Food for Thought
Supporting Urban Agriculture through Planning & Zoning
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Coming on the heels of a challenging and unconventional year, writing this article has found me reflecting on a few of my own lessons learned. If you’ll indulge me, I’d like to highlight a few here:

- An unmasked smile is the world’s most valuable commodity – it’s free, and something we hope to see again very soon.
- When attending a virtual meeting, mute your microphone so others can’t hear you crunching pretzels in the background.
- Although they’ve gotten some mileage this year, sweatpants are not “real” pants (regardless of whether your colleagues can see them or not).
- My final lesson learned is this: With challenge comes opportunity. Opportunity breeds creativity and resiliency. Of this, humankind excelled in 2020.

One of the more visible effects of the COVID-19 pandemic early on was the mass shortage of items on our grocery store shelves – food and non-perishable items alike were in high demand, yet difficult to find. Individuals across the country took matters into their own hands, creating opportunities to be self-sufficient through backyard and container gardening. Some also started school gardens, joined community gardens and community supported agriculture (CSA) programs, and became regular patrons of their local farmer’s markets and farm stands. Pick-your-own fruit, flower, and vegetable operations abounded and local value-added products sold like hotcakes (literally and figuratively). All these actions have one thing in common: In an attempt to supplement insufficient grocery store purchases, people turned to a variety of local food sources.

One area of note is urban agriculture – it’s not a new movement, and it’s not even new to us locally. But 2020, with all its challenges and opportunities, has given urban agriculture a renewed sense of purpose. As planners, we are...
taking a closer look at best practices and local land use documents, trying to uncover ways for urban agriculture to be supported through planning and zoning.

**What is Urban Agriculture?**

While we tend to think about farms solely in terms of vast open spaces in rural communities, urban agriculture stretches our minds to consider agricultural practices in other settings. It is somewhat of a chameleon, taking on different meanings to different people. For this article, urban agriculture is defined as any “agricultural production, including food and non-food products, occurring within or around urban centers”\(^1\) – for our purposes, meaning cities, villages, town centers and large residential neighborhoods or subdivisions. “The activities that make up urban agriculture can include, in a broad sense, the growing, processing, marketing, distributing, and consuming of food and other products through growing plants and raising animals” in the urban center.\(^2\)

Urban agriculture can generally be found on three different scales:

1. **Personal** urban agriculture takes place at home or within a private setting. Products are grown for personal consumption, not for sale. Examples include backyard/home gardens and greenhouses, homesteading efforts, and animal husbandry in a home setting (e.g. backyard chickens).

2. **Community** urban agriculture is generally a mid-size operation tended to by a group of residents, either as a collective effort or with individual plots. Products are developed for either personal or group consumption, or donation. The most typical form is a shared community garden.

3. **Commercial** urban agriculture, such as urban farms (with or without animals) and commercial gardens, is a larger-scale operation and part of an agricultural business. Its products are sold and distributed to local consumers, restaurants, or stores, contributing to the regional economy. Community-supported agriculture (CSAs) is typically considered a commercial operation.

While these general categories provide a framework to think about urban agriculture, each community can determine the specifics of what’s right for them.

Think of your community: Does a town center resident wish to have a home vegetable garden and backyard chickens? Does someone else want to start a rooftop community garden for their apartment complex? Or maybe a start-up wants to house their indoor garden, marketing operation, and community kitchen in a vacant building in a village. If scenarios like these are true, then people in your community are looking to engage in urban agriculture. As members of local municipal, planning, and zoning boards, you are in the driver’s seat, helping to determine what types of urban agriculture your community may want to support (or at least not prohibit) in your land use documents.

- Reforming parking will reduce development costs and make housing more affordable, create more attractive and walkable communities, and reduce traffic congestion and improve the environment.

Shoup brings humor and an economist’s perspective to his writing, which is based on decades of research and observations from around the world. It’s well worth a read (or at least, a summary). Visit his website for links to his publications, and articles and videos about his work.

