

AGENDA
CITY OF FORT LAUDERDALE
SUSTAINABILITY ADVISORY BOARD MEETING






BOARD MEMBERS

Valerie Amor, Chair
Alena Alberani, Vice Chair
Daniel Ayers
Steven Cook
Vicki Eckels
Jim Hetzel
Darin Lentner
Jim Moyer
Mate Thitisawat
Cheryl Whitfield

Date: August 26, 2013

Place: City Hall
100 North Andrews Ave. - 1st Floor Chambers
Fort Lauderdale, FL 33301

Time: 6:30PM – 8:30PM

1. Call to Order
2. Approval of Minutes for July 22, 2013 [attachment](#)
3. Old Business
 -  Marina Lofts/Rain Tree
 -  Agriculture Ordinance Workshop [attachments](#) [link – Seattle ordinance – CAM](#)
[link – Seattle ordinance – Animals section](#)
[link – Seattle ordinance – Full](#)
4. Mark your Calendar –**Events**
 -  September 21st: Coastal Cleanup Day [link](#)
 -  October 16th: Sea Level Rise Summit 2013 [link](#)
 -  The 5th Annual Southeast Florida Regional Climate Leadership Summit Nov. 7-8, 2013 [link](#)
5. Communications to the City Commission
6. Items for Next Meeting – September 23, 2013
7. Public Comments
8. Committee Comments
9. Adjournment

The purpose of the Sustainability Advisory Board is to identify and recommend affordable strategies to the City Commission associated with conservation, renewable energy, and energy efficiency to establish the City of Fort Lauderdale as a leader in environmental sustainability. Two or more Fort Lauderdale City Commissioners or members of a City of Fort Lauderdale Advisory Board may be in attendance at this meeting.

If you desire auxiliary services to assist in viewing/ hearing the meetings or reading agendas and minutes, please contact the City Clerk's office at 954.828.5002 two days prior to the meeting and arrangements will be made to provide you with these services.

DRAFT

**CITY OF FORT LAUDERDALE
SUSTAINABILITY ADVISORY BOARD
CITY HALL COMMISSION CHAMBERS
100 NORTH ANDREWS AVENUE – 1ST FLOOR
FORT LAUDERDALE, FLORIDA 33301
July 22, 2013 – 6:30 PM**

| | | | Cumulative Attendance 1/2013 through 12/2013 | |
|-------------------------------|---------|------------|---|--------|
| MEMBERS | APPT BY | ATTENDANCE | PRESENT | ABSENT |
| 1. Valerie Amor, Chair | M | P | 6 | 1 |
| 2. Alena Alberani, Vice Chair | II | P | 7 | 0 |
| 3. Daniel Ayers | M | P | 3 | 1 |
| 4. Steven Cook | I | A | 5 | 2 |
| 5. Vicki Eckels | IV | P | 6 | 1 |
| 6. Darin Lentner | IV | P | 6 | 1 |
| 7. Jim Moyer | III | P | 7 | 0 |
| 8. Mate Thitisawat | C | P | 6 | 1 |
| 9. Jim Hetzel | I | A | 3 | 1 |
| 10. Barbara Walker | II | Resigned | 1 | 3 |
| 11. Cheryl Whitfield | III | P | 3 | 0 |

Also Present

Joshua Nichols, Staff Liaison – Office of Sustainability
Heather Steyn – Office of Sustainability
Citizens interested in the Agriculture Ordinance

1. Call of Order/Roll Call

Chair Amor called the meeting to order at 6:34 pm, roll was called, and it was determined a quorum was present. It was noted that Barbara Walker has resigned from the Board due to other commitments. Jim Moyer arrived at 6:43pm.

2. Approval of Meeting Minutes – June 2013

Motion made by Ms. Eckels and seconded by Ms. Alberani to approve the minutes of the June 24, 2013 meeting. There was a minor correction to the minutes – Frehenly does not have a “d” in its name. **Motion** made to accept the minutes by Ms. Eckels and seconded by Mr. Ayers. In a voice vote, the Board motion passed unanimously.

3. Staff Liaison Report– Presented by Joshua Nichols

President’s Climate Action Plan

President released a climate action plan that has several action points including energy reduction goals, greenhouse gas emissions, fuel savings in federal fleet, better buildings challenge. Office of

Sustainability will be putting together a document for Commission and the various departments with bullet points to summarize the plan.

PACE

PACE is scheduled for the August 20, 2013 Commission meeting as a Conference Agenda item.

Single Stream Recycling Materials Accepted

The City has a new recycling contract and we will be able to cross off another item on the Sustainability Action Plan (SAP) in that the firm will accept plastic plant containers (#6 on the #1 through #7 types of plastic materials). The City will be printing new recycling handouts with the updated list of recyclables.

LED Lighting in City Hall

LED lights have been retrofitted and installed in various parts of City Hall. They have been installed in the Commission Chambers. The Mayor will announce the change in the August 20, 2013 meeting.

