



Administrative Action Request Supplement M Community Gardens

Community Development Dept. | 9220 Bonita Beach Road, Suite 111 | Bonita Springs, FL 34135 | Phone: 239 444 6150 | Fax: 239 444 6140

Case Number: _____

Project Name: _____

Applicant's Name: _____

STRAP Number(s): _____

Please submit the City of Bonita Springs "Application for Administrative Action" form, Supplement M, and include the following:

PART I ACTION REQUEST INFORMATION

A. Name and address of entity responsible for maintenance of Community Garden: _____

B. Size of Garden (Acres & Square Feet): _____ Acres _____ Square Feet

PART II SUBMITTAL REQUIREMENTS

NOTE: The number of copies¹ required for each submittal item/exhibit is indicated below. Please note that this supplement must be accompanied by the application for Administrative Action. Copies of both of these applications must be submitted together in sets along with all other required documentation. Additional submittal items (listed below) must be submitted as a group with the appropriate number of copies provided as noted below.

COPIES REQUIRED ¹	EXHIBIT NUMBER	SUBMITTAL ITEMS
3		Completed Application for Administrative Action Form
1		Filing Fee – [4-31]
3	SUPP M	Community Gardens Administrative Action Request Supplement Form
		ADDITIONAL SUBMITTAL REQUIREMENTS-PART II [4-1435]
1	A-2.A	Letter of authorization: A notarized letter giving permission for use of property from the property owner (see instructions, Part II, below)
1	A-2.B	Letter of no objection from adjoining property owners (if applicable; see instructions Part II, below)
3	A-2.C	Site Plan (11"x 17" size) (see instructions Part II, below)

¹At least one copy must be an original.

EXPLANATORY NOTES GENERAL STANDARDS FOR COMMUNITY GARDENS

Definitions.

Community Garden means an area of land managed and maintained by a community, neighborhood, or subdivision, or organization to grow and harvest food crops and non-food, ornamental crops, such as flowers. Community gardens may be divided into separate plots for cultivation. Community Gardens may be farmed collectively by members of a group, and may include common areas maintained and used by group members.

Greenhouse means a building made of glass, plastic, or fiberglass, etc., where plants are cultivated.

Hoophouse means a structure made of PVC piping or other material covered with translucent plastic, constructed in a "half-round" or "hoop" shape. [Sec. 4-1430]

STANDARDS FOR COMMUNITY GARDENS [4-1717(1) thru 4-1717(12)]

To create a network of community gardens throughout the city of Bonita Springs to provide members of the community a safe place to grow their own food. The city wants to encourage the use of community gardens to increase community food security, decrease/reduce food deserts, and improve access to healthy food; protect and improve the quality of our open space resources; beautify the city with environmentally-appropriate plantings; and strengthen community involvement and "build community".

Community gardens may be permitted by right in certain zoning districts subject to the following regulations. Community gardens are not subject to local development order review under Chapter 3, but will be subject to design standards set forth in this chapter.

1. **Size limitation.** A community garden must be smaller than a lot of record in the neighborhood or may not be greater than one acre in size. A community garden may not be subdivided into separate tracts for sale.
2. **Noise.** The use or operation of power tools or portable mechanical equipment used outdoors in residential areas zoned RS, TFC, RM, MH, RV, CPD, RPD, MHPD, RVPD, and MPD is prohibited before 7:00 a.m. and after 7:00 p.m. so as to avoid noise disturbance in the community, unless the residential neighborhood area requires more restrictive conditions. The use of hand tools and domestic gardening tools is encouraged.
3. **Chemical application.** Organic gardening is strongly encouraged. The use of fertilizer, pesticide, insecticide, herbicide or agricultural use chemicals must be consistent with label instructions and must be in compliance with the Bonita Springs Fertilizer Ordinance 08-23, as amended.
4. **Sale of produce and plants.** The sale of flowers, vegetables or other crops grown on the property may be sold only as approved by a temporary use permit issued prior to the sale within residential areas in the following zoning districts AG, RS, TFC, RM, MH, RV, CPD, RPD, MHPD, RVPD, and MPD.
 - a. **Temporary use permit.** A maximum of twelve events may be scheduled each year via the temporary use permit process for a single property allowing the sale of flowers, vegetables or other crops grown on the property each year. Each event may not exceed two days. The property owner may obtain a single temporary use permit covering all events scheduled for the year.

Proof of sanitary facilities may be required by the City with a temporary use permit. If a portable toilet is required, it must be removed at the end of any temporary use permit event.
5. **Permitted structures.** All structures must be clearly incidental and are to be supportive to the community garden use. Only the following structures will be permitted in a community garden:
 - b. **Greenhouses, hoophouses, storage sheds, shade pavilions, and planting preparation houses.**
 - i. **Location.** Buildings must be set back from property lines consistent with the minimum principal building setback of the underlying zoning district.
 - ii. **Height.** No building or other structure may be greater than 12 feet in height.
 - iii. **Building coverage.** The combined area of all storage sheds, shade pavilions, and plant preparation houses may only use a combined space not to exceed 10% lot coverage. Greenhouses and hoophouses may not exceed 35% lot coverage. The combined area of all structures may not exceed 2,000 square feet or the lot coverage listed above, whichever is most restrictive.
 - iv. **Floor.** Each building must provide an impervious floor to catch chemical runoff.
 - v. **Design.** The design of all accessory buildings shall be complimentary in design with the character of the neighborhood, to the maximum extent possible.
 - c. **Fences.** Fencing will be subject to the regulations in section 4-1464
 - d. **Benches, picnic tables and garden art.**
 - e. **Planting beds raised three feet or more above grade, compost bins and rain barrel systems** must set back from property lines consistent with the minimum principal building setback of the underlying zoning district.

