



MIAMI SHORES

DEPARTMENT OF PLANNING & ZONING
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| PLANNING BOARD WORKSHOP | | | |
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| Miami Shores Village Town Hall Conference Room 10050 NE 2 nd Avenue Miami Shores | | | |
| Workshop Date | June 14, 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 | June 9, 2016 |

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 of 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.

The Planning and Zoning Board held further deliberations at their meeting of March 26 and asked staff to further modify the ordinance.

The board directed staff to draft language that required 50% of green space in the front yard to be grass or sod. The remainder of the front yard may be grass, sod, shrubs, living ground cover or any combination.

The board required that fifty (50) percent of the front yard be planted in grass or sod. The board added language that permits ornamental or landscaping rock on up to twenty (20) percent of the remaining fifty (50) percent of the front yard area that does not require grass or sod. A simpler way to describe this would be that up to 10% of the front yard green space may be ornamental or landscaping rock.

The board asked that hedges be required to be planted within 4 ft. of property lines or yard boundaries except that hedges over 2.5 ft. in height must not be located within 10 ft. of the front plot line.

The board added a provision that low ground cover not exceed 24 inches in height. Currently the height of ground cover is not specified although by definition it is “a planting of low growing plants.”

The board took out the requirement that one type of ground cover be used and added the requirement that 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. The previous requirement that the ground cover be low growing did not specify a specific height requirement other that it be “low.”

Amendment

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

DIVISION 17. - LANDSCAPING

Sec. 536. - Design standards.

(1) ~~All-green~~ Green space:

- a. ~~Front yards shall~~ must be planted with grass, sod, shrubs or living ground cover ~~and a minimum of two trees, except - :~~

Not less than fifty (50) percent of green space must be planted with grass or sod.

1. The remaining green space may be planted with one (1) or a combination of grass, sod, shrubs, or living ground cover and up to twenty (20) percent of this area may have ornamental or landscaping rock. The ornamental or landscaping rock utilized must not be less than one-half (.5) inch in diameter. Areas of landscape rock must not be utilized for parking.
2. Not more than twenty-five (25) percent of the total green space area may be non-growth areas that are not covered by approved plantings and that consists of mulch areas or unplanted areas around shrubs or trees.

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. Side and rear yards must be planted with one (1) or a combination of grass, sod shrubs, trees or living ground cover.
 - c. Not less than two (2) trees must be planted on a plot.
- (2) The use of impervious material ~~as ground cover~~ in the front side and rear yards shall be prohibited except for areas dedicated to approved 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 three-quarter ($\frac{3}{4}$) 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.
 - (3) A boat storage area of 260 square feet surfaced by gravel rock of one-half inch diameter, or greater, shall be permitted.
 - (4) 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.
 - (5) Vegetable gardens are permitted in rear yards only.
 - (6) Hedges must be planted within four (4) ft. of plot lines or yard boundaries. Hedges over two and one-half (2.5) ft. in height must not be planted within 10 ft. of the front plot line.

Sec. 537. - Maintenance standards.

- (1) 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:
 - a. 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.

- b. 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.
 - c. Areas of ground ~~Ground cover used in lieu of grass or sod shall be of one uniform type through a given lawn area and shall not be permitted to become adulterated with weeds and must be maintained to limit ponding of water.~~
 - d. ~~Grass and ground cover areas shall be kept free of weeds and the total of all non-growth areas shall not exceed 25 percent thereof.~~
 - d. Property owners are responsible for maintaining the landscaping on parkway areas with the exception of trees. (See Section 20-17 of Code of Ordinances.)
 - e. All owners of unimproved property and occupants, or occupants and owners of improved property shall maintain their property in a clean, litter-free condition, including sidewalks, grass strips, swale areas, or rights-of-way up to the edge of pavement of any public street. Maintenance shall include but not be limited to irrigation and cultivation, mowing of grass, trimming, fertilizing and watering of landscaping to keep a healthy, vigorous, neat, and orderly appearance, removal of debris and refuse, replacement of required plantings and the control of growth thereof and performing general edging and trimming activities. Property owners or their designees are prohibited from trimming trees, removing trees or performing other activities within the village right-of-way except as regulated under Sec. 537 (i) or as otherwise regulated in the village code of ordinances.
- (2) Shrubs and trees shall be trimmed in accordance with the Miami Shores Village Code of Ordinances. (See Section 10-10.
 - (3) Maximum allowable heights for hedges parallel to property lines shall be maintained as provided by Section 518(1) of Zoning Ordinance 270, as amended.
 - (4) All required planting shall be a minimum grade of Florida No. 1, or better.
 - (5) 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.

- (6) Dead trees shall be removed, and damaged or diseased trees shall be treated.
- (7) 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.
- (8) 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.
- (9) 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. Property owners or their designees must not remove or trim trees, or perform other activities within the city right-of-way except as regulated under Sec. 537 (i) or as otherwise regulated in the village code of ordinances.

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, mowing, trimming, fertilizing and watering of landscaping to keep a healthy, vigorous, neat, and orderly appearance, including removal of debris and refuse, 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.

Non-growth area. An area that is not covered by approved plantings and that consists of mulch areas or unplanted areas around shrubs or trees.

Recommendation

Provide a recommendation on the amendment to the Village Council.