4. New Business

Agriculture Ordinance Workshop

The original Agriculture ordinance was passed in July 2012. Chair Amor gave her support of it at the time with the caveat that one year later she would get to rework it and the Commission and Mayor agreed to that stipulation that she could conduct a workshop to reexamine it. Today's workshop discusses potential additions/changes to the ordinance. SAB will listen to recommendations and make a decision on what will be presented to Commission. In attendance are: Anthony Olivieri (FHEED), Chad Scott (Flagler Community Gardens), Gwenna Cotchak, Wendy Klepner, Melissa Klepner (Frehenly), Michael Madfis (Fort Lauderdale Vegetables), and John Albee (The Urban Farmer/Urban Farming Institute).

Scott Strawbridge from the Fort Lauderdale Housing Authority wrote to Chair Amor urging that the City rescind the existing ordinance and replace it with a broad and inclusive policy that recognizes the right to grow food plants the same as any other landscape material and limit this broad policy to one paragraph or less. Gary Rogers from the City of Lauderdale Lakes had noted that they have started a community garden to market garden and they have had issues since the start. He notes that their City's focus is to rewrite the B3 zoning to allow fresh food sales on commercial land. It is noted by Michael Madfis (?? Or John Albee) that the City of Fort Lauderdale requires you to get an occupational license if you want to sell your produce. This occupational license is not required by the State. The State's cottage industry law exempts them from getting occupational licenses (State preemption) and it's a tricky situation in Fort Lauderdale since they require such license. It's easier to just get the license than try to have the City change this requirement. John Albee notes that Pompano Beach is partnering with his group to build an urban farm and they are aware of this State statute and have applied for the agriculture exemption. Michael Madfis notes that it took a long time by the City to approve his application.

They discuss the issue of Bees. Mr. Albee said that the State controls (as of June 2012) this bees and beehives and states that according to the State statute you can put a beehive anywhere in on your

property. The State makes requirements for a beehive including letting the State know where the hive is located and register it so that it can be inspected. Since the State allows it, there should be some mention in the ordinance that Bees are regulated by State statute. Mr. Scott represents Flagler Community Garden and they are in the process of getting City of Fort Lauderdale site plan approval. They would be interested in having bees on their site. They weren't aware of the State statute and had not added bees to their initial plan.

Mr. Oliviera states that the ordinance should not have been passed prior to a policy being in place – similar to what Scott Strawbridge had suggested. Ms. Eckels feels that to correct what was done a year ago, the policy should be developed and in order to make the existing ordinance better, A, B, and C need to be done to it. Mr. Ayers asks that if the existing ordinance were rescinded, how would that adversely impact the City? Mr. Madfis suggests there be a suspension of any restrictions for 2 years and then evaluate what farms and gardens develop during that time frame. Ms. Whitfield disagrees with this suggestion because there could be potential impacts on neighbors if there wasn't some regulatory authority involved in the farm/garden development. Chair Amor discusses the background for the ordinance and says that the City used the Seattle agriculture ordinance as their starting point and removed items from it that they didn't think would fit in with the City's viewpoint. Chair Amor agrees that the ordinance can't be rescinded because that would mean that Flagler Community Gardens would be in limbo. She notes that at the time of the ordinance development, there were several churches and communities interested in starting a garden but they have disappeared. It's not just because of what is in the ordinance but it is the process of applying (i.e., requiring elevations and design professionals to design the project) that is the issue. Mr. Lentner does not believe that the Commission will suspend the ordinance and suggests they examine other components of the ordinance. Mr. Oliviera suggests that we examine the ordinance and see what can be struck out and what could be added to it.

There is mention in the ordinance about using nonresidential land vs. residential land and since many low income residents wouldn't have access to higher-value commercial land, this part could be struck. Chair Amor suggests that the minimum square footage for an urban farm should be struck. Mr. Albee suggests that any surplus land be used for cultivation. Ms. Eckels suggests that a policy be written that is broad but reflects the Sustainability Action Plan (SAP) and Sustainability goals. Chair Amor thinks that the ordinance remains in place and keep refining it and making the ordinance and policy align as close as possible. The SAB board would like participants in today's workshop to bring their draft policy statements back to the next SAB meeting in August so that suggestions can be incorporated into a broad policy statement. Mr. Lentner suggests the policy statement includes the food security and economic barriers as discussed in the meeting. Chair Amor suggests the policy includes the wording "increased access to local food production."

A discussion occurs about whether there should be a regulation on creating a natural environment (without pesticides) in the ordinance rather than in the policy. The discussion then moves to how often someone from the City would come around to inspect the site for this issue. The decision is that the State regulations will control the issue of pesticides. A debate ensues about whether gas-

powered equipment should be used or whether it should be closely aligned with the SAP and not have gas-powered equipment usage.

The discussion moves on to how Seattle has created an informational sheet on Urban Farming/Community Gardens. Seattle gives its citizens a simple sheet describing each aspect and what municipal laws or State statutes control the aspect and what you need to do for a specific activity. There is an examination of the current City of Fort Lauderdale agricultural application and it is noted that the application is confusing and doesn't define what an Urban Farm is versus a Community Garden. There are items in the application that do not make sense such as proof of ownership – which you wouldn't have if you were doing a Community Garden on shared property. The current application asks for a survey including location and size of current trees on property. A site plan, engineering plan, elevations, landscape plans, etc. The group discussion is that the City's application is a barrier to implementing a community garden and perhaps those church groups who were initially interested in doing a garden saw the checklists with this application and backed off. The ordinance does not discuss at all bringing food to market – for an urban farm use.

