

1 **City of Hallandale Beach**

2 **Legislation**

3 **Ordinance**

4 ORDINANCE/RESOLUTION NO \_\_\_\_\_.

5 AN ORDINANCE OF THE CITY OF HALLANDALE BEACH, FLORIDA ADOPTING AND  
6 ENACTING A NEW CITY CODE IN CHAPTER 32 ARTICLE III OF THE CODE OF THE  
7 CITY OF HALLANDALE BEACH<sup>1</sup>, AS AMENDED, ENTITLED " ZONING AND LAND  
8 DEVELOPMENT CODE/ZONING ", MORE PARTICULARLY BY CREATING A NEW  
9 DIVISION #26 ENTITLED "MARKET GARDEN PROGRAM"<sup>2</sup>, CREATING SUBSEQUENT  
10 SECTIONS; DEFINING MARKET GARDENS, PERMITTING PROCESS, LOCATION,  
11 OPERATIONS AND FEES AND ENFORCEMENT<sup>3</sup> OF SAID PROGRAM; CONTAINING A  
12 SEVERABILITY CLAUSE, AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE

13 WHEREAS, Florida Statute 163.3161 states that it is the duty of local government to  
14 "overcome present handicaps" such as threats to health and to "preserve, promote,  
15 protect, and improve the public health and safety;" and

16 WHEREAS, urban food projects such as sustainable local food production and farmers  
17 markets have shown to combat handicaps to health while improving community  
18 economic vitality and environmental sustainability; and

19 WHEREAS, the City of Hallandale Beach ("City") has expressed in its Citywide Master  
20 Plan<sup>4</sup> a Smart Growth vision and principles promoting a more sustainable urban  
21 environment, enhanced community character, with mixed-use developments that create a  
22 sense of place with a vibrant atmosphere; and

23 WHEREAS, Federal agencies such as the EPA<sup>5</sup>, USDA<sup>6</sup> and the CDC<sup>7</sup> recognize and  
24 fund sustainable local food projects as Smart Growth strategies that catalyze livable,  
25 walkable, economically vibrant main streets, foster greater social interaction in  
26 neighborhoods, while improving access to healthy, local food, especially among  
27 disadvantaged populations who disproportionately tend to live in areas with low healthy  
28 food opportunities AKA as food deserts; and

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<sup>1</sup> The city may choose another section. This was chosen as a possible location in the code.

<sup>2</sup> The City may propose to incorporate this under an existing division, or create a new one.

<sup>3</sup> Enforcement and Fees will not be covered in this document.

<sup>4</sup> City of Hallandale Beach City Master Plan Vision and Principles:

<https://hallandalebeachfl.gov/DocumentCenter/View/1764/2-Vision-and-Guiding-Principles>

<sup>5</sup> EPA Local Foods, Local Places 2018-2019 Application: <https://www.epa.gov/smartgrowth/local-foods-local-places-2018-2019-application>

<sup>6</sup> USDA Community Food Projects Grant: <https://nifa.usda.gov/funding-opportunity/community-food-projects-cfp-competitive-grants-program>

<sup>7</sup> CDC Land Use Planning and Urban/Peri-Urban Agriculture:  
<https://www.cdc.gov/healthypplaces/healthtopics/healthyfood/landuse.htm>

29 WHEREAS, the Broward County Land Use Plan POLICY 3.2.5 states that local  
30 governments should consider the identification and elimination of “food deserts” when  
31 making land use policy and decisions;

32 WHEREAS, the Broward County Land Use Plan defines urban agriculture and urban  
33 farming broadly as the practice of cultivating, processing, and distributing food in or  
34 around a village, town, or city;

35 WHEREAS, the Broward County Comprehensive Plan Climate Change Element,  
36 POLICY 19.8 directs the County to work in conjunction with its municipalities to create  
37 programs and policies for community garden networks and local food production, in  
38 order to meet the multiple goals of reduced emissions and energy consumption, while  
39 increasing the resiliency and long-term food security of the community;

40 WHEREAS several municipalities in Broward County have generated “Smart Growth”  
41 like benefits from their local food projects such as market gardens, farmers markets, and  
42 community gardens; and<sup>8</sup>

43 WHEREAS the American Planning Association, its Chapters and Divisions advocate  
44 strengthening the local and regional economy by promoting community and regional  
45 food systems;<sup>9</sup> and

