



MIAMI SHORES

DEPARTMENT OF PLANNING & ZONING
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PLANNING BOARD HEARING			
Miami Shores Village Town Hall Council Chambers 10050 NE 2 nd Avenue Miami Shores			
Hearing Date	March 24, 2016		
Subject	Planning and Zoning Board consider amending Sec. 536 Design standards. and Sec. 537. – Maintenance standards.		
Staff Report	David A. Dacquisto AICP, Director, Planning and Zoning	Report Date	March 23, 2015

Background

The planning and zoning board held workshops on January 11, 2016, January 18, 2016 and January 25, 2016 to discuss the issue.

At their hearing of February 25, 2016 the village planning and zoning board directed staff to draft a code amendment to allow multiple types of ground cover to be permitted. Ground cover is defined in the code as:

Ground cover. A planting of low growing plants that provide a complete cover over an area in one growing season and including the area of lawful mulch around the plant.

The amendment also provides for more flexibility in choosing plantings for the various growing conditions found in yards, shade, full sunshine etc.

The amendment pertains to private property and changes the code from allowing only one uniform type of ground cover through a give lawn area, to allowing multiple types of ground cover through the same area. The amendment allows, as is the current practice, but does not require the planting of Florida Friendly plants.

At a workshop on May 19, 2016 the planning and zoning board directed staff to draft a new code identifying the area of the front yard that must be grass, the area that is allowed to have rock and other material. It also defined where hedges may be planted.

The planning and zoning board considered amending the zoning code to address plantings and alteration of the swale.

The board looked at possible amendments and reviewed zoning in other municipalities. Swales are generally grass and for water retention to reduce ponding on sidewalks and on the street. In unincorporated Miami-Dade County the only plantings other than grass permitted are trees subject to review and approval by the county.

Some municipalities only allow approved trees and otherwise require grass in the swales.

Plantings in swales when allowed generally require a landscape plan and are subject to administrative approval by public works or engineering.

After review, the planning and zoning board found:

1. The swale if village property and as such development within the swale is allowed at the discretion of the village. The public is not permitted to alter the swale without the permission of the village.
2. The current code requires that any plantings or other alteration of the swale be reviewed and approved by the Public Works Director.
3. The village may, without amending the code, produce a landscaping policy to guide the Public Works Director in reviewing plantings and other alteration of the swale.
4. The planning and zoning board found that including detailed regulation in the zoning code would be overly regulatory and create problems for code compliance.
5. Administrative review and approval of plantings and development in the swale is consistent with the practice in other jurisdictions.
6. The planning and zoning board found that planting and alteration of the swale is adequately regulated by the current code.

Amendment

The village planning and zoning board after careful consideration developed the following amendment:

New text is underlined and deleted text is ~~struck through~~.

DIVISION 17. - LANDSCAPING

Sec. 536. - Design standards.

- (a) All green space in front yards shall be planted with grass, sod or living ground cover and a minimum of two trees, except - :
 - (1) Not less than twenty-five (25) percent of green space must be planted with grass.
 - (2) The total of all non-growth areas must not exceed twenty-five (25) percent of the front yard.
 - (3) Ornamental or landscaping rock may make up ten (10) percent of the area of the front yard. The ornamental or landscaping rock utilized must not be less than one-half (.5) inch in diameter.
- (b) The use of impervious material as ground cover shall be prohibited except for areas dedicated to patios, pool decks tennis courts, village play fields and vehicular driveways where brick, concrete and asphalt shall be used for the driveway and where the spaces between driveway slabs not more than six (6) inches in width may be filled with minimum $\frac{3}{4}$ inch dimension natural colored rock including crushed rock, slate, river rock and pebbles. Chatahoochie stone or similar materials shall not be substituted for grass, sod or living ground cover.
- (c) A boat storage area of 260 square feet surfaced by gravel rock of one-half inch diameter, or greater, shall be permitted.
- (d) Use of mulch as ground cover to enhance the growth of an adjacent shrub or tree is permitted in green spaces however; cypress mulch, shell, crushed stone pebbles, inorganic mulch, plastic, rubber and glass shall not be used.
- (e) Vegetable gardens are permitted in rear yards only.
- (f) Hedges must be planted within four (4) ft. of property lines or yard boundaries.