It is felt that there should be a vision statement outlining what the SAB feels should be the goals and focus of the ordinance for a sustainable food system. Perhaps a Pilot program would be good to implement in the City for items such as introducing hens into the City. Hens would be part of pest management as well and limiting fertilizer inputs. Eggs provide high quality protein for citizens. Urban farms on commercial zoned land can have hens on their property as long as they are 300 feet from residential zoned property. Mr. Scott doesn't think his Community Garden could have hens if the 300 feet limit is in place. This will be researched.

Mr. Madfis reiterates that Urban farms should be allowed in residential zones. That is where they are most needed to give citizens easy access to fresh produce. He feels that Community Gardens shouldn't be in residential areas because farmers get in and get out and don't have loud noises or activities. A Community Garden would have socializing and noise occurring within a residential neighborhood. If an Urban farm could sell once a week to locals, it would be helpful to both the farmer and citizens. Farmer's Markets are not easily accessible. The one in downtown is a problem because you have to pay to park just to buy some low value produce. Plantation and Tamarac have successful Farmer's Markets with free parking. Sustainable agriculture is closely related to the neighborhood it's produced in and having cottage industries bring their products into a local park would be beneficial for citizens. Farmers should be able to sell directly from their farm. Mr. Albee feels that for small producers there needs to be an equitable outlet and they should be able to sell within their neighborhood and have it as a community-based activity.

Mr. Scott says that their community garden will not be selling their product but would like that option. They would be willing to have local vendors come in to sell their product. Their particular garden is leasing a 4x4 plot to individuals for personal consumption. Other community gardens should have that opportunity if they want to sell their produce to reduce their mortgage, etc.

Pompano Beach and Oakland Park do not have policies or ordinances. Mr. Albee has a working relationship with them and both cities are excited to have urban farms/community gardens within their borders. In Pompano, they went through the site plan, and received a unanimous vote to proceed. They have a special exception from Pompano that lasts 5 years and at the end of that time, it can become permanent. They did not have to go through Phase I or Phase II environmental assessments. For Oakland Park, there will be a culinary district and they wanted to have an urban farm associated with it. The City owned some land (as parks) and this will be the farm. Broward College will likely create a culinary school in this area. There was an ordinance written for the culinary district. They also have composting onsite.

The City of Fort Lauderdale's agriculture policy should be sustainable, equitable, and healthy. Then you can proceed with a vision statement. Broward County has a statement in their Comprehensive Plan that has climate change element and discusses having a network of community gardens as well as food security as part as climate adaptation mitigation. Food security is important to climate adaptation. The City could ground their policy in the recently passes County Comprehensive Plan. Ms. Eckels says that we need a broad policy that would be presented to City Staff to become official that goes to Commission. At the same time, the ordinance needs to be examined with the mindset of the policy to see what is in conflict with the policy and what needs to be struck/revised/added. These both need to be done in parallel at the next meeting.

Mr. Scott notes that the part in the ordinance/application that discusses signage is a problem. They're trying to raise \$100,000 and have sponsors and the size of the sign allowed won't let them put the sponsor information on it. They have to let everyone know who their sponsors are. Mr. Madfis noted that the garden developed in Dania had 2 informational kiosks that listed their sponsors and the purpose of their farm.

Mr. Olivieri noted that there were model policies online that he used in TOUCH and will base this as a template and send to Mr. Nichols. SAB would like the policy at least a week before their next meeting. The APA guidelines of urban agriculture have all the ordinances that allow poultry, animal husbandry from Alabama to Maine and have components of local plans of urban agriculture and policies and how their framed. This is a good resource that should be included in the planning of the City's ordinance. Mr. Madfis and Mr. Albee will go through the ordinance and do strikethroughs. Mr. Thitisawat will invite his FAU architecture students to the next meeting since they research codes as part of their curriculum. His students have been allowed by the City to work on a piece of property near Sistrunk and it's in a commercial area that has an abandoned building. Instead of turning that into a green residential building to demonstrate different technologies, he thinks they can incorporate a community garden or urban farm idea into the project. This could be a good pilot project that the City can be involved in and can learn how to deal with the ordinance. The students could start with gathering information so that they could contribute to the ordinance or policy writing. They could create a file in DropBox and SAB could list concerns such as runoff, pesticides and they could collect codes or regulations that regulate the different issues and point to different departments that could use this information. Mr. Madfis thinks that students would be good at working at the policy and where one would start from and how to activate all the different people.

Chair Amor suggests that the students look at the Dania Beach PATCH farm and how their codes allow that as well as Lauderdale Lakes and how they are shaping their code. Mr. Lentner notes that in Atlanta, GA they are creating a beltline project which is connecting the whole city through their abandoned interior railway. They are creating a green walkway incorporating sustainable living things and community gardens are being connected in various parts. The City of Fort Lauderdale could do something like this to create a connection such as having the various community gardens and urban farms be allowed to sell in markets in parks. The policy should encourage the parks to allow the sale of produce in the parks. Atlanta had significant partnership with corporations to create markets in their parks. Perhaps the parks that are too small for major events like ball games could be used for markets.