46 WHEREAS, current City ordinances do not define, promote, protect, or permit  
47 sustainable, local food production or other community and regional food systems  
48 activities, which are beneficial to the City's residents, their environment and the City's  
49 local economy; and

50 WHEREAS, the City desires to increase access to healthy, local, and affordable foods;  
51 encourage community-building; and support local agriculture and economic  
52 development; and<sup>10</sup>

53 WHEREAS, such goals can be accomplished by providing producers of locally grown  
54 and raised food the ability to directly reach residents without requiring that such products  
55 be sold in fixed location storefronts; and<sup>10</sup>

56 WHEREAS, if locations where local food producers are allowed to sell directly to  
57 residents are permitted in locations that are zoned residential, close regulation of the use  
58 is necessary to prevent the sale of other types of goods that could change the character of  
59 the use into a type of commercial venture that is inappropriate for residential  
60 neighborhoods; and<sup>10</sup>

61 WHEREAS, if such use is permitted in residential neighborhoods, its character is  
62 unlikely to have detrimental effects in zoning districts that allow other types of uses;  
63 and<sup>10</sup>

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<sup>8</sup> PATCH in Dania Beach, The Urban Farming Institute in Oakland Park, the Miramar Community Garden

<sup>9</sup> APA Guide on Food System Planning: <https://www.planning.org/policy/guides/adopted/food.htm>

<sup>10</sup> From the City of Atlanta ordinance on Market Gardens: <http://growingfoodconnections.org/wp-content/uploads/sites/3/1970/01/19-AtlantaGA-UrbanAgZoningOrdinance-2014.pdf>

64 WHEREAS, the City finds it to be in the public health, safety and general welfare to  
65 adopt zoning regulations governing the definition, location and operation of *urban*  
66 *gardens and market gardens* within the various zoning districts of the Hallandale Beach  
67 Zoning Ordinance.<sup>10</sup>

68 WHEREAS, the City seeks to be a leader, guided by equitable planning, which protects  
69 and improves the health and well-being of its residents, their environment and local  
70 economy, as it fulfills the vision and principles of the City Master Plan and the intent of  
71 Florida Community Planning Act, Florida Statute 163.3161;

72 NOW, THEREFORE, BE IT ORDAINED/RESOLVED BY \_\_\_\_\_

73

74 Section 1. The recitals and findings contained in the Preamble to this Ordinance are adopted by  
75 reference and incorporated as if fully set forth in this Section.

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77 Section 2. Chapter 32 of the Code of the City of Hallandale Beach, Florida, as amended, entitled  
78 - " ZONING AND LAND DEVELOPMENT CODE ", is further amended in the  
79 following particulars:

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CHAPTER 32 ZONING AND LAND DEVELOPMENT CODE

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ARTICLE III. – ZONING

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DIVISION 26. MARKET GARDEN PROGRAM

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Sec. 1. MARKET GARDEN PROGRAM.

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**A. Intent.** In order to achieve the list of benefits below, the following Market Garden Program is instituted for a period of \_\_\_ years and will automatically terminate on \_\_\_\_\_ unless otherwise extended by an affirmative vote of the City Commission:

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- Improve the economic health of the community;
- Promote the health of residents;
- Improve direct access to fresh, healthy, affordable locally produced food where people live, work and play;
- Increase access to culturally appropriate food while helping residents rediscover their community's food culture;
- Promote sustainable local food production for local distribution;
- Transform vacant urban property into appealing places and foster a sense of community;

- Provide an educational platform for all residents interested in local food production and to allow for collaboration or partnerships with other organizations; and divert organic waste from landfills into compost,<sup>11</sup>

## B. Definitions.

**Community Garden:** A lot, or any portion thereof, managed and maintained by a person or group of persons, for growing and harvesting, farming, community gardening, or any other use, which contributes to the production of agricultural, floricultural, or horticultural products for beautification, education, recreation, community use, consumption, off-site sale, or off-site donation. No onsite sales are permitted.

