PZ&B DEPARTMENT
LANDSCAPE SERVICE USE

AGENDA

APRIL 3, 2019
2300 NORTH JOG ROAD, WEST PALM BEACH, FL 33411
ROOM: 1ST FLOOR KEN ROGERS HEARING ROOM (VC-1W-47)
3 – 4:30PM

A. Call to Order

B. Review **Final ULDC Amendment** for Landscape Service (Attachment)

C. Recap highlights of meeting

D. Update on timeline of amendment to be finalized:
- LDRAB/LDRAC Meeting - TBD
- BCC Hearing-Permission to Advertise – TBD
- 1st Reading BCC Hearing - TBD
- Adoption BCC Hearing – TBD

E. Adjourn

Exhibit A

EXHIBIT A

ARTICLE 4 LANDSCAPE SERVICES- PHASE 1 AGR

CR-2017-007
(Updated 04/01/2019)

Reason for amendments: [Zoning]
1. The use has a long history of review by Planning and Zoning Divisions with the introduction of Landscaping Maintenance/Lawn maintenance and Landscape Installation Services in ORD 90-11, as Uses allowed subject to a Special Exception approval. 1992 through 1999 several amendments were added to the ULDC, in which these uses were combined and split twice, and new restrictions added for AR and AGR districts. With the introduction of the Agricultural Reserve in 1998, and the creation and finalization of a Master Plan for the Agricultural Reserve through 2000 the use was analyzed again for it appropriate location and supplementary regulations for the AR and AGR zoning districts. PBC Cooperative Extension states on their web page that in 2017-18 Palm Beach County estimate agricultural sales was $1.397 billion. As part of the list of agricultural infrastructure, it says that we have the "Largest County landscape and landscape maintenance annual revenue in the state at $450 million." In 2017, the BCC directed PZB staff to meet with industry to review Landscape Maintenance again within the AGR and AR Zoning Districts. Several meetings and subcommittee meetings were held with concerned residents, industry, staff, and representatives of the Land Development Regulations Advisory Board (LDRAB). The issues discussed from typical uses, accessory and primary use, acreage limitations in relation to primary use, parking, number of service vehicles and employees. ….(more may be added)

Commented [WNH1]: THIS IS ONLY DRAFT AND WILL BE REPLACED WITH A WHITE PAPER HISTORY ONCE DRAFT IS COMPLETED.

Part 1. ULDC Art. 4.B.2.C.21, Use Regulations, Use Classification, Commercial Uses, Definitions and Supplementary Use Standards for Specific Uses (page 43 and 44 of 208, Supplement 24), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Modify the current definition of Landscape Service. Create, modify and Relocate typical on-site uses and off-site services relating to Landscape Service consistent with the template for the Use Regulations project adopted under ORD 2017-02.
2. As part of the use regulations project, Landscape Service was proposed for modification. At the February 23, 2017 hearing the proposed language was modified back to the current adopted language with the provision that Staff needed more time to meet with industry, primarily in the AGR Tier to accommodate this use with farming operation for the nursery industry. PZB staff have met through multiple meetings with industry and Staff's recommendation for the AGR district is stated below.
3. Modify the regulations for the Landscape Service use in the AGR Zoning District deleting reference to Accessory Use because the use can not meet the requirements for an accessory use to a nursery with business tax receipts being less than or equal to 30% of the nursery receipts. Provide an allowance for the use in the AGR Zoning District only when this use is in conjuction with a Wholesale or Retail Nursery. The Plan does not allow this use to be a principal, stand alone use within the AGR Zoning District.
4. Creating threshholds for the approval of Landscape Service, within the AGR Zoning District, based on the size of the growing area. Staff uses the growing area to define the % of allowable landscape service as it has a direct relation to the size that should be allowed for the commercial use. Staff proposes threshold of <=30% of the growing area be landscape service as an Administrative DRO approval; >30% to <=45% Class A Conditional Use approval by the BCC.
5. Modify the landscape requirement to provide for relief from the Compatibility buffer if the Landscape Service use is adjacent to an existing Bona Fide Agricultural Use. Because the use can only be located in conjunction with a Nursery when in the AGR Zoning District, landscape buffering will already be in place as required by the Supplementary Use requirements for Nursery.

CHAPTER B USE CLASSIFICATION

Section 2 Commercial Uses

C. Definitions and Supplementary Use Standards for Specific Uses

…

21. Landscape Service

a. Definition

An establishment engaged in the ~~provision of landscape~~ maintenance or installation of landscaping ~~services, such as *lawn mowing, tree, shrub or hedge* trimming, *leaf blowing, landscape design*, and landscape *installation*~~. **[Partially relocated to 4.B.2.C.21.b]**

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b. Typical On-site Uses

Includes administrative office; customer and employee parking; and. storage or parking of landscape vehicles and equipment.

c. Typical Off-site Services

May include, but is not limited to: *lawn mowing;* trimming of vegetation including *trees, shrubs, or hedges*; irrigation; fertilizer application; *leaf blowing*; *landscaping design*; maintenance or *installation*. **[Partially relocated from 4.B.2.C.21.a]**

da. AR District in RSA

A Landscape Service as a principal use shall be located on a collector or arterial street on a minimum of three acres.

eb. AGR District

Shall be permitted subject to ~~DRO approval as an accessory use only in conjunction with a retail or wholesale nursery, excluding those that meet~~ the limitations of a home occupation or the following:

1) May be allowed only in conjunction with a Retail or Wholesale Nursery;
2) Both the Wholesale or Retail Nursery and Landscape Service shall operate under the same ownership;
3) **Land Area**
   The percentages for Landscape Service Use shall be in proportion to the amount of land used for Nursery Growing Area, excluding any other uses or fallow/unused portions of the parcel.
   a) For purposes of this Section, the Nursery Growing Area consists of areas used solely for the propagation, cultivation, growing, storage, and staging of plants;
   b) The areas designated for Landscape Service (On-site uses) that are less than or equal to 30 percent of the of the designated growing area shall be subject to Full DRO approval; or
   c) The area designated for Landscape Service (On-site uses) that is greater than 30 percent and less than or equal to 45 percent of the portion of the property designated as a growing area shall be subject to a Class A Conditional Use.
4) In addition to the requirements of Article 2,A.6, Zoning Application Procedures and the Zoning Technical Manual, the Applicant shall submit a Site Plan that depicts the Growing Area(s), the Landscape Service Area, and the relevant site elements which clearly demonstrate the use of the property meets the requirements of this Section.

fc. Landscape Buffer

A~~n Incompatibility~~ Compatibility Buffer shall not be required if the use is adjacent to a property with an existing ~~farm worker quarters or mobile home accessory to a~~ Bona Fide Agriculture use. **[Ord. 2018-2018]**

1) **AGR Zoning District**
   R-O-W and Incompatibility Buffers shall be required in accordance with the requirements for the Wholesale or Retail Nursery.

~~**d. Storage**~~

~~Outdoor storage of debris shall be prohibited.~~

ge. Accessory Use in other Zoning Districts

May be allowed as an accessory use to a R~~r~~etail or W~~w~~holesale N~~n~~ursery on a minimum of three acres.

hf. Yard Waste Storage

Landscape service with storage of yard waste shall front on a collector or arterial street, and shall comply with the following requirements:

1) **Setbacks**
   Loading and service areas shall be located a minimum of 50 feet from all property lines and 100 feet from adjacent property with residential use or FLU designation.
2) **Standards**
   a) Only one yard waste storage area shall be permitted on site;
   b) Shall not exceed 30 by 40 feet;
   c) Yard waste shall be screened on three sides by a wall with a maximum height of 12 feet. The open end of the wall shall not face any property with residential use or FLU designation;
   d) Yard waste piles shall not exceed the height of the wall;
   e) Surface of the storage area shall be paved with concrete and have positive drainage; and,
   f) Yard waste that is not generated by the landscape service shall be prohibited on site.

ig. Home Occupation

EXHIBIT A

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CR-2017-007
(Updated 04/01/2019)

A limited Landscape Service, not including yard waste or landscape installation services, may be allowed as a Home Occupation subject to the requirements of Art. 4.B.1.E.10, Home Occupation. **[Ord. 2018-018]**

