

ORDINANCE NO. 2008-118

AN ORDINANCE OF SARASOTA COUNTY, FLORIDA, (ZONING ORDINANCE AMENDMENT NO. 31) AMENDING SARASOTA COUNTY ORDINANCE NO. 2003-052 (AS AMENDED FROM TIME TO TIME) CODIFIED AS APPENDIX A OF THE SARASOTA COUNTY CODE, RELATING TO ZONING WITHIN THE UNINCORPORATED AREA OF SARASOTA COUNTY; PROVIDING FOR FINDINGS AMENDING SECTION 5.1, RELATING TO THE USE TABLE; AMENDING SECTION 5.3, RELATING TO LIMITED AND SPECIAL EXCEPTION USE STANDARDS; PROVIDING FOR EFFECT ON OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODING OF AMENDMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

CLERK OF THE COUNTY BOARD  
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SARASOTA COUNTY, FL

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA:

**Section 1. Findings.** The Board of County Commissioners, hereinafter referred to as the "Board" hereby makes the following findings:

A. The Board has held public hearings on the proposed amendments described herein in accordance with the requirements of the Sarasota County Zoning Ordinance and has considered the information received at said public hearings.

B. The Board has received and considered the report of the Sarasota County Planning Commission and has reviewed the proposed amendments provided herein.

C. The Board, sitting as the Sarasota County Land Development Regulation Commission, has reviewed the proposed amendments provided herein and has found that the amendments are consistent with the Sarasota County Comprehensive Plan.

**Section 2. Amendment to Section 5.1 of Ordinance No.2003-052, as amended, relating to the Use Table**

**Subsection 5.1.2.** of Sarasota County Zoning Ordinance No. 2003-052, is hereby amended to read as follows:

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SPECIFIC USE	OUA	OUC	OUM	OUR	OUE	RE	RSF	RMF	RMH	CN	OPI	CG	PCD	CHI	CI	CM	IR	ILW	GU	Standards
KEY: P = Permitted Use; L = Permitted Subject to Limitations in Section 5.3; SE = Special Exception Use; E = Existing; Blank = Use Not Permitted																				
OPEN USES																				
All agriculture, except as listed below	L		L	L	L	L														5.3.1.a
Animal boarding	L/SE			L/SE	L/SE	L/SE														5.3.1.b
Animal shelter	SE			SE	SE													SE	SE	5.3.1.c
Aviary	L			L	SE															5.3.1.d
Farm/produce stand	L/SE			L/SE	L/SE															5.3.1.f
Keeping of ponies or horses	L			L	L	L														5.3.1.g
Livestock auction, feeding pen, milk processing, packing house, stockyard	L			L																5.3.1.h
Plant nursery	L			L	L															5.3.1.i
Plant nursery with landscape supply	L/SE			L/SE	L/SE															5.3.1.j
Retail or wholesale sales of agriculturally-related supplies and equipment	SE			SE	SE														P	5.3.1.i

**Section 3. Amendment to Section 5.3. of Ordinance No. 2003-052, as amended, relating to Limited and Special Exception Use Standards.**

**Subsection 5.3.1.j.** of Sarasota County Zoning Ordinance No. 2003-052, is hereby amended to read as follows:

*j. Plant Nursery with Landscape Supply.* A plant nursery, is permitted in accordance with the use table in Section 5.1, subject to the following standards:

1. The minimum parcel size for a plant nursery with landscape supply shall be ten acres. In the OUE zoning district, the Board may approve a plant nursery with landscape supply on a minimum parcel size of five acres by Special Exception, provided that the property has frontage on an arterial road and is located outside the Urban Service Boundary.

2. Such establishment may engage in the wholesale trade of the items listed below. Retail sales are permitted provided that the establishment has frontage on an arterial roadway.
3. Such establishment may engage in the sale of plant material, bulk materials such as mulch, rocks or topsoil, or landscape supplies such as railroad ties, weed mats, edging or border materials. However, all bulk material and landscape supplies shall be screened with a landscape buffer along all streets and residential property lines with a minimum opacity of 0.5 in accordance with Section 7.3.
4. Fountains, ponds or other lawn ornaments may be displayed.
5. The sale of fencing, sheds or gazebos may only be permitted by special exception.
6. The sale of wheelbarrows, hoses or other garden tools or supplies shall render the establishment a garden center and shall require the appropriate zoning for such use.
7. A landscape supply establishment may include a landscape installation business as an accessory use provided all employee vehicles and equipment are a minimum of 50 feet from the property line and screened from view from the public right-of-way. Landscape maintenance business may be permitted as an accessory use to a Plant Nursery with Landscape Supply in the OUA, OUE, and OUR districts by special exception. All employee vehicles and equipment are required to be kept a minimum of 50 feet from the property line and screened from view from the public right-of-way.

**Section 3. Effect on Other Ordinances.** The provisions of this Ordinance shall prevail in the event of conflict with the provisions of any existing ordinance.

**Section 4. Severability.** It is declared to be the intent of the Board of County Commissioners that if any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

**Section 5. Coding of Amendments.** In this Ordinance, language added to an existing Ordinance is underscored and language deleted is typed in ~~strike-through~~ type.

**Section 6. Effective Date.** This Ordinance shall take effect immediately upon filing with the Office of the Secretary of the State of Florida.

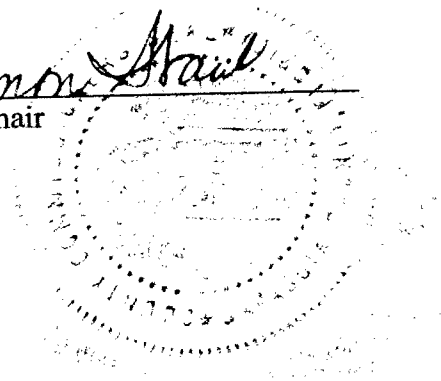
PASSED AND DULY ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SARASOTA COUNTY, FLORIDA this 9th day of December, 2008.  
BOARD OF COUNTY COMMISSIONERS

OF SARASOTA COUNTY, FLORIDA

By: Shannon Hail  
Chair

ATTEST:  
KAREN B. RUSHING, Clerk of  
the Circuit Court and  
Ex-Officio Clerk of the Board  
of County Commissioners of  
Sarasota County, Florida

By: Spring Deckson  
Deputy Clerk



STATE OF FLORIDA  
COUNTY OF SARASOTA  
I HEREBY CERTIFY THAT THE FOREGOING IS A  
TRUE AND CORRECT COPY OF THE ORIGINAL FILES  
IN THIS OFFICE. WITNESS MY HAND AND OFFICIAL

SEAL THIS DATE December 10, 2008  
KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT  
EX-OFFICIO CLERK TO THE BOARD OF COUNTY  
COMMISSIONERS, SARASOTA COUNTY, FLORIDA  
By: Spring Deckson  
Deputy Clerk