*Reds, oranges, and greens, oh my! These colorful and healthy vegetables are a few of the diverse crops grown by the Green Teen Gardening Program, which operates in the City of Beacon and is organized by Cornell Cooperative Extension Dutchess County. (Photo credit: Helenna Bratman, CCEDC)*
Benefits of Urban Agriculture
Urban agriculture broadens the availability of local food sources, yielding many benefits to a community:

Food Security & Public Health:
For years, public health experts have been telling us that processed and fast foods are detrimental to our health. In areas struck with food insecurity, these unhealthy foods are often what is most accessible to residents. Urban agriculture can help fill the void by making fresh, healthy food more easily available. And while it is just one piece of the puzzle, urban agriculture has the ability to improve public health by reaching food insecure individuals right where they live.

Sustainability & Resiliency:
History has demonstrated that crop diversification leads to a more stable food source -- something urban agriculture can help address. The more food grown and produced on a variety of scales and in a variety of settings aids in the sustainability and resiliency of the food system. It is no secret that the COVID-19 pandemic highlighted inherent deficiencies in our food system. Especially now, people see that relying on vast, complicated, and seemingly intangible food supply chains introduces vulnerabilities into this system.

Economic Development:
Commercial urban agriculture may locate in under-served urban centers, paying local taxes and potentially engaging residents to learn and farm alongside them. These urban agriculturalists may choose to grow crops on vacant or underutilized properties, helping to improve local property values, decrease crime, and give an overlooked area new life.

Community Engagement:
Urban agriculture may include youth outreach programs, help to teach people of all ages and abilities about nature and science, and provide volunteer and job opportunities. These efforts bring residents a renewed sense of community through a common purpose -- feeding themselves.

In the City of Beacon, the Green Teen Community Garden program gives local youth an opportunity to participate in urban ag, giving them experience harvesting, preparing, and marketing local produce. While gardening, they are learning about the food system and gaining leadership and workforce skills. (Photo credit: Helenna Bratman, CCEDC)

Potential Community Concerns and Zoning Conflicts
Urban agriculture can be a welcome addition to our local communities. Though not without its challenges, most will only come into play regarding commercial operations, not less-intensive forms of urban agriculture such as private backyard gardens. As with any use, public health and safety should always be maintained, which can only be done when forethought is given to potential impacts.

Nuisances & Neighborhood Character:
Ask any farmer, cultivation comes with a slew of inevitable sights, sounds, and smells. These realities of agriculture are not always received kindly by neighbors. While not unique to urban agriculture, impacts could be intensified because of the close proximity of neighbors in an urban center. It is in a community’s best interest to balance the professional needs of the
urban agriculturalist with the health, safety, and welfare of the public. Any real or perceived nuisances, or impinged neighborhood character, should be mitigated through balanced zoning regulations.

**Balancing Community Uses:**
Urban agriculture may not be appropriate for every property or neighborhood. Land is the urban center’s currency and, in some instances, other priorities may be held for that land, such as additional housing or civic uses. It is important to remember that urban agriculture is a flexible concept and can take a variety of forms in the urban center. In the end, community conversations will decide where and in what forms urban agriculture could take place.

**Accessory Uses & Buildings:**
Some related buildings and/or uses, such as storage sheds or farm stands, may be considered accessory to the urban agriculture operation and either permitted as-of-right or require further oversight.

**Site Considerations:**
Urban agriculture can take many forms, and in certain instances may benefit from more oversight to ensure site considerations that could impact public safety are addressed. Some examples might include reviewing fencing proposals for a community garden in a public park or discussing an urban farm’s waste/compost plan; in each case, balance – between the professional needs of the urban agriculturalist and the health, safety, and welfare of the public – is needed.