Pompano Beach's Fairview Park has the city participating by putting up fences, etc. They don't have ordinances or codes for it. Ms. Whitfield notes that a 5-day approval process for the application is very good – it takes at least 30 days in California. Mr. Madfis said that it took a while for the application approval because he also applied for a fence permit and Zoning tied this permit to the application and then the application was lost. He had to resubmit it.

5. Communications to the City Commission

The Marina Lofts/Raintree SAB communication was presented to the Commission at the last afternoon meeting. There wasn't much discussion at that time by Commission other than the board clarified that SAB didn't want the tree moved. Chair Amor spoke at the meeting and offered to meet with Commissioners to show how to keep the project going forward without moving the tree. She will be meeting with Commissioners Trantalis and Roberts and the Mayor to discuss. Ms. Eckels did her pre-commission meeting and clarified the communication and noted that the Raintree would be a positive feature to any restaurant/shop development there. Tom Chancy will be coming to all of Chair Amor's meetings with Commissioners and the Mayor. He'll talk about the dimensions for the tree and she will talk about the architectural development for the site. Mr. Thitisawat notes that a professor at FAU gave his students an assignment to design at the same site to see what they would come up with. Mr. Ayers feels that there would be incredible pushback by the developer if Commission didn't go forward with the approval. It's noted that the developer wants to move the tree near the railroad tracks. This is an out-of-way location.

Josh Nichols notes that the positive feedback communication to Commission previously discussed at the last meeting has to be drafted by the SAB – Staff isn't allowed to do this. He will get together all the City's accomplishments so that it can be worked on next meeting. He will not be present at the next meeting because he is attending a APWA conference in Chicago.

6. Items for Next Meeting:

Agriculture ordinance workshop will continue next meeting.

7. Public Comment:

None.

8. Committee Comments:

Mr. Thitisawat asks Mr. Madfis and others in the committee to look at a student design competition submission they are doing for San Francisco which will have a community garden component.

Mr. Moyer notes that the Lauderdale Lakes community garden was submitted for the Broward County League of Cities Green Leaf Award. Also, the Deerfield Beach clothing recycling was approved as a County best practice. He was on this committee.

Chair Amor is having a children's summit on August 9th at the summer camp she runs. The children will write recommendations to be added to the DRC. It is at FAU's Davie campus auditorium.

Chair Amor just got a grant from Broward County Cultural Division to do Feed Your Creativity Art for Your Heart which celebrates local food production. They will be taking bicycles to create sculptures and place them in various locations – FAT Village is one location.

Ms. Eckels suggests that you do not keep your backup for your computer near your computer. Hers was stolen when her computer was stolen during a break-in. Back up things to the Cloud.

9. Adjournment

With no further business to come before the Board at this time, the meeting was adjourned at 9:11 pm. **Motion** made by Ms. Eckels. Seconded by Mr. Moyer.

Next meeting date: August 26, 2013

[Minutes prepared by Mary Ann Johnston]



**CITY OF FORT LAUDERDALE
DEPARTMENT OF SUSTAINABLE DEVELOPMENT**

700 NW 19th Avenue • Fort Lauderdale, FL 33311
Telephone: (954) 828-3266 • Fax (954) 828-5858
www.fortlauderdale.gov/sustainable_dev

Urban Agriculture Site Plan Review Application

Application Review for Completeness:

Pursuant to Section 47-24.1(1), the Planning and Zoning Department has five (5) business days to review all applications for a development permit to determine completeness. You will be notified by email within five (5) business days if your plans do not meet the submittal requirements.

FEES: All applications for a development permit shall have an application fee as established by the City Commission as set forth by resolution, as amended from time to time. In addition to the application fee, any additional costs incurred by the City including review by a consultant on behalf of the City or special advertising costs shall be paid by the applicant. Any additional costs, which are unknown at the time of application but are later incurred by the City, shall be paid by the applicant prior to the issuance of a development permit.

REQUEST TYPES (check one):

Community Garden - \$25.00

Urban Farm - \$100.00

URBAN AGRICULTURE - APPLICANT INFORMATION SHEET

INSTRUCTIONS: Please print or type all information. The application must be filled out accurately and completely. Answer all questions. Do not leave an item blank. If an item does not apply, write N/A (Not Applicable). The following information requested is per Unified Land Development Regulations (ULDR). Incomplete applications will not be accepted.