**Community Supported Agriculture (CSA):** Community Supported Agriculture consists of a community of individuals who pledge support to a farm/Market Garden operation so that the land that produces the food becomes, either legally or spiritually, the community's farm, with the growers and consumers providing mutual support and sharing the risks and benefits of food production. Members buy a share of the farm's production before each growing season. In return, they receive regular distributions of the farm's bounty throughout the season. The farmer receives advance working capital, gains financial security, earns better crop prices, and benefits from the direct marketing plan.<sup>12</sup>

**Electronic Benefits Transfer (EBT)** is an electronic system that allows a recipient to authorize transfer of their government benefits from a federal account to a retailer account to pay for products received, such as SNAP benefits<sup>13</sup>.

**Farmers' Market:** an organized reoccurring operation at a designated location used by Farmers of Locally-grown products primarily for the distribution and sale of Locally-grown agricultural products or a limited amount of non-agricultural Locally-grown products.<sup>14</sup> The predominant sales area is for agricultural products such as fruits, vegetables, herbs, nuts, flowers, or animal food products, such as eggs, honey, meat, milk, cheese and fish.<sup>15</sup> The sale of other food products at such markets shall not disqualify it as a Farmers' Market provided that such food products meet all applicable federal, state, and local health laws regulating the manufacture and sale of such food products. A Farmers' Market is not an event. The use of EBT/SNAP benefits at a Farmers' Market is encouraged.

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<sup>11</sup> Sec 1(a) mostly comes from the City of Lauderhill's Community Garden code: [https://library.municode.com/fl/lauderhill/codes/land\\_development\\_regulations/?nodeId=ARTIIIIZODI\\_S5.14COG](https://library.municode.com/fl/lauderhill/codes/land_development_regulations/?nodeId=ARTIIIIZODI_S5.14COG)

<sup>12</sup> USDA Definition: <https://www.nal.usda.gov/afsic/community-supported-agriculture>

<sup>13</sup> EBT, SNAP, Farmer, Farmers Market, and Locally Grown are definitions from the City of Miami 2011 Farmers Market Pilot Program ordinance.

<sup>14</sup> From the City of Miami's Farmers Market Pilot Program ordinance, 2011.

<sup>15</sup> Extracted from the City of Miramar's code for Food System definitions.

138 **Farmer:** a person who grows food or has direction over a person who grows at least 75%  
 139 of the products offered for sale at a Farmers' Market.

141 **Locally-grown:** a product that is grown, raised, or cultivated within 100 miles of South  
 142 Florida.

144 **Market Garden:** A lot, or any portion thereof, managed and maintained by a person or  
 145 group of persons for growing and harvesting, farming, community gardening, or any  
 146 other use, which contributes to the production of agricultural, floricultural, or  
 147 horticultural products for community supported agriculture or on-site sales. At least 75%  
 148 of the products sold on-site at a farmers market must be grown on-site<sup>16</sup>.

150 **Supplemental Nutrition Assistance Program (SNAP)** is a federal-assistance program,  
 151 formerly known as the Federal Food Stamp Program, which provides a means for low  
 152 income individuals and families to buy nutritious food.

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 155 *C. Permitted Locations, Size, Operation Standards, Permit Application requirements and*  
 156 *process, Enforcement and Fees*  
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	<b>Residential Single</b>	<b>Residential Multifamily</b>	<b>Commercial, Industrial, Other</b>
<b>Permitted Locations</b>	Permitted as an accessory use in the front or back yard, subject to conditions.	Permitted as an accessory use in common area, subject to conditions.	Permitted as a Principal or Accessory use anywhere, subject to conditions.
<b>Scope of Provisions</b>	Market Gardens must comply with all requirements set forth in the City of Hallandale Beach Code, unless otherwise expressly set forth herein.		
<b>Size</b>	Up to 60% of front yard space. Up to 100% of back yard space. <sup>17</sup>	60% of one designated common yard space.	100% of parcel
<b>Operation Standards:</b> Structures	Notwithstanding any provision in the Hallandale Zoning Ordinances to the contrary, trellises,	Notwithstanding any provision in the Hallandale Zoning Ordinances to the contrary, trellises,	Notwithstanding any provision in the Hallandale Zoning Ordinances to the contrary, hoop-

<sup>16</sup> A variation of the Atlanta Code for Market Gardens. The 75% threshold is added:  
<http://growingfoodconnections.org/wp-content/uploads/sites/3/1970/01/19-AtlantaGA-UrbanAgZoningOrdinance-2014.pdf>

