

Sacramento Urban Agriculture Coalition

Urban Agriculture Ordinance Proposal for the City of Sacramento

Issue-by-Issue Outline

April 2014

SUAC Policy/Language Committee members (both past and current):

Olivia Brown, Ubuntu Green

Matt Read, Sacramentans for Sustainable Community Agriculture

Paul Trudeau, Sacramentans for Sustainable Community Agriculture

John Tan, Legal Services of Northern California

Fatima Malik, Ubuntu Green

Laurel Rhodes, Pesticide Watch Education Fund

Chanowk Yisrael, Sacramentans for Sustainable Community Agriculture

Shawn Harrison, Soil Born Farms

[click here to go to Table of Contents](#)

Table of Contents

(click on any section name to go to that section)

[**Definitions**](#)

[**Size & Zoning for Community Gardens**](#)

[**Size & Zoning for Urban Agriculture other than Community Gardens**](#)

[**Zoning: Nonconforming uses \(“grandfather clause”\)**](#)

[**On-site Sales**](#)

[**Equipment**](#)

[**Accessory Structures**](#)

[**Pesticide Use**](#)

[**Water**](#)

[**Animal Husbandry**](#)

[**Fees**](#)

[**Urban Agriculture Incentive Zones \(AB 551\)**](#)

[**Information Gateway**](#)

[**Public Land**](#)

[**Appendix 1: Zone names**](#)

[**Appendix 2: Rooftop gardens**](#)

[**Appendix 3: Additional resources**](#)

Definitions

Current City and State Code:

City 17.108.040: **“Agriculture, general use”** means the tilling of soil, the raising of crops, horticulture, silviculture, viticulture, aviculture, aquaculture, apiculture, livestock grazing, the raising of small animals and poultry, domestic livestock farming, dairying, and animal husbandry.

City 17.108.020: **“Animal slaughter”** means an establishment that slaughters animals on premise for the purpose of packaging for offsite consumption.

City 17.108.040 (previously in 17.16.010): **“Community Garden”** means an otherwise undeveloped lot divided into multiple plots for the growing and harvesting of fruits, vegetables, flowers, or herbs, primarily for the personal use of the growers, and that is established, operated, and maintained by a group of persons. A community garden does not include a garden or edible landscaping that is incidental to the primary use of the lot, including a garden or edible landscaping: (1) on a lot developed with one or more residences and devoted to the personal use of the occupants of the residences; or (2) on a lot developed with a nonresidential use. Regulation of this use varies, depending on the size of the garden.

City 17.108.170: **“Produce stand”** means a permanent structure used for the retail sale of fresh fruits, vegetables, and flowers and may include, as an incidental or accessory use, the sale of sealed or prepackaged food products or nonfood items.

California Government Code, Title 5, Division 1, Part 1, Chapter 6.3, Section 51040.3 (c) (AB 551): **“Agricultural use”** means farming in all its branches including, but not limited to, the cultivation and tillage of the soil, the production, cultivation, growing, and harvesting of any agricultural or horticultural products, the raising of livestock, bees, fur-bearing animals, dairy-producing animals, and poultry, agricultural education, the sale of produce through field retail stands or farms stands as defined by Article 5 (commencing with Section 47030) of Chapter 10.5 of Division 17 of the Food and Agricultural Code, and any practices performed by a farmer or on a farm as an incident to or in conjunction with farming operations. For purposes of this chapter, the term “agricultural use” does not include timber production.

California Food and Agricultural Code, Section 12504: **“Produce”** means any food in its raw or natural state which is in such form as to indicate that it is intended for consumer use with or without any or further processing.

Definitions, continued

PROPOSAL:

--add the following definitions to City code 17.108:

“Aquaculture” means the cultivation of marine or freshwater fish, shellfish, or plants under controlled conditions. [reference: Detroit Urban Ag Ordinance]

“Aquaponics” means the integration of aquaculture with hydroponics, in which the waste products from fish are used to fertilize hydroponically growing plants. [reference: Detroit Urban Ag Ordinance]

“Hydroponics” means a method of growing plants in water without soil. [reference: Detroit Urban Ag Ordinance]

“Produce” shall have the same meaning as in Section 12504 of the California Food and Agricultural Code [“Produce” means any food in its raw or natural state which is in such form as to indicate that it is intended for consumer use with or without any or further processing.]

“Urban agriculture” means a use in which land managed by a public entity, nonprofit organization, business entity, individual, or group of individuals is used to cultivate produce or practice animal husbandry for the purpose of sale, education, or community-building.

“Urban agriculture stand” means producer-owned or operated premises located at or near the point of production, for retail sale of agricultural products, and may include, as an incidental or accessory use, the sale of sealed or prepackaged food products or nonfood items. Subject to development standards in 17.228.128.

Size & Zoning

Community Gardens

Current City Code: Title 17, Division II: Zoning & Land use (previously 17.24.050): Community Gardens are allowed in all zones except EC (Employment Center), ARP-F & F (Flood), and ORMU, RCMU, & RMU (Sacramento Railyards Specific Plan), as follows:

17.200.110 A zone, 17.200.210 A-OS zone

A. Permitted uses. The following uses are permitted by right, subject to the limitations specified:

Use	Limitation
Community garden	

MIP, RE, R-2B, R-2A, R-3A, R-1A, R-1B, R-2, R-1, H, R-3, RO, HC, MRD, RMX, SC, C-1, R-5, R-4A, R-4, OB-2, OB, OB-3, TC, C-3, SPX, C-2, C-4, M-2(S), M-1(S), M-1, M-2 zones (see appendix for names of zones).

A. Permitted uses. The following uses are permitted by right, subject to the limitations specified:

Use	Limitation
Community garden (not exceeding 21,780 gross square feet) [1/2 acre]	subject to special use regulations in section 17.228.122 [regarding fencing and on-site sales.]

B. Conditional uses. The following uses require approval of a conditional use permit, subject to the limitations specified:

Use	Limitations	Approval Required by: Planning and Design Commission (PDC); Zoning Administrator (ZA); or City Council (CC)
Community gardens (exceeding 21,780 sf) [1/2 acre]	subject to special use regulations in section 17.228.122	ZA

**Size & Zoning
Community Gardens, continued**

PROPOSAL:

--No change to code for A or A-OS zones regarding community gardens

--In code for all other zones where community garden is currently a permitted use, change “21,780” to “43,560” (1 acre).

--Add community garden as a permitted use in **EC, RCMU, RMU, ORMU** zones with same restrictions as in above non-ag zones:

A. Permitted uses. The following uses are permitted by right, subject to the limitations specified:

Use	Limitation
Community garden (not exceeding 43,560 gross square feet) [1 acre]	subject to special use regulations in section 17.228.122 [regarding fencing and on-site sales.]

