

Agricultural Stands are a permitted use in the Agricultural Conservation (AC) Zoning District, provided they meet the following conditions from the Land Development Code.
(revised 11/12/09)

14.28 AGRICULTURAL STANDS

The Zoning Director is authorized to permit construction and/or use of agricultural stands. Permits for such uses shall be limited to six (6) months, with an option to renew every six (6) months for a maximum number of four (4) consecutive renewal periods. The following conditions shall apply.

- A.** The use shall provide for all required off-street parking and loading on private property. Paved parking is not required; however, a surface that will not contribute to erosion or sedimentation, either on-site or off-site is required. If paved parking is provided, review by the County Engineer shall be required.
- B.** The use shall be located along and have direct vehicular access to a public street.
- C.** No sales, parking or display activity shall be located within road rights-of-way or on public land.
- D.** Access to and from the site shall be in accordance with requirements of the Osceola County Engineer.
- E.** The use shall conform to Development Standards of the applicable zoning district; however, agricultural stands can be located at a minimum twenty (20) feet front yard setback.
- F.** The use shall comply with all applicable Health Department regulations, as set forth in Rule 10D 15, Florida Administrative Code, pursuant to Chapter 381, Florida Statutes, and other applicable regulations.
- G.** At least one (1) fully charged, 2A-10BC fire extinguisher shall be located on the premises at all times in a visible, accessible location.
- H.** Written permission from the owner of the property, when the stand is not located on land owned by the operator, shall be required on-site at all times the site is in use.
- I.** No more than one (1) readily removable, temporary structure, smaller than one hundred and forty-four (144) square feet for storage, display or sales shall be utilized.
- J.** Signage shall be in conformance with requirement contained in Chapter 15 of this Ordinance, however, an Agricultural Stand will be allowed a maximum of two (2), thirty-two (32) square feet on-site pole or ground signs per development site.
- K.** Permit issued by Osceola County for the agriculture stand shall be displayed in a conspicuous place at all times while stand is operational.

Some additional requirements when making application are:

- A. Completed Application, provided by the Zoning Department answering the following questions:
 - a. Include the dates of operation (limited to a 6 month period).
 - b. Include the hours of operation.
 - c. If the product is not being grown on site, explain how it will be delivered to the site and how often?
 - d. What type of parking surface is provided (paved, grass, etc.)
 - e. What type of structure is used to display and sell the product?
 - f. What size is the structure? Permitted to have 1 readily removable temporary structure smaller than 144 square feet.
 - g. Will there be electricity to the structure?
 - h. Provide a detailed site plan / survey showing the following:
 - 1. entire property with dimensions
 - 2. all structures with dimensions and setbacks
 - 3. display area
 - 4. ingress & egress
 - 5. parking
 - 6. roads
 - 7. any electrical
 - i. Letter of authorization from the property owner.
 - j. If required approval from Department of Ag or Food Safety, attach a copy of the approval letter.
 - k. Statement stating the number and type of fire extinguisher that will be located on site
- B. Application fee of \$80.00. Make checks payable to B.O.C.C. (Board of County Commission)

Osceola County Zoning / Planning Department
1 Courthouse Square, Suite 1400
Kissimmee, FL 34741
(407) 742-0200

Application for Agricultural Stands (LDC Chapter 14 Section 14.28)

Application fee \$80.00 Make checks payable to B.O.C.C. (revised 11/12/09)

Applicant Info:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____ Phone: _____

Email: _____ Alternate Phone: _____

Location Info:

Address: _____

City: _____ Zip: _____

Dates of operation: _____ Hours of operation: _____
(Limited to a 6 month period)

Parcel Number / Tax ID Number: _____

Are the fruits, vegetables etc. grown on the property you are selling from? Yes / No
If no, how are the products being delivered to the site? How often are they being delivered?

What type of parking surface are you providing? (paved, grass, etc.): _____
(See sub-section A & B of 14.28 Agricultural Stands)

What type of structure will you use to display and sell your items? : _____

What is the size of the structure? _____ Will there be any electric service: _____
(See sub-section I of 14.28 Agricultural Stands) (If yes, show on site plan)

Additional Requirements:

___ Attach an acceptable site plan / survey showing ___ display area, ___ingress & egress, ___parking,
___roads, ___buildings, ___setbacks to all structures, ___dimensions of all structures, ___electrial.

___ Attach a permission letter from the property owner with contact information. If property owner,
attach proof of ownership.