1) Exception – AR/RSA Zoning District

A limited Landscape Service on a lot three acres or more may be allowed as follows: **[Ord. 2018-018]**

a) Subject to DRO approval through the ZAR process prior to issuance of a Business Tax Receipt; **[Ord. 2018-018]**

b) A maximum of three persons living outside of the home may be employed under the DRO approval. **[Ord. 2018-018]**

c) Outdoor Storage shall be limited to equipment such as lawnmowers, hedgers, weed eaters, and a small trailer. Storage shall not include heavy equipment such as bobcats, loaders, dump trucks, or heavy equipment trailers. **[Ord. 2018-018]**

d) Storage areas shall be screened from view from any R-O-W or parcel of land with a Residential FLU designation or use through the use of opaque fences, walls or existing or newly planted native vegetation. **[Ord. 2018-018]**

e) Parking spaces shall be provided for every employee in addition to the spaces required for a Single Family. All vehicle parking or storage areas shall utilize improved surfaces such as asphalt, pavement or shell rock. **[Ord. 2018-018]**

2) Home Occupation having Landscape Service shall be exempt from the incompatibility buffer requirements. **[Ord. 2018-018**

Part 2. ULDC Art. 4.B.6.C.13, Use Regulations, Use Classification, Agricultural Uses, Definitions and Supplementary Use Standards for Specific Uses (page 100-101 of 200, Supplement 25), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Relocate language to be consistent with the order of Buffer types described in Article 7.
2. Revise the requirements for a compatibility buffer to allow for an exemption of the growing area is adjacent to another Bona fide Agricutural use.

CHAPTER B USE CLASSIFICATION

Section 6 Agricultural Uses

C. Definitions and Supplementary Use Standards for Specific Uses

13. Nursery, Retail

a. Definition

The retail sale of horticultural specialties such as flowers, shrubs, sod, trees, mulch and accessory hardscape materials such as decorative stones intended for ornamental or landscaping purposes.

b. Frontage

Shall front on and access from a Collector or Arterial Street.

c. Lot Size

A minimum of one acre is required in a residential zoning district.

d. Setbacks

All structures and outdoor storage areas shall be setback a minimum of 50 feet from the property line. Shade houses shall be subject to the requirements pursuant to Art. 4.B. 6.C.17, Shade House.

e. Loading

All loading and unloading of trucks shall occur on the site.

f. Accessory Uses

An office is permitted as an accessory use, provided it is not a Mobile Home.

g. Landscaping

A buffer, pursuant to Article 7, shall be provided along all property lines ~~that are not screened by plant material~~ except when the growing area is located adjacent to the property line of the site, as follows:~~.~~

1) R-O-W and Incompatibility Buffer

~~A Type 3 incompatibility buffer shall be required adjacent to all retail, office, parking, loading and other non-growing areas within 50 feet of a property line. The buffer requirements may be satisfied by plant material for sale provided that the plant material is grown in the ground, ten feet on center, six feet high, and the growing area is at least 20 feet wide. The width of the buffer may be reduced to ten feet if the buffer contains permanent landscaping only and not for-sale plant inventory.~~ May be modified when

the Growing Area is 50 feet or more in width, subject to the provision of Art. 4.B.6.13.g.3. Alternative Buffer.

2) Compatibility Buffer

~~A compatibility buffer shall be provided around all growing areas less than 50 feet in width. The buffer requirements may be satisfied by plant material for sale provided that the plant material is grown in the ground, ten feet on center, six feet high and the growing area is a minimum of five feet wide.~~ Is exempt where the growing area is adjacent to a parcel of alnd that has an existing Bona Fide Agriculture use.

3) ~~R-O-W Buffer~~ Alternative Buffer

~~A R-O-W buffer shall be required adjacent to all office, parking, loading, internal roads and other non-growing areas within 50 feet of a R-O-W. A R-O-W buffer shall be required adjacent to all growing areas unless the growing area is at least 50 feet in width, and contains plant materials providing a six-foot high visual buffer equivalent in opacity to a R-O-W buffer. Existing native vegetation within the R-O-W buffer shall be preserved.~~

a) A six-foot high Landscape Barrier shall be installed within a buffer with a minimum width of ten feet;

b) The Landscape Barrier shall be satisfied by plant material for sale provided that the plant material is grown in the ground, and spaced at least five feet on center. Plants in container may be used in lieu of the in-ground planting. Any removed container plants shall be replaced, and shall be maintained to ensure there is a continuous visual screen being provided at all times.

4) Barbed Wire

The use of barbed wire shall be prohibited.

h. Storage

Mulch, rock, soil, or similar material shall comply with the outdoor storage standards in Art. 5.B, Accessory Uses and Structures. In residential zoning districts, outdoor bulk storage shall be setback a minimum of fifty feet or the zoning district setback, whichever is greater.

i. Site Plan

Relocation of structures on a ZC or BCC approved site plan due to SFWMD or ERM requirements may exceed DRO threshold limitations.

j. Hours of Operation

Operation of commercial vehicles over one ton rated capacity or gross vehicle weight of 10,000 pounds, including load, from 5:00 p.m. to 8:00 a.m. is prohibited.

k. Compatibility

The use shall assure that there is no incompatibility with surrounding land uses. When an incompatibility exists, the property owner shall satisfactorily mitigate the incompatibility prior to receiving Conditional Use or DRO approval.

l. Spraying

No aerial application of any pesticides, fungicides, fertilizers or any other chemical shall be allowed.

Part 3. ULDC Art. 4.B.6.C.14, Use Regulations, Use Classification, Agricultural Uses, Definitions and Supplementary Use Standards for Specific Uses (page 101-102 of 200, Supplement 25), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Relocate language to be consistent with the order of Buffer types described in Article 7.
2. Revise the requirements for a compatibility buffer to allow for an exemption of the growing area is adjacent to another Bona fide Agricutural use.

CHAPTER B USE CLASSIFICATION

Section 6 Agricultural Uses

C. Definitions and Supplementary Use Standards for Specific Uses

14. Nursery, Wholesale

a. Definition

The wholesale of horticultural specialties such as flowers, shrubs, sod, and trees, mulch and accessory hardscape materials such as decorative stones intended for ornamental or landscaping purposes.

b. Approval Process

EXHIBIT A

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CR-2017-007
(Updated 04/01/2019)

Table 4.B.6.C – Residential Districts in the USA

ZAR (1)	Five acres or less.
DRO	More than five but less than 20 acres.
Class B Conditional Use	20 or more acres.
[Ord. 2018-002]	
Notes:	
1.	If no approved Final Site or Subdivision Plan, the application shall be subject to the Full DRO process.

Table 4.B.6.C. – AR District in RSA

Permitted	Ten acres or less.
ZAR (1)	More than ten but less than 40 acres.
DRO	40 or more acres.
[Ord. 2018-002]	
Notes:	
1.	If no approved Final Site or Subdivision Plan, the application shall be subject to the Full DRO process.

1) All Other Districts
Permitted.

c. Tier
In addition to the above standards, a Wholesale Nursery in the U/S Tier shall comply with the following standards:

1) Lot Size
A minimum of one acre.

2) Setbacks
All structures and outdoor storage areas shall be setback a minimum of 50 feet from the property line. Shade houses shall be subject to the requirements pursuant to Art. 4.B.6.C.17, Shade House.

3) Compatibility
The use shall assure that there is no incompatibility with surrounding land uses. When an incompatibility exists, the property owner shall satisfactorily mitigate the incompatibility prior to receiving a DO. **[Ord. 2018-002]**

4) Spraying
No aerial application of any pesticides, fungicides, fertilizers or any other chemical shall be allowed.

d. Zoning District – AR
May be operated in conjunction with a residence.

e. Accessory Use
1) A retail nursery may be permitted as an accessory use to a wholesale nursery in the AGR Tier.
2) An office is permitted as an accessory use, provided it is not a mobile home.

f. Parking and Loading
All parking and loading shall occur on site.

g. Landscaping
A buffer, pursuant to Article 7, shall be provided along all property lines ~~that are not screened by plant material~~ except when the growing area is located adjacent to the property line of the site, as follows:~~.~~

1) R-O-W and Incompatibility Buffer
~~A Type 3 incompatibility buffer shall be required adjacent to all office, parking, loading, internal roads and other non-growing areas within 50 feet of a property line. The buffer requirements may be satisfied by plant material for sale provided that the plant material is grown in the ground, ten feet on center, six feet high, and the growing area is at least 20 feet wide. The width of the buffer may be reduced to ten feet if the buffer contains permanent landscaping only and not for-sale plant inventory.~~ May be modified when the Growing Area is 50 feet or more in width, subject to the provision of Art. 4.B.6.14.g.3. Alternative Buffer.