B. Conditional uses. The following uses require approval of a conditional use permit, subject to the limitations specified:

Use	Limitations	Approval Required by: Planning and Design Commission (PDC); Zoning Administrator (ZA); or City Council (CC)
Community gardens (exceeding 43,560 sf) [1 acre]	subject to special use regulations in section 17.228.122	ZA

References:

Portland, OR: There is no maximum area for a community garden.

Size & Zoning

Urban Agriculture other than Community Gardens

Current City Code: Title 17, Division II: Zoning & Land use: While community gardens (see above) are allowed in almost every zone, “agriculture, general use” is allowed in only A, A-OS, and ARP-F zones (ag zones):

17.200.110 A zone and 17.200.210 A-OS zone

A. Permitted uses. The following uses are permitted by right, subject to the limitations specified:

Use	Limitation
“Agriculture, general use”	

17.200.410 ARP-F zone

A. Permitted uses. The following uses are permitted by right, subject to the limitations specified:

Use	Limitation
“Agriculture, general use”	Agriculture is permitted if no building or structure is erected on the premises; Livestock grazing, the raising of small animals and poultry, domestic livestock farming, dairying, and animal husbandry are prohibited

PROPOSAL:

--No change to “Agriculture, general use” code for A, A-OS, and ARP-F zones (ag zones).

--Add “Urban agriculture” as a permitted use in all other zones as follows:

Size & Zoning
Urban Agriculture other than Community Gardens, continued

residential zones (R__)

A. Permitted uses. The following uses are permitted by right, subject to the limitations specified:

Use	Limitation
“Urban agriculture”, on lots not exceeding 1.5 acres (65,340 square feet)	Subject to special use regulations in section 17.228.127 regarding animal husbandry, on-site sales, size, equipment and accessory structures, pesticide use, water, fees, etc.

B. Conditional uses. The following uses require approval of a conditional use permit, subject to the limitations specified:

Use	Limitations	Approval Required by: Planning and Design Commission (PDC); Zoning Administrator (ZA); or City Council (CC)
“Urban agriculture”, on lots exceeding 1.5 acres (65,340 square feet) but not exceeding 5 acres (217,800 square feet)	Subject to special use regulations in section 17.228.127 regarding animal husbandry, on-site sales, size, equipment and accessory structures, pesticide use, water, fees, etc.	ZA
“Urban agriculture”, on lots exceeding 5 acres (217,800 square feet)		PDC

Size & Zoning
Urban Agriculture other than Community Gardens, continued

commercial & office (C__, EC, HC, OB, ORMU, SC)

A. Permitted uses. The following uses are permitted by right, subject to the limitations specified:

Use	Limitation
“Urban agriculture”, on lots not exceeding 5 acres (217,800 square feet)	Subject to special use regulations in section 17.228.127 regarding animal husbandry, on-site sales, size, equipment and accessory structures, pesticide use, water, fees, etc.

B. Conditional uses. The following uses require approval of a conditional use permit, subject to the limitations specified:

Use	Limitations	Approval Required by: Planning and Design Commission (PDC); Zoning Administrator (ZA); or City Council (CC)
“Urban agriculture”, on lots exceeding 5 acres (217,800 square feet)	Subject to special use regulations in section 17.228.127 regarding animal husbandry, on-site sales, size, equipment and accessory structures, pesticide use, water, fees, etc.	PDC

Size & Zoning
Urban Agriculture other than Community Gardens, continued

industrial & manufacturing zones (M__)

A. Permitted uses. The following uses are permitted by right, subject to the limitations specified:

Use	Limitation
“Urban agriculture”	Subject to special use regulations in section 17.228.127 regarding animal husbandry, on-site sales, size, equipment and accessory structures, pesticide use, water, fees, etc.

other non-ag zones (F, H, SPX, TC)

A. Permitted uses. The following uses are permitted by right, subject to the limitations specified:

Use	Limitation
“Urban agriculture”, on lots not exceeding 1.5 acres (65,340 square feet)	Subject to special use regulations in section 17.228.127 regarding animal husbandry, on-site sales, size, equipment and accessory structures, pesticide use, water, fees, etc.

B. Conditional uses. The following uses require approval of a conditional use permit, subject to the limitations specified:

Use	Limitations	Approval Required by: Planning and Design Commission (PDC); Zoning Administrator (ZA); or City Council (CC)
“Urban agriculture, on lots exceeding 1.5 acres (65,340 square feet) but not exceeding 5 acres (217,800 square feet)	Subject to special use regulations in section 17.228.127 regarding animal husbandry, on-site sales, size, equipment and accessory structures, pesticide use, water, fees, etc.	ZA
“Urban agriculture”, on lots exceeding 5 acres (217,800 square feet)		PDC

Size & Zoning, continued

References:

--City of Sacramento draft General Plan update, 2013:

“GOAL ER 4.1

Urban Agriculture. Support community gardens, market gardens, rooftop gardens, and edible landscaping as a means for Sacramento residents to reconnect with the land; improve neighborhood access to fresh produce, and enjoy the health benefits of growing and eating fresh locally grown food. Increase urban food production, distribution, and sale as a means to promote sustainable agricultural practices; utilize vacant land; support local farmers.

Policies

ER4.1.1 Local Food Production. The City shall provide supportive zoning for urban farms and market gardens at a scale that is appropriate to Sacramento’s neighborhoods, particularly in areas that lack access to fresh healthy foods, and have vacant or underutilized land. *(RDR/PI)*

ER 4.1.2 Community and Rooftop Gardens. The City shall promote the health benefits of growing and eating fresh locally grown produce by creating incentives for developers to include community gardens and rooftop gardens in new development projects. *(RDR/PI)*

ER4.1.3 Local Food Production, Distribution and Sale. The City shall promote urban agriculture with zoning provisions that support means for production, distribution and sale of locally grown foods, such as market gardens, farmer’s markets, community markets, and farm stands, particularly in areas that have vacant or under underutilized land. *(RDR/PI)*”

--Seattle allows urban agriculture in all residential, commercial, and industrial zones.

--Portland, OR: maximum ag area allowed on a site is increased by 50% if “Neighbor Notification and Meeting” requirements are met. Permitting requirements vary depending on whether use is a Market Garden or not.

--San Francisco:

--urban agriculture under 1 acre: allowed in all zones

--1 acre or larger:

allowed by right in Commercial, Industrial, Production, Distribution, Repair zones

allowed with CUP in all other zones.

--there is a process for establishing a rooftop garden (see SFUAA Guide, listed in Appendix 3)

SELC: <http://www.urbanaglaw.org/planning-and-zoning/>

Zoning

Nonconforming uses (“grandfather clause”)

Current City Code: Chapter 17.232, Nonconforming Uses

PROPOSAL: In 17.228.127 Special use regulations for Urban Agriculture, include: “Community garden” and “urban agriculture” uses that existed prior to enactment of this ordinance are considered to have been legally established. If they do not meet the current regulations, they are nonconforming, and changes to size, operation, or other aspects are regulated by Chapter 17.232, Nonconforming Uses.

