

EXHIBIT B

EXAMPLE OF YARD WASTE ORDINANCES AND RELATED TOPICS

CITY OF BOYNTON BEACH

ARTICLE II. REFUSE, GARBAGE AND TRASH – Boynton Beach Code of Ordinances

DEFINITIONS

Dispose means to deliver to approved landfill or **transfer station** or other approved disposal method

(3) "**Yard** trash:" Shall mean vegetative matter resulting from gardening, including accumulation of lawn, grass, shrubbery cuttings, dry leaf rakings, palm fronds, small tree branches not to exceed four (4) inches in diameter or four (4) feet in length. **Yard** trash shall be collected on scheduled pickup days once a week at all residential units throughout the City. All **yard** trash generated by privately contracted **yard** services shall be considered as commercial material and shall be disposed of by the private contractor responsible for generation of the material.

(4) "Contaminated **yard waste**:" Shall mean any **yard** and garden **waste** pile containing material other than containerized grass or leaves, shrubbery cuttings, or vegetative matter of any type incidental to the care of residential lawns and gardens, including limbs and branches less than four (4) inches in diameter or four (4) feet in length.

Sec. 10-24. Single family residential refuse collection.

(a) The City will collect non-containerized residential refuse under the following conditions:

(1) Garbage will be collected twice per week at curbside only from each single family residential unit in the City provided with roll-out garbage carts. The placement of household garbage in a loose and uncontained manner on the roadside, swale or other locations adjacent to the roadway with the expectation of collection shall be strictly prohibited. All material intended for disposal with the roll-out garbage carts shall be placed inside the cart, and the lid of the cart must be closed. All refuse cans and carts shall be aboveground, placed off the street, but within three (3) feet of the curb or edge of pavement and shall be located a minimum of three (3) feet from any obstruction that may interfere with routine collection. **Yard** trash and combustible trash will not be collected with household garbage, but will be picked up once per week on a scheduled trash pickup day. **Yard** trash and combustible trash capable of being containerized should be placed in a standard garbage can, roll-out garbage cart, plastic bag, or disposable container. Collection of **yard** trash should be piled separately from all other trash at curbside. Any mixing of household garbage, combustible, noncombustible, or bulk trash with the **yard** trash shall be strictly prohibited. Placing of **yard** trash or

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combustible trash in the paved area of the street or on vacant lots is prohibited. Materials classified as hazardous material will not be collected by the City. Household garbage, trash or any type of other material intended for collection, shall not be set out prior to 6:00 P.M. of the day proceeding the scheduled pickup.

(4) Accumulations of **yard** trash shall be stacked in compact piles at curbside within the confines of residents' or owners' side property lines. Deposits of **yard** trash shall not obstruct pedestrian or vehicular traffic. The City will not collect **yard** trash produced from commercial tree trimming operations, landscape and lawn maintenance operators. Tree trimmers, or privately employed tree trimmers, tree arborists, landscape contractors and operators of tree and shrubbery maintenance services shall remove all trash and debris from the premises upon which they are working, including but not limited to limbs, tree trunks, roots, shrubbery clippings, and other debris emanating from their work. Disposal of **yard** trash produced by commercial operations or those paid to conduct such operations shall be strictly prohibited. No **yard** trash shall be placed on property owned or occupied by others without permission.

Section 4. General provisions.

N. PERFORMANCE STANDARDS

9. Solid **waste**. No use shall be carried out in any zoning district so as to allow the accumulation or disposal of solid **waste** which is not in conformance with Chapter 10 of the City of Boynton Beach Code of Ordinance, or which would cause solid **waste** to be transferred in any manner to adjacent or nearby property or rights-of-way.

CITY OF WEST PALM BEACH

Code ordinance – Chapter 74 – Solid Waste

Sec 74-4 Responsibilities and standards in general

(a) *Garbage, litter, and refuse.* No person shall deposit on or bury in, or cause to be deposited on or buried in, or place or keep, on any public highway, road, street, alley, right-of-way, bridge, thoroughfare or any other public lands, or any storm sewer, vacant or unoccupied lot, or any lake, canal, creek, or watercourse, any noxious, filthy, malodorous or offensive liquid or solid materials, garbage, litter, refuse or other wastes anywhere within the city limits other than in an approved residential or commercial container which is collected regularly.