2) Compatibility Buffer
~~A compatibility buffer shall be provided around all growing areas less than 50 feet in width. The buffer requirements may be satisfied by plant material for sale provided that the plant material is grown in the ground, ten feet on center, six feet high and the growing area is a minimum of five feet wide.~~ Is exempt where the growing area is adjacent to a parcel of alnd that has an existing Bona Fide Agriculture use.

3) ~~R-O-W Buffer~~ Alternative Buffer

~~A R-O-W buffer shall be required adjacent to all office, parking, loading, internal roads, and other non-growing areas within 50 feet of a R-O-W. A R-O-W buffer shall be required adjacent to all growing areas unless the growing area is at least 50 feet in width and contains plant materials providing a six-foot high visual buffer equivalent in opacity to a R-O-W buffer. Existing native vegetation within the R-O-W buffer shall be preserved.~~

a) A six-foot high Landscape Barrier shall be installed within a buffer with a minimum width of ten feet;

b) The Landscape Barrier shall be satisfied by plant material for sale provided that the plant material is grown in the ground, and spaced at least five feet on center. Plants in container may be used in lieu of the in-ground planting. Any removed container plants shall be replaced, and shall be maintained to ensure there is a continuous visual screen being provided at all times.

4) Barbed Wire

The use of barbed wire shall be prohibited.

h. Storage

Outdoor bulk storage of mulch, rock, soil or similar material shall comply with the outdoor storage standards contained in Art. 5.B, Accessory Uses and Structures. Outdoor bulk storage in residential zoning districts shall be setback a minimum of 50 feet or the district setback, whichever is greater.

i. Hours of Operation

Operation of commercial vehicles over one ton rated capacity or gross vehicle weight of 10,000 pounds, including load, from 7:00 p.m. to 6:00 a.m. is prohibited.

j Limitations of Sales

Sales from a wholesale nursery are limited to exporters, distributors, landscape contractors, retailers, or other businesses.

k. Site Plan

Relocation of structures on a ZC or BCC approved site plan due to SFWMD or ERM requirements may exceed the DRO limitations contained in Art. 2.G.4.G, Development Review Officer (DRO).

Part 4. ULDC Art. 5.B.1.A, Supplementary Standards, Accessory Uses and Structures, Supplementary Regulations, Accessory Uses and Structures (page 18-20, of 110, Supplement 24), is hereby amended as follows:

Reason for amendments: [Zoning]
1.

CHAPTER B ACCESSORY USES AND STRUCTURES

Section 1 Supplementary Regulations

A. Accessory Uses and Structures

…

3. Outdoor Storage and Activities

Outdoor storage of merchandise, inventory, vehicles and trailers used in operation of a business, equipment, refuse, or similar materials, and outdoor activities associated with a use operation in all zoning districts shall be subject to the following standards, unless stated otherwise: **[Ord. 2017-007]**

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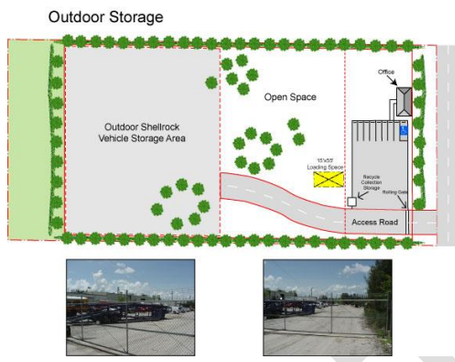
EXHIBIT A

ARTICLE 4 LANDSCAPE SERVICES- PHASE 1 AGR

CR-2017-007
(Updated 04/01/2019)

Figure 5.B.1.A - Outdoor Storage



a. General
Outdoor Storage and Activities may only be allowed when incidental to the use located on the premises. **[Ord. 2017-007]**

b. Location
Outdoor Storage and Activity areas shall not be located in any of the required setbacks. Bollards or other acceptable barricade to the Zoning Division shall be provided to delineate pile locations. **[Ord. 2017-007]**

c. Height
Outdoor Storage material shall not exceed 15 feet in height or the height of the screening, whichever is less. The height could be less if required by the F.A.C 62-709, as amended. **[Ord. 2017-007]**

d. Screening
Outdoor Storage and Activity areas shall be completely screened from all property lines by landscaping, fences, walls, or buildings. **[Ord. 2017-007]**

e. Industrial FLU Designation, Zoning Districts or Uses
1) Outdoor Storage and Activity areas adjacent to parcels of land with Industrial FLU designation or use and not visible from any street shall be exempted from the screening requirements. **[Ord. 2017-007]**
2) Outdoor Activity areas in industrial uses shall have a Type 3 incompatibility buffer along property lines adjacent to parcels with a Civic, Conservation, Commercial, Recreational or residential FLU designation, or use, or where visible from a public R-O-W. The incompatibility buffer shall be a minimum of 25 feet in width. **[Ord. 2017-007]**
3) Outdoor Activities such as chipping, crushing, grinding, manufacturing or processing shall be restricted to uses in the IG Zoning District and Industrial General pod of PIPD unless approved as a Class A Conditional Use. **[Ord. 2017-007]**

f. Exceptions
The following uses or material are exempt from this Section:
1) Storage and sales of landscape plant material.
2) Temporary storage of material used for road construction on a lot directly adjacent to the roadway under construction. **[Ord. 2017-007]**

g. Parking/Storage
The parking and storage of vehicles and trailers, used in operation of a business, shall be on an improved surface as described in Article 6.A.1.D.14.B,3) Paving and Drainage or 4), Maintenance.

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EXHIBIT A

ARTICLE 4 LANDSCAPE SERVICES- PHASE 1 AGR

CR-2017-007
(Updated 04/01/2019)

Part 5. ULDC Art. 6.A.B. Parking, Parking, General, Applicability, Table 6.A.1.B – Minimum Off-Street Parking and Loading Requirements (page 5 of 40, Supplement 25), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Modification of the parking to ensure parking is provided for office consistent with changes in ORD 2019-05, and to ensure parking is provided for employees. Modifying the calculation of use parking as the currently requirement does not cover the amount used by employees.
2. Deleting and partially relocating language relating to nursery parking lot materials exceptions to Article 6.A.B.1.14

CHAPTER A PARKING

Section 1 General

B. Applicability

Table 6.A.1.B – Minimum Off-Street Parking and Loading Requirements - Cont'd

	Parking	Loading (1)
Use Classification: Commercial		
….		
Landscape Service	1 space per 250 sq. ft. of office; ~~1 space per 500 sq. ft.;~~ plus-1 space per 1,000 ~~2,500~~ sq. ft. of outdoor storage area for employee parking	A

[Ord. 2009-040] [Ord. 2011-016] [Ord. 2012-027] [Ord. 2013-021] [Ord. 2017-007] [Ord. 2017-025] [Ord. 2019-005]	
Loading Key:	
Standard "A"	One space for the first 5,000 square feet of GFA, plus one for each additional 30,000 square feet of GFA.
Standard "B"	One space for the first 10,000 square feet of GFA, plus one for each additional 15,000 square feet of GFA.
Standard "C"	One space for the first 10,000 square feet of GFA, plus one for each additional 100,000 square feet of GFA.
Standard "D"	One space for each 50 beds for all facilities containing 20 or more beds.
Standard "E"	One space for the first 10,000 square feet of GFA, plus one for each additional 20,000 square feet of GFA The space shall be a minimum of 12 feet in width and 18.5 feet in length for uses that require limited loading.

….

3. Use of Required Off-Street Parking

Off-street parking spaces shall be provided for the use of residents, customers, patrons and employees. Required parking spaces shall not be used for the storage, sale or display of goods or materials or for the sale, repair, or servicing of vehicles. All vehicles parked within off-street parking areas shall be registered and capable of moving under their own power. Required off-street parking spaces shall be free from building encroachments.