Reference:

Portland, OR uses this language.

On-site Sales

Community Gardens

Current City Code: 17.228.122

A community garden may include the incidental on-site sale of fruits, vegetables, flowers, or herbs grown in the community garden.

PROPOSAL:

--Amend above language to read: “A community garden may include the sale of fruits, vegetables, flowers, or herbs grown in the community garden, at a community market (as defined and regulated in 17.108.040, 17.228.124 - see below) or urban agriculture stand (as defined below). Notwithstanding this provision, the City of Sacramento may limit or prohibit the sale of fruits, vegetables, flowers, or herbs grown in community gardens that are on City-owned land.”

References:

Portland, OR: Sales of produce from a Community Garden may occur for no more than three consecutive days on two different occasions during a calendar year. Sales must occur on-site.

On-site Sales

Urban Agriculture other than Community Gardens

Current City Code:

“Community Market” (17.108.040, 17.228.124) means a **temporary** outdoor market, covering an area 500 square feet or less, that sells **agricultural products**, including flowers. It is required to be located on an improved surface, such as a parking lot; operate not more than **one day out of the week for a maximum of five consecutive hours**, only between the hours of 8:00 a.m. and 7:00 p.m. One small portable sign is permitted. Allowed by right in many zones, including multi-family residential. Allowed in single-family and duplex residential zones only if there is no dwelling on the property. In every zone Community Markets are allowed, Community Gardens are also allowed. However, there are some zones (MIP, MRD, A, A-OS, and SPX) that allow Community Gardens but do not allow Community Markets.

For **H, HC, TC, SC, C-1, SPX, OB-2, OB, OB-3, C-3, C-2, C-4, M-2(S), M-1(S), M-1, M-2, R2-A, R-2B, R-3, R-3A, R-4, R-4A, R-5:**

A. Permitted uses. The following uses are permitted by right, subject to the limitations specified:

Use	Limitation
Community market	Subject to special use regulations in section 17.228.124

R-1, R-1A, R-1B, R-2, and RE:

A. Permitted uses. The following uses are permitted by right, subject to the limitations specified:

Use	Limitation
Community market	Permitted if the primary use of the property is not a single-unit or duplex dwelling; Subject to special use regulations in section 17.228.124

On-site Sales
Urban Agriculture other than Community Gardens, continued

“Produce stand” 17.108.170 means a permanent structure used for the retail sale of fresh fruits, vegetables, and flowers and may include, as an incidental or accessory use, the sale of sealed or prepackaged food products or nonfood items. Allowed in a few nonresidential zones:

A zone:

A. Permitted uses. The following uses are permitted by right, subject to the limitations specified:

Use	Limitation
Produce stand (not exceeding 120 square feet)	

B. Conditional uses. The following uses require approval of a conditional use permit, subject to the limitations specified:

Use	Limitations	Approval Required by: Planning and Design Commission (PDC); Zoning Administrator (ZA); or City Council (CC)
Produce stand (exceeding 120 square feet)		ZA

A-OS:

B. Conditional uses. The following uses require approval of a conditional use permit, subject to the limitations specified:

Use	Limitations	Approval Required by: Planning and Design Commission (PDC); Zoning Administrator (ZA); or City Council (CC)
Produce stand		ZA

On-site Sales
Urban Agriculture other than Community Gardens, continued

H, TC, SPX, C-3:

B. Conditional uses. The following uses require approval of a conditional use permit, subject to the limitations specified:

Use	Limitations	Approval Required by: Planning and Design Commission (PDC); Zoning Administrator (ZA); or City Council (CC)
Produce stand		PDC

On-site Sales
Urban Agriculture other than Community Gardens, continued

PROPOSAL:

Community Market: allow by right in any zone where Community Gardens are allowed. May operate not more than five days out of the week.

Define Urban Agriculture Stand as follows: “Urban agriculture stand” means producer-owned or operated premises located at or near the point of production, for retail sale of agricultural products, and may include, as an incidental or accessory use, the sale of sealed or prepackaged food products or nonfood items.

Allow Urban Agriculture Stands by right in any zone where Community Gardens are allowed:

A, A-OS, MIP, RE, R-2B, R-2A, R-3A, R-1A, R-1B, R-2, R-1, H, R-3, RO, HC, MRD, RMX, SC, C-1, R-5, R-4A, R-4, OB-2, OB, OB-3, TC, C-3, SPX, C-2, C-4, M-2(S), M-1(S), M-1, M-2 zones (and any others added to list of zones where community gardens are allowed):

A. Permitted uses. The following uses are permitted by right, subject to the limitations specified:

Use	Limitation
Urban agriculture stand (not exceeding 120 square feet)	subject to special use regulations in 17.228.128 [see below]

B. Conditional uses. The following uses require approval of a conditional use permit, subject to the limitations specified:

Use	Limitations	Approval Required by: Planning and Design Commission (PDC); Zoning Administrator (ZA); or City Council (CC)
Urban agriculture stand (exceeding 120 square feet and not exceeding 500 square feet)	subject to special use regulations in 17.228.128 [see below]	ZA

On-site Sales
Urban Agriculture other than Community Gardens, continued

17.228.128: Special use regulations for Urban Agriculture Stand:

- The use shall not be larger than 500 square feet in area.
- The stand may operate only between the hours of 8:00 a.m. and 7:00 p.m.
- One sign is permitted. The sign shall be a portable sign, and may be an A-frame. The sign, including supports, shall fit into an area of not more than four feet in height, three feet in width, and three feet in depth.
- Any and all physical materials related specifically to the Urban Agricultural Stand, including but not limited to produce, equipment, sign, tables, other furnishings, etc., are to be removed daily when the stand is not open for business.
- No more than one Urban Agriculture Stand per parcel.

Produce Stands: no change.

References:

- Nationwide, hours vary from jurisdiction to jurisdiction: 8 am - 7 pm, 6 am - 8 pm, 7 am - 7 pm, sunrise-sunset, etc.
- San Francisco: on-site sale of produce (including honey) and eggs is **allowed by right in all zones whether or not there is a dwelling. No restrictions on numbers of days open per week.** No permit required unless sampling is offered or value-added products are to be sold. The primary ingredients of value-added farm products sold are required to be grown and produced on-site.
- Seattle: on-site sales allowed in all zones.
- Detroit: Sales of farm products are allowed at a farm stand located on the property where the farm product is produced.

On-site Sales
Urban Agriculture other than Community Gardens, continued

- Portland, OR: In residential zones, on-site sales are allowed as accessory to the agriculture use; no parking is required; exterior display is allowed; only food and value-added products made from produce grown on site, such as jams and pickles, may be sold; sales are allowed between 7 AM and 9 PM; and sales are allowed up to 70 days in each calendar year. In nonresidential zones, on-site sales are a Retail Sales And Service Use; no parking is required; exterior display is allowed; and only food and value-added products made from produce grown on site, such as jams and pickles, may be sold.