DEPARTMENTAL USE ONLY

CASE NUMBER: _____

DATE OF COMPLETE SUBMITTAL: _____

NOTE: For purpose of identification, the PROPERTY OWNER is the APPLICANT

Property Owner's Name: _____

Property Owner's Signature: _____

Address, City, State, Zip: _____

E-mail Address: _____

Phone Number: _____

Proof of Ownership: Warranty Deed or Tax Record

Name of Farmer OR Gardener: _____

Applicant's Signature: _____

Address, City, State, Zip: _____

E-mail Address: _____

Phone Number: _____

Letter of Consent Submitted: _____

Development / Project Name: _____

Development / Project Address: _____

Existing: _____

New: _____

Legal Description: _____

Tax ID Folio Numbers (For all parcels in development): _____

Request, check one: Urban Farm Community Garden

Total Estimated Cost of Project: \$ _____

Site Adjacent to Waterway: Yes No

REQUIRED DOCUMENTATION / SUBMITTAL CHECKLIST

One (1) copy of the following documents:

- Completed application (all pages must be filled out where applicable)
- Proof of ownership of land where Urban Farm or Community Garden will be located (warranty deed or tax record), including corporation documents if applicable
- Property owners signature and agent letter
- Color photographs of the entire property and all surrounding properties, dated and labeled and identified as to orientation.
- Management Plan providing the following information:
 1. A narrative including the anticipated types of crop(s) to be grown, the hours of operation, detailed maintenance plan, and the motorized equipment to be used as part of the operation. (Hours of operation shall be limited from dawn to dusk with no machinery operated before 7:00 a.m. seven (7) days a week);
 2. The number of persons to be involved in the operation ("participants"). Each participant shall receive a copy of the management plan and urban farm or community garden rules and regulations. Proof of receipt shall be provided with the initial application in the form of a signed acknowledgement;
 3. A list of chemicals, pesticides, fertilizers or any combination of same to be used; the frequency of use and the pests, diseases or plants they will be applied to;
 4. On site water source and a water management plan addressing run off to adjoining property, waterways or rights of way;
 5. A description of proposed rain-capture systems including size, location and method of operation stating how water stagnation will be prevented;
 6. For Urban Farms, provide number of vehicles associated with the use and identification of permanent parking spaces on site;
 7. Description of composting activities including, location, size and means of containment;
 8. Complete description of any aspects of the operation that may generate noise or odor on site and that may impact neighboring residential property;
 9. Rules and regulations that govern the operations of the farm or garden.
 10. Community Gardens located on private property shall include a trespass affidavit from the property owner.
 11. Community Gardens shall be required to perform an annual review of the approved management plan.
 12. Letter of acknowledgment from the officially recognized homeowner's association, as identified by the City's Neighborhood Recognition Program, which represents the area within which the proposed Urban Farm or Community Garden is proposed to be located.

SIX (6) SIGNED AND SEALED SETS, WITH PLANS AT 24" X 36"

- Land Use and Zoning maps indicating all properties within 700 ft. of the subject property. These should be obtained from the Planning and Zoning Office, 700 NW 19 Avenue, 954-828-3266. Site should be highlighted or marked clearly to easily locate the parcel.
- Cover sheet on plan set to state project name and table of contents.
- Current survey(s), for each location, of property, signed and sealed, showing existing conditions; survey must be As-Built and Topographic with Right-of-Way and Easement Vacations Excluded OR As-Built drawings with facility dimension and distance from landmark. The survey or as-built drawings should consist of the proposed project site alone. Do not include adjacent properties or portions of lands not included in the proposed project unless specifically requested by the City.
- Aerial photo indicating all properties within 700 ft. of the subject property. Must be clear and current with site highlighted.
- Plans "A" thru "E" with all elements as listed under Technical Specifications.
 - A. Site Plan
 - B. Details*
 - C. Elevations*
 - D. Landscape Plans*
 - E. Engineering Plans*

Note: All copy sets must be clear and legible. If original set is in color, copy sets must also be in color.

Note: Plans must be bound, stapled and folded to 8 1/2" x 11". All non-plan documents should be 8 1/2" x 11" and stapled or bound.

Note: For examples of management plan, site plan and site plan data tables, please refer to the "Submittal Reference Book" available at the Planning & Zoning Department office.

APPLICANT'S AFFIDAVIT

I acknowledge that the Required Documentation and Technical Specifications of the application are met:

Print Name: _____

Signature: _____

Date: _____

STAFF INTAKE REVIEW

For Planning & Zoning Department staff use only:

Date: _____

Received By: _____

Tech. Specs Reviewed By: _____

Case No.: _____

TECHNICAL SPECIFICATIONS FOR PLAN SUBMITTAL

A. SITE PLAN

1. Title Block including project name and design professional's address and phone number
2. Scale (1" = 30' min., must be engineer's scale)
3. North indicator
4. Location map showing relationship to major arterials
5. Drawing and revision dates, as applicable
6. Full legal description
7. Site Plan Data Table
 - Current use of property and intensity
 - Land Use designation
 - Zoning designation
 - Site area (sq. ft. and acres)
 - Setback table
8. Site Plan Features (graphically indicated)
 - Municipal boundaries (if applicable)
 - Zoning designation of adjacent properties with current use listed
 - Adjacent rights-of-way to opposite property lines (indicate all nearby curb cuts)
 - Outline of adjacent buildings
 - Property lines (dimensioned)
 - Building outlines of all proposed structures (dimensioned)
 - Dimension for all site plan features (i.e., sidewalks, building lengths and widths, balconies, street widths, etc.)
 - Driveways, parking areas, pavement markings (including parking spaces delineated and dimensioned as well as handicapped spaces as applicable)
 - Pedestrian walkways (including public sidewalks and on-site pedestrian paths)
 - Project signage
 - Fire hydrants (including on-site and adjacent hydrants)
 - Easements (as applicable, for both above and below ground utilities)
 - Other site elements (as applicable)