Commented [WNH2]: Included for reference only. Off-street parking is to be provided on the same lot as the principal use and is for the use of residents, customers, patrons and employees.

….

Table 6.A.1.B – Minimum Off-Street Parking and Loading Requirements

	Parking	Loading (1)
….		

[Ord. 2009-040] [Ord. 2011-016] [Ord. 2012-027] [Ord. 2013-021] [Ord. 2017-007] [Ord. 2017-025] [Ord. 2019-005]	
Loading Standard Key:	
Standard "A"	One space for the first 5,000 square feet of GFA, plus one space for each additional 30,000 square feet of GFA.
Standard "B"	One space for the first 10,000 square feet of GFA, plus one space for each additional 15,000 square feet of GFA.
Standard "C"	One space for the first 10,000 square feet of GFA, plus one space for each additional 100,000 square feet of GFA.
Standard "D"	One space for each 50 beds for all facilities containing 20 or more beds.
Standard "E"	One space for the first 10,000 square feet of GFA, plus one for each additional 20,000 square feet of GFA The space shall be a minimum of 12 feet in width and 18.5 feet in length for uses that require limited loading.
(1)	A Special Event shall provide on-site parking unless off-site parking is approved.

Notes:	
1.	In addition to the parking requirements of Table 6.B.1.B, Minimum Off-Street Parking and Loading Requirements, uses with company vehicles shall provide 1 space per company vehicle.
2.	Government services may request alternative calculation methods for off-street parking pursuant to Art. 6.A.1.D.1.h, Government Services and Government Facilities. **[Ord. 2019-005]**
~~**3.**~~	~~Nurseries requiring fewer than 20 parking spaces may construct surface parking lots with shellrock or other similar materials subject to, or grassed subject to Art. 6.A.1.D.12, Grass Parking, except for the required handicapped parking space(s).~~
~~**4.**~~	~~Nurseries requiring 20 or more parking spaces may construct surface parking lots with 50 percent of the required spaces as shellrock or other similar materials subject to Art. 6.A.1.D.14.b.4.a, Shellrock, or grassed subject to Art. 6.A.1.D.12, Grass Parking. **[Ord. 2007-010]**~~
5.	Nonprofit Assembly Institutional uses in the Redevelopment and Revitalization Overlay may calculate parking at a rate of one space per employee.

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6.	Limited access Self Service Storage facilities must provide a minimum of two off-street loading spaces at each entry into the building, excluding office access not utilized by customers for accessing storage units. **[Ord. 2005-041] [Ord. 2017-007]**
7.	Golf cart parking may be used pursuant to Art. 6.A.1.D.7, Golf Cart Parking **[Ord. 2007-001] [Ord. 2013-001]**
8.	The loading zone may be waived for a Type 2 or 3 Commercial Kennel operated as an accessory use to general retail sales. **[Ord. 2006-036]**
9.	Each walk-up Freestanding ATM shall require a minimum of one (1) parking space for persons with disabilities. **[Ord. 2013-021]**
10.	Parking may not be required for a Community Vegetable Garden subject to submittal of parking demand study and approval of a Type 1 Waiver. **[Ord. 2015-031]**
11.	Freestanding Unmanned Retail Structures shall require a minimum of one (1) parking space for persons with disabilities.
12.	A Type 3 CLF with more than 20 beds or a Nursing Home or Convalescent Facility with more than 20 beds shall provide at least one loading space per building unless approved as a Type 1 Waiver. **[Ord. 2017-025]**

Part 6. ULDC Art. 6.A.1.B.14.b.3)., Supplementary Standards, Accessory Uses and Structures, Supplementary Regulations, Accessory Uses and Structures (page 18-20, of 110, Supplement 24), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Modification of the parking to ensure parking is provided for office consistent with changes in ORD 2019-05, and to ensure parking is provided for employees.

CHAPTER A PARKING

Section 1 General

B. Applicability
14. Design and Construction Standards

b. Construction
…
3) Paving and Drainage
a) Review and Approval by County Engineer
The drainage design for all parking areas shall be reviewed and approved by the County Engineer pursuant to Art. 11, Subdivision, Platting, and Required Improvements, prior to the issue of a development permit.
b) Materials
Unless otherwise provided in this Article, all parking lots shall be improved with either: (a) a minimum of a six inch shellrock or limerock base with a one inch hotplant mix asphaltic concrete surface; or (b) a base and surface material of equivalent durability, as certified by an engineer.
c) Impervious Surface
All surface parking areas, grassed or otherwise, shall be considered an impervious paved surface for the purpose of determining tertiary drainage system flow capacity and secondary stormwater management system runoff treatment/control requirements.
d) Runoff
Runoff from vehicular use areas shall be controlled and treated in accordance with all applicable agency standards in effect at the time an application is submitted.
4) Maintenance
All parking lots shall be maintained in good condition to prevent any hazards, such as cracked asphalt or potholes.
a) Shell Rock
The uses listed below may construct surface parking lots with shellrock or similar material approved by the ~~County Engineer~~ DRO. Parking areas connected to a public street, shall be paved.
(1) Agricultural uses requiring less than 20 spaces.
(2) Communication towers.
(3) Accessory uses to a bona fide agricultural use, such as farm workers quarters.
(4) Wholesale Nursery, Retail Nursery, ~~Nurseries~~ or Landscape Service in conjuction with a Nursery requiring less than 20 parking spaces.
(a) When 20 or more parking spaces are required, 50 percent of the of the additional spaces, may be constructed with shellrock or other similar materials.
(5) Driveways in the RSA serving residential uses on unpaved roads.
(6) Uses in the C-51 Catch Basin when approved by the DRO.
b) Wheelstops and Curbing

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Wheel stops or continuous curbing shall be placed two and one half feet back from walls, poles, structures, pedestrian walkways and landscaped areas.

....

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Exhibit B

EXHIBIT B

ARTICLE 4 LANDSCAPE SERVICES- PHASE 2- AR AND OTHER RES

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Reason
1. The use has a long history of review by Planning and Zoning Divisions with the introduction of Landscaping Maintenance/Lawn maintenance and Landscape Installation Services in ORD 90-11, as Uses allowed subject to a Special Exception approval. 1992 through 1999 several amendments were added to the ULDC, in which these uses were combined and split twice, and new restrictions added for AR and AGR districts. With the introduction of the Agricultural Reserve in 1998, and the creation and finalization of a Master Plan for the Agricultural Reserve through 2000 the use was analyzed again for it appropriate location and supplementary regulations for the AR and AGR zoning districts. PBC Cooperative Extension states on their web page that in 2017-18 Palm Beach County estimate agricultural sales was $1.397 billion. As part of the list of agricultural infrastructure, it says that we have the "Largest County landscape and landscape maintenance annual revenue in the state at $450 million." In 2017, the BCC directed PZB staff to meet with industry to review Landscape Maintenance again within the AGR and AR Zoning Districts. Several meetings and subcommittee meetings were held with concerned residents, industry, staff, and representatives of the Land Development Regulations Advisory Board (LDRAB). The issues discussed from typical uses, accessory and primary use, acreage limitations in relation to primary use, parking, number of service vehicles and employees. ….(more may be added)

Commented [WNH1]: THIS IS ONLY DRAFT AND WILL BE REPLACED WITH A WHITE PAPER HISTORY ONCE DRAFT IS COMPLETED.