- Cleveland:
 - "Farm Stand" = a temporary structure used for display or sale of produce
 - public zoning hearing required
 - building permit required
 - no more than 2% lot coverage
 - maximum 200 sf in 1- and 2-Family districts
 - 18" setback
 - must be removed during off-season
 - can sell ag products, plants, eggs, and honey produced on-site (or produced within 1000') IF
 - ag is the only use of the property OR
 - ag occupies at least 75% of property OR
 - ag occupies at least 4000 sf
 - can sell foods prepared on-site or off-site, if made mainly with ingredients grown on-site or within 1000'.
 - hours: 8am to dusk
 - food sales subject to licensing by Dept. of Health
 - No restrictions on numbers of days open per week.**

- Sonoma County allows only raw unprocessed fruits, nuts, vegetables and herbs.

- San Diego allows a percentage of products sold to be from off-site sources.

- Austin, TX: Third party products should take up to no more than 20% of the farm stand's sales area and be produced in the state of Texas. Market Gardens cannot have a farm stand but can conduct sales out of sight of the general public on the property, and generate no more than three customer related trips per day on average.

- SELC: urbanaglaw.org/food-ag-and-health/ topics:
 - How to Legally Sell Unprocessed Produce, Value-Added Products, Eggs, Meat & Poultry, and Dairy Products, and How to Sell Your Food Products as "Organic"; Background Information; Federal, State and Local Regulations, and Tips for Avoiding Regulatory Hassles

Equipment

Current City Code has many provisions to prevent and address nuisances both of a physical and behavioral nature (8.68 noise control, 8.100 substandard buildings, 8.14 vehicles, 8.24 graffiti, 8.08 social nuisance, etc.).

PROPOSAL: In 17.228.127 Special use regulations for Urban Agriculture, include: Use of mechanized farm equipment is generally prohibited in residential districts; provided, however, that during the initial preparation of the land heavy equipment may be used to prepare the land for agriculture use. Landscaping equipment designed for household use shall be permitted.

Reasoning: Any or all of existing code preventing and addressing nuisances would apply to urban agriculture activities, just as it applies to any other activity. But for clarity, an explicit provision regarding potential noise from urban agriculture equipment use would be helpful.

References:

--San Francisco: Use of mechanized farm equipment is generally prohibited in residential districts; provided, however, that during the initial preparation of the land heavy equipment may be used to prepare the land for agriculture use. Landscaping equipment designed for household use shall be permitted.

--AB 1244: Only mechanical equipment designed for household use.

--Portland, OR: In residential zones, operation may begin at sunrise or 7 AM, whichever is earlier, and must end at sunset or 9 PM, whichever is later. A Market Garden is operating if people are on the site. Automatic equipment functioning, such as sprinklers, is not considered operation. Use of motorized equipment in residential zones is allowed only between 7 AM and 9 PM. Fences. Fences are regulated by the base zones. Signs are regulated by Title 32, Signs and Related Regulations. Parking & Loading is regulated separately from ag uses. Regs vary by zone and use, but generally, no parking is required except perhaps as specified in a Conditional Use Permit. See Chapter 33.266 of Portland's zoning code.

Accessory Structures

Current City Code: 17.200.410 ARP-F zone

Erecting a building or structure is not allowed for “agriculture, general use” in ARP-F zone.

PROPOSAL:

ARP-F: no change

Other zones:

--A permitted urban agricultural use may be served by the following accessory structures: sheds, greenhouses, coops, cages, beehives, hoophouses, cold frames, barns, rain barrels, composting, farm stands as regulated elsewhere in the zoning code, and similar structures not exceeding fifteen (15) feet in height.

--Fences for urban agricultural uses shall be permitted in accordance with the regulations applicable to fences in the base zone.

References:

SELC: <http://www.urbanaglaw.org/building-codes/> topics:

- Greenhouses and Hoop Houses
- Animal Shelters and Chicken Coops
- Rooftop Gardens
- Other Relevant Structures/Uses
- Building Code Information By City

Cleveland

Portland, OR: 33.420.045 Exterior activities and development for Agriculture uses are exempt from design review.

Pesticide Use

Current City Code: The State has jurisdiction over pesticides, enforced via the counties, and the City is limited in what it can do to minimize pesticide use. The City may be able to incentivize pesticide-free urban agriculture to some extent.

PROPOSAL: AB 551 property tax incentives for urban agriculture (see below) and lower irrigation water rates would only be extended to operators that do not use conventional pesticides.

City could prohibit use of pesticides on City-owned land used for urban agriculture. See also Public Land section below.

Reference: California Food and Ag Code, section 11501.1

Water

Current City Code: 13.04.010 - 13.04.950

Irrigation water rates are lower than water rates for residential, commercial, and other uses.

Costs for a new water hook-up are on the order of \$5000 - \$10,000, which is prohibitive for many aspiring urban farmers.

PROPOSAL:

Urban agriculture operators that minimize use of conventional pesticides and fertilizers and that use only water-conserving methods such as drip irrigation or aquaponics could qualify for a lower “irrigation: supplemental (commercial)” rate:

Title 13 PUBLIC SERVICES
Chapter 13.04 WATER SERVICE SYSTEM
Article X. Rates and Charges

13.04.840 Establishment of rates for water service to urban agriculture.

A. Any non-residential customers with water meters. A new nonresidential water user who meets the following criteria will billed at the “Irrigation: Supplemental (Commercial)” rate.

1. The parcel does not contain any residence or;
2. The parcel has a residence and provides a copy of the parcel’s most recent “Crop Plan” submitted to the California Department of Food and Agriculture.
3. The parcel is devoted in part or all to urban agriculture, as defined in Section XX.XX.XXX of the Planning and development code.
 - a. A water conservation plan, including a statement of commitment to best practices with regard to water conservation.¹
 - b. An affidavit committing to not using any pesticides or fertilizers except for those pesticides or fertilizers allowed by the United States Department of Agriculture’s National Organic Program.

¹ http://www.pacinst.org/wp-content/uploads/2013/02/sustainable_water_management_for_urban_agriculture3.pdf

Water, continued

PROPOSAL:

City would establish grant program to offset cost of new water hookups for urban agriculture operators that minimize use of conventional pesticides and fertilizers and use only water-conserving methods such as drip irrigation or aquaponics. Funding could come from Farm-to-Fork activities or other sources.

Reasoning: The City may be reluctant or legally unable to offer a reduction in the charge for water hookups to a particular group of customers. They are likely to be more receptive to a grant program that keeps their pricing structure intact but gives relief to qualifying urban ag. Challenge then becomes locating the funding, particularly in the long term.

