



**City of Stuart**  
**121 SW Flagler Ave.**  
**Stuart, FL 34994**  
**development@ci.stuart.fl.us**  
**(772) 288-5326**

Received by: \_\_\_\_\_  
 Reviewed by: \_\_\_\_\_  
 Approved by: \_\_\_\_\_

## Urban Farm/Community Garden Application

Project ID# \_\_\_\_\_  
 (Staff Entry)

Pre-App Conference Date:	Application Date:
Project Name:	
Parcel ID#	Zoning:
Project Address:	
Subdivision:	Lot(s):
Fee: \$0	Urban Farm or Community Garden (circle one)

**Submittal Requirements:**

- A. Completed application form.
- B. Letters of no objection from adjoining property owners (for community gardens adjacent to property zoned or used for residential purposes).
- C. Rules and regulations that govern the operations of the farm or garden.
- D. Anticipated number of persons to be involved in the operation.
- E. Photograph(s) of the proposed urban farm or community garden site.
- F. Site plan, drawn to scale, showing the following:
  - 1. Property size with dimensions;
  - 2. Location of existing and proposed structures on the property;
  - 3. Existing streets, easements or land restrictions on the property;
  - 4. Proposed fencing or screening;
  - 5. Off-street parking spaces, if required; and
  - 6. On-site water source.

**Acceptance of Regulations:**

I have read the regulations that permit Urban Farms and Community Gardens within the City of Stuart. I understand that my failure to comply with the regulations may result in the revocation of my Urban Farm or Community Garden Permit and a citation from the City for failure to comply with City Code. City Code violations may result in fines and/or liens against the property owner and the applicant. I also understand that it is my responsibility to provide written authorization from the property owner before an Urban Farm or Community Garden permit can be issued.

# General Information

(Please Print or Type)

1. Property Owner:

Name:
Title:
Company:
Company Address:

City/State/Zip Code:
Telephone Number:
Facsimile Number:
Email Address (optional):

I hereby certify that all information contained herein is true and correct.

2. Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Property Owner

**State of Florida, Martin County** The foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_ by \_\_\_\_\_ who is personally known to me, or who has produced \_\_\_\_\_ as identification and who did/did not take an oath.

\_\_\_\_\_  
Notary Signature

Commission Expires:

3. The Lessee, Contract Purchaser, or Applicant (circle one, if different from Property Owner).

Name:
Title:
Company:
Company Address:

City/State/Zip Code:
Telephone Number:
Facsimile Number:
Email Address (optional):

I hereby certify that all information contained herein is true and correct.

4. Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Lessee, Contract Purchaser or Applicant (circle one)

**State of Florida, Martin County** The foregoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_ by \_\_\_\_\_ who is personally known to me, or who has produced \_\_\_\_\_ as identification and who did/did not take an oath.

\_\_\_\_\_  
Notary Signature

Commission Expires:



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## Urban Agriculture Regulations

### Section 2.02.00. Uses Allowed in Zoning Districts

ZONING DISTRICTS	R-1A	R-1	R-2	R-3	R-M	B-1	B-2	B-3	B-4	P	I	H	RPUD	CPUD	MXPUD	PSPUD	IPUD
Community Gardens	P	P	P	P	P	P	P	P	P	P	P	P	A	A	A	A	A
Urban Farms						P	P	P	P		P			A	A		A

P - Use Permitted By Right

A - Allowed through City Commission public hearing process

- Prohibited

### Sections 3.01.03.F.2.a, 3.02.05.A, 3.02.05.B, and 3.02.05.C. Permitted uses in Urban Code District and East Stuart District

ZONING DISTRICTS	UG	UC	UN	UH	UW	BMU	GRO	SFD
Community Gardens	P	P	P	P	P	P	P	P
Urban Farms	P	P	P	P	P	P	P	P