Part 1. ULDC Art. 4.B.2.C.21, Use Regulations, Use Classification, Commercial Uses, Definitions and Supplementary Use Standards for Specific Uses (page 43 and 44 of 208, Supplement 24), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Modify the current definition of Landscape Service. Create, modify and Relocate typical on-site uses and off-site services relating to Landscape Service consistent with the template for the Use Regulations project adopted under ORD 2017-02.
2. As part of the use regulations project, Landscape Service was proposed for modification. At the February 23, 2017 hearing the proposed language was modified back to the current adopted language with the provision that Staff needed more time to meet with industry, primarily in the AGR Tier to accommodate this use with farming operation for the nursery industry. PZB staff have met through multiple meetings with industry and Staff's recommendation for the AGR district is stated below.
3. Modify the regulations for the Landscape Service use in the AGR Zoning District deleting reference to Accessory Use because the use can not meet the requirements for an accessory use to a nursery with business tax receipts being less than or equal to 30% of the nursery receipts. Provide an allowance for the use in the AGR Zoning District only when this use is in conjuction with a Wholesale or Retail Nursery. The Plan does not allow this use to be a principal, stand alone use within the AGR Zoning District.
4. Creating threshholds for the approval of Landscape Service, within the AGR Zoning District, based on the size of the growing area. Staff uses the growing area to define the % of allowable landscape service as it has a direct relation to the size that should be allowed for the commercial use. Staff proposes threshold of <=30% of the growing area be landscape service as an Administrative DRO approval; >30% to <=45% Class A Conditional Use approval by the BCC.
5. Modify the landscape requirement to provide for relief from the Compatibility buffer if the Landscape Service use is adjacent to an existing Bona Fide Agricultural Use. Because the use can only be located in conjunction with a Nursery when in the AGR Zoning District, landscape buffering will already be in place as required by the Supplementary Use requirements for Nursery.

CHAPTER B USE CLASSIFICATION

Section 2 Commercial Uses

C. Definitions and Supplementary Use Standards for Specific Uses

…

21. Landscape Service

a. Definition

An establishment engaged in the ~~provision of landscape~~ maintenance or installation of landscaping ~~services, such as *lawn mowing*, *tree*, *shrub or hedge* trimming, *leaf blowing*, *landscape design*, and landscape *installation*~~. **[Partially relocated to 4.B.2.C.21.b]**

b. Typical On-site Uses

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ARTICLE 4 LANDSCAPE SERVICES- PHASE 2- AR AND OTHER RES

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Includes administrative office; customer and employee parking; and. storage or parking of landscape vehicles and equipment.

c. Typical Off-site Services

May include, but is not limited to: *lawn mowing;* trimming of vegetation including *trees, shrubs, or hedges*; irrigation; fertilizer application; *leaf blowing*; *landscaping design*; maintenance or *installation*. **[Partially relocated from 4.B.2.C.21.a]**

da. AR District in RSA

~~A Landscape Service as *a principal use shall be located on a collector or arterial street* on *a minimum of three acres.*~~ Shall be permitted subject to the limitations of a home occupation or the following:

1) *Shall be located on a collector or Arterial street*;
2) Shall be on *a minimum of three acres;*
3) May be allowed *as a principal use* subject to a Class A Conditional Use.

e. Other Zoning Districts, except AGR-PUD

Shall be permitted subject to the limitations of a home occupation or the following:

1) May be allowed only in conjunction with a Retail or Wholesale Nursery.
2) Shall be located on a Collector or Arterial street;
3) Shall be on a minimum of three acres;
4) Both the wholesale or retail nursery and landscape service uses shall be under the same ownership.
5) **Land Area:**
   The percentages for Landscape Service Use shall be in proportion to the amount of land used for Nursery Growing Area, excluding any other uses or fallow/unused portions of the parcel.
   a) For purposes of this Section, the Nursery Growing Area consists of areas used solely for the propagation, cultivation, growing, storage, and staging of plants;
   b) The areas designated for Landscape Service (On-site uses) that are less than or equal to 30 percent of the of the designated growing area shall be subject to Full DRO approval.
6) In addition to the requirements of Article 2,A.6, Zoning Application Procedures and the Technical Manual, the Site Plan shall depict the growing area(s) and the area for the Landscape Service.

fb. AGR District

Shall be permitted subject to ~~DRO approval as an accessory use only in conjunction with a retail or wholesale nursery, excluding those that meet~~ the limitations of a home occupation or the following:

1) May be allowed only in conjunction with a Retail or Wholesale Nursery;
2) Both the Wholesale or Retail Nursery and Landscape Service shall operate under the same ownership;
3) **Land Area**
   The percentages for Landscape Service Use shall be in proportion to the amount of land used for Nursery Growing Area, excluding any other uses or fallow/unused portions of the parcel.
   a) For purposes of this Section, the Nursery Growing Area consists of areas used solely for the propagation, cultivation, growing, storage, and staging of plants;
   b) The areas designated for Landscape Service (On-site uses) that are less than or equal to 30 percent of the of the designated growing area shall be subject to Full DRO approval; or
   c) The area designated for Landscape Service (On-site uses) that is greater than 30 percent and less than or equal to 45 percent of the portion of the property designated as a growing area shall be subject to a Class A Conditional Use.
4) In addition to the requirements of Article 2,A.6, Zoning Application Procedures and the Zoning Technical Manual, the Applicant shall submit a Site Plan that depicts the Growing Area(s), the Landscape Service Area, and the relevant site elements which clearly demonstrate the use of the property meets the requirements of this Section.

gc. Landscape Buffer

A~~n Incompatibility~~ Compatibility Buffer shall not be required if the use is adjacent to a property with an existing ~~farm worker quarters or mobile home accessory to a~~ Bona Fide Agriculture use. **[Ord. 2018-2018]**

1) **AGR Zoning District**
   R-O-W and Incompatibility Buffers shall be required in accordance with the requirements for the Wholesale or Retail Nursery.

~~**d. Storage**~~

~~Outdoor storage of debris shall be prohibited.~~

EXHIBIT A

ARTICLE 4 LANDSCAPE SERVICES- PHASE 2- AR AND OTHER RES

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~~**ge. Accessory Use in other Zoning Districts**~~
~~May be allowed as an accessory use to a Rretail or Wwholesale Nnursery on a minimum of three acres.~~

hf. Yard Waste Storage
Landscape service with storage of yard waste shall front on a collector or arterial street, and shall comply with the following requirements:

1) Setbacks
Loading and service areas shall be located a minimum of 50 feet from all property lines and 100 feet from adjacent property with residential use or FLU designation.

2) Standards
a) Only one yard waste storage area shall be permitted on site;
b) Shall not exceed 30 by 40 feet;
c) Yard waste shall be screened on three sides by a wall with a maximum height of 12 feet. The open end of the wall shall not face any property with residential use or FLU designation;
d) Yard waste piles shall not exceed the height of the wall;
e) Surface of the storage area shall be paved with concrete and have positive drainage; and,
f) Yard waste that is not generated by the landscape service shall be prohibited on site.

ig. Home Occupation
A limited Landscape Service, not including yard waste or landscape installation services, may be allowed as a Home Occupation subject to the requirements of Art. 4.B.1.E.10, Home Occupation. **[Ord. 2018-018]**

1) Exception – AR/RSA Zoning District
A limited Landscape Service on a lot three acres or more may be allowed as follows: **[Ord. 2018-018]**
a) Subject to DRO approval through the ZAR process prior to issuance of a Business Tax Receipt; **[Ord. 2018-018]**
b) A maximum of three persons living outside of the home may be employed under the DRO approval. **[Ord. 2018-018]**
c) Outdoor Storage shall be limited to equipment such as lawnmowers, hedgers, weed eaters, and a small trailer. Storage shall not include heavy equipment such as bobcats, loaders, dump trucks, or heavy equipment trailers. **[Ord. 2018-018]**
d) Storage areas shall be screened from view from any R-O-W or parcel of land with a Residential FLU designation or use through the use of opaque fences, walls or existing or newly planted native vegetation. **[Ord. 2018-018]**
e) Parking spaces shall be provided for every employee in addition to the spaces required for a Single Family. All vehicle parking or storage areas shall utilize improved surfaces such as asphalt, pavement or shell rock. **[Ord. 2018-018]**

2) Home Occupation having Landscape Service shall be exempt from the incompatibility buffer requirements. **[Ord. 2018-018**

Part 2. ULDC Art. 4.B.6.C.13, Use Regulations, Use Classification, Agricultural Uses, Definitions and Supplementary Use Standards for Specific Uses (page 100-101 of 200, Supplement 25), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Relocate language to be consistent with the order of Buffer types described in Article 7.
2. Revise the requirements for a compatibility buffer to allow for an exemption of the growing area is adjacent to another Bona fide Agricutural use.