B. ELEVATIONS

1. Include proposed signage

C. LANDSCAPE PLAN

1. Site Plan information (in tabular form on plans)
2. Title block including project name and design professional's address and phone number
3. Scale (1" = 30' min, must be engineer's scale)
4. North indicator
5. Drawing and revision dates, as applicable
6. Landscape Plan Information (in tabular form on plans)
 - Site area (sq. ft. and acres)
 - Perimeter landscape area (including buffers adjacent to ROW)
7. Landscape Plan Features (graphically indicated)
 - Property lines
 - Easements (as applicable)
 - Landscape areas with dimensions
 - Existing trees and palms, their names and sizes (indicate whether they are to remain, be relocated, or removed)
 - Names and locations for all proposed trees, shrubs and groundcover, with quantities noted at each location
 - Plant list (note species, sizes, quantities and any appropriate specifications)
 - Site elements (buildings, parking areas, sidewalks, signs, fire hydrants, light fixtures, drainage structures, curbing, all utilities both above and below ground)
 - Grading (swales, retention areas, berms, etc.)

ORDINANCE NO. C-12-24

AN ORDINANCE AMENDING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, PERMITTING URBAN FARMS AND COMMUNITY GARDENS BY CREATING SECTION 47-18.41, URBAN FARMS AND COMMUNITY GARDENS, ESTABLISHING REGULATIONS FOR URBAN FARMS AND COMMUNITY GARDENS; AMENDING ARTICLE II, ZONING DISTRICT REQUIREMENTS, TO PROVIDE FOR THE INCLUSION OF URBAN AGRICULTURE IN THE ZONING DISTRICT PERMITTED USE TABLES; AMENDING SECTION 47-20, PARKING AND LOADING REQUIREMENTS, TO PROVIDE FOR PARKING REQUIREMENTS; AMENDING SECTION 47-35 DEFINITIONS, TO PROVIDE DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, First Lady Michelle Obama's Let's Move initiative includes "Ensuring that every family has access to healthy, affordable food"; and

WHEREAS, the City's Sustainability Action Plan encourages the establishment of zoning and sustainable agriculture policies that allow for sustainable agriculture land use through the City's Department of Sustainable Development; and

WHEREAS, on September 22, 2011 a public workshop was held by the City's Department of Sustainable Development to discuss the creation of an urban agriculture ordinance to further the goals of sustainability; and

WHEREAS, at its Conference meeting of November 15, 2011 the City Commission of the City of Fort Lauderdale directed staff for move forward with the creation of an urban agriculture ordinance; and

WHEREAS, the Planning and Zoning Board, at its meeting of May 16, 2012 (PZ Case No. 3-T-12), recommended approval of a proposed ordinance creating an urban agriculture ordinance; and

WHEREAS, the City Clerk notified the public of a public hearing to be held on Tuesday, June 19, 2012 and Tuesday, July 10, 2012 at 6:00 o'clock P.M., in the City

Commission Room, City Hall, Fort Lauderdale, Florida, for the purpose of hearing any objections which might be made to such ordinance; and

WHEREAS, City Commission finds that locally grown and consumed produce has been shown to reduce the use of carbon-based fuels due to transportation over long distances and thereby reduces carbon emissions; and

WHEREAS, the implementation of an urban agriculture ordinance will restore agricultural business to the local economy and bring fresh produce to those areas where the population may not have the means to obtain fresh produce;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Section 47-18.41, Urban farm and community gardens, of the Unified Land Development Regulations ("ULDR") of the City of Fort Lauderdale, Florida, is hereby created to read as follows:

Sec. 47-18.41. Urban Farms and Community Gardens.

A. Purpose and Intent. The purpose of permitting Urban Agriculture is to promote local food production for local consumption and promote the health, environmental and economic benefits of having such uses. Urban Agriculture comprises of community and school gardens; backyard and rooftop horticulture; and other innovative food production methods that maximize production in a small area that may have the ability to supply urban farmers markets and community supported agriculture. Urban Agriculture is a complex activity, addressing issues central to community food security, neighborhood development, environmental sustainability, land use planning and agricultural and food systems.

Urban Farms and Community Gardens are types of Urban Agriculture. Urban Farms promote the local production of food primarily for sale to local sellers and consumers residing or doing business in Broward County, Florida. Community Gardens promote the local production of food for use or consumption by the individuals directly involved in the food production. Community Gardens may be divided into separates plots for cultivation by one or more individuals or may be farmed collective.

