

Selected sample regulations Landscape Contractor

Hamilton County, Tennessee

LANDSCAPE CONTRACTOR: Businesses principally engaged in law mowing and yard maintenance. It also includes decorative and functional alteration, planting and maintenance of such grounds. Landscape contractor also includes businesses that apply fertilizers, pesticides and other treatments for plants, trees and grass.

LANDSCAPE MATERIALS YARD; Any land or buildings uses primarily for the storage of equipment, vehicles, machinery, employee parking or other materials commonly used in the individual Landscape Contractor's business.

409. Landscape Materials Yard

A. Intent

It is the intent of this regulation to permit in areas that are primarily rural in nature with large lot sizes the small-scale storage of landscaping materials and equipment used in conjunction with a Landscape Contractor's business as a secondary use to the principle use of the property as a residential dwelling. The actual landscape activity occurs off site, the Landscape Contractor's residential property may be approved for equipment storage, employee parking, and material storage if property located, screened, and managed on site. It is understood that requests for a Landscape Materials Yard will vary in scope and scale based on the specific location and surrounding uses. It is further understood that some properties may not be suited for a Landscape Materials Yard. So that the Chattanooga-Hamilton County Regional Planning Agency staff may adequately evaluate the application the review will include but shall not be limited to the following:

- (1) A review of adjacent land uses.
- (2) Location of existing and proposed vehicle entrance and exits points.
- (3) Review of adjacent lot sizes.
- (4) Proposed location of the buildings, screening, buffering and parking facilities in relation to their impact on adjacent properties.

B. Application Procedure

(1) The owner/operation shall submit an application and site plan to the Chattanooga-Hamilton County Regional Planning Agency for review and subsequent recommendation to the Chattanooga-Hamilton County Regional Planning Commission.

(2) The Chattanooga-Hamilton County Regional Planning Commission shall hold a public hearing to review the proposed use. Notice and publication of such public hearings shall conform to the procedures used by the Chattanooga-Hamilton County Regional Planning Commission.

(3) Upon approval or disapproval by the Chattanooga-Hamilton County Regional Planning Commission, the plan shall be submitted to the Hamilton County Commission for consideration, public hearing, and action.

(4) No Special Permit shall be approved by the Hamilton County Commission unless it is first submitted to and approved by the Chattanooga-Hamilton County Regional Planning Commission

C. Minimum Required

Information So that the Chattanooga-Hamilton County Regional Planning Commission and the Hamilton County Commission may evaluate the effect of the proposed use and its effect on adjacent properties the applicant shall provide the following:

(1) A scaled site plan that shows the following information:

(a) Location and size of the tract or parcel of land.

(b) Location and square footage of existing dwelling(s), building(s), or structure(s).

(c) Location of existing and proposed driveway(s).

(d) Location, square footage and purposed of any proposed building(s) and structure(s).

(e) Proposed location for storage areas for materials, equipment/vehicles, and employee parking area.

(f) Required or proposed landscaping and buffering areas.

(2) A description of all vehicles, trailers, equipment, and materials to be stored and maintained for use by the landscape contractor.

(3) The range of number of employees throughout the year and the average number of employees at any tie.

(4) Proposed hours of operation or activity occurring at the site.

D. Minimum Development Requirements

(1) General Standards

(a) The property must be the primary residence of the owner of the landscape contractor.

(b) The permit shall be granted only in conjunction with an existing residential dwelling located on the same piece of property or parcel as the landscape materials yard.

(c) The permit shall not be transferable in any way. A new permit must be obtained by each subsequent property owner.

(2) Scale of Operation

(a) The minimum size of the property must be five (5) acres.

(b) The maximum size of the landscape materials yard shall not exceed one (1) acre in size.

(3) Setback and Location

(a) The landscape materials yard shall be no less than twenty-five feet (25') from any property line.

(b) The landscape materials yard shall be prohibited in front yards.

Montgomery County

Section 3.5.5. Landscape Contractor

A. Defined

Landscape Contractor means the business of designing, installing, planting, or maintaining lawns, gardens, or other landscaping and providing snow removal services with vehicles, equipment, and supplies that are stored, parked, serviced, or loaded at the business location. Landscape Contractor includes tree installation, maintenance, or removal. Landscape Contractor does not include Lawn Maintenance Service (see Section 3.5.14.G, Lawn Maintenance Service).

B. Use Standard

Where a Landscape Contractor is allowed as a conditional use, it may be permitted by the Hearing Examiner under Section 7.3.1, Conditional Use, and the following standards:

1. In the Agricultural, Rural Residential, and Residential Detached zones the minimum lot area is 2 acres. The Hearing Examiner may require a larger area if warranted by the size and characteristics of the inventory or operation.
2. Building and parking setbacks, including loading areas and other site operations, are a minimum of 50 feet from any lot line.
3. The number of motor vehicles and trailers for equipment and supplies operated in connection with the contracting business or parked on-site must be limited by the Hearing Examiner to avoid an adverse impact on abutting uses. Adequate parking must be provided on-site for the total number of vehicles and trailers permitted.
4. Sale of plant materials, garden supplies, or equipment is prohibited unless the contracting business is associated with a Nursery (Retail) or Nursery (Wholesale)
5. The Hearing Examiner may regulate hours of operation and other on-site operations to avoid adverse impact on abutting uses

Auburn, Maine

Landscape Services – The actual planting, bed preparation, installation of landscape materials and maintenance of the landscape, planting and materials. Activities associated with landscaping include: the storage of materials and equipment related to the performance of landscaping, the temporary storage of trees, shrubs and plants pending installation in an existing landscape plan and the application and storage of pesticides and fertilizers by a licensed person.

Lawn Maintenance Service – The care and upkeep of the landscape after its installation and consists of such activities as mowing of the lawn, pruning of trees and shrubs, application by hand of fertilizer and weed control, insect and disease control, planting and care of flower beds, replacement of dead plants, incidental repairing of walls and paved surfaces, cleaning of fountains and pool basins, irrigation of lawns, cultivation of soil around trees and shrubs, rolling and reseeding of lawns, raking of leaves, winterization of trees and shrubs and snow removal.

Kalamazoo, MI

Landscaping Contractor's Operation: A business engaged in the practice of improving building sites or other grounds by contouring the land; planting flowers, shrubs, and trees; and lawn mowing. A 'landscaping contractor's operation' typically consists of equipment, tools, vehicles, and materials used in or associated with such a business.

Y. Landscape Contractors' Operations

Landscape contractors operations shall comply with the following requirements:

1. All vehicles and equipment shall be stored in a fully-enclosed building.
2. Front loaders and similar equipment used on the site shall be limited to a one (1) yard bucket.
3. There shall be no outside storage or stock piling of materials or debris, other than peat, bark, stone and similar raw materials normally used in the nursery/landscaping business. Such materials shall be screened so they are not visible from any property line.
4. The term "landscape contractor" does not include building contractor, road contractor, and similar operations.
5. The Planning Commission shall have the authority to establish hours of operation so as to minimize the impact of the facility on nearby residential uses.
6. Landscape contractors' operations, including buildings, storage areas, stockpiles, and vehicle and equipment parking, shall comply with the following minimum setback requirements: front: 50 feet, sides: 30 feet, and rear: 40 ft.

Lake County, Ill

landscape contractor: A business principally engaged in the decorative and functional alteration, planting, and maintenance of grounds. Such a business may engage in the installation and construction of underground improvements but only to the extent that such improvements (e.g., drainage facilities) are accessory to the principal business and are necessary to support or sustain the landscaped surface of the ground.