References:

City of Sacramento water rates: <http://www.cityofsacramento.org/utilities/customer-service/documents/201220132014WATER.pdf>,

Cleveland: see “Cutting Through the Red Tape: A Resource Guide for Local Food Policy Practitioners & Organizers,” Sanders/Shattuck, Sanders, Food First/Institute for Food and Development Policy December 2011, p. 8

San Francisco Garden Irrigation Meter Grant Program: see <http://sfwater.org/index.aspx?page=469> and SFUAA Guide (listed in Appendix 3):

The San Francisco Public Utilities Commission (SFPUC) Pilot Community Garden Irrigation Meter Grant Program (Grant Program) is designed to help urban agriculture, community and demonstration gardens in San Francisco track and manage irrigation water use through the installation of a dedicated irrigation water service. Installation of a dedicated irrigation water service and meter helps property owners and tenants accurately track irrigation water use, reduce wastewater fees associated with indoor uses, and allows for a separate shutoff for the irrigation system if needed. Irrigation meters also allow owners or tenants to track their usage in relation to their calculated annual water budget established by the SFPUC. Without a dedicated irrigation meter, it is difficult to measure how much water is actually used for irrigation at a property.

Provision of grant funding is based on the eligibility of the proposed activity and availability of grant funds. A maximum of \$10,000 in SFPUC fees will be waived per urban agriculture, community or demonstration garden for the installation of a new dedicated irrigation water service and meter. Installation of the new service shall be performed by the SFPUC. Each grant application will be reviewed and evaluated on a first-come-first serve basis until grant funds have been expended.

Water, continued

Grant Criteria

Projects that meet one of the following criteria are eligible under this Grant Program:

- An urban agriculture project with proof of receiving, or intent to receive, a change-of-use permit from the San Francisco Planning Department per the Urban Agriculture Ordinance approving their status as an urban agriculture site;
- A small scale urban market garden designed and operated for urban food production;
- A community garden sponsored by the San Francisco Recreation and Parks Department with a signed Community Garden Plot Agreement; or
- A garden established for demonstration or other instructional programming purposes.

San Francisco: new gardens greater than 1,000 square feet need to comply with existing water efficiency regulations and submit informatino to the PUC regarding intended water use (per SFUAA Guide, page 9)

San Francisco Water Budget Calculation: see <http://sfwater.org/modules/showdocument.aspx?documentid=1620>: All urban agriculture and community gardens must stay within the Maximum Applied Water Allowance (MAWA) calculated for their site. A garden's MAWA, or water budget, is the annual gallons of water allowed to maintain the planted area. Gardens with edible plants are provided an additional water allowance in the MAWA calculation, as edible plants are considered a "Special Landscape Area." The formula for calculating MAWA is:

$$\text{MAWA} = 35.1 \times 0.62 \times [(0.7 \times \text{LA}) + (0.3 \times \text{SLA})]$$

Where: 35.1 = ETo or Reference Evapotranspiration for San Francisco (inches per year)

0.62 = Conversion Factor (to gallons)

0.7 = ET Adjustment Factor (ETAF)

LA = Landscape Area including SLA (square feet)

0.3 = Additional Water Allowance for SLA

SLA = Special Landscape Area (square feet) includes edible plants, areas irrigated with rainwater or graywater, water features using only rainwater, and areas dedicated to active play such as parks

SELCL: <http://www.urbanaglaw.org/water/> topics:

Obtaining Water for Urban Agriculture

Water Access and Water Use Agreements

Water Hook-Ups

Policies Affecting Urban Ag Water Use

Water Discounts and Subsidies

Water Rationing

Grey Water

Rainwater Catchment

Stormwater Runoff Regulations

Irrigation Runoff Regulations

Additional Research Needed

Animal Husbandry

ARP-F zone (American River Parkway - Floodplain) only

Current City Code: 17.200.410:

Livestock grazing, the raising of small animals and poultry, domestic livestock farming, dairying, and animal husbandry are prohibited.

PROPOSAL:

no change

All zones other than ARP-F

chickens

Current City Code: 9.44.860-900 “Keeping of Chickens”

residential: up to 3 hens; rear yard only; always enclosed; minimum 20’ setback from enclosure to neighboring dwellings; no roosters. Restrictions not applicable in Valley View Acres (part of Natomas) or Ascot Avenue area (near McClellan)

nonresidential: above restrictions not applicable in ag zones.

PROPOSAL:

residential: No change to rear yard requirement, setback, rooster prohibition, or Valley View/Ascot exceptions. 1 hen, duck, rabbit, or similar animal per 800 sf (so you could now have up to 4 on a 40x80 lot, and more on larger lots).

nonresidential: 1 hen per 400 sf.

References: Cleveland animal code 347.02

Seattle: up to 8 domestic fowl on any lot (in addition to small animals); if lot exceeds 10,000 sf, 1 additional per additional 1000 sf. So, for 40x80 lot, up to 8.

ducks

Current City Code: 9.44.340 “Keeping of livestock in the city”:

residential: allowed only in Valley View Acres or Ascot Avenue area

nonresidential: allowed only in ag zone or for charitable animal therapy on 10+ acres

PROPOSAL: same as for chickens (see above)

Reference: Cleveland animal code 347.02

Seattle: up to 8 domestic fowl on any lot (in addition to small animals); if lot exceeds 10,000 sf, 1 additional per additional 1000 sf. So, for 40x80 lot, up to 8.

Animal Husbandry
All zones other than ARP-F, continued

rabbits & similar animals

Current City Code: keeping of rabbits is not explicitly regulated

PROPOSAL: same as for chickens (see above)

Reference: Cleveland animal code 347.02

roosters

Current City Code: 9.44.860:

residential: allowed only in Valley View Acres or Ascot Avenue area

nonresidential: allowed in ag zones.

PROPOSAL:

residential: allowed on lots 1 acre (43,560 sf) or larger; 1 rooster, goose, or turkey per 800 sf; 1 additional bird per 24,000 sf over 1 acre; minimum 100' setback from enclosure to neighboring dwellings

nonresidential: same as for residential, except 1 per 400 sf.