___ If required from Department of Ag (1-800-435-7352) or Food Safety (1-850-245-5520), attach a
copy of the approval letter.

___ Attach a statement stating the number and type of fire extinguisher that will be located on premises.

Signature of Applicant: _____ Date: _____

Office Use:

Zoning: _____ Land Use: _____ Management Approval: _____

A. OBJECTIVES

To promote the orderly growth and development of the community, protect the value of property, limit the expenditure of public funds, improve the opportunity for local employment and economic activity, and achieve the intent of land use regulations. Further this district is established to:

1. Encourage the retention and development of suitable areas for agricultural production, the preservation of open spaces, and the conservation and management of soil, water, air, game and other natural resources and amenities; and,
2. Discourage the creation or continuation of conditions which could detract from the function, operation, and appearance of rural areas by limiting the ability of such areas to provide food supplies or to effectively compete with other regions producing agricultural products.

B. PERMITTED USES

The following uses listed below are authorized in this district, when such uses comply with the requirements contained in these regulations.

1. Groves and farms for the cultivation and propagation of citrus, vegetables, fruits, berries, nuts, grass, sod and trees.
2. Pastures and grasslands for the cultivation and propagation of livestock except for swine and poultry.
3. Greenhouse or nursery for domestic plants and landscaping materials when accessory and incidental to the principal dwelling.
4. Wholesale commercial greenhouses and nurseries, if located in the rural land use category as illustrated on the Osceola County Comprehensive Plan, future land use map.
5. Lakes and ponds for the cultivation and propagation of fish and marine foods for personal consumption only.
6. Areas for the cultivation and propagation of bees, earthworms and similar insects.
7. Dairy farms.
8. Barns, stables, and silos for the housing of livestock, hay, and feed.
9. Buildings, structures, equipment and work animals utilized for bonafide agricultural activities.
10. Single family residence, including customary uses such as a garage, carport, and porch, when accessory and incidental to the principal dwelling.
11. Single family manufactured home and mobile home, including customary uses such as a garage, carport, and porch, when accessory and incidental to the principal dwelling.
12. Swimming pool, spa, recreation room, screen room, boathouse and other customary uses when accessory and incidental to the principal dwelling.
13. Guest home or quarters for domestic employees, when accessory and incidental to the principal dwelling, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
14. Pier, dock or boathouse, when accessory and incidental to the principal dwelling.

15. Dwellings (5 or less) and customary uses for farm workers, ranch hands and seasonal laborers, when accessory and incidental to a bonafide agricultural activity, provided the overall density does not exceed 1 dwelling unit/5 acres. These dwellings may include single family dwellings, standard design manufactured homes, residential design manufactured homes or mobile homes.

16. Swine and poultry not exceeding a limit of two (2) swine and six (6) fowl, provided they are contained in a pen or fenced enclosure that maintains a minimum 100 feet setback from any property boundary.

17. Buildings, yards, pens and or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of no more than four (4) canine. Pens shall maintain a minimum setback of ten (10) feet from any property boundary.

18. Silviculture and forestry operations when operated in accordance with other provisions of this Ordinance.

19. Community Residential Home A in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

20. Agricultural stands in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

21 . Class I aircraft landing fields in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

22. Temporary residences in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

23. Storage buildings, hobby shop and tool sheds, when accessory and incidental to the principal dwelling, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

24. Distribution electric substations, except on property that is designated as preservation, conservation or historic preservation on the future land use map, in accordance with Section 163.3208, Florida Statutes, as amended.

C. CONDITIONAL USES

The following uses may be permitted as conditional uses provided that an application has been approved pursuant to Chapter 2 and Chapter 17 of this Ordinance.

1. Parks, playgrounds, libraries and similar neighborhood activities not operated for profit.

2. Substations for telephone, or other utilities, and for fire fighting or law enforcement services.

3. Houses of worship in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance, and customary accessory facilities such as a chapel and educational buildings for religious training.

4. Kindergartens and child care centers for pre-school children and nursing homes for the sick and elderly.

5. Schools and customary accessory facilities such as cafeterias, auditoriums, gymnasiums, and ball fields.

6. Marinas, golf courses, country clubs, and customary accessory facilities such as clubhouses, swimming pools, cabanas, tennis courts, maintenance buildings, and structures for storage of golf carts.