P - Use Permitted By Right

### Supplemental Standards

#### Section 2.06.09 Urban agriculture

- 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 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 Martin 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 separate plots for cultivation by one or more individuals or may be farmed collectively.
- B. Applicability.
  - 1. This section shall apply to urban farms and community gardens.
  - 2. This section does not apply to a private garden which is accessory to an existing principal residential dwelling unit or multi-family residential development.
- C. Development standards
  - 1. Maintenance responsibilities. The owner of the property on which the community garden or urban farm is located shall be responsible for maintaining the property so that it does not become overgrown with weeds, infested by invasive exotic plants or vermin, or a source of erosion or stormwater runoff and shall meet the applicable requirements of this Code.

- a. Abandonment. In the event that a property is not used as a community garden or urban farm for 60 or more consecutive days, the approval for such use shall expire and the site shall be restored by the property owner so as not to conflict with Chapter 20, Article II of the City Code of Ordinances.
2. Size limitation. Community gardens shall not be greater than one-quarter acre in size without conditional use approval. Urban farms shall not be greater than five acres in size without conditional use approval. At least 50% of an urban farm site must be used for cultivation.
3. Environmental assessment. Any person or group who wishes to establish an urban farm with plant beds that are not separated from the ground by a physical barrier shall obtain a phase I environmental site assessment to determine if any soil contamination exists. Such soil must be tested for any contaminants that would render it unsuitable for cultivating food on topsoil, including, but not limited to, lead and other toxic heavy metals; industrial solvents; gasoline; oils and greases; perchlorethylene; and other chemicals that can be transmitted to people via soil contact or consumption of foods grown in such soil.

If any historical sources of contamination are identified in the environmental site assessment, the applicant shall conduct all appropriate testing to determine the type and level of contamination, and conduct the appropriate remediation procedures to ensure that soil is suitable for gardening

4. Permitted structures.
  - a. Community gardens are permitted to have greenhouses, hoopouses, coldframes, storage sheds (as defined in Chapter XII), shade pavilions, and planting preparation houses.
    - i. Location. All structures shall meet the requirements of the underlying zoning district for setbacks.
    - ii. Height. No building or other structure may be greater than 15 feet in height.
    - iii. Impervious surface coverage. All structures shall not exceed the maximum impervious surface coverage of the underlying zoning district. Walkways should be unpaved and covered with mulch, gravel, or shell except as necessary to meet the needs of individuals with disabilities.
  - b. Urban farms are permitted to have greenhouses, hoopouses, coldframes, and similar structures used to extend the growing season, as well as sheds, shade pavilions, farm stands, restrooms, and offices.
    - i. Location and height. All structures shall meet the requirements of the underlying zoning district for setbacks. No permitted structure may be greater than 15 feet in height.
    - ii. Impervious surface coverage. All structures shall not exceed the maximum impervious surface coverage of the underlying zoning district. Sheds, shade pavilions, farm stands, restrooms, offices or other structures that are not used for cultivating crops shall not exceed 15 percent of the gross urban farm area. Walkways should be unpaved and covered with mulch, gravel, or shell except as necessary to meet the needs of individuals with disabilities.
5. Required planting setbacks. All plantings shall be planted no closer than five feet from the front, side or rear property lines. Cultivated area shall not encroach onto adjacent properties. All plantings shall comply with the visibility at intersection requirements pursuant to section 6.04.03.B.8 of this Code.
6. Hours of operation and equipment. No gardening activities for urban farms and community gardens shall take place before sunrise or after sunset. Motorized-powered equipment for cultivating or maintenance purposes shall be operated in accordance with Chapter 20, Article VI (Noise) of the Code of Ordinances. The use of hand tools and domestic gardening tools is encouraged.