- f. Walkways. Walkways must be unpaved and covered with mulch, shell or gravel except as necessary to meet the needs of individuals with disabilities.
 - g. Signage. Each community garden must have one sign indicating the name of the community garden and the contact information of the principal operator, including the name and current telephone number. The sign may not exceed six square feet in area per side and may not exceed four feet in height.
 - h. Trash receptacles must be provided on site and screened from view through appropriate screening and/or buffering. Refuse shall be removed from the site at least once a week.
6. Parking.
- i. Off-street parking is not required for gardens on property less than 20,000 square feet in lot area.
 - j. A low turnover parking area must be provided for gardens over 20,000 square feet in lot area consistent with LDC 4-1729 et seq.
 - k. Notwithstanding section 4-1729. Parking areas must be maintained as a grass area or in a dust free manner.
 - l. Handicapped parking is not required.
7. Drainage. The applicant must provide lot grading plan for the property in accordance with LDC 4-2224 to demonstrate no adverse impacts to adjacent uses.
8. Maintenance. The community garden must adequately maintain the grounds (includes planter boxes) and all accessory structures so as not to create a nuisance to the neighborhood. The property must comply with the Property Maintenance Code.
9. Composting. Composting may be performed onsite may only be those materials generated onsite. Composting areas shall be located as close as practicable to the center of the property.
10. Prohibited activities. The following activities are prohibited within the community garden:
- a. Storage of large farming equipment or any farm machinery, fertilizers, or pesticides (other than what is needed for the community garden).
 - b. Storage of composted organic material (other than what is produced or used by the community garden).
 - c. Farm animals.
 - d. Littering, dumping, and illegal activities.
 - e. Amplified sound.
 - f. Recreational sports.
 - g. Garage sales.
 - h. Sale of items not produced on site or from another community garden.
11. Application. An application for administrative approval must be submitted to the Department of Community Development along with the following documentation:
- a. Notarized letter signed by the property owner or controlling association giving permission for use of property as a community garden.
 - b. Letters of no objection from adjoining property owners when the proposed community garden abuts property zoned or used for residential purposes.
 - c. Site plan (or aerial) showing the property size with dimensions.
 - d. The site plan must show the location of all existing structures on the property as well as on adjacent properties within 100 feet of the perimeter boundary of the site.
 - e. The site plan must reflect existing streets, easements or land reservations within the site.
 - f. The site plan must include proposed fencing, screening, or additional tents, if any.
 - g. The site plan must identify the source of water that will be used for irrigation purposes.
 - h. The site plan must show the location of parking for community garden farmers and for temporary events.

- i. Applications that receive letters of objection will be processed through the Special Exception process pursuant to LDC 4-194.
12. Community Gardens are not bona fide agriculture under Florida State Statute 823.14, Florida Right to Farm Act.

NOTE: Acceptance of an Application for an Administrative Action in no way guarantees its approval. If the Director determines that the request is beyond the scope of Land Development Code section 4-1717 and that a Public Hearing is necessary, then all fees paid toward the Administrative Application may be applied toward an Application for Public Hearing.

INSTRUCTIONS FOR COMPLETING COVER PAGE

Case Number: Will be inserted by City Staff.

Project Name/Garden Name: (if applicable): Provide the name that you wish to have assigned to this project. The name is limited to 30 characters and spaces and should be the same as provided on the Administrative Action Application Form.

Applicant's Name-Authorized Agent: The applicant's name must be provided. This is the person to whom all City correspondence will be directed. This is usually the person who signs the Applicant's "Statement Under Oath". (See Administrative Application Form, Part I, Affidavit Form A1 or A2).

STRAP(S): The STRAP (Section, Township, Range, Area, Parcel) number is the 17-digit number used by the Property Appraiser to identify specific parcels. Where there is more than one parcel encompassed by the application, the STAP number for every parcel must be provided and be the same as those listed in the Administrative Application Form, Part 3.A.

PART I ACTION REQUEST INFORMATION

1. Name and Address of Organization/Entity Maintaining Community Garden: Provide the name and address of the organization that will be maintaining the Community Garden. [4-1435]
2. Size of Community Garden: Provide the size of the proposed Community Garden in Acres and Square Feet. NOTE: Size Limitation. A community garden must be smaller than a lot of record in the neighborhood or may not be greater than one acre in size. [4-1435(b)]

PART II ADDITIONAL SUBMITTAL REQUIREMENTS

1. LETTER OF AUTHORIZATION: A notarized letter signed by the property owner giving permission for use of property must be submitted. [4-1435] Label as Exhibit A-2.A.
2. LETERS OF NO OBJECTION: Letters of no objection from adjoining property owners must be submitted when the proposed community garden abuts property zoned or used for residential purposes. Label as Exhibit A-2.B. [4-1435]
3. REQUIRED SITE PLAN/AERIAL: A site plan/aerial, on 11"x 17" paper, must be submitted meeting the following requirements:
 - a. The site plan must be drawn to scale, showing the property size with dimensions.
 - b. The site plan must show the location of all existing structures on the property as well as on adjacent properties within 100 feet of the perimeter boundary of the site.
 - c. The site plan must reflect existing streets, easements or land reservations within the site.
 - d. The site plan must include proposed fencing and screening, if any. (See BSLDC Section 4-1435.
 - e. The site plan must show proposed parking, if required. Note: off-street parking is not required for gardens on property less than 20,000 square feet in lot area. Notwithstanding BSLDC Section 4-1729, parking area must be maintained as a grass area or in a dust-free manner. Handicapped parking is not required.