

LDC CODE UPDATE

DATE: January 27, 2025, Revised February 20, 2025 and March 26, 2025

LDC SECTION: Section 4.3.12 Roadside Vendors

COMP PLAN REFERENCE: N/A

DISCUSSION:

Background

Text changes to Section 4.3.12 Roadside vendors are proposed to address recent issues as identified by County staff. The following memo is intended to summarize the recommended text changes, and provide clarity for staff and applicants as to when a roadside vendor operation would require approval under a Minor Site Plan or Major Site Plan.

Changes to the LDC Section

Changes to the text of Section 4.3.12 Roadside Vendors address the following topics.

- Correct the reference to the permitting agency name from the “Florida Department of Business and Regulation, Division of Hotels and Restaurants” to the “Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants.”
- Clarify what qualifies as a roadside vendor by removing the descriptor, “cart: food such as but not limited to hot dogs or sausages, barbecued meat and uncooked seafood” and replacing it with “Hot Dog Cart or Mobile Food Dispensing Vehicle (aka “Food Truck”).” This change makes the LDC consistent with State definitions and terms.
- Add requirements for Minor or Major Site Plan review and approval where more than one roadside vendor operates on a single parcel of land. Revise subsection lettering sequence accordingly.
- Clarify the intended temporary nature of roadside vendors.

Attachments: Redline LDC Changes to Section 4.3.12 Roadside Vendors

Sec. 4.3.12. Temporary Roadside vendors

A. ~~A. Roadside~~ Temporary roadside vendors as used herein shall mean a person or business who sells goods as follows:

- (1) From a roadside stand: fruit, vegetables, produce, peanuts, ~~fireworks,~~ Christmas trees, firewood; and, dry goods, homemade crafts, etc.; and
- (2) From a Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants approved ~~cart: food such as but not limited to hot dogs or sausages, barbecued meat and uncooked seafood.~~ Hot Dog Cart or Mobile Food Dispensing Vehicle (aka "Food Truck").

~~B. B. Sale of the above listed merchandise shall be conducted from a flame retardant tent or pole barn type facility with the~~ Seasonal firework sales are an exception of peanuts, food vendors and Christmas trees, which are not required to have a structure on the land. This facility shall be located on private property which is either owned or leased by the vendor. Sales to temporary roadside vendor regulations. These sales require a temporary use permit from the zoning department and a building permit.

~~C. Temporary roadside vendor sales~~ are prohibited within the public ~~County~~ right-of-way or public easement.

~~C. Roadside vendors~~ D. Temporary roadside vendors are intended to function temporarily and independently. Services such as electric, water, and sewer shall not be permitted on vacant land. Permanent structures such as, but not limited to, sheds, carports, modular buildings, etc., shall be ~~are~~ prohibited.

~~D. Permitted Zoning Classifications. Sale of listed merchandise will be~~ E. Temporary roadside vendors conducting sales from a tent, pole-barn type facility, or other temporary structure shall obtain all applicable building department approvals.

~~F. Temporary roadside vendors are~~ allowed by right in the following zoning classifications: A-1, A-2, A-3, B-1, B-2, ~~B-3, B-4, B-5, M-1, and RAC, upon meeting and shall at a minimum comply with~~ the following conditions/criteria:

- (1) Driveway access shall be controlled, and driveway permits shall be obtained from the appropriate permitting agency.
- (2) Adequate parking area shall be provided on site for customers including handicapped persons with disabilities, who shall be provided service without leaving their vehicle if requested.
- ~~(3) Parking areas shall be covered with a layer (minimum 1½" thick) of bark chips, sawdust, shavings or combination thereof, or construct a stabilized base parking area or pave the parking area.~~
- (4) On site temporary rest room facilities are to be provided when more than two person/employees are employed on the site present.
- (5) Water and soap for the washing of hands shall be available on site.
- (6) A covered trash or garbage receptacle with a plastic liner will be kept on site.
- ~~(7) Products to be sold will be covered overnight or removed from the site and if required by State law, refrigeration will be provided.~~
- (7) Overnight food, vegetable, produce, etc. storage is not permitted.
- (8) ~~A~~ Temporary roadside standstands for the sale of farm products raised or produced on the premises shall be permitted in accordance with Florida Statutes (e.g. Florida Right to Farm Act Sec. 823.14 F.S.), provided such stands are located not less than 30 feet from any street, highway or right-of-way. A site plan will be submitted as part of the building permit process for a permanent structure or for the installation of electrical, water or rest room facilities. The applicable site plan shall be submitted as set forth in Article 2

~~of this Code, at least 30 feet from the right of way. Non temporary roadside stands for farm products shall be regulated by applicable Site Plan and Building Plan regulations.~~

(9) All advertising signs shall be removed when the temporary roadside vendor ceases business for the day. The maximum number of signs shall not exceed four signs per vendor and shall be no larger than six square feet in size.

H. Operation of more than two temporary roadside vendors, mobile food dispensing vehicles, food trucks, etc. on a single parcel of land or shared area, or roadside vendors not operating on a temporary basis, shall require either a Minor Site Plan or Major Site Plan approval as set forth in Article 2 of this Code, and be consistent with the underlying land use designation and zoning classification for the property.

(Ord. No. 17-08, § 2(Exh. A), 4-11-2017)