**Ideas for Municipal Regulation of Urban Agriculture**
The municipal regulation of urban agriculture is two-fold, starting with the comprehensive plan and then moving to the zoning code:

**Comprehensive Plan**
The comprehensive plan is your community’s long-term vision for its future. If that future might include urban agriculture, then it is important to memorialize this goal in the comprehensive plan. Depending on your goals, “the topic may deserve a standalone section...or may be woven throughout the plan’s other components.”[3] In either case, when updating the plan, it is important to include the potential benefits of urban agriculture, as well as data about existing conditions and future desired conditions. For example, a community may desire to inventory its current urban agriculture operations, vacant or defunct land, under-utilized commercial land, and food deserts/low access areas; this information can then be incorporated into the comprehensive plan to determine where, how, and in what forms urban agriculture will be encouraged.

**Zoning Code**
Depending on the priorities and goals outlined in the comprehensive plan, your community can choose what to consider urban agriculture, how to zone for it, when and where to allow it, and under what circumstances. Regulations governing urban agriculture do not have to be the same throughout the entire urban center – like all things zoning, they can and should be context- and location-specific. Generally;

> “Ordinance provisions...acknowledge different intensities of urban agricultural activities. A common distinction is between gardens that grow food for personal consumption (or donation) and market gardens or urban farms that grow food for sale. Some communities draw additional distinctions based on size or the range of permissible activities on site. Use standards may address elements such as setbacks, hours of operation, storage, accessory structures, odor and noise, fencing, lighting, composting, and whether animals or on-site sales of produce are permitted. Some places have standards for accessory agriculture-related structures such as greenhouses and hoophouses, and others have added ordinances allowing for the keeping of urban livestock, including bees, chickens, and goats.”[4]

More specifically, here are some regulatory ideas to consider including:

**Definitions:** Urban agriculture should be clearly defined in the zoning code. At a minimum, communities could define home gardens, community gardens, commercial gardens, and urban farms. For more specificity, consider defining other urban agriculture-related uses such as apiaries, backyard animal husbandry, community-supported agriculture, farm stands, farmer’s markets, agri-tourism, and accessory buildings like greenhouses and hoophouses.
**Classification Choices:** The type and scale of the operation will likely dictate the level of regulation. Will it be small and personal, mid-size and community-based, or larger and commercial in nature? Depending on the intensity of the operation, communities can decide where these operations could locate and how to regulate them.

- Another regulatory option for commercial operations is imposing size limits or limiting how much the operation can produce. Since urban agriculture can maximize space by growing up as well as out, acreage may not always be the best metric to use. With input from local experts, a community can investigate using intended output instead.

**Where to Allow Urban Agriculture:** A community may be more flexible regarding personal and community urban agriculture, while implementing additional oversight of commercial operations. It is generally advised that low-impact personal urban agriculture operations, such as backyard gardens, are permitted in all residential districts as-of-right, and that community urban agriculture uses be permitted in residential, mixed-use, open space and institutional districts either as-of-right or with a minor level of review. Communities will also want to keep related accessory uses and structures in mind when contemplating regulation, and to allow these when contextually appropriate.

- **Urban Agricultural Zoning District:** As the COVID-19 pandemic has highlighted the ability of many people to work from home and energized the online shopping market, underutilized commercial and office spaces may become more prevalent. In areas with a concentration of these spaces, communities may eventually want to rezone for intensive commercial urban agriculture operations. An Urban Agricultural Zoning District could be created, which would allow these uses to be permitted as-of-right in the district (but likely still subject to supplemental regulations).
**Supplemental Regulations:**
Commercial, and some community-level, urban agriculture operations could be subject to additional regulations in the code. These might include designated hours of operation, waste control, a farm management plan, certain setbacks, or a modified site plan to address things like exterior lighting and signage, parking, fencing, and landscaping/screening.