(1) Nothing in this subsection shall prohibit private, backyard, nuisance-free composting practices for home gardening purposes.

(2) When any garbage, litter, or refuse is thrown or discarded from a motor vehicle or vessel, the operator or owner of the motor vehicle or vessel, or both, shall be deemed in violation.

(b) *Bulk goods and white goods.* No person shall deposit on, or cause to be deposited on, or place or keep or store on, any land, public square, street, alley, sidewalk, bridge, other public passageway, or vacant or unoccupied lot, or any lake, canal, creek or watercourse, or exterior of residence or commercial establishment, any bulk goods or white goods anywhere within the city limits, except in areas designed for use and storage of such goods and for those periods immediately prior to collection as permitted herein.

(c) *Yard and garden wastes.*

(1) All lands in the city shall be kept free from vegetation, trees, yard and garden wastes, or any other matter that, by reason of height, proximity to neighboring structures, physical condition, disease, such as, but not limited to, lethal yellowing of palms, or other peculiar characteristics, might in time of hurricane winds cause damage to life or property within the immediate area.

(2) All lands in the city shall be kept free from weeds and grass of a height exceeding six inches.

(3) All lands in the city shall be kept free of all vegetation or trees that overhang any sidewalk, street or other public place in such a way as to impede or interfere with traffic or travel on such sidewalk, street, public place or way, or that create a danger to traffic by impeding or obstructing the view of intersections, traffic signs, railroad crossings or traffic on any street, road, or highway.

(4) Owners and occupants of all property, whether improved or unimproved, shall be responsible for keeping their entire premises, including the yard, one-half of the alley right-of-way, street right-of-way and/or easement, and the parkway or swale and/or easement adjoining the property free from yard and garden wastes, including tree limbs, leaves, branches, and any other **yard wastes**, except for those periods immediately prior to collection as permitted in this chapter. Nothing in this section shall be construed to require the maintenance of medians by surrounding property owners or occupants.

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(5) Privately employed tree trimmers, tree surgeons, landscape contractors and operators of tree, shrubbery and lawn maintenance services shall remove and dispose of all waste from the premises upon which they are working, including, but not limited to, limbs, tree trunks, roots, shrubbery and grass clippings and other debris emanating from their work.

(6) It shall be unlawful to rake, blow, or otherwise deposit yard and garden wastes into the street, street gutter, catch basin, sidewalk, and any other public rights-of-way except for those periods immediately prior to collection as permitted by this chapter.

CITY OF DELRAY BEACH
From Land Development Regulations

Section 4.3.3 (Y) (8)

(Z) Resource Recovery or Waste Management Facilities:

- (1) **Rule:** Pursuant to the Palm Beach County Solid Waste Act (Chapter 75-473, Laws of Florida, as amended) requires that "No person shall operate, maintain, construct, expand, or modify any resource recovery and/or waste management facility without first having applied for and received a valid operating permit from the Solid Waste Authority". Examples of facilities which require such permitting include: landfills, **transfer stations**, mulching/composting sites, recycling facilities, biohazardous waste treatment facilities, and any facility that stores, processes, treats, incinerates or disposes of solid waste.
- (2) **Notification Required:** Accordingly, as a part of any application, at any step of the land use and/or development approval process, which involves the aforementioned facilities, it shall be required that a letter from the Solid Waste Authority which states its knowledge of the proposed facility shall accompany said application.
- (3) **Locations:** Such facilities shall be allowed only upon land which is zoned Community Facilities (CF) with an underlying Future Land Use Map designation of Community Facilities. Such facilities shall not be located within Wellfield Protection Zones 1, 2, or 3. **[Amd. Ord. 31-97 9/9/97]**

YARD WASTE AND RELATED DEFINITION

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP)
YARD WASTE RELATED DEFINITIONS

“Yard trash” means vegetative matter resulting from landscaping maintenance or land clearing operations and includes materials such as tree and shrub trimmings, grass clippings, palm fronds, trees and tree stumps, and associated rocks and soils.

“Transfer station” means a facility the primary purpose of which is to store or hold solid waste for transport to a processing or disposal facility. Operations at such facilities may include separation of incidental amounts of recyclable materials or unauthorized waste.