CHAPTER B USE CLASSIFICATION

Section 6 Agricultural Uses

C. Definitions and Supplementary Use Standards for Specific Uses

13. Nursery, Retail

a. Definition
The retail sale of horticultural specialties such as flowers, shrubs, sod, trees, mulch and accessory hardscape materials such as decorative stones intended for ornamental or landscaping purposes.

b. Frontage
Shall front on and access from a Collector or Arterial Street.

c. Lot Size
A minimum of one acre is required in a residential zoning district.

d. Setbacks
All structures and outdoor storage areas shall be setback a minimum of 50 feet from the property line. Shade houses shall be subject to the requirements pursuant to Art. 4.B. 6.C.17, Shade House.

e. Loading
All loading and unloading of trucks shall occur on the site.

f. Accessory Uses
An office is permitted as an accessory use, provided it is not a Mobile Home.

g. Landscaping
A buffer, pursuant to Article 7, shall be provided along all property lines ~~that are not screened by plant material~~ except when the growing area is located adjacent to the property line of the site, as follows:~~.~~

1) R-O-W and Incompatibility Buffer
~~A Type 3 incompatibility buffer shall be required adjacent to all retail, office, parking, loading and other non-growing areas within 50 feet of a property line. The buffer requirements may be satisfied by plant material for sale provided that the plant material is grown in the ground, ten feet on center, six feet high, and the growing area is at least 20 feet wide. The width of the buffer may be reduced to ten feet if the buffer contains permanent landscaping only and not for sale plant inventory.~~ May be modified when the Growing Area is 50 feet or more in width, subject to the provision of Art. 4.B.6.13.g.3. Alternative Buffer.

2) Compatibility Buffer
~~A compatibility buffer shall be provided around all growing areas less than 50 feet in width. The buffer requirements may be satisfied by plant material for sale provided that the plant material is grown in the ground, ten feet on center, six feet high and the growing area is a minimum of five feet wide.~~ Is exempt where the growing area is adjacent to a parcel of alnd that has an existing Bona Fide Agriculture use.

3) ~~R-O-W Buffer~~ Alternative Buffer
~~A R-O-W buffer shall be required adjacent to all office, parking, loading, internal roads and other non-growing areas within 50 feet of a R-O-W. A R-O-W buffer shall be required adjacent to all growing areas unless the growing area is at least 50 feet in width, and contains plant materials providing a six-foot high visual buffer equivalent in opacity to a R-O-W buffer. Existing native vegetation within the R-O-W buffer shall be preserved.~~

a) A six-foot high Landscape Barrier shall be installed within a buffer with a minimum width of ten feet;

b) The Landscape Barrier shall be satisfied by plant material for sale provided that the plant material is grown in the ground, and spaced at least five feet on center. Plants in container may be used in lieu of the in-ground planting. Any removed container plants shall be replaced, and shall be maintained to ensure there is a continuous visual screen being provided at all times.

4) Barbed Wire
The use of barbed wire shall be prohibited.

h. Storage
Mulch, rock, soil, or similar material shall comply with the outdoor storage standards in Art. 5.B, Accessory Uses and Structures. In residential zoning districts, outdoor bulk storage shall be setback a minimum of fifty feet or the zoning district setback, whichever is greater.

i. Site Plan
Relocation of structures on a ZC or BCC approved site plan due to SFWMD or ERM requirements may exceed DRO threshold limitations.

j. Hours of Operation
Operation of commercial vehicles over one ton rated capacity or gross vehicle weight of 10,000 pounds, including load, from 5:00 p.m. to 8:00 a.m. is prohibited.

k. Compatibility
The use shall assure that there is no incompatibility with surrounding land uses. When an incompatibility exists, the property owner shall satisfactorily mitigate the incompatibility prior to receiving Conditional Use or DRO approval.

l. Spraying
No aerial application of any pesticides, fungicides, fertilizers or any other chemical shall be allowed.

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EXHIBIT A

ARTICLE 4 LANDSCAPE SERVICES- PHASE 2- AR AND OTHER RES

CR-2017-007
(Updated 04/01/2019)

Part 3. ULDC Art. 4.B.6.C.14, Use Regulations, Use Classification, Agricultural Uses, Definitions and Supplementary Use Standards for Specific Uses (page 101-102 of 200, Supplement 25), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Relocate language to be consistent with the order of Buffer types described in Article 7.
2. Revise the requirements for a compatibility buffer to allow for an exemption of the growing area is adjacent to another Bona fide Agricutural use.

CHAPTER B USE CLASSIFICATION

Section 6 Agricultural Uses

C. Definitions and Supplementary Use Standards for Specific Uses

14. Nursery, Wholesale

a. Definition

The wholesale of horticultural specialties such as flowers, shrubs, sod, and trees, mulch and accessory hardscape materials such as decorative stones intended for ornamental or landscaping purposes.

b. Approval Process

Table 4.B.6.C – Residential Districts in the USA

ZAR (1)	Five acres or less.
DRO	More than five but less than 20 acres.
Class B Conditional Use	20 or more acres.
[Ord. 2018-002]	
Notes:	
1.	If no approved Final Site or Subdivision Plan, the application shall be subject to the Full DRO process.

Table 4.B.6.C. – AR District in RSA

Permitted	Ten acres or less.
ZAR (1)	More than ten but less than 40 acres.
DRO	40 or more acres.
[Ord. 2018-002]	
Notes:	
1.	If no approved Final Site or Subdivision Plan, the application shall be subject to the Full DRO process.

1) All Other Districts

Permitted.

c. Tier

In addition to the above standards, a Wholesale Nursery in the U/S Tier shall comply with the following standards:

1) Lot Size

A minimum of one acre.

2) Setbacks

All structures and outdoor storage areas shall be setback a minimum of 50 feet from the property line. Shade houses shall be subject to the requirements pursuant to Art. 4.B.6.C.17, Shade House.

3) Compatibility

The use shall assure that there is no incompatibility with surrounding land uses. When an incompatibility exists, the property owner shall satisfactorily mitigate the incompatibility prior to receiving a DO. **[Ord. 2018-002]**

4) Spraying

No aerial application of any pesticides, fungicides, fertilizers or any other chemical shall be allowed.

d. Zoning District – AR

May be operated in conjunction with a residence.

e. Accessory Use

1) A retail nursery may be permitted as an accessory use to a wholesale nursery in the AGR Tier.
2) An office is permitted as an accessory use, provided it is not a mobile home.

f. Parking and Loading

All parking and loading shall occur on site.

g. Landscaping

EXHIBIT A

ARTICLE 4 LANDSCAPE SERVICES- PHASE 2- AR AND OTHER RES

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A buffer, pursuant to Article 7, shall be provided along all property lines ~~that are not screened by plant material~~ except when the growing area is located adjacent to the property line of the site, as follows:~~.~~

1) R-O-W and Incompatibility Buffer

~~A Type 3 incompatibility buffer shall be required adjacent to all office, parking, loading, internal roads and other non-growing areas within 50 feet of a property line. The buffer requirements may be satisfied by plant material for sale provided that the plant material is grown in the ground, ten feet on center, six feet high, and the growing area is at least 20 feet wide. The width of the buffer may be reduced to ten feet if the buffer contains permanent landscaping only and not for-sale plant inventory.~~ May be modified when the Growing Area is 50 feet or more in width, subject to the provision of Art. 4.B.6.14.g.3. Alternative Buffer.

2) Compatibility Buffer

~~A compatibility buffer shall be provided around all growing areas less than 50 feet in width. The buffer requirements may be satisfied by plant material for sale provided that the plant material is grown in the ground, ten feet on center, six feet high and the growing area is a minimum of five feet wide.~~ Is exempt where the growing area is adjacent to a parcel of alnd that has an existing Bona Fide Agriculture use.

3) ~~R-O-W Buffer~~ Alternative Buffer

~~A R-O-W buffer shall be required adjacent to all office, parking, loading, internal roads, and other non-growing areas within 50 feet of a R-O-W. A R-O-W buffer shall be required adjacent to all growing areas unless the growing area is at least 50 feet in width and contains plant materials providing a six-foot high visual buffer equivalent in opacity to a R-O-W buffer. Existing native vegetation within the R-O-W buffer shall be preserved.~~

a) A six-foot high Landscape Barrier shall be installed within a buffer with a minimum width of ten feet;

b) The Landscape Barrier shall be satisfied by plant material for sale provided that the plant material is grown in the ground, and spaced at least five feet on center. Plants in container may be used in lieu of the in-ground planting. Any removed container plants shall be replaced, and shall be maintained to ensure there is a continuous visual screen being provided at all times.