B. Permitted uses.

1. Urban Farm. Urban Farms shall be permitted as a principal or accessory use when the development site is located within a non-residential zoning district, with the exception of the P - Parks, Recreation and Open Space Zoning District, and the underlying City of Fort Lauderdale Comprehensive Plan land use designation is one of the following:

- a. Commercial,
 - b. Employment Center,
 - c. Employment Center-High,
 - d. Industrial,
 - e. Local Activity Center,
 - f. All Mixed Use-Residential Categories,
 - g. All Regional Activity Center Categories,
 - h. Office Park, and
 - i. Utilities
2. Community gardens. Community gardens shall be permitted as a principal or accessory use when the development site is located within any zoning district, with the exception of the P - Parks, Recreation and Open Space Zoning District, with an underlying City of Fort Lauderdale Comprehensive Plan land use designation of one of the following:
- a. Commercial,
 - b. Employment Center,
 - c. Employment Center-High,
 - d. Industrial,
 - e. Local Activity Center,
 - f. All Mixed Use-Residential Categories,
 - g. All Residential Categories,
 - h. All Regional Activity Center Categories,
 - i. Office Park, and
 - j. Utilities
- C. Conditional use. Subject to the issuance of a conditional use permit pursuant to Section 47-24.3, Community Gardens may be permitted to a primary recreational use on a development site located within a P - Parks, Recreation and Open Space zoning district or a development site located within any zoning district with an underlying City of Fort Lauderdale Comprehensive Plan land use designation of one of the following:
1. Commercial Recreation,
 2. Community Facilities,
 3. Electrical Generation Facilities, and
 4. Park/Open Space

In addition to the information required by Section 47-24.3, the application for a conditional use permit shall include the information outlined in this section.

D. Applicability to Nonconforming Urban Farms and Community Gardens. Any use of land that is now defined as an Urban Farm or Community Garden and has been determined to be a nonconforming use pursuant to Section 47-3.1 shall be subject to and shall comply with the requirements of this section with the exception of the requirements of Section 47-18.41.B.

E. Process.

1. Applicant. The applicant is the owner of property proposed for the Community Garden or Urban Farm.
2. Application An application for a development permit to operate an Urban Farm or Community Garden shall be submitted to the department. The application shall include the information provided in Section 47-24.1.F and the following:
 - a. Management plan: A management plan shall be submitted to the department and shall include a drawing or sketch of the Urban Farm or Community Garden area. The following information shall be provided in the plan:
 - i. A narrative including the anticipated types of crop(s) to be grown, the hours of operation, detailed maintenance plan, and the motorized equipment to be used as part of the operation. (Hours of operation shall be limited from dawn to dusk with no machinery operated before 7:00 a.m. seven (7) days a week); and
 - ii. The number of persons to be involved in the operation ("participants"). Each participant shall receive a copy of the management plan and urban farm or community garden rules and regulations. Proof of receipt shall be provided with the initial application in the form of a signed acknowledgement; and
 - iii. A list of chemicals, pesticides, fertilizers or any combination of same to be used; the frequency of use and the pests, diseases or plants they will be applied to; and

- iv. On site water source and a water management plan addressing run off to adjoining property, waterways or rights of way; and
 - v. A description of proposed rain-capture systems including size, location and method of operation stating how water stagnation will be prevented; and
 - vi. Photograph of the proposed Urban Farm or Community Garden site; and
 - vii. Urban Farms shall provide number of vehicles associated with the use and identification of permanent parking spaces on site; and
 - viii. Description of composting activities including, location, size and means of containment; and
 - ix. Complete description of any aspects of the operation that may generate noise or odor on site and that may impact neighboring residential property;
 - x. Rules and regulations that govern the operations of the farm or garden.
- b. Community Gardens located on private property shall include a trespass affidavit from the property owner.
 - c. Community Gardens shall be required to perform an annual review of the approved management plan.
 - d. A letter of acknowledgment from the officially recognized homeowner's association, as identified by the City's Neighborhood Recognition Program, which represents the area within which the proposed Urban Farm or Community Garden is proposed to be located.

F. Review Process.

The review process for a Community Garden or Urban Farm shall be the same as required for a Site Plan Level I approval, as provided in Sec. 47-24.2, Site Plan Development Permit, subsection A.3.b., subject to a thirty (30) day Commission Request for Review (CRR). Approval of a Site Plan Level I development permit shall not be final until thirty (30) days after the C-12-24

preliminary approval and then only if no motion is approved by the City Commission seeking to review the application pursuant to the process provided in Section 47-26.A.2. of the ULDR.

G. Notice Procedures. The following notices shall be provided within ten (10) days of submittal of application for review:

1. Mail notice to the owners of lands within three hundred (300) feet of the proposed development site for an Urban Farm or Community Garden. See Section 47-27.2.A.1.; and
2. Sign notice. See Section 47-27.2.A.3.

H. Criteria.

1. The following criteria shall apply to the approval of an Urban Farm or Community Garden:
 - a. The Urban Farm or Community Garden shall be compatible with, and preserve the character and integrity of adjacent neighborhoods and shall include improvements or modifications to mitigate adverse impacts such as noise, odor or other similar adverse effects.
 - b. The application demonstrates how the proposed use meets all of the requirements and standards as provided in this Section 47-18.41 of the ULDR.