<sup>17</sup> Adopted from the City of Orlando code on front yard vegetable gardens.  
[https://library.municode.com/fl/orlando/codes/code\\_of\\_ordinances?nodeId=TITIICICO\\_CH60SULA\\_PT2LATRPR\\_2FOMITMIRELARE\\_S60.223OMITMIREDEST](https://library.municode.com/fl/orlando/codes/code_of_ordinances?nodeId=TITIICICO_CH60SULA_PT2LATRPR_2FOMITMIRELARE_S60.223OMITMIREDEST)

	<p>raised beds, are expressly allowed anywhere given the appropriate setbacks. However, tool sheds, hoop-houses, greenhouses, and any other structure used by the Market Garden for the purposes set forth in Section ___ are expressly allowed out of site from the public view.</p>	<p>raised beds, are expressly allowed anywhere given the appropriate setbacks. However, tool sheds, hoop-houses, greenhouses, and any other structure used by the Market Garden for the purposes set forth in Section ___ are expressly allowed out of site from the public view.</p>	<p>houses, greenhouses, trellises, raised beds, tool sheds, and any other structure used by the Market Garden for the purposes set forth in Section ___ are expressly allowed anywhere given the appropriate setbacks.</p>
<p>Machinery and equipment</p>	<p>Notwithstanding any provision in the City of Hallandale Beach Zoning Ordinances to the contrary, machinery and equipment used by the Market Garden for the purposes set forth in Section _____ are expressly allowed. When not in use, all such machinery and equipment (with the exception of machinery and equipment that is (i) intended for ordinary household use, (ii) borrowed or rented for a period not to exceed seven (7) days, or (iii) located in a Market Garden in I-1 Light Industrial District or I-2 Heavy Industrial District) shall be stored so as not to be visible from any public street, sidewalk, or right-of-way.</p>		
<p>Parking Requirements</p>	<p>The Market Garden shall provide parking during the hours of operation at a rate of a maximum of two (2) customer parking spaces in any one or combination of the following means: (i) with on-site parking ( existing) shall be applicable toward meeting the required parking. ii. Offsite parking within 500 feet shall be applicable toward meeting the required parking. Legal on-street parking spaces shall also be eligible as off-site parking.</p>	<p>No parking minimums. Legal on-street parking spaces shall also be eligible as off-site parking.</p>	
<p>Sales Hours</p>	<p>Market Garden sales hours shall be between 7 a.m. to ___ p.m. Set up of sales operations shall begin no earlier than 7 a.m. and take-down and clean-up shall end no later than ___ p.m. Community Supported Agriculture (CSA) pickups are allowed at any time during the sales hours.</p>		
<p>Soil and Plant Selection</p>	<p>Prior to establishment, site operators shall inquire into historical use of the property and undertake soil testing to measure nutrients, heavy metals, and any other harmful contaminants that may be present. The soil testing results and proposed remediation methodology (if needed)</p>		

	<p>shall be provided to and kept on file with the City [insert department name] Department.<sup>18</sup></p> <p>It is highly recommended that Market Gardener Farmers take a course from the University of Florida Institute of Food and Agricultural Services (UF/IFAS) to plant a successful garden for Orlando's unique climate.</p> <p>Exotic Plants. No plants listed as invasive exotic species under Florida Statutes [section] 581.091, or as Category I invasive exotic species by the Florida Exotic Pest Plant Council (FLEPPC) shall be installed.<sup>19</sup></p>		
Permit Application requirements and process			
Enforcement and Fees			

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**Urban Garden** *definition.* An establishment where edible or ornamental crops are grown as an accessory use on the ground, or a rooftop or inside a building, to be sold or donated.

Urban Gardens are permitted on property zoned commercial and residential as an accessory use, and shall be subject to the following operational standards:

- a. Parking requirements shall comply with [Section 808](#).
- b. The irrigation source must be from a non-potable water supply.
- c. Compost materials shall be stored at least ten (10) feet from adjacent property and in a manner that is not visible from adjacent property (shielded from view by shrubbery or an enclosure), controls odor, prevents infestation with insects, and minimizes runoff into waterways and onto adjacent properties.
- d. Mechanized equipment similar in scale to that designed for household use shall be permitted. Use of larger mechanized farm equipment is prohibited.
- e. Accessory retail sales of edible or ornamental crops grown on-site or products that are made from produce grown on-site.