4) Barbed Wire

The use of barbed wire shall be prohibited.

h. Storage

Outdoor bulk storage of mulch, rock, soil or similar material shall comply with the outdoor storage standards contained in Art. 5.B, Accessory Uses and Structures. Outdoor bulk storage in residential zoning districts shall be setback a minimum of 50 feet or the district setback, whichever is greater.

i. Hours of Operation

Operation of commercial vehicles over one ton rated capacity or gross vehicle weight of 10,000 pounds, including load, from 7:00 p.m. to 6:00 a.m. is prohibited.

j Limitations of Sales

Sales from a wholesale nursery are limited to exporters, distributors, landscape contractors, retailers, or other businesses.

k. Site Plan

Relocation of structures on a ZC or BCC approved site plan due to SFWMD or ERM requirements may exceed the DRO limitations contained in Art. 2.G.4.G, Development Review Officer (DRO).

Part 4. ULDC Art. 5.B.1.A, Supplementary Standards, Accessory Uses and Structures, Supplementary Regulations, Accessory Uses and Structures (page 18-20, of 110, Supplement 24), is hereby amended as follows:

Reason for amendments: [Zoning]
1.

CHAPTER B ACCESSORY USES AND STRUCTURES

Section 1 Supplementary Regulations

A. Accessory Uses and Structures

…

3. Outdoor Storage and Activities

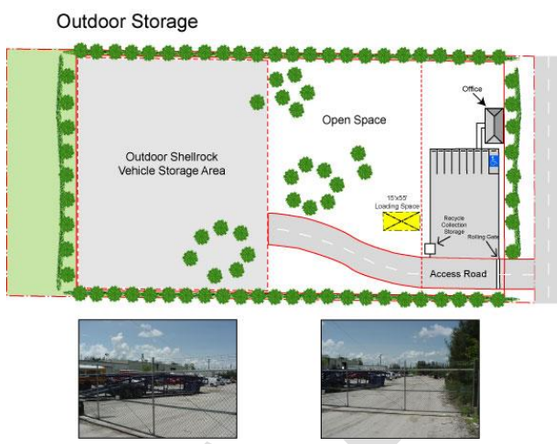
EXHIBIT A

ARTICLE 4 LANDSCAPE SERVICES- PHASE 2- AR AND OTHER RES

CR-2017-007
(Updated 04/01/2019)

Outdoor storage of merchandise, inventory, vehicles and trailers used in operation of a business, equipment, refuse, or similar materials, and outdoor activities associated with a use operation in all zoning districts shall be subject to the following standards, unless stated otherwise: **[Ord. 2017-007]**

Figure 5.B.1.A - Outdoor Storage



a. General
Outdoor Storage and Activities may only be allowed when incidental to the use located on the premises. **[Ord. 2017-007]**

b. Location
Outdoor Storage and Activity areas shall not be located in any of the required setbacks. Bollards or other acceptable barricade to the Zoning Division shall be provided to delineate pile locations. **[Ord. 2017-007]**

c. Height
Outdoor Storage material shall not exceed 15 feet in height or the height of the screening, whichever is less. The height could be less if required by the F.A.C 62-709, as amended. **[Ord. 2017-007]**

d. Screening
Outdoor Storage and Activity areas shall be completely screened from all property lines by landscaping, fences, walls, or buildings. **[Ord. 2017-007]**

e. Industrial FLU Designation, Zoning Districts or Uses
1) Outdoor Storage and Activity areas adjacent to parcels of land with Industrial FLU designation or use and not visible from any street shall be exempted from the screening requirements. **[Ord. 2017-007]**
2) Outdoor Activity areas in industrial uses shall have a Type 3 incompatibility buffer along property lines adjacent to parcels with a Civic, Conservation, Commercial, Recreational or residential FLU designation, or use, or where visible from a public R-O-W. The incompatibility buffer shall be a minimum of 25 feet in width. **[Ord. 2017-007]**
3) Outdoor Activities such as chipping, crushing, grinding, manufacturing or processing shall be restricted to uses in the IG Zoning District and Industrial General pod of PIPD unless approved as a Class A Conditional Use. **[Ord. 2017-007]**

f. Exceptions
The following uses or material are exempt from this Section:
1) Storage and sales of landscape plant material.
2) Temporary storage of material used for road construction on a lot directly adjacent to the roadway under construction. **[Ord. 2017-007]**

g. Parking/Storage
The parking and storage of vehicles and trailers, used in operation of a business, shall be on an improved surface as described in Article 6.A.1.D.14.B,3) Paving and Drainage or 4), Maintenance.

EXHIBIT A

ARTICLE 4 LANDSCAPE SERVICES- PHASE 2- AR AND OTHER RES

CR-2017-007
(Updated 04/01/2019)

Part 5. ULDC Art. 5.E.3

Reason for amendments: [Zoning]

Commented [WNH2]: This was introduced by BM, MP, MP and RC They want to amend the Drainage to include the exemption included below.

RESPONSE: Planning, Zoning and Land Development Staff do not support this.

3/22 Staff advised that we weren't in agreement with including language. Scott said that LPO was required. Chip said the language was confusing, and needed further discussion.

4/1- Need Confirmation from Joanne to delete this from draft LD. wh

Section 3 Drainage

For all development in all districts, drainage shall be designed and constructed in accordance with the drainage and storm water management standards of Art. 11, Subdivisions, Platting and Required Improvements, except that the requirements for legal positive outfall, pursuant to Art. 11.E.1.A.3, Stormwater Management System, shall not apply to:

A. Development That Meets Both of the Following Criteria

1. The primary use is a parking lot, open storage, open sided structure with no utilities, or similar use as determined by the County Engineer.
2. The property is not located adjacent or contiguous to a drainage facility which provides access to a point of legal positive outfall

B. Industrial Designations

Individual lots designated as Industrial on the FLUA which have a zoning designation of IL, IG, MUPD, PIPD, or SWPD are limited to industrial uses, are located 300 hundred feet or more away from connecting to legal positive outfall, and which provide either:

1. Adequate on-site lake area to store the 100 year, three day rainfall event within the limits of the lake; or
2. Store a 100 year, three day rainfall event on this site in a combination of lake and surface storage conditioned upon providing a hydrological study showing that inundation of the parking lot areas and driveways does not persist for more than 72 hours following cessation of the 100 year, three day rainfall event.

C. Security Trailers or Caretakers' Quarters Allowed In Conjunction with an Exempted Use

Any parcel meeting the above listed exemptions from the provisions of legal positive outfall shall connect to a central sewer system and shall not utilize a septic tank system.

D. Lands with Paola or St. Lucie Soil Types

Projects that are planned on lands located approximately along the I-95 corridor that consist of Paola or St. Lucie soil types which are excessively drained and have a depth to water table in excess of 8 feet, as measured from the average natural elevation of the property. In lieu of providing legal positive outfall for projects meeting the above criteria, projects shall be developed utilizing a water management system that contains the 100 year three-day storm event entirely within a designated retention area, after accounting for soil storage. Calculations showing total on-site retention shall be provided utilizing the rainfall distribution as detailed in SFWMD's Vol. IV Manual, latest edition. **[Ord. 2005-002]**

E. Agricultural Uses

Property with agriculture use(s) or approved accessory use(s) to a principal agriculture use with structures that have been approved for a Non-Residential Farm Building application by the Building Division or permitted caretakers quarters. To be eligible for a Non-Residential Farm Building application, finished floor elevations must meet Design Flood Elevations which are 18 inches above the adjacent road crown or comply with flood proofing per Article 18.A.2.B.2.