I. Standards.

1. The following standards shall apply as a condition to the approval of an Urban Farm or Community Garden:
 - a. The development site for an Urban Farms must meet the minimum square footage required for development within the zoning district where the site is located.
 - b. One utility or tool shed may be a permitted accessory structure if in compliance with Section 47-19.2 EE if in a residential zoned district or 47-19.FF. if in a non-residential zoned district. An additional utility or tool shed may be permitted for each addition acre for an Urban Farm and an additional minimum lot size for a Community Farm but there shall be a minimum 10 feet distance requirement between accessory structures.

- c. A cistern or other rain catching device may be permitted on site consistent with the Broward County Board of Rules and Appeals *Policy #10-01, Rainwater Harvesting Guidelines for Irrigation and other Non-potable Outdoor Domestic Uses in One and Two-family Dwellings*.
- d. Equipment.
 - i. Urban Farms. Mechanical equipment used in the operation of an Urban Farm shall be limited to the following:
 - (1) Riding/push mower designed for personal use;
 - (2) Handheld tillers or edgers that may be gas or electrically powered;
 - (3) Other handheld equipment designed for personal household use that create minimal impacts related to the operation of said equipment, including noise, odors, and vibration;
 - (4) Motor vehicles associated with the operations of an urban farm shall be limited to no more than two (2) with a gross vehicle weight of 10,000 pounds or less.
 - ii. Community Gardens.
 - (1) Push mowers designed for personal household use;
 - (2) Hand-held equipment designed for personal household use;
 - (3) Loading Area consisting of minimum parking stall dimensions as indicated in Section 47-20.11, Geometric Standards. Loading area shall not be subject to Section 47-20.13, Paving and drainage, but at a minimum shall consist of a dust free surface such as grass or gravel.
 - (4) One (1) Two-Axle Vehicle with a gross vehicle weight rating (GVWR) of 14,000 pounds or less may be used in the operation of the community garden but may not remain on site overnight.

- e. Signage.
 - i. Loading Area shall be cleared marked with a sign with the maximum dimensions of 12" x 18".
 - ii. One (1) sponsorship sign shall be permitted in a community garden subject to the following criteria:
 - (1) signage shall not be visible from the public right-of-way;
 - (2) signage cannot exceed a maximum of ten (10) inches in width;
 - (3) signage cannot exceed a maximum of eight (8) inches in height; and
 - (4) signage may not be posted on higher than four (4) feet from grade.
- f. Upon approval of an application for an Urban Farm the applicant or his or her designee shall annually apply for business tax receipt.

SECTION 2. That Section 47-20.2, Parking and loading zone requirements, of the ULDR of the City of Fort Lauderdale is hereby amended to read as follows:

Sec. 47-20.2. Parking and loading zone requirements.

...

TABLE 1. PARKING AND LOADING ZONE REQUIREMENTS

| <i>Use</i> | <i>Standard Requirements</i> | |
|-------------------------|-----------------------------------|----------------------------------|
| | <i>Parking Space Requirements</i> | <i>Loading Zone Requirements</i> |
| ... | | |
| <u>Community Garden</u> | <u>0</u> | <u>0</u> |
| ... | | |
| <u>Urban Farm</u> | <u>1/4 employees</u> | <u>Type II</u> |

SECTION 3. That Section 47-35.1, Definitions, of the Unified Land Development Regulations (hereinafter referred to as "ULDR") of the City of Fort Lauderdale, Florida, is hereby amended to read as follows:

Sec. 47-35.1. Definitions.

...

Code: The Code of Ordinances of the City of Fort Lauderdale, Florida which includes Volumes I and II.

Community garden: An area of land managed and maintained for the use of one or more individuals to grow and harvest food crops, non-food ornamental crops, such as flowers, or both solely for the use, consumption or donation by two (2) or more persons maintaining the Community Garden.

...

Truck sales: An establishment which provides for the sale of trailers, hauling trucks, dump trucks, concrete trucks and equipment and other similar heavy duty trucks.

Urban agriculture: The use of land for the production, distribution and marketing of food.

Urban farm: An area of land used to grow and harvest food crops, non-food, ornamental crops, such as flowers, or both primarily for sale

...

SECTION 4. That Article II. Zoning District Requirements, of the ULDR of the City of Fort Lauderdale, Florida, is hereby amended to include the phrase "Urban Agriculture, (See Sec. 47-18.41)" as a district category in the respective "List of permitted and conditional uses" tables of every zoning district.

SECTION 5. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 6. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 7. That this Ordinance shall be in full force and effect ten days from the date of final passage.

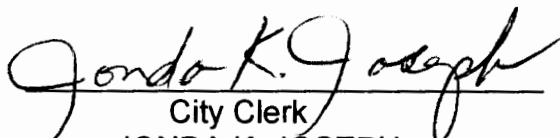
PASSED FIRST READING this the 19th day of June, 2012.

PASSED SECOND READING this the 10th day of July, 2012.



Mayor
JOHN P. "JACK" SEILER

ATTEST:



City Clerk
JONDA K. JOSEPH

L:\COMM2012\Ords\July 10th\C-12-24.doc