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<sup>18</sup> From ChangeLab Solutions model ordinance for Urban Agriculture  
<sup>19</sup> From the City of Orlando:  
[https://library.municode.com/fl/orlando/codes/code\\_of\\_ordinances?nodeId=TITIICICO\\_CH60SULA\\_PT2LATRPR\\_2FOMITMIRELARE\\_S60.223OMITMIREDEST](https://library.municode.com/fl/orlando/codes/code_of_ordinances?nodeId=TITIICICO_CH60SULA_PT2LATRPR_2FOMITMIRELARE_S60.223OMITMIREDEST)

182 f.  
183 Shipment and delivery of products or supplies shall be limited to between dawn and dusk and shall  
184 occur only in single axle straight trucks or smaller vehicles normally used to serve residential  
185 neighborhoods.

186 g.

187  
188 5.14.3.  
189 *Special requirements.*

190 A.  
191 *RM-18 zoning district.* Within the RM-18 zoning district, a community garden is  
192 restricted by the requirement that the land where the community garden is located must be  
193 owned or leased by the City of Lauderhill or one (1) of its agencies, such as  
194 the Community Redevelopment Agency or the Lauderhill Housing Authority. However, the City  
195 Manager may require a review process for the land.

196 B.  
197 *CF zoning district.* Within the CF zoning district, a community garden is restricted by the  
198 requirement that the land where the community garden is located must be owned or leased by the  
199 School Board of Broward County, Florida, or by the City of Lauderhill or one (1) of its agencies,  
200 such as the Community Redevelopment Agency or the Lauderhill Housing Authority. However,  
201 the City Manager may require a review process for the city owned or leased  
202 land. Community gardens consistent with this restriction are exempted from the regulations  
203 herein.

204 C.  
205 *Retail sales.* Retail sales are limited to those produce planted, cultivated, and harvested  
206 on the community garden. Sales shall be conducted from stands.

207 D.  
208 *Certificate of use/business license tax.* A community garden is exempted from the  
209 requirement of securing a Certificate of Use and paying a business license tax.

210 5.14.4.  
211 *Application requirements and process.*

212 A.  
213 *Application requirements.* A general development order application to operate  
214 a community garden and two hundred dollar (\$200.00) application fee shall be submitted to the  
215 Planning and Zoning Division. The application shall include the following information:

216 1.  
217 *Applicant information.* Documentation showing that the entity proposing to operate  
218 the community garden, the Applicant, is a public or private non-profit organization.

219 2.  
220 *Property ownership.* A letter or resolution from the City Commission, City agency or the  
221 City Manager stating that the City owns or leases the property and that the applicant has  
222 authority to use the real property for purposes of operating a community garden.

223 3.  
224 *Acknowledgement letter.* Evidence that the civic or homeowners association representing  
225 the area where the community garden will be located has received a letter acknowledging  
226 a community garden is proposed for their neighborhood.

227 4.

228           *Management plan.* The management plan shall include the following:

229           a.

230           *General location.* A drawing or sketch showing the location of the community garden on  
231 the property. The sketch shall show the perimeter dimensions in linear feet of  
232 the community garden and the setback from each of the property lines. In addition, the total size  
233 of the community garden in square feet shall be displayed.

234           b.

235           *Site plan.* A drawing or sketch showing the community garden and the following  
236 features:

237           1)

238           *Parking area.* The location of the parking area, including the perimeter dimensions in  
239 linear feet, and its relationship to all community garden entrances and exists.

240           2)

241           *Walkway location.* The location of a minimum five (5) feet wide handicapped accessible  
242 route connecting the parking area to the different components of the garden (i.e., entrance,  
243 planting area, storage area, etc) to one (1) another. Such routes shall follow a consistent design  
244 treatment whenever possible.

245           3)

246           *Planting area.* The location and perimeter boundary dimensions in linear feet of the  
247 planting area shall be displayed.

248           4)

249           *Compost area.* The location and perimeter boundary dimensions in linear feet of any  
250 compost area.

251           5)

252           *Structures.* The location of any fence, storage shed, greenhouse, compost or waste bins,  
253 benches, farm stands, or other structure. In addition, a picture or sheet shall be provided showing  
254 the length, width and height of each structure and its appearance, including any raised planting  
255 beds.

256           6)

257           *Water source.* The location of the potable water source and the provider.

258           7)

259           *Signs.* The location of any sign.

260           c.