“Land clearing debris” means rocks, soils, tree remains, trees, and other vegetative matter that normally results from land clearing or land development operations for a construction project. Land clearing debris does not include vegetative matter from lawn maintenance, commercial or residential landscape maintenance, right-of-way or easement maintenance, farming operations, nursery operations, or any other sources not related directly to a construction project.

“Clean wood” means wood, including lumber, tree and shrub trunks, branches, and limbs, which is free of paint, glue, filler, pentachlorophenol, creosote, tar, asphalt, chromated copper arsenate, other wood preservatives or treatments.

“CCA treated wood” means lumber, timber, or plywood treated with chromated copper arsenate. This term does not include utility poles unless they have been ground, chipped, or shredded.

“Unauthorized waste” means any type of waste that is not allowed to be accepted or managed at a solid waste management facility in accordance with rule or statutory requirements or permit conditions.

EPA

"Yard Trimmings" means any wastes generated from the maintenance or alteration of public, commercial or residential landscapes including, but not limited to, yard clippings, leaves, tree trimmings, prunings, brush, and weeds.

EPA regulations

What federal regulations exist for composting?

EPA has published a guidance document entitled Yard Trimmings/Food Scraps. EPA has delegated authority to the states for all composting programs. Composting facilities may need approvals/permits from the state before they can begin operating. The requirements for permitting composting facilities may vary among states.

40 CFR Part 503 under the Clean Water Act (CWA) pertains to land application (and biosolids composting), surface disposal, and combustion of biosolids (sewage sludge). Many of the standards promulgated in this rule can be applicable to municipal solid waste compost.

COMPREHENSIVE PLAN

• **DEFINITIONS**

SOLID WASTE - Garbage, rubbish, refuse, or other discharged solid or semi-solid materials resulting from domestic commercial, industrial, agricultural, or governmental operations, but does not include solids or dissolved material in domestic sewage effluent or other significant pollutants in water resources such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows or other common water pollutants, or hazardous waste.

SOLID WASTE FACILITIES - Structures or systems designed for the collection, processing or disposal of solid wastes, including hazardous wastes, and includes transfer stations, processing plants, recycling plants, and disposal systems.

SOLID WASTE TRANSFER STATION - A facility for temporary collection of solid waste prior to transport to a processing plant or to final disposal.

SOURCE SEPARATION - The separation of the components of solid waste at the source of generation before disposal to allow for alternative waste management practices such as reuse, recycling and energy recovery.

• **Future Land Use Element (FLUE)**

Uses Discouraged in Residential Future Land Use Categories. Large-scale Park and Recreation uses, Institutional and Public Facility uses, and Utilities and Transportation uses designed to serve regional needs, including regional parks, regional water and wastewater treatment plants, power transmission facilities not related to Renewable Energy, Electrical Power Facilities (utilizing any fuel, process, or resources other than solar, wind, or hydroelectric power), correctional facilities, **solid waste transfer stations** and disposal sites are discouraged in residentially designated areas and may be permitted only subject to the siting criteria of the appropriate regulatory authority(ies) as well as any special review and siting criteria adopted by the Board of County Commissioners.

Utility Uses. Utility Facilities include a full range of utility uses such as water and sewage treatment plants, **solid waste transfer stations** and facilities, and electrical transmission facilities, towers, sub-stations and power plants. Communication Facilities include such facilities as television and radio station, towers and relay structures and telephone facilities. Animal Shelters and co-located Veterinary Clinics are allowed within the UT designation subject to the limitations of the ULDC.

• **UTILITY ELEMENT**

The Utility Element of the Palm Beach County's Comprehensive Plan consists of three Sub-Elements: Potable Water and Wastewater, **Solid Waste**, and Stormwater Management. The purpose of this Element, per Chapter 163.3177(6)(c), F.S., and Rule 9J-5.011, F.A.C., is to provide for necessary public facilities and services correlated to future land use projections.

The **Solid Waste** Sub-Element is a requirement of Chapter 163.3177(6)(c), F.S. and Rule 9J-5.011, F.A.C. Federal, state and local laws and regulations regulate solid waste

management.

B. Assessment and Conclusions

1. The Solid Waste Authority's Mandate

The **Solid Waste Authority** (SWA) of Palm Beach County is a dependent special taxing district created by the Florida Legislature under the Palm Beach County Solid Waste Act, Chapter 75-473, Laws of Florida, as amended.

