

**City of Fayetteville Staff Review Form**

**2015-0202**

**Legistar File ID**

**5/5/2015**

City Council Meeting Date - Agenda Item Only  
N/A for Non-Agenda Item

Jeremy Pate

4/17/2015

Development Services /  
Development Services Department

**Submitted By**

**Submitted Date**

**Division / Department**

**Action Recommendation:**

Approval of an ordinance amending Unified Development Code §162.01 (B)(2) to add "landscape contracting businesses" as a use allowed by conditional use permit in all zoning districts.

**Budget Impact:**

<hr/>		<hr/>	
Account Number		Fund	
<hr/>		<hr/>	
Project Number		Project Title	
<b>Budgeted Item?</b>	NA	Current Budget	\$ -
		Funds Obligated	\$ -
		Current Balance	\$ -
<b>Does item have a cost?</b>	No	Item Cost	
<b>Budget Adjustment Attached?</b>	NA	Budget Adjustment	
		Remaining Budget	\$ -

V20140710

Previous Ordinance or Resolution # 

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Original Contract Number: 

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Approval Date: 

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Comments:




## CITY COUNCIL AGENDA MEMO

### MEETING OF MAY 05, 2015

**TO:** Mayor Jordan, Fayetteville City Council

**THRU:** Don Marr, Chief of Staff

**FROM:** Jeremy Pate, Development Services Director 

**DATE:** April 14, 2015

**SUBJECT:** Landscape Contracting Businesses

### RECOMMENDATION:

Staff recommends approval of an ordinance amending Unified Development Code §162.01 (B)(2) to add "landscape contracting businesses" as a use allowed by conditional use permit in all zoning districts.

### BACKGROUND:

Currently landscape contracting businesses – which exist to perform services for citizens such as mowing, trimming, mulching, landscape design/planting and irrigation installation – are not specifically referenced in the City's chapter on use unit classifications. As such, the Zoning & Development Administrator is charged with interpreting the use within a use unit that is closest in type of services provided. Landscape contracting has thus been interpreted to be closest to Use Unit 21, in which can be found a number of other types of construction contracting businesses. However, this essentially only allows landscaping businesses to be located in our heavy commercial/light industrial zones. However, landscape contracting businesses can vary dramatically in their scale, impact to surrounding properties, and operations. After meeting with applicants faced with difficulty finding properties within Fayetteville to operate a landscaping contracting business, staff is proposing an ordinance amendment to specifically list "landscape contracting businesses" within Use Unit 2, which are city-wide uses by conditional use permit. Plant nurseries are already permitted within this use unit classification, and it seems to be a natural fit for landscape contracting businesses to be afforded the opportunity to be reviewed in a like manner.

### DISCUSSION:

If added to Use Unit 2, landscape contracting businesses could then be located in any zone within the city limits, subject to approval of a conditional use permit by the Planning Commission. The Planning Commission, as they do with plant nurseries, would review the scale of the project, its impact and compatibility with surrounding properties, and can set limits like hours of operation, noise limits, screening, or reduced operations based upon the surrounding context. Staff feels confident this process will result in creating good neighbors, and the inclusion of this business type provides a service within the City that many citizens use on a daily basis.

**BUDGET/STAFF IMPACT:** N/A