261           *Soil issues.* If planting is on the ground, evidence shall be provided that the soil is free  
262 from contamination. A Phase I Environmental Assessment (ESA) may be provided to support  
263 this demonstration. Any historical sources of contamination identified in the ESA must be tested  
264 to determine the type and level of contamination and appropriate remediation procedures must be  
265 undertaken to ensure that the soil is suitable for gardening. If an ESA is not available, a soil test  
266 may be provided. If planted on a raised bed, then no soil assessment shall be necessary. In  
267 addition, a minimum of four (4) percent of the garden must contain raised beds that are designed  
268 for access for gardeners using wheelchairs or with other mobility impairments.

269           d.

270           *Operating procedures.* A narrative describing the operating procedures shall be  
271 submitting and shall, at a minimum, address the following:

272           1)

273           The anticipated types of edible produce to be planted;

274 2)  
275 The days and hours of operation;  
276 3)  
277 Maintenance and security requirements and responsibilities  
278 4)  
279 The name, telephone number, street address and e-mail address of the garden coordinator,  
280 who will perform the coordinating role for the management of the community garden and to  
281 serve as the liaison with the City;  
282 5)  
283 The estimated number of persons who may participate in the community garden;  
284 6)  
285 How garden plots will be assigned to persons in a fair and equitable manner;  
286 7)  
287 A description of any proposed rain-capture systems, including the size, location, method  
288 of operation, and stating how water stagnation will be prevented;  
289 8)  
290 A water management plan addressing run-off to adjoining property, water bodies, or  
291 rights-of-way;  
292 9)  
293 A description of composting activities, including transportation on and off-site, and  
294 means of containment;  
295 10)  
296 A complete description of any aspects of the operation that may generate noise, odor, or  
297 other condition (e.g., mosquitos) that may adversely impact surrounding properties;  
298 11)  
299 A list of non-motorized equipment and supplies to be used and how such will be stored  
300 and secured;  
301 12)  
302 A copy of any proposed sign, including its size, shape, color, and type of construction;  
303 13)  
304 A list of the chemicals, pesticides, fertilizers or any combination of same to be used; the  
305 frequency of use; and the pests, diseases or plants to which they will be applied; and  
306 14)  
307 Any other rules and regulations governing the operation of the community garden.  
308 5.  
309 *Other requirements.* A statement shall be provided assuring the City that each participant  
310 will be provided a written copy of the management plan and community garden rules. Moreover,  
311 a statement acknowledging that the garden coordinator will annually submit to the Planning and  
312 Zoning Division an annual report highlighting the successes and failures of the operation, and  
313 conformance to the approved management plan.  
314 B.  
315 *Application process.* A community garden development order application shall be  
316 processed in a manner similar to a site plan modification but shall provide for mailed notice to all  
317 landowners within three hundred (300) feet of the land where the community gardens is located.  
318 5.14.5.

319           *Application review criteria.* The Development Review Committee shall review and  
320 approve, approve with conditions, or deny without prejudice, a community garden general  
321 development order application based upon the below-described review criteria.

322           A.  
323 Consistency with the zoning district requirements in Subsections 5.14.2 and 5.14.3.

324           B.  
325 Consistency with the application requirements specified in Subsection 5.14.4.

326           C.  
327 Consistency with the following parking and loading standards:

328           1.  
329 *Parking.* At least one (1) handicapped accessible parking space and five (5) parking  
330 spaces shall be provided.

331           2.  
332 *Loading.* At least one (1) loading space shall be provided.

333           D.  
334 Consistency with the following sign requirements:

335           1.  
336 A handicapped sign shall be posted for the parking space.

337           2.  
338 One (1) sign may be posted identifying the name of the community garden and any  
339 sponsors. The sign may not exceed six (6) square feet.

340           5.14.6.

341           *Annual review process.* An annual review report shall be submitted to the Planning and  
342 Zoning Division no later than sixty (60) days after the community gardens approval anniversary  
343 date. The annual report shall:

344           A.  
345 Document the successes and failures of the community garden;

346           B.  
347 Identify areas of non-compliance with the Management Plan;

348           C.  
349 Recommend appropriate changes to improve the community garden and to address  
350 failures and non-compliance issues; and

351           D.  
352 State whether or not the community garden should continue.

353           The City Commission shall review the annual report and determine whether  
354 the community garden should continue to operate, to operate with conditions, or be terminated.

355