Under this Act, the SWA was established for the purpose of developing and implementing plans for an integrated countywide solid waste management system comprised of recycling, resource recovery, transfer station and landfill facilities designed to serve the future needs of the County at reasonable cost.

The **SWA has the power to construct and operate solid waste disposal facilities, including resource recovery facilities and to require that all solid waste collected by private and/or public agencies within the County be delivered to processing and disposal facilities designated by the Authority.**

....

II. GOAL, OBJECTIVES AND POLICIES

GOAL 1: It is the GOAL of Palm Beach County to facilitate environmentally sound, solid and hazardous waste management. *[9J.5.011(2)(a), F.A.C.]*

OBJECTIVE 1.1 Implementation

Upon adoption of the Comprehensive Plan, all public and private activities concerning the management and disposal of solid and hazardous waste shall be consistent with the Goal, Objectives and Policies of this Element. *[9J5.005(6) F.A.C.]*

Policy 1.1-a: Palm Beach County shall monitor the implementation of the ISWMP and adopt any future modification or update to the plan. The Board of County Commissioners adopted in 1997, through the BCC appointed SWA Citizens Advisory Committee, the Integrated Solid Waste Management Plan (ISWMP) of the Solid Waste Authority of Palm Beach County, as the program for solid waste management in Palm Beach County.

OBJECTIVE 1.2 Level of Service

The following minimum levels of service are hereby adopted for unincorporated Palm Beach County: *[9J-5.005 (3) F.A.C.]*

COMPONENT LEVEL OF SERVICE

Collection

- The Franchise Agreements of the Solid Waste Authority specify a minimum level of
 - service for residential is twice per week garbage collection, twice per week bulk trash collection, once per week **vegetation collection**, and once per week recyclable collection.
- The minimum level of service for commercial is once per week garbage and trash. Recycling service is available to all commercial businesses.

Disposal

- Disposal capacity sufficient for a per capita generation rate of solid waste delivered to Authority facilities of 7.13 lbs/person/day. Although the county-wide solid waste generation is higher, significant quantities of recyclable materials, particularly construction and demolition debris and vegetation are diverted to private recycling facilities. The above figure includes only the portion of the waste stream the Authority reasonably expects to receive. *[9J-5.011(2)(c)2(b),*

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Policy 1.2-a: Palm Beach County shall continue to operate a source separation program at all County administrative buildings, consistent with the recycling program of the Solid Waste Authority of Palm Beach County.

Policy 1.2-b: Palm Beach County and the Solid Waste Authority shall continue to implement programs with the purpose of further reducing waste in Palm Beach County. The Solid Waste Authority of Palm Beach County met the recycling goals of the 1988 Solid Waste Management Act, and the Authority's goal of achieving a 50% reduction in the quantity of waste landfilled by 1998.

ULDC

DEFINITIONS (Art. 1)

Composting Facility - a facility designed and used for transforming food, **yard waste** and other organic material into soil or fertilizer through biological decomposition. This use does not include backyard-composting bins serving individual families.

Feed Stock – for the purposes of Art. 4, biomass consisting of: authorized wood material (clean wood recovered from construction and demolition wood debris, land clearing debris, and **yard waste** consisting of tree and shrub trimmings, grass clippings, palm fronds, trees, tree stumps, and other clean vegetative matter); agricultural residue (waste resulting from the production of sugar, rice, vegetable crops or fruit). This definition specifically excludes hazardous substances and waste, biomedical waste, trash, garbage, sludge or special waste. **[Ord. 2008-037]**

Solid Waste - garbage, rubbish, refuse, sludge, septage, dewatered domestic wastewater residuals, grit and screenings from a domestic wastewater treatment facility or other discarded solid or liquid material resulting from domestic, commercial, industrial, agricultural activities or governmental operations but does not include storm water discharges or other significant pollutants in water resources such as silt, dissolved or suspended solids in industrial waste water effluent, dissolved materials in irrigation return flows or other common water pollutants.

Solid Waste Facilities - the planning of, engineering for, preparation of acquisition documents for, acquisition of land for, or construction of solid waste facilities necessary to meet the LOS for solid waste facilities.

