

City governments vary widely in the policies and programs that support or hinder urban agriculture. In part the differences are related to the attitude of the city officials towards urban agriculture. They can also be related to differences in the geographic, economic and demographic circumstances of the cities.

Urban agriculture can take many forms-- individual backyard gardens, community gardens and farms or city-run programs, and commercial operations. Different policy strategies favor different kinds of urban agriculture. Chicago has a program to put community gardens in existing parks, but requires neighborhood groups to take responsibility for the gardens, while Portland's parks department manages almost all of Portland's community gardens. The following report details language and programs related to urban agriculture in several cities.

## **Portland, OR**

Portland explicitly mentions community gardens in its zoning code. They are mentioned as an example of "parks and open areas". There is also a separate use category for agriculture, which is a permitted or conditional use in many urban zones.

### ***Agriculture Definition***

Agriculture is defined in section 33.920.500 of the zoning code in the following way: "A. Agriculture includes activities that raise, produce or keep plants or animals. B. Accessory uses include dwellings for proprietors and employees of the use, and animal training. C. Examples include breeding or raising fowl or other animals; dairy farms, stables; riding academies; kennels or other animal boarding places; farming; truck gardening, forestry, tree farming; and wholesale plant nurseries. D. Exceptions. 1. Processing of animal or plant products, including milk, and feed lots, are classified as Manufacturing and Production. 2. Livestock auctions are classified as Wholesale Sales. 3. Plant nurseries that are oriented to retail sales are classified as Retail Sales and Service. 4. When kennels are limited to boarding with no breeding, the applicant may choose to classify the use as Agriculture or Retail Sales and Service."

### ***Parks and Open Areas***

According to the Portland zoning code, sec. 33.920.460, "Parks and Open areas are uses of land focusing on natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens or public squares. Lands tend to have few structures. B. Accessory uses may include club houses, maintenance facilities, concessions, caretaker's quarters, and parking. Examples include parks... and land used for grazing that is not part of a farm or ranch.."

### ***Open Space Zone***

There is an Open Space zone, in which agriculture is a permitted use and "parks and open areas" are a limited/conditional use. Zenger farm is mostly within this designation.

### ***Zones***

Agriculture is a permitted use in RF and R20 zones. It's a conditional use in R10 and R7, and it is forbidden in higher density single-dwelling residential zones R5 and R2.5 as well as all multi-dwelling residence zones.

Parks and open areas are a limited conditional use for all single-dwelling residences. However,

gardens are explicitly allowed for all single-dwelling residential units (33.110.235). In the multi-residence zones R3, R2 and R1, parks are a conditional use. However, they are permitted in RH, RX and IR zones.

Agriculture and parks and open areas are permitted in all industrial zones. Agriculture is not permitted in most commercial zones, such as neighborhood and office commercial zones, but it is a conditional use in CS (storefront commercial), CG (general commercial) and CX (central commercial). Parks and open areas are a permitted use in all commercial zones.

### ***Community Gardens Program***

In addition to its zoning policy, the city of Portland runs an extensive community gardens program. The program is responsible for most of Portland's community gardens and it allocates plots for the year from a waiting list. The yearly fee for a 400 sq. ft. plot is \$50, and half plots are available for half the cost. There are handicap-accessible raised plots available as well for \$17. In addition to providing gardening space, the program includes demonstration sites for composting and orchards. It co-sponsors the school programs, "the children's gardening program" and "hit the dirt!" (for teens). It coordinates donation of food to local hungry agencies, as part of the "produce for people" program. (<http://www.portlandonline.com/parks/index.cfm?c=39846&a=93176>).

There are assigned garden managers for each garden, and water is provided by the city during the growing season. There is a system of warnings for people with abandoned or underworked gardens. After the warnings, an abandoned plot is given to someone on the waitlist. The following is a link to a web page with garden etiquette, including specific instructions about the maintenance of plots and conduct in gardens. (<http://www.portlandonline.com/parks/index.cfm?c=39846&a=93178>). Food from Portland community gardens maybe consumed at home or donated. It is not meant to be sold.

In addition to community gardens, there are some urban farms, including the Zenger farm (<http://www.zengerfarm.org/>), which is owned by the city, and run by a non-profit with a 50-year lease.

## **Chicago, IL**

Chicago takes a multi-pronged approach to urban agriculture, through its zoning code and multiple programs, including extensive support of the land trust, neighbor space and a program that allows community gardens to be made in parks.

### ***Community Gardens Use Category and Zones***

Community gardens have their own use category within Parks and Recreation. They are only permitted in certain kinds of parks (community and neighborhood parks, not open space/natural areas or cemeteries) (See 17-6 Special purpose districts-- parks and open space). The ordinance also details Parks and Recreation are permitted in all residential districts, all commercial districts. Storage and maintenance areas/buildings are considered an accessory use in community and neighborhood parks (Section 17-6-0203-E). Fishing piers are permitted in all but cemeteries.

### ***Compost***

There is also a compost ordinance (Section 7-28), that explicitly includes provisions to waive the compost permitting process for not-for profit-composting of landscaping materials and on-site

composting of food waste. It also details required compost standards.

