athletic fields.*

CDC Section 3-1202.B.2.a carves out landscaping exceptions for single-family and two-family dwellings for trees but does not provide any exceptions for the use of living turf. The only reference to artificial turf within the CDC can be found under CDC Section 3-1202.B.2.b. This section specifically provides an exception to the use of living turf by allowing the use of artificial turf only in parks and athletic fields. If artificial turf was permitted, an exemption to allow it in limited circumstances would not be necessary. Based on these CDC sections, artificial turf is prohibited within the City with the very limited exception of use at parks and athletic fields.

Article 8, Definitions and Rules of Construction

Section 8-102 states *Landscaping* means grasses, ground covers, vines, shrubs, trees and inanimate durable material such as organic mulches.

This definition does not include the term “turf” but that term is specified in Section 3-1202.B.1 to be a plant material under the City’s general landscaping standards. Inanimate durable material does not

include artificial turf being that turf in the context of the CDC is a live plant material. Furthermore, as previously indicated, artificial turf is only permitted at parks and athletic fields.

It should be noted that in the past, at least two properties have been found to have violated the CDC by the City's municipal code enforcement board for the use of artificial turf. In addition, the Clearwater City Council considered amendments to the Community Development Code in 2011 to allow the use of artificial turf and decided not to move forward with any changes.

According to City Council minutes, a major goal of the 1999 Community Development Code was citywide beautification through tree protection and expanded landscaping provision. As evidenced in the CDC provisions cited above, the CDC focuses on the use of healthy living plant materials. This goal was further cemented when the City Council approved an exemption for the use of artificial turf only for parks and athletic fields. Based on the above code sections and the intent of the CDC, the use of artificial turf is prohibited in the City with limited exceptions.