Solid Waste Transfer Station - for the purposes of Art. 4, a facility where solid waste from smaller vehicles is transferred into larger vehicles before being shipped or transported to a solid waste processing or disposal facility. Solid waste may be sorted but not processed at a transfer station.

OVERLAYS AND ZONING DISTRICT (Art. 3)

4. CLO District

a. Enclosed Uses

All uses shall be operated entirely within enclosed buildings, with the following exceptions:

- 1) Air curtain incinerator, temporary;
- 2) Communication tower, commercial;
- 3) Electrical power facility;
- 4) Park, passive;
- 5) Recreation facility, accessory;
- 6) Recycling drop-off station;
- 7) **Solid waste transfer station;**
- 8) Utility, minor; and
- 9) Water or wastewater plant.

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Table 3.E.1.B - PDD Use Matrix

Use Type	PUD					MUPD							MXPD		PIPD			LCC		NOTE									
	Pods					FLU							FLU		Use Zone			FLU											
	R E S	C O M	R E C	C I V	A G R / P	C L	C H	C L	C H	C O	C O	I R	I N	I N	I S T	C H	C H	O	I N		C O	I M	I D	I G	M H P D	R V P D	C L	C H	
Utilities and Excavation Uses																													
Air Curtain Incinerator																													9
Air Stripper, Remedial																													11
Chipping and Mulching																													28
Communication Cell Sites On Wheels (COW) Tower, Mobile	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	31
Communication Panels, Or Antennas, Commercial	B	D	D	D		D	D	D	D	D	P	D			D	D			P	P	P						D	D	31
Communication Tower, Commercial							R					R	R			R			R	R	R							R	31
Composting Facility																													33
Electric Power Facility		R					R		R	R	R									R	R	R							44-1
Electric Transmission Facility		R					R		R	R	R									R	R	R							44-2
Excavation, Agricultural					P																								49
Excavation, Type I																													49
Excavation, Type II	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	49
Excavation, Type III A																													49
Excavation, Type III B																													49
Recycling Center							P					P								P	P	P							103
Recycling Collection Station		S		S		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	106
Recycling Drop-off Bin		S	S	S		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	104
Recycling Plant																													105
Renewable Energy Facility, Wind						R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	106-2
Sanitary Landfill Or Incinerator																													117
Solid Waste Transfer Station							R		R	R	R	R								P	R	P							123
Utility, Minor	P	P		P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	134
Water Or Treatment				R			R		R	R	R					R	R		P		P		R	R					139
[Ord. 2005-002] [Ord. 2006-004] [Ord. 2007-001] [Ord. 2009-040] [Ord. 2010-005]																													
Notes:																													
<ul style="list-style-type: none"> P Permitted by right D Permitted subject to approval by the DRO S Permitted in the district only if approved by Special Permit R Permitted in the district only if approved by the Board of County Commissioners (BCC) as a requested use. 																													

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Standard Districts

Table 4.A.3.A - Use Matrix

Use Type	Zoning District/Overlay																N O T E		
	Agriculture/ Conservation			Residential					Commercial					Industry/Public					
	P C	A G R	A P	AR		R E	R T	R S	R M	C N	C L O	C C O	C H O	C G R E	I L	I G		P O	I P F
				R U S A	S S A														
Utilities & Excavation																			
Air Curtain Incinerator			A													A	A	A	9
Air Stripper, Remedial		P	P							P	P	P	P	P	P	P	P	P	11
Chipping and Mulching		D	B													B	D	D	28
Communication Cell Sites on Wheels (COW) Tower, Mobile	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	31
Communication Panels, or Antennas, Commercial		D	P	B	B	B	B	B	D	D	D	D	D	D	D	P	P	P	31
Communication Tower, Commercial	A	A	D	A	A	A	A	A	A	A	A	B	B	B	B	D	D	D	31
Composting Facility		D	D													D	D	D	33
Electric Power Facility			A							A	A	A	A	A	A	A	A	P	44-1
Electric Transmission Facility		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	P	44-2
Excavation, Agriculture		D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	P	49
Excavation, Type I		P	P	P	P	P	P	P	P									P	49
Excavation, Type II		D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	49
Excavation, Type III A			A	A									A	A	A	A	A	A	49
Excavation, Type III B			A	A									A	A	A	A	A	A	49
Recycling Center										A		B		D		P	P	P	103
Recycling Collection Station										D	D	D	D	D		D	D	D	106
Recycling Drop Off Bin			D							D	D	D	D	D	D	D	D	D	104
Recycling Plant																B	D	P	105
Renewable Energy Facility, Wind		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	106-2
Sanitary Landfill or Incinerator																		P	117
Solid Waste Transfer Station			A	A	A								A		A	B	P	A	123
Utility, Minor		D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	P	134
Water or Treatment Plant			A	A	A	A	A	A	A	A	A	A	A	A	A	D	D	P	139
[Ord. 2006-004] [Ord. 2007-001] [Ord. 2009-040] [Ord. 2010-005]																			
Key:																			
P Permitted by right																			
D Permitted subject to approval by the DRO																			
S Permitted in the district only if approved by Special Permit																			
B Permitted in the district only if approved by the Zoning Commission (ZC)																			
A Permitted in the district only if approved by the Board of County Commissioners (BCC)																			