- 7.** Dwellings (6 or more) and customary uses for farm workers, ranch hands and seasonal laborers, when accessory and incidental to a bonafide agricultural activity, provided the overall density does not exceed 1 dwelling unit/5 acres. These dwellings may include single family dwellings, standard design manufactured homes, residential design manufactured homes or mobile homes.
- 8.** Packing houses for the processing and packaging of citrus, vegetables, and fruits.
- 9.** Processing plants for the dressing and packaging of beef, poultry, swine and fish.
- 10.** Sawmills for the cutting, sizing and curing of lumber.
- 11.** Commercial retail sales of nursery plants and landscaping materials in conjunction with wholesale nursery operations.
- 12.** Commercial fish farms and similar aquacultural operations.
- 13.** Plants for the production and processing of feed and fertilizer.
- 14.** Brooders and pens for the husbandry of poultry, swine and similar farm animals exceeding the limits for permitted uses.
- 15.** Aviaries, commercial riding stables and sites for the raising or possession of exotic animals as recognized by the Florida Fish and Wildlife Conservation Commission.
- 16.** Veterinary clinics in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
- 17.** Tourist attractions featuring animals, reptiles or other wildlife.
- 18.** Recreational vehicle parks and campgrounds, when approved in accordance with other provisions of this Ordinance.
- 19.** Recreation facilities for special groups, e.g., athletic associations, girl scouts and boys clubs.
- 20.** Utility plants, landfills (all classes as regulated by the Florida Department of Environmental Protection, and construction and demolition debris disposal sites, in accordance with - Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
- 21.** Cemeteries and customary accessory uses in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
- 22.** Pug mills and/or temporary plants for the production or batching of concrete, asphalt soil cement or asphaltic concrete in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
- 23.** Soil excavation, mining or quarry operations when approved in accordance with other provisions of this Ordinance.
- 24.** Plants for the processing of fertilizer or animal hides.
- 25.** Communication towers in accordance with Chapter 9.
- 26.** Hunting camps and fishing camps in accordance with the Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
- 27.** Temporary parking and storage areas for construction equipment, provided the temporary period does not exceed 5 years.

28. Class II aircraft landing fields in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

29. Community Residential Home B in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

30. Land application disposal in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

31. Areas for the display, sale, assembly and maintenance of agricultural equipment.

32. Outdoor firing ranges provided the property has a rural land use designation in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

33. Membership organizations including fraternal organizations in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

34. Commercial kennels for the raising, breeding and or boarding of domestic animals including, but not limited to, canines or felines in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

35. Bed-and-breakfast establishment in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

36. Other similar uses which are reasonably implied and are consistent with the objectives of this district, based on appropriate consideration of the nature of the intended activity, the character of the proposed development, the location of the site, and its compatibility with adjacent parcels. These above determinations shall be made by the Zoning Director.

D. SPECIAL EXCEPTIONS

The following uses may be permitted as a special exception by the Board of Adjustment provided an application has been approved pursuant to other provisions of this Ordinance.

1. Home occupations.

2. Buildings, yards, pens and/or fenced yards, when accessory and incidental to the principal dwelling, for the keeping of canine exceeding the permitted maximum of four (4) canine, up to a maximum of six (6) canine.

3. Pigeon coops, when accessory and incidental to the principal structure.

E. PROHIBITED USES

All uses not specified as a permitted use, conditional use, or a special exception, shall be prohibited.

In cases where a use is not listed as a permitted use, conditional use or special exception anywhere in these regulations, the Zoning Director shall determine whether a use would be permitted, conditional or a special exception. Appeals of the Zoning Director's decision shall be as provided for according to Chapter 2.

F. DEVELOPMENT STANDARDS

Minimum Lot Area 5 acres

Minimum Lot Width 200 feet

Maximum Building Height 2 stories

Minimum Conditioned Floor Area 600 square feet

MINIMUM BUILDING SETBACKS
(THE FOLLOWING SETBACKS ARE MEASURED FROM THE EXISTING PROPERTY LINE)

Front yard 25 feet

Rear yard 25 feet

Side yard 25 feet

Corner lots or lots having double road frontage shall measure setbacks from both roads as front yards. For those properties abutting a collector or arterial roadway, refer to Osceola County Ordinance 84-2, as amended by Ordinance 89-25.

ACCESSORY STRUCTURE/CONDITIONAL USE

See Chapter 14, Conditional Use and Site Standard (C.U.S.S.)

Minimum Off-Street Parking

Refer to Chapter 7 of this Ordinance.

Signage

Refer to Chapter 15 of this Ordinance.

Landscaping

Refer to Chapter 10 of this Ordinance.