Reference: Cleveland animal code 347.02

geese & turkeys

Current City Code: 9.44.340 "Keeping of livestock in the city":

residential: allowed only in Valley View Acres or Ascot Avenue area

nonresidential: allowed only in ag zone or for charitable animal therapy on 10+ acres

PROPOSAL: same as for roosters (above)

Reference: Cleveland animal code 347.02

goats

Current City Code: 9.44.340 "Keeping of livestock in the city": setback: 75' from any neighboring building used for dwelling purposes, food preparation, food service, school, hotel or as a place of public assembly

residential: allowed only in Valley View Acres or Ascot Avenue area

nonresidential: allowed only in ag zone or for charitable animal therapy on 10+ acres

PROPOSAL:

residential: minimum 24,000 sf lot size; 2 goats, pigs, sheep, and similar animals per lot, + 1 per additional 2400 sf; enclosures in rear yard only; no change to setback requirement

nonresidential: minimum 14,400 sf lot size; 2 goats, pigs, sheep, and similar animals per lot, + 1 per additional 1200 sf; enclosures in rear yard only; no change to setback requirement

Animal Husbandry
All zones other than ARP-F, continued

pigs (swine)

Current City of Sacramento regulations (9.44.320, 340, 360, 560-610): license required over 4 months; males must be neutered; ID tag required; setback same as for goats (75’).

residential: only allowed in Valley View Acres or Ascot Avenue area unless height is 22” or less and weight is 150# or less

nonresidential: only allowed on ag or for charitable animal therapy on 10+ acres unless height is 22” or less and weight is 150# or less

PROPOSAL:

no change to license, neutering, ID tag requirements; otherwise, same as for goats (above).

sheep & similar animals

Current City Code: same as for goats (above).

PROPOSAL: same as for goats (above).

horses, cows, alpacas, llamas, or similar animals

Current City Code: 9.44.340 “Keeping of livestock in the city”: setback: 75’ from any neighboring building used for dwelling purposes, food preparation, food service, school, hotel or as a place of public assembly

residential: allowed only in Valley View Acres or Ascot Avenue area

nonresidential: allowed only in ag zone or for charitable animal therapy on 10+ acres

PROPOSAL:

no change

bees

Current City of Sacramento regulations: 9.44.330 Keeping of beehives.

residential: no more than 2 beehives allowed

nonresidential: no more than 2 beehives allowed except in ag zone.

PROPOSAL:

no change

Reference:

Bee hives in San Francisco do not require any permit, registration, or inspection. (see SFUAA Guide, listed in Appendix 3).

Animal Husbandry
All zones other than ARP-F, continued

fish:

Current City Code: includes aquaculture in its definition of general agriculture; no other mention of aquaculture, aquaponics, or raising fish anywhere in City code.

PROPOSAL: In 17.228.127 Special use regulations for Urban Agriculture, include: “Any urban agriculture which involves aquaculture must comply with applicable requirements of the County of Sacramento and the State of California.”

Reasoning: Adding this language continues current situation where the city essentially relies on the state to regulate aquaculture of in its various forms, but removes any ambiguity about whether such practices are to be allowed under the urban agriculture ordinance. Aquaponics in particular is growing greatly in popularity and is a very water-wise, environmentally friendly method of raising food that could become increasing important given drought and other environmental concerns.

Animal Husbandry
All zones other than ARP-F, continued

processing for consumption:

Current City of Sacramento regulations: Title 17, Planning & Development Code, and 9.44.860:

residential: slaughter of chickens prohibited

nonresidential zones **A, A-OS, M-1 (but only outside of McClellan Heights and Parker Homes SPD), M-1(S), M-2, M-2(S):**

B. Conditional uses. The following use requires approval of a conditional use permit, subject to the limitations specified:

Use	Limitations	Approval Required by: Planning and Design Commission (PDC); Zoning Administrator (ZA); or City Council (CC)
Animal slaughter	NOT allowed in PC (American River Parkway corridor) overlay zone, regardless of underlying zone	PDC

PROPOSAL:

residential zones: No animals shall be slaughtered except that chickens, ducks, rabbits, and fish, raised onsite where allowed by 17.228.127, are allowed by right to be processed for an operator’s personal, noncommercial consumption, unless in a PC overlay zone.

nonresidential zones: No animals shall be slaughtered except that chickens, ducks, rabbits, and fish, raised onsite where allowed by 17.228.127, are allowed by right to be processed for an operator’s personal, noncommercial consumption by right, unless in a PC overlay zone. Processing for any nonpersonal and/or commercial use requires a conditional use permit approved by the Planning and Development Commission, unless in a PC overlay zone.

Animal Husbandry, continued

References:

Cleveland animal code 347.02

Austin, TX: Harvesting of fish allowed in single-family use zones; commercial animal processing is allowed in all other zones. [http://www.austin360.com/weblogs/relish-austin/2013/nov/22/council-passes-urban-farm-restrictions-rejects-/](http://www.austin360.com/weblogs/relish-austin/2013/nov/22/council-passes-urban-farm-restrictions-rejects/)

SELC: <http://www.urbanaglaw.org/animals-and-livestock/> topics:

Who governs Food-Producing Animals (FPAs)?

What types of local law govern FPAs?

 Zoning Laws

 Animal Welfare Laws

 Public Health Laws

 Nuisance Laws

Who regulates processing and consumption?

Who regulates sales?

How do I find info about raising FPAs in my city?

I found my city ordinances. How do I change them?

What are some cities doing?

“Urban livestock ownership, management, and regulation in the United States: An exploratory survey and research agenda” Nathan McClintock, Esperanza Pallana, Heather Wooten; in *Land Use Policy*, Volume 38, May 2014, Pages 426–440. www.sciencedirect.com/science/article/pii/S0264837713002676.

Fees

Water hook-up fee and rates: see Water section above.

Conditional Use Permits, Planning & Development Commission Hearings, etc.: see Size & Zoning section above. There are fees associated with various permits and associated hearings.

PROPOSAL: The City would make permitting/review fees as low as possible. If the City wants to further jump-start and promote development of urban agriculture, a temporary (7 year?) moratorium on fees for CUPs and PDC hearings would be a tool to achieve that. Fees may be offset by proceeds from increased Business Operating Tax revenue and Farm-to-Fork week “Urban Ag Showcase.”

Urban Agriculture Incentive Zones (AB 551)

In 2013, AB 551 became state law. It allows cities and counties to provide a tax incentive for properties within urbanized areas that are devoted to small-scale urban agriculture, in much the same way as the Williamson Act has done so for many years for large properties outside of urbanized areas. This would greatly promote food production on currently vacant lots, which are often blighted.

Basic requirements for a parcel to qualify for ag property tax rates under AB 551:

- property must be from 0.10 to 3 acres (4356 to 130,680 square feet). Thus a typical Central City lot of 40 x 160 (3200 sf) would be too small to qualify, but there are some parcels in the Central City and many parcels outside of the Central City that are large enough to qualify.
- minimum 5-year contract devoting the entire property to ag; no dwellings or other non-ag uses are allowed during term of contract.
- accessory ag structures such as toolsheds, greenhouses, produce stands, and instructional space need to be allowed.
- pesticides or fertilizers allowed by the United States Department of Agriculture's National Organic Program need to be allowed.

To implement AB 551 in Sacramento, the City would need to pass enabling ordinances establishing the area within the City where AB 551 will apply (the entire city, or just certain parts) and establishing any additional allowable local restrictions the City may want. For the program to take effect, the County would also need to pass enabling ordinances.

Current City Code: none.