RELATED USES

- **Chipping and Mulching**

An establishment using equipment designed to cut tree limbs, brush or wood construction debris into small pieces for use as mulch.

a. Lot Size

A minimum of five acres.

b. Setback

A minimum of 500 feet from any property line abutting a residential district.

c. Accessory Uses

Potting soil manufacturing may be allowed as an accessory use to chipping and mulching.

d. Access

An access road for collection vehicles shall be provided to the entrance of the facility. Access from a local residential street shall be prohibited. Access from a local commercial street shall be prohibited where the street also serves residential uses. Access shall be restricted to specific entrances with gates that can be locked and that carry official notice that only authorized persons are allowed on the site. [Ord. 2005 – 002]

e. Storage

Except in the AP district, outdoor storage of unprocessed material shall be limited to 45 days and the pile height of storage material shall be limited to 15 feet. Outdoor storage shall be set back a minimum of 25 feet from any property line or 50 feet from any property line abutting a residential district or use. Storage areas shall be screened from view, pursuant to [Article 5.B, ACCESSORY AND TEMPORARY USES](#).

f. Hours of Operation

The hours of operation shall be limited to 9:00 a.m. to 5:00 p.m. Monday through Friday if within 1000 feet of a residential zoning district.

g. Supplemental Application Requirements

1) Site Plan

A site plan illustrating how the operation functions including circulation routes and their locations, square footage, height and location of buildings, chipper and storage piles.

2) Waste Volume

An explanation of the quantity of waste to be received, expressed in cubic yards per day or tons per day.

3) Dust Control

A plan to address dust control in traffic, storage and processing areas. Dust control measures may include: additional setbacks, full or partial enclosure of chipper or grinder and watering or enclosing mulch piles.

h. AR/RSA

May be permitted in the AR/RSA District with a SA FLU, subject to a Class A conditional use approval. [Ord. 2005 – 002]

- **Solid Waste Transfer Station**

A facility where solid waste from smaller vehicles is transferred into larger vehicles before being shipped or transported to a solid waste processing or disposal facility. Solid waste may be sorted but not processed at a transfer station.

a. Frontage

The facility shall front on and access from an arterial or collector street.

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b. Setbacks

All portions of a transfer station, including structures, ramps, parking and on site circulation areas, shall be setback a minimum of 25 feet from all property lines, lakes, canals, water management tracts, retention/detention areas, drainage swales, and other water bodies.

c. Screening

All storage areas shall be screened from view by walls, fences or buildings. Such screening shall be designed and installed to ensure that no part of a storage area can be seen from streets or adjacent lots. In no event shall the height of solid waste stored outdoors exceed 25 feet.

d. Buffer

A minimum width of 50 feet municipality buffer shall be provided adjacent to an existing residential use, district or FLU designation: The DRO may waive required landscaping not visible from adjacent lots or streets.

e. Storage Areas

All solid waste stored outdoors shall be in leak-proof containers or located on a paved surface designed to capture all run-off. Run-off shall be treated in a manner that is in conformance with local, State and Federal regulations.

f. Supplemental Application Requirements

1) Access

A graphic and written analysis of access routes to the site.

