Zoning to Support Local Food Systems

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<table>
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<th>Bronze (Good)</th>
<th>Silver (Better)</th>
<th>Gold (Best)</th>
<th>Code Examples</th>
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<tbody>
<tr>
<td>▪ Allow broad range of agricultural and agricultural support uses in rural or agricultural districts</td>
<td>▪ Allow farmers’ markets and produce stands, as by-right uses, in certain districts.</td>
<td>▪ Establish broad definition of agricultural uses, to include agri-tainment uses, wineries, etc.</td>
<td>▪ Loudoun County VA; Williamson County TN – broad range of agricultural uses, agricultural support uses, wineries, agri-tainment uses.</td>
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<td>▪ Allow for community gardens, by right, in districts</td>
<td>▪ Allow vegetable gardens in residential districts, subject to development standards</td>
<td>▪ Allow other types of compatible uses in agricultural districts, to support economics of farms (e.g., conference centers)</td>
<td>▪ Larimer County CO; Teton County WY – allows conservation subdivision as development option</td>
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<td>▪ Allow production and distribution facilities as agricultural support uses in agricultural districts</td>
<td>▪ Allow gardens and raising of fowl in certain residential districts, subject to standards.</td>
<td>▪ Loudoun County VA – allows additional compatible uses in rural districts (like conference centers)</td>
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<td>▪ Burlington VT; Biloxi MS – allows community gardens</td>
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<td>▪ Salt Lake City UT - allows vegetable gardens in front yards.</td>
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<td>▪ Portsmouth VA - farmers’ markets in targeted districts.</td>
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Agricultural activities are sometimes undercut by economics
- Zone districts allow residential uses in ways to maintain character
- Compete with agriculture

Many rural districts do not define agriculture broadly
- Allow agricultural support uses
- Allows new types of agricultural uses
- Allows agri-tainment
- Appropriate densities
- Conservation subdivision option
Williamson County, TN / Currituck County, NC

Agricultural Support Uses

- Agricultural support uses enable more of the food production value chain to be captured locally, supporting the regional economy

- Such uses include:
  - Food processing
  - Slaughterhouses
  - Butchers
  - Packing facilities
  - Refrigerated storage

- Allows farmers to conduct commercial activities related to agriculture (“agri-tainment”)
  - Farm tours, pumpkin patches, fee hunting, corn mazes, pick your own, fee fishing
Blue Ridge Food Ventures
Agricultural Support Uses

- Blue Ridge Food Ventures (BRFV) is a shared-use food processing center and kitchen located in Western North Carolina that was founded by Advantage West in 2005
- The 11,000 s.f. facility provides space and equipment to local farmers and food entrepreneurs for rent by the hour
- Among the support services it offers include business planning, financial counseling, and marketing support
- BRFV has served as an agricultural incubator for several ventures that sell their products locally, regionally, and even nationally
Seattle, WA - P-Patch – Community Gardens
Urban Agriculture– Food Production

- Seattle has officially supported community gardening since the 1970s.
- P-Patch program overseas more than 60 gardens, 300 plots with 4400 gardeners throughout city on 23 acres of public land.
- When residents are interested in establishing a new community garden, program offers services including: site evaluation, soil testing, garden design, plot monitoring, and education resources.
- In 2008 residents approved a special levy of $2M to enable the program to develop new gardens.
Seattle Planting Strip Deregulation
Urban Agriculture-Food Production

- Seattle allows residents to grow food in roadway right-of-way planting strips between the sidewalk and roadway free of charge
- In 2009, the City's DOT eliminated a $250 permitting fee for residents wishing to do so
Cleveland, OH – Gardens in Residential Districts
Urban Agriculture- Food Production

- Legislation adopted in 2007 to preserve community and urban gardens- “Urban Garden Districts”
- First zoning designation for urban gardens
- City can reserve land for gardening
- Non-gardening activities banned on garden properties; a public hearing is required to allow building on a garden site
Cleveland, OH- Small Livestock
Urban Agriculture- Food Production

- Regulations for keeping animals:
  - **Chickens/ducks/rabbits:**
    - Residential: One per 800 sf. Roosters, geese and turkeys allowed if property larger than 1 acre.
    - Non-residential districts, one per 400sf is allowed.
  - **Goats/pigs/sheep:** Allowed in residential and non-residential districts.
    - Residential- two for first 24,000 sf and one per additional 2,400 sf.
    - Nonresidential districts, two for first 14,400 sf and one per additional 1200 sf. Must be in rear yards and in enclosures.
  - **Bees:** Allowed in residential districts with appropriate setbacks. Hives must face away from nearest neighbor. Must be fenced and have fresh water supply. In non-residential districts.
Milwaukee, WI- Small Livestock
Urban Agriculture- Food Production

- In May 2011, Milwaukee Common Council passed an ordinance that allows residents to keep up to four chickens with a $35 permit.

- Milwaukee also allows the keeping of honeybees within specific locations in residential districts, subject to enclosure and setback requirements.
San Francisco, CA- Home Gardens
Urban Agriculture- Food Production

- Ordinance passed in April 2011
- Rather than zoning for urban agriculture, establishes two urban agriculture use categories:
  - “Neighborhood Agriculture” gardens less than one acre are permitted in all zone districts.
“Large Scale Urban Agriculture” gardens larger than one acre are permitted as a conditional use in commercial, industrial and production/distribution/repair districts.