Sec. 537. - Maintenance standards.

- (a) Property owners are responsible for the proper maintenance of landscaping on their property in accordance with the ordinances of Miami Shores Village.

Maintenance shall include watering, mowing and trimming on a regular basis as required in each instance to keep said landscaping in healthy, attractive and growing condition. Fertilizing, treating, mulching, removal or replacement of dead or diseased plants and removal of refuse and debris shall be done as required to maintain the health and appearance of landscaping as follows:

- (1) The length of the grass and lawn shall be that necessary to provide a neat, well-kept appearance, but in no case shall exceed eight inches.
 - (2) Ground cover must be of a type or mix that does not grown to greater than twenty-four (24) inches in height when mature and that provides a complete cover over an area in one growing season.
 - ~~(23) Areas of grass and ground Ground cover used in lieu of grass shall be of one uniform type through a given lawn area and shall not be permitted to become adulterated with weeds.~~
 - ~~(3) Grass and ground cover areas shall be kept free of weeds and the totl of all non growth areas shall not exceed 25 percent thereof.~~
 - (4) Property owners are responsible for maintaining the landscaping on parkway areas with the exception of trees. (See Section 20-17 of Code of Ordinances.)
- (b) Shrubs and trees shall be trimmed in accordance with the Miami Shores Village Code of Ordinances. (See Section 10-10.)
 - (c) Maximum allowable heights for hedges parallel to property lines shall be maintained as provided by Section 518(1) of Zoning Ordinance 270, as amended.
 - (d) All required planting shall be a minimum grade of Florida No. 1, or better.
 - (e) The removal of living trees from property within the Village shall be governed by Sections 24-60 through 24-60.9, Miami-Dade County Code, except in the case of properties designated as "Historic Landmarks," in which case Section 11-6 of this Code shall govern.
 - (f) Dead trees shall be removed, and damaged or diseased trees shall be treated.
 - (g) Prohibited and controlled tree species, controlled plant species and prohibited plant species, that are listed in the Miami-Dade Landscape Manual and prohibited by Miami-Dade County shall not be planted in the village.
 - (h) The Miami-Dade County Landscape Ordinance and Landscape Manual shall be utilized to identify recommended and approved trees and ground cover except as otherwise provided by provisions of the Village Code.
 - (i) All landscaping, mulch or impervious material proposed to be placed in the swale/parkway, with the exception of grass, must be reviewed and approved by the public works director before it may be installed. Driveways or parking areas must be reviewed and approved by the planning director before they are installed.

Sec. 538. - Landscaping descriptions and definitions.

Florida Number One. The minimum standards for plant quality and acceptable method for installation and culture as established by the State of Florida Department of Agriculture in the publication, Grades & Standards for Nursery Plants, Part I and II.

Green space. All areas of plot not occupied by buildings or impervious surfaces of any kind and that is located at ground level.

Ground cover. A planting of low growing plants that provide a complete cover over an area in one growing season and including the area of lawful mulch around the plant.

Landscaping. Living plant material purposely installed for functional or aesthetic reasons at ground level and open to the sky.

Landscape maintenance. The irrigation and cultivation of landscaping to keep a neat and orderly appearance, including removal of debris, replacement of required plantings and the control of growth thereof.

Lawn, turf and sod. The surface layer of soil that is bound by a solid cover of grassy plants and roots.

Mulch. An organic soil additive or decorative topping such as chipped bark or wood chips used for reducing evaporation, weed control, soil enrichment or decorative purposes.

Recommendation

Provide a recommendation on the amendment to the Village Council.