PROPOSAL:

- The City engage the County regarding implementation of AB 551.
- City of Sacramento pass its own enabling ordinance for AB 551, i.e.:

Title 17 PLANNING AND DEVELOPMENT CODE
Division III OVERLAY ZONES
Chapter 17.348 URBAN AGRICULTURE INCENTIVE ZONE

ORDINANCE NO. XXXXX
Adopted by the Sacramento City Council
Date Adopted XXXX
AN ORDINANCE ADDING CHAPTER 17.348 RELATING TO OVERLAY ZONES

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

Urban Agriculture Incentive Zones (AB 551), continued

SECTION 1

Chapter 17.348 of Title 17 of the Sacramento City Code (the Zoning Code) is repealed and reenacted to read as follows:

Chapter 17.348 Urban Agriculture Incentive Zones

17.348.010 Purpose.

A. The purpose of this chapter is to provide a tax-incentive for properties that are devoted to developing Urban Agriculture (defined in Chapter XX.XXX of the City Code) and provide space for public entities, nonprofit organizations, business entities, or individuals to grow food for the community, themselves, or for sale.

B. The City of Sacramento recognizes that Urban Agriculture is vital to addressing issues of food access, economic resilience, and neighborhood blight in the City and County of Sacramento.

C. The City of Sacramento recognizes that providing residents with increased opportunity to participate in small-scale entrepreneurial agriculture will supplement incomes and stimulate our local economy.

D. The City of Sacramento recognizes that lawns are the largest irrigated crop in the United States and that our City should allow its residents to use their landscaping to grow food for themselves and their communities. In urban areas in the United States, anywhere from 30 to 75 percent of residential water is used for watering lawns. These resources could be allocated to more productive activities, including growing food, thus increasing access to healthy options for all Sacramento residents.

17.348.020 General provisions.

A. The City of Sacramento does hereby:

(1) Establish by ordinance an Urban Agriculture Incentive Zone comprising its boundaries for the purpose of entering into enforceable contracts with landowners, on a voluntary basis, for the use of vacant, unimproved, or blighted lands for small-scale agricultural use.

(2) Impose a fee upon contracting landowners for the reasonable costs of implementing and administering contracts entered into pursuant to this Chapter.

B. A contract entered into pursuant to this Chapter shall:

(1) Not be for less than five years.

(2) Not be available to a property that is less than 0.10 acres, and not more than three acres.

(3) Not be available to a property that is not entirely dedicated toward commercial or noncommercial agricultural use.

(4) Not be available to a property that contains any dwellings on the property while under contract.

(5) Include a notification that if a landowner cancels a contract, a city, county, or city and county is required to assess a cancellation fee equal to the value of the property tax benefit available to be received during the remainder of the contract period.

(c) Not prohibit the use of structures that support agricultural activity, including, but not limited to, toolsheds, greenhouses, produce stands, and instructional space.

(d) Not be available to a property that uses pesticides or fertilizers except for those pesticides or fertilizers allowed by the United States Department of Agriculture's National Organic Program.

(e) Not be available to a property that does not submit a water conservation plan, including a statement of commitment to best practices with regard to water conservation.²

² http://www.pacinst.org/wp-content/uploads/2013/02/sustainable_water_management_for_urban_agriculture3.pdf

Urban Agriculture Incentive Zones (AB 551), continued

- (f) No new contract shall be entered or renewed pursuant to this chapter after January 1, 2019. Any contract entered into pursuant to this chapter on or before January 1, 2019, shall be valid and enforceable for the duration of the contract.
- (g) Property subject to a contract entered into pursuant to this chapter shall be assessed pursuant to Section 422.7 of the Revenue and Taxation Code during the term of the contract.
- (h) The City does hereby consent to establishment, by the County, of Urban Agriculture Incentive Zones in any of its spheres of influence.

Information Gateway

It is imperative to make sure residents understand how they can take advantage of the code changes and programs contained in the Urban Agriculture Ordinance. We propose developing an information gateway that includes information related to:

- Finding the size of a lot and its zone;
- Determining the amount and type of animals a lot can support;
- Determining options for selling goods, including information on Business Operations Taxes and County Health & Safety Codes;
- Limitations of activities that can be done as part of an Urban Agriculture operation;
- Value-added products and how they can supplement farm income;
- Leasing and land access for residents looking to get into Urban Agriculture;
- Water conservation and pest management;
- Tool, seed, and compost resources.

Sacramento's information gateway could be maintained via one of the Coalition members in partnership with the City.

References:

--San Francisco has an excellent gateway maintained by the San Francisco Urban Agriculture Alliance <http://www.sfuua.org/resources.html>. The City has 1.5 FTE staff dedicated to Urban Agriculture (total cost ~\$120,000), plus many others who spend part of their time on Urban Ag. Total annual City budget dedicated to UA comes to ~\$4 million (!) (see the City's 2013 UA strategic plan & evaluation http://www.sfuua.org/uploads/4/8/9/3/4893022/urban_ag_strategic_plan_final.pdf)

Detroit:

--Community group "Keep Growing Detroit" says it works closely with the City Planning Commission to help Garden Resource Program members navigate the permit process.

Portland:

--City's website has minimal info and links on urban agriculture at <https://www.portlandoregon.gov/bes/55188>. Private farms and community groups have websites with info on urban agriculture.

Austin, TX:

--Parks & Rec Department created a position in 2011 for community garden projects. Later, the position's responsibilities were expanded to include more aspects of urban agriculture (per Heather Frambach on <https://archive.org/details/ShadesOfGreenJuly112013>)

Seattle:

--City has a 3-page handout explaining basics of all aspects of urban agriculture regulations, with references for more info: www.seattle.gov/dpd/publications/cam/cam244.pdf

Somerville, MA:

--City has a 24-page handout explaining all aspects of urban agriculture regulations, including copies of permit applications: www.somervillema.gov/sites/default/files/SomervillesABCsOfUrbanAgriculture_5.pdf

[click here to go to Table of Contents](#)

Public Land

Many cities have sought to convert underutilized city-owned properties to food production in order to beautify and invigorate neighborhoods and impact community health. This has been achieved by the following methods, any or all of which the City of Sacramento could adopt:

- develop lease programs to connect urban farmers with city-owned properties,
- provide for the ongoing management and acquisition of urban agriculture on city lots through the development of a land trust
- maintain new and existing public spaces (road medians, and other city-owned land) with the express purpose of growing food for and among residents
- increase land tenure by protecting urban agriculture on city lots as part of an “Open Space” plan.
- on City-owned land used for urban agriculture, prohibit use of pesticides or fertilizers other than those allowed by the United States Department of Agriculture’s National Organic Program.
- test the soil of publicly-owned lots used for urban agriculture for possible contamination.