Specific standards in each district about setbacks, design, and regulation of composting and other activities.

On-site and off-site produce sales are allowed.

Community gardens allowed in all districts.
Seattle- Home and Community Gardens
Urban Agriculture- Food Production

- City ordinance adopted 2010 clearly defines horticulture, aquaculture, animal husbandry, community gardens and urban farms.

- Community gardens are permitted in all zone districts (with some restrictions in industrial zones); gardening is allowed in planting strips and at some Seattle parks

- Urban Farms:
  - Commercial Districts: as a principal or accessory use
  - Industrial Districts: as a principal or accessory use on land, roofs and building sides
  - Residential Districts: as an accessory use up to 4,000sf without a permit; larger garden plots require conditional use permit.

- 15 ft. height exception for rooftop greenhouses.

- Increased number of chickens allowed on residential property from 3 to 8
“Market Gardens” for on-site sale of produce are allowed in all zones, while minimizing possible negative impacts.

No additional parking requirements for gardens.

Community Gardens still allowed in all zones, but new regulations minimize adverse impacts to the neighborhood.

New regulations allow food membership distribution in all zones, but cap food distribution at a given intensity after which the activity must relocate.

Specific regulations allow for farmers markets and address frequency, location, and vendor type.
CNC Software, Inc. – Tolland CT
Urban Agriculture- Food Production- Community Gardens

- Private software company that design high-end tools and medical equipment
- Established large community garden on site of business
- Employees given plots
- Business also has large plot managed by employees on voluntary basis
- Fresh products left at door (when available) for employees to take home with them at night
- Code allows community garden as permitted use in office, light industrial, and commercial districts
Burlington VT; Biloxi MS; Salt Lake City
Urban Agriculture - Food Production

- **Burlington VT, Biloxi MS, Fayetteville NC**- allow community gardens as permitted uses in residential districts and public parks
- **Cleveland OH**- small-scale farming in suburban districts with compatibility standards
- **Salt Lake City UT**- allows front yard vegetable gardens
- **Dallas TX, Portsmouth VA, Fayetteville NC, Biloxi MS**- allow farmers’ markets in targeted districts
- **Madison WI** – allow raising of limited number of chickens in residential districts, subject to compatibility standards
### Local Food Systems
#### Regulatory Tools to Create Incentives

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<td>▪ Allow conservation subdivision as development option.</td>
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<td>▪ Establish voluntary agricultural district option in rural areas.</td>
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<td>▪ Provide density bonuses for use of conservation subdivisions in rural areas.</td>
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<td>▪ Offer density or height incentives for use of green roofs for gardens in urban areas.</td>
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<td>▪ Use ombudsman to assist rural landowners in development review process.</td>
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<td>▪ Provide density incentives for location of fresh food markets in mixed use developments or food deserts.</td>
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<td>▪ Loudoun County TN; Powhatan County VA – establishes voluntary agricultural district option in rural areas.</td>
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<td>▪ Teton County WY Currituck County, NC – provides for density bonus in rural district, when use conservation subdivision option.</td>
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<td>▪ Portland OR – density bonuses for green roof gardening and food market in mixed use development.</td>
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<td>▪ Larimer County CO – ombudsman to assist rural landowners achieve desirable types of rural development.</td>
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Larimer County, CO
Ombudsman

- Professional staff member of local government
- Educates members of farm community about local government programs to support and maintain agricultural activities in community
- Assists members of farm community when they submit development applications that support community efforts to protect farmlands
- Bird-dogs applications through process
Portland, Oregon – Density Bonuses
Urban Agriculture --Density Bonuses

- Portland OR – density/height/process bonus for green roof gardening
- Allow gardening in backyards in residential districts
- Density bonus for fresh food market in mixed use development
## Local Food Systems
### Regulatory Tools to Enact Standards

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<td>▪ Establish farmland compatibility standards.</td>
<td>▪ Require use of conservation subdivision when single-family development occurs in rural districts.</td>
<td>▪ Establish TDR program for protection of rural/agricultural lands</td>
<td>▪ Powhatan County VA; Currituck County NC) — establishing farmland</td>
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<td>▪ Place strong emphasis on maintaining agricultural character in rural districts</td>
<td>▪ Prohibit or limit size and character of planned developments in rural districts</td>
<td>▪ Adopt concentrated animal feeding operation (CAFO) regulations to address waste, odors, and water quality.</td>
<td>compatibility standards.</td>
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<td>▪ Establish true large-lot rural/agricultural districts</td>
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<td>▪ Williamson County TN — development code places strong emphasis on maintaining agricultural character in rural districts</td>
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<td>▪ Teton County WY; Marin County CA — establishes large-lot rural/agricultural districts</td>
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Powhatan County, VA / Currituck County, NC
Farmland Compatibility Regulations

- When suburban development locates in close proximity to farms the potential for conflicts exist
- Farmland compatibility standards address conflicts
  - 100’-200’ vegetated buffers
  - Fencing
  - Larger lot sizes on lands closest to agricultural activities