7. Chemical application. Gardening in accordance with the University of Florida's Institute of Food and Agricultural Sciences, Florida Friendly Landscaping program is strongly encouraged. The use of fertilizer, pesticide, insecticide, herbicide or agricultural use chemicals must be consistent with label instructions and be in compliance with applicable sections of Chapter 20, Article VIII (Fertilizer) of the Code of Ordinances. All chemicals and fuels shall be stored in an enclosed, locked structure when the site is unattended.
  8. Fences. All fencing shall comply with the applicable fencing requirements of the underlying zoning district, except that fencing for community gardens within the R-1A, R-1, R-2, R-3 and R-M zoning districts shall not exceed four feet in height along road right-of-ways.
  9. Signage.
    - a. Community gardens are permitted one sign, which shall not exceed four square feet in area, shall not exceed five feet in height, and shall have minimum property line setback of ten feet.
    - b. Urban farms shall comply with section 6.11.00 of this Code.
  10. Composting and trash storage. Compost and organic matter shall be contained in appropriate containers or a contained area which shall be located with a 25-foot setback from all rights-of-way and a five-foot setback from all property lines. No trash or debris shall be stored or allowed to remain on the property unless contained in City approved receptacle (e.g. carts or dumpsters).
  11. Sales of produce and plants.
    - a. A community garden is not intended to be a commercial enterprise; however, there may be occasions when surplus of produce and horticultural plants are available, which may be sold off the premises or on-site via an approved special events permit pursuant to Chapter 36, Article III of the Code of Ordinances.
    - b. The produce and horticultural plants grown in an urban farm may be sold on or off the premises and the property owner or garden coordinator shall obtain a business tax/certificate of use pursuant to the City Code of Ordinances prior to making any sales.
  12. Pursuant to Chapter 8, Article I of the Code of Ordinances, livestock shall be prohibited.
  13. Prohibition on agricultural tax exemption. A property owner shall be prohibited from seeking an agricultural tax exemption afforded by the local, state, or federal tax regulations.
  14. Administrative Variances. Requests for administrative variances to the setback and structure size limitations may be made in accordance with section 8.04.08 of this Code.
- D. Application Process. An application for administrative approval of a community garden or urban farm must be submitted to the Development Department along with the following documentation:
1. Letters of no objection from adjoining property owners when a proposed community garden abuts property zoned or used for residential purposes;
  2. Rules and regulations that govern the operations of the farm or garden;
  3. Anticipated number of persons to be involved in the operation;
  4. Photograph(s) of the proposed urban farm or community garden site; and
  5. Site plan, drawn to scale, showing the following:
    - a. Property size with dimensions;

- b. Location of existing and proposed structures on the property;
- c. Existing streets, easements or land restrictions on the property;
- d. Proposed fencing or screening;
- e. Off-street parking spaces, if required; and
- f. On-site water source.

**Section 6.01.13 Off-Street Parking Schedule**

Off-street parking spaces shall be provided in accordance with the minimum standards contained in the following schedule.

Land Use Type	Number of Spaces Required
<i>Public and Civic Uses:</i>	
Community garden	0
Urban farm	1 per 4 employees

**Chapter 12 – Definitions**

*Coldframes:* A frame with a glass or plastic top in which small plants are grown and protected without artificial heat.

*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.

*Greenhouse:* a building with transparent walls and roof, usually of glass, for the cultivation and exhibition of plants under controlled conditions.

*Hoophouse:* structure used as a greenhouse or a season extender and is characterized by a half-round "hoop" shape. Hoop houses are typically constructed of lengths of PVC pipe, which is both flexible and sturdy.

*Urban agriculture:* The use of land for the production, distribution and marketing of food. 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 farm:* means an area of land managed and maintained by an individual or group of individuals growing and harvesting food crops and/or non-food, ornamental crops, such as flowers, for commercial sale, frequently sold directly to consumers and restaurants. Urban farms may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members. It is distinguishable from other types of farming by the diversity of crops grown on a small area of land, typically from under one acre to a few acres, or sometimes in greenhouses grown on site, including but not limited to using growing methods such as hydroponics.