### ***City Programs (Gardens in the Parks)***

Chicago also offers support to community gardens in the form of its Community Gardens in the Parks program. Through this program, community groups can apply for park space to turn into a community garden. There are over 40 community gardens in Chicago parks ([http://www.cpdit01.com/resources/community\\_gardens/index.htm](http://www.cpdit01.com/resources/community_gardens/index.htm)). Conditions for using park space for gardens include that plants grown for consumption be grown in raised beds and that gardens have access to an existing water source in the park.

In addition to Community Gardens in the Parks, there are several other city initiatives to create more community gardens. The CitySpace program includes a Campus Parks program, which develops vacant land and replaces asphalt in school yards with parks and gardens. There is also a green roof initiative, and an “eat healthy, live healthy” working group.

### ***NeighborSpace***

In addition to these explicitly municipal efforts, the city also has an arrangement with a non-profit land trust organization, NeighborSpace. The organization was founded in 1996 with the help of a city ordinance, in which the city promises to give or sell NeighborSpace leases or title to small parcels for gardens and to fund the organization. In 1998, the ordinance was amended to create 20 years of annual financial support for NeighborSpace with \$100,000 from each of the City of Chicago, the Chicago Park District, and the Forest Preserve District.

## **Boston, MA**

Boston's approach to urban agriculture is very integrated with its land use planning. Boston has an Open Space zoning designation with a community garden subdistrict. Greenhouses are explicitly mentioned as accessory structures. In addition to specific zoning, it has mechanisms to transfer vacant land to groups or individuals that can turn it into gardens. Non-profits and neighborhood groups are generally expected to take responsibility for the organization and maintenance of gardens, but there is support available, including grants and technical assistance from Extension services.

### ***Open Space District and Community Garden Subdistrict***

Open Space Subdistricts (Article 33)

33-1 "Preamble. This article supplements the creation of an open space district (OS) designation, which under Text Amendment NO. 101 can be given to public lands or, with the written consent of the owner, to private property. The open space district and nine open space subdistricts, taken together, present a comprehensive means for protecting and conserving open spaces through land use regulations. The open space (OS) designation and an open space subdistrict designation can be used in conjunction with each other, thus establishing for the land so designated the particular restrictions of one of the subdistricts: community garden, parkland, recreation, shoreland, urban wild, waterfront access area, cemetery, urban plaza, or air-right. Land can be given the OS designation, however, without the simultaneous designation of a particular subdistrict, such as "park" or "garden," where the desired subdistrict designation is yet to be determined. This system instills flexibility into the regulation of open space."

33-8 "Community Garden Open Space Subdistricts. Community Garden open space (OS-G) subdistricts shall consist of land appropriate for and limited to the cultivation of herbs, fruits, flowers,

or vegetables, including the cultivation and tillage of soil and the production, cultivation, growing and harvesting of any agricultural, floricultural, or horticultural commodity; such land may include Vacant Public Land."

### ***Open Space Use Categories***

Article 2.37 (Definitions) "Public Open space", an open space in public ownership devoted or to be devoted to a public use with only minor accessory buildings, if any. No structure that exceeds twenty feet in height or two thousand square feet in gross floor area shall be considered to be a part of such open space..."

2.48 "Usable open space", space suitable for recreation, swimming pool, tennis court, gardens, or household service activities, such as clothes drying. Such space must be at least seventy-five percent open to the sky, free of automotive traffic, parking, and undue hazard, and readily accessible by all those for whom it is required.

### ***Zones for Gardens and Farmer's Markets***

Open space is allowed in all residential and business districts, and all industrial areas except "maritime economy reserve", in which it is forbidden.

Farmer's markets probably fall under "... outdoor sale or display for sale of garden supplies, agricultural produce, flowers and the like"(Article 8.50 ). This is forbidden in all three residential districts and the maritime economy reserve district. It's conditional in commercial and waterfront industrial zones and allowed in the restricted and general manufacturing zones.

### ***Open Space Plan***

The city created an open space plan, which has a chapter on community gardens, identifying needs, goals and recommendations for the city. It covers issues of community gardens and community development, acquisition and permanency, capital investment, maintenance and support, productivity, management, education, training and programming, and resource development.

### ***Land Acquisition and Support***

Most community gardens appear to be owned by land trusts. The city has programs to lease and sell vacant land for gardens. Most notable is the Grassroots program, in the department of neighborhood development, which "funds the design and construction of community gardens and open spaces" and "conveys city-owned land to nonprofit organizations for community benefit and use (powerpoint presentation Andria Post Ergun. Boston's Grassroots Program: CDBG Funding for Community Gardens p.3). Annually they give 3-5 technical assistance grants up to \$25,000 and 3-5 construction grants up to \$150,000. "Funds are only available for capital construction...All grantees must have proven capacity in long-term open space management." (ibid) Funding comes from Community Development Block Grant (federal).

### ***Entrepreneurial Urban Ag in Boston***

The Food Project grows food in Lincoln, MA. They have education and internship programs. They sell food through a CSA and farmer's market, including value added projects such as salsa and pies. (<http://www.thefoodproject.org/about/index.asp>)