2) Type

An explanation of the type of facility requested including a description of the materials to be handled, methods of operation, handling procedures, whether sorting will occur, and runoff treatment plans.

3) Waste

The quantity of waste to be received, expressed in cubic yards per day or tons per day.

4) Hours of Operation

A statement specifying the hours of operation.

5) SWA Permit

Prior to approval by the DRO, the applicant shall obtain a permit from, and post a bond with the SWA.

- **Landscape Service**

An establishment engaged in the provision of landscape maintenance or installation services, such as lawn mowing, tree, shrub or hedge trimming, leaf blowing, landscape design, and landscape installation.

a. 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. **[Ord. 2007-013]**

b. 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. **[Ord. 2007-013]**

c. Landscape Buffer

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An incompatibility buffer as required by [Article 7.F, PERIMETER BUFFER LANDSCAPE REQUIREMENTS](#), may be waived if the use is adjacent to farm worker quarters or mobile home accessory to a bona fide agriculture use.

d. Storage

Outdoor storage of debris shall be prohibited.

e. Accessory Use

May be allowed as an accessory use to a retail or wholesale nursery on a minimum of three acres.

f. Home Occupation

A landscape service, not including landscape installation services, may be approved as a home occupation subject to the requirements of Article 4.B.1.A.70, Home Occupation and this section, subject to the following exemptions or requirements: **[Ord. 2007-013]**

1) Buffers

The use shall be exempt from incompatibility buffer requirements. **[Ord. 2007-013]**

2) AR District in RSA

A landscape service may be permitted subject to the limitations of Art. 4.B.1.A.70, Home Occupation, except that parcels three acres or more in size may also be eligible for the following: **[Ord. 2007-013]**

- a) A maximum of three persons living outside of the home may be employed under the home occupation. **[Ord. 2007-013]**
- b) The use shall also be exempt from the outside storage limitations of Art. 4.B.1.A.70.i, Outside Storage, provided that outside storage is limited to equipment such as lawnmowers, edgers, weed eaters, and small trailers. Storage shall not include heavy equipment associated with landscape installation services, such as bobcats, loaders, dump trucks, or heavy equipment trailers; and **[Ord. 2007-013]**
- c) Storage areas shall be screened from view from any R-O-W or residential parcel through the use of existing or newly planted native vegetation provided the material provides an opaque screen within one year of the issuance of the business tax receipt. No additional vegetation shall be required where equipment is screened from view behind permitted fences or other structures. **[Ord. 2007-013]**

- **Nursery, Wholesale**

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. **[Ord. 2009-040]**

a. Limitations of Sales

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

b. Approval Process

Table 4.B.1.A – Residential Districts in the USA

Residential Districts in the USA	
Special Permit	Five acres or less.
DRO	More than five but less than 20 acres.
Class B conditional use or Requested Use	20 or more acres.

[Ord. 2005-041]

Table 4.B.1.A – AR District in RSA

AR District in RSA	
Permitted	Ten acres or less.
Special Permit	More than ten but less than 40 acres.
DRO	40 or more acres.

1)All Other Districts

Permitted.

c. 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.

d. Parking and Loading

All parking and loading shall occur on site.

e. AR District

May be operated in conjunction with a residence.

f. Buffering

A buffer shall be provided along all property lines that are not screened by plant material.

1)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.

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.

3)R-O-W 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.

4)Barbed Wire

The use of barbed wire shall be prohibited.

g. Office

An office is permitted as an accessory use, provided it is not a mobile home.

h. U/S Tier

In addition to the above standards, a wholesale nursery in the U/S Tier shall comply with the following standards.

1)Lot Size

EXHIBIT C

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.121, Shade House](#). [Ord. 2009-040]

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 conditional DRO or Special Permit approval.

4)Spraying

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

i.Outdoor Bulk Storage

Outdoor bulk storage of mulch, rock, soil or similar material shall comply with the outdoor storage standards contained in [Article 5.B, ACCESSORY AND TEMPORARY USES](#). Outdoor bulk storage in residential zoning districts shall be setback a minimum of 50 feet or the district setback, whichever is greater.

j.Agricultural Reserve (AGR) Tier

A retail nursery may be permitted as an accessory use to a wholesale nursery.

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 [Article 2.D.1, Development Review Officer](#).