Part 6. ULDC Art. 6.A.B. Parking, Parking, General, Applicability, Table 6.A.1.B – Minimum Off-Street Parking and Loading Requirements (page 5 of 40, Supplement 25), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Modification of the parking to ensure parking is provided for office consistent with changes in ORD 2019-05, and to ensure parking is provided for employees. Modifying the calculation of use parking as the currently requirement does not cover the amount used by employees.
2. Deleting and partially relocating language relating to nursery parking lot materials exceptions to Article 6.A.B.1.14

CHAPTER A PARKING

Section 1 General

EXHIBIT A

ARTICLE 4 LANDSCAPE SERVICES- PHASE 2- AR AND OTHER RES

CR-2017-007
(Updated 04/01/2019)

B. Applicability

Table 6.A.1.B – Minimum Off-Street Parking and Loading Requirements - Cont'd

	Parking	Loading (1)
Use Classification: Commercial		
….		
Landscape Service	1 space per 250 sq. ft. of office; ~~1 space per 500 sq. ft.;~~ plus 1 space per 1,000 ~~2,500~~ sq. ft. of outdoor storage area for employee parking	A
[Ord. 2009-040] [Ord. 2011-016] [Ord. 2012-027] [Ord. 2013-021] [Ord. 2017-007] [Ord. 2017-025] [Ord. 2019-005]		
Loading Key:		
Standard "A"	One space for the first 5,000 square feet of GFA, plus one for each additional 30,000 square feet of GFA.	
Standard "B"	One space for the first 10,000 square feet of GFA, plus one for each additional 15,000 square feet of GFA.	
Standard "C"	One space for the first 10,000 square feet of GFA, plus one for each additional 100,000 square feet of GFA.	
Standard "D"	One space for each 50 beds for all facilities containing 20 or more beds.	
Standard "E"	One space for the first 10,000 square feet of GFA, plus one for each additional 20,000 square feet of GFA The space shall be a minimum of 12 feet in width and 18.5 feet in length for uses that require limited loading.	

….

3. Use of Required Off-Street Parking

Off-street parking spaces shall be provided for the use of residents, customers, patrons and employees. Required parking spaces shall not be used for the storage, sale or display of goods or materials or for the sale, repair, or servicing of vehicles. All vehicles parked within off-street parking areas shall be registered and capable of moving under their own power. Required off-street parking spaces shall be free from building encroachments.

Commented [WNH3]: Included for reference only. Off-street parking is to be provided on the same lot as the principal use and is for the use of residents, customers, patrons and employees.

….

Table 6.A.1.B – Minimum Off-Street Parking and Loading Requirements

	Parking	Loading (1)
….		
[Ord. 2009-040] [Ord. 2011-016] [Ord. 2012-027] [Ord. 2013-021] [Ord. 2017-007] [Ord. 2017-025] [Ord. 2019-005]		
Loading Standard Key:		
Standard "A"	One space for the first 5,000 square feet of GFA, plus one space for each additional 30,000 square feet of GFA.	
Standard "B"	One space for the first 10,000 square feet of GFA, plus one space for each additional 15,000 square feet of GFA.	
Standard "C"	One space for the first 10,000 square feet of GFA, plus one space for each additional 100,000 square feet of GFA.	
Standard "D"	One space for each 50 beds for all facilities containing 20 or more beds.	
Standard "E"	One space for the first 10,000 square feet of GFA, plus one for each additional 20,000 square feet of GFA The space shall be a minimum of 12 feet in width and 18.5 feet in length for uses that require limited loading.	
(1)	A Special Event shall provide on-site parking unless off-site parking is approved.	
Notes:		
1.	In addition to the parking requirements of Table 6.B.1.B, Minimum Off-Street Parking and Loading Requirements, uses with company vehicles shall provide 1 space per company vehicle.	
2.	Government services may request alternative calculation methods for off-street parking pursuant to Art. 6.A.1.D.1.h, Government Services and Government Facilities. **[Ord. 2019-005]**	
~~**3.**~~	~~*Nurseries requiring fewer than 20 parking spaces may construct surface parking lots with shellrock or other similar materials subject to, or grassed subject to Art. 6.A.1.D.12, Grass Parking, except for the required handicapped parking space(s).*~~	
~~**4.**~~	~~*Nurseries requiring 20 or more parking spaces may construct surface parking lots with 50 percent of the required spaces as shellrock or other similar materials subject to Art. 6.A.1.D.14.b.4.a, Shellrock, or grassed subject to Art. 6.A.1.D.12, Grass Parking.* **[Ord. 2007-010]**~~	
5.	Nonprofit Assembly Institutional uses in the Redevelopment and Revitalization Overlay may calculate parking at a rate of one space per employee.	
6.	Limited access Self Service Storage facilities must provide a minimum of two off-street loading spaces at each entry into the building, excluding office access not utilized by customers for accessing storage units. **[Ord. 2005-041] [Ord. 2017-007]**	
7.	Golf cart parking may be used pursuant to Art. 6.A.1.D.7, Golf Cart Parking **[Ord. 2007-001] [Ord. 2013-001]**	
8.	The loading zone may be waived for a Type 2 or 3 Commercial Kennel operated as an accessory use to general retail sales. **[Ord. 2006-036]**	
9.	Each walk-up Freestanding ATM shall require a minimum of one (1) parking space for persons with disabilities. **[Ord. 2013-021]**	
10.	Parking may not be required for a Community Vegetable Garden subject to submittal of parking demand study and approval of a Type 1 Waiver. **[Ord. 2015-031]**	
11.	Freestanding Unmanned Retail Structures shall require a minimum of one (1) parking space for persons with disabilities.	
12.	A Type 3 CLF with more than 20 beds or a Nursing Home or Convalescent Facility with more than 20 beds shall provide at least one loading space per building unless approved as a Type 1 Waiver. **[Ord. 2017-025]**	

EXHIBIT A

ARTICLE 4 LANDSCAPE SERVICES- PHASE 2- AR AND OTHER RES

CR-2017-007
(Updated 04/01/2019)

Part 7. ULDC Art. 6. 14.b.3)., Supplementary Standards, Accessory Uses and Structures, Supplementary Regulations, Accessory Uses and Structures (page 18-20, of 110, Supplement 24), is hereby amended as follows:

Reason for amendments: [Zoning]
1. Modification of the parking to ensure parking is provided for office consistent with changes in ORD 2019-05, and to ensure parking is provided for employees.

CHAPTER A PARKING

Section 1 General

B. Applicability
14. Design and Construction Standards

b. Construction
…
3) Paving and Drainage
a) Review and Approval by County Engineer
The drainage design for all parking areas shall be reviewed and approved by the County Engineer pursuant to Art. 11, Subdivision, Platting, and Required Improvements, prior to the issue of a development permit.
b) Materials
Unless otherwise provided in this Article, all parking lots shall be improved with either: (a) a minimum of a six inch shellrock or limerock base with a one inch hotplant mix asphaltic concrete surface; or (b) a base and surface material of equivalent durability, as certified by an engineer.
c) Impervious Surface
All surface parking areas, grassed or otherwise, shall be considered an impervious paved surface for the purpose of determining tertiary drainage system flow capacity and secondary stormwater management system runoff treatment/control requirements.
d) Runoff
Runoff from vehicular use areas shall be controlled and treated in accordance with all applicable agency standards in effect at the time an application is submitted.
4) Maintenance
All parking lots shall be maintained in good condition to prevent any hazards, such as cracked asphalt or potholes.
a) Shell Rock
The uses listed below may construct surface parking lots with shellrock or similar material approved by the ~~County~~ ~~Engineer~~ DRO. Parking areas connected to a public street, shall be paved.
(1) Agricultural uses requiring less than 20 spaces.
(2) Communication towers.
(3) Accessory uses to a bona fide agricultural use, such as farm workers quarters.
(4) Wholesale Nursery, Retail Nursery, ~~Nurseries~~ or Landscape Service in conjuction with a Nursery requiring less than 20 parking spaces.
(a) When 20 or more parking spaces are required, 50 percent of the of the additional spaces, may be constructed with shellrock or other similar materials.
(5) Driveways in the RSA serving residential uses on unpaved roads.
(6) Uses in the C-51 Catch Basin when approved by the DRO.
b) Wheelstops and Curbing
Wheel stops or continuous curbing shall be placed two and one half feet back from walls, poles, structures, pedestrian walkways and landscaped areas.
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