References:

Seattle: Community Gardening Resolution, P-Patch Strategic Plan

<https://www.seattle.gov/neighborhoods/ppatch/gardeningresources.htm#Policy>

Seattle has been particularly effective at fostering urban agriculture on city-owned lot through its “P-Patch” program. The P-Patch Community Gardening Program is managed by the Seattle Department of Neighborhoods in partnership with the P-Patch Trust, a non-profit corporation. As of January, 2013, there are 81 P-Patch community gardens, 2650 plots, and 6100 gardeners. Gardens are built on public property owned by city departments, public and private owners. Gardens range from small to large and from cooperative style (shared plots) to large-tract market gardens (food grown by low-income farmers to sell). Further, Seattle has committed to protecting its urban agriculture sites by protecting them as “Open Space” from subsequent development. This designation also can lower the site’s value, making it more accessible for purchase by urban agriculture practitioners.

Austin, TX: [urbanagriculture_ordinance2.pdf](#)

San Francisco: performed audit of City-owned buildings with potential for rooftop gardens http://www.sfuua.org/uploads/4/8/9/3/4893022/urban_ag_strategic_plan_final.pdf

San Francisco: from SFUAA Guide:

Publicly-owned land includes parcels owned by various city, state, or federal government agencies. Gardens can be started on public land. If your garden is on public land, you may have additional restrictions regarding what you’re able to do with your garden. Just like private landowners, each city agency sets its own rules for what is and is not allowed on the public property they oversee. Selling what you grow on land administered by the Recreation and Parks Department, for example, is generally prohibited. It will almost certainly take longer to start such a garden than it would on private land -- but the reward may be that you are creating a community resource that may last for years and years.

Cleveland: Urban Agriculture Overlay District (DRAFT), Agriculture in Residential Districts, and Keeping of Farm Animals and Bees at: <http://planning.city.cleveland.oh.us/zoning/cpc.php>

[click here to go to Table of Contents](#)

Public Land, continued

Cleveland: “Cutting Through the Red Tape: A Resource Guide for Local Food Policy Practitioners & Organizers,” Sanders/Shattuck, Sanders, Food First/Institute for Food and Development Policy December 2011, p. 8:

The City of Cleveland has acquired a significant number of lots through foreclosure and title transfer. The Cuyahoga County Land Bank in partnership with the city council, planning department and other agencies are creating an application process for multi-year leases and single year licenses for community gardens and entrepreneurial urban agriculture on public land. Leases are required for farmers making significant infrastructure investments or operating heavy machinery. While the county requires lessees to carry liability insurance, a local provider worked with urban farmers to develop a low-cost coverage option. By August 2011, approximately 60 parcels of public land had been leased for urban agriculture.

Land Use and Planning Policies to Support Community Gardening and Urban Agriculture, Public Health Law and Policy,

http://norcalheal.cnr.berkeley.edu/docs/CommunityGardenPolicyInventory_PHLP.pdf

SELC: <http://www.urbanaglaw.org/land-access/> topics:

- Public Land Access

 - Public Land Use Agreements

 - How Some Cities Promote UA on Public Land

 - City Land Inventory Studies

- Urban Garden Land Trusts

 - What is a Land Trust?

 - The Community Land Trust

 - Examples and Case Studies

Appendix 1: Zone names

- See City of Sacramento Zoning Map Book for full definitions.
- Overlay zones not considered here.
- Zones in bold are those where community gardens are currently not allowed.

Residential:

R-1 Standard Single Family
R-1A Single Family Alternative
R-1B Single Family or Two Family
R-2 Two-Family
R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-5 Multi-Family
RCMU Residential/Commercial Mixed Use (Sacramento Railyards Specific Plan)
RE Rural Estates
RMU Residential Mixed Use (Sacramento Railyards Specific Plan)
RMX Residential Mixed Use
RO Residential-Office

Commercial and Office:

C-1 Limited Commercial
C-2 General Commercial
C-3 Central Business District
C-4 Heavy Commercial
EC Employment Center
HC Highway Commercial
OB Office Building (OB, OB-2, OB-3)
ORMU Office/Residential Use (Sacramento Railyards Specific Plan)
SC Shopping Center

Industrial and Manufacturing:

M-1 Light Industrial
M-1(S), M-2(S) Industrial
M-2 Heavy Industrial
MIP Manufacturing - Industrial Park
MRD Manufacturing, Research and Development

Other:

A Agricultural
A-OS Agriculture-Open Space
ARP-F American River Parkway Floodway [see also PC overlay zone]
F Flood
H Hospital
SPX Sports Complex
TC Transportation Corridor

Appendix 2: Rooftop Gardens

Edmonds Chandler is a landscape architect and member of the City of Sacramento Planning and Design Commission. He and others recently formed the Rooftop Alliance in Sacramento (see <https://www.facebook.com/SacRooftops>). Unlike most of the areas considered in the proposed Urban Agriculture Ordinance, building codes are a major topic when one considers rooftop gardens. Mr. Chandler suggests that we do not try to specifically address rooftop gardens in the proposed Urban Agriculture Ordinance at this time. The preamble of a UAO, however, could still include supportive references to rooftop gardening.

Resources:

Eat Up - The Inside Scoop on Rooftop Agriculture, Lauren Mandel, New Society Publishers, 2013 (Paul Trudeau has a copy)

“Use Your Roof” by Bay Localize <http://www.baylocalize.org/files/Use-Your-Roof-Final.pdf>

“Rooftop Gardens: From Conception to Construction” by San Francisco Beautiful, sfbeautiful.org

Chicago: rooftop urban farm allowed by right in Commercial, Downtown, Manufacturing zones, and with CUP in B3 community shopping (large store) zones. ([Urban_Ag_Ordinance_9-1-11.pdf](#))

San Francisco: see SFUAA Guide.

Portland, OR: had an EcoRoof Incentive program including but not limited to rooftop gardens; not currently funded. See <https://www.portlandoregon.gov/BES/48724>. Case study of a Portland school rooftop garden: see <https://www.portlandoregon.gov/BES/article/428423>

SELC: <http://www.urbanaglaw.org/building-codes/>: Rooftop Gardens

Appendix 3: Additional Resources

Sustainable Economies Law Center's Urban Ag Law website, www.urbanaglaw.org, is still in development but has a wealth of relevant information.

"Guide to Starting a Garden or Urban Farm," San Francisco Urban Agriculture Alliance (SFUAA), sfuaa.org.

Urban Agriculture: Growing Health, Sustainable Places, Hodgson, Caton Campbell, & Bailkey, American Planning Association, 2011. (Paul Trudeau has a copy)

Cultivate L.A.: An Assessment of Urban Agriculture in Los Angeles County, June 2013, <http://cultivatelosangeles.org/>

notes from June 2013 meeting between City staff & community organizations regarding Sacramento Urban Agriculture: Meeting Notes and next steps_ 6-26-13.docx

Olivia Brown, Ubuntu Green: Memo re: Examples for Sacramento--Urban Agriculture Ordinances in San Francisco, San Diego, Detroit & Chicago, June 13, 2013.