**Modified Site Plan and/or Special Permit Review:**
A community can employ a modified site plan and/or special permit review for certain urban agriculture operations in certain locations. Best practice suggests these be reserved for larger, more intensive commercial uses. A modified site plan review is a more streamlined process with fewer requirements than a standard site plan review, and is intended to save the urban farmer time and money while still ensuring the community’s ability to have local land use issues examined. A special use permit means a use is permitted in a district as long as certain conditions are met, allowing the community to set reasonable standards which aim to balance public, health, and safety with the needs of the urban agriculturalist.

Before developing regulations for urban agriculture, a community might benefit from reviewing their existing local laws to identify any that may affect the viability of urban agriculture. Identifying and understanding pre-existing institutional barriers, in advance of creating new regulations, will help to better inform the pathway forward.

**Getting Even More Creative**
As 2020 was nothing short of an unconventional year, now is the time to think outside the proverbial box and re-imagine where and how people access food. In searching for additional ways to support urban agriculture, some communities may look to other initiatives such as farm-to-school opportunities, land banks to identify underutilized urban spaces appropriate for urban agriculture, property tax incentives for landowners that convert blighted or abandoned properties in the urban center to agricultural use, and discussions to support the “public plate” – feeding those in public institutions (e.g. primary and secondary schools, colleges, jails, etc.) – with food produced through local urban agriculture.

**Why Does it Matter? Why Now?**
Hopefully you are convinced that there are many reasons to support urban agriculture in your community, and have some ideas to consider when deciding how to plan and zone for it in a balanced way. If you are still on the fence, please consider this: We know that local food strengthens people and places; this is true related to the COVID-19 pandemic and in general. As such, all forms of local agriculture – urban and otherwise – deserve a place at the regulatory table. As arbiters of policy in your community, you play a central role in achieving this.
Back to my takeaways from earlier: As a community, we will decide how this pandemic ultimately defines us – challenge has already brought opportunity, let’s continue to allow opportunity to drive resiliency and creativity. It’s clear that when local thrives, we thrive, too.

Just a little food for thought.


Coming Soon!

Dutchess County agriculture is growing...and so are our efforts to promote it!

The Dutchess County Department of Planning and Development is pleased to announce the pending release of our new publication Blueprint: An In-Depth Look at Planning Issues. The first issue, entitled Fielding Farm-Friendliness Through Planning and Zoning, explores how communities can integrate farm-friendly practices into local land use documents.

The Dutchess County Agricultural Advisory Committee will host a 5-part Farming in Dutchess Virtual Series where participants can learn about a variety of topics related to Dutchess County agriculture from the comfort of their living rooms (or farm fields or home offices). The first session of this conference will be taking place soon.

Stay tuned! More information on both of these initiatives will become available in the coming weeks.

More Information

Urban Agriculture, American Planning Association Knowledgebase Collection
Seeding the City: Land Use Policies to Promote Urban Agriculture, NPLAN and ChangeLab Solutions
Municipal Strategies to Support Local Food Systems, Chicago Metropolitan Agency for Planning
Urban Agriculture: A Guide for Municipalities, University of Pittsburgh Institute of Politics and Allegheny County Conservation District
Zoning Practice: Urban Agriculture, March 2010, American Planning Association
Zoning Practice: Urban Agriculture, August 2014, American Planning Association
Urban Farming in the Hudson Valley: A Growing Movement, HV Pattern For Progress
Vulnerability Revealed: COVID-19 and the Hudson Valley Food System, HV Pattern for Progress
The ABC’s of Urban Agriculture, City of Somerville, MA
Community Food Production: The Role of Local Governments in Increasing Community Food Production for Local Markets, Growing Food Connections
What is Urban Agriculture?, University of Maryland Extension
The Politics of NYC’s Urban Farming: The City Notices Urban Agriculture, Hunter College New York City Food Policy Center
Urban Gardens Growing Strong Amid COVID Pandemic, Morning Ag Clips

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This newsletter was developed by the Dutchess County Department of Planning and Development, in conjunction with the Dutchess County Planning Federation.

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