



## Bureau of Planning and Sustainability

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# M E M O

April 25, 2011

**To:** Urban Food Zoning Code Update Project Advisory Group (PAG)

**From:** Julia Gisler, City Planner, Bureau of Planning and Sustainability (BPS)  
Steve Cohen, Food Policy and Programs, Bureau of Planning and Sustainability (BPS)  
Amy Gilroy, Oregon Public Health Institute (OPHI)

**Subject:** **Topic Area Discussions: Key Issues**

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Thank you for participating in the topic area discussions. We want to make sure that we accurately captured the key issues discussed at these meetings. We also want to let you know about the upcoming concept report and public review events scheduled for this summer.

### Topic Area Discussions

These discussions helped us refine the issues and our thinking about each area, including reaching a better understanding of the health and equity implications of possible code changes, and learning about the impacts to the surrounding areas. The discussions also provided a good forum for us all (including project staff) to learn about the many creative ways Portlanders' are incorporating food into their lives, communities, and businesses. This is the City's first zoning code project that addresses urban food production and distribution; as with any such project, it is important to understand the complexities of the activities to be regulated.

**On page 2 of this memo is a summary of the key issues identified in the topic area discussions. Please confirm the summaries accurately reflect the discussions that you took part in last winter. Send your comments to Julia at [Julia.gisler@portlandoregon.gov](mailto:Julia.gisler@portlandoregon.gov), by Friday, May 6th.**

### Concept Report

Our next step is publishing the *Urban Food Zoning Code Update Concept Report* in June. This report will identify issues and possible solutions at the conceptual level (without zoning code language) and will include a questionnaire on the concepts presented. Throughout the month of July there will be opportunities to comment on the concepts and project staff will be available to meet with groups and individuals.

**We will contact PAG members later this spring for advice on appropriate types of outreach events, as well as people/groups to notify about opportunities to comment on the *Concept Report*. We are especially interested in talking with health and equity stakeholders who represent people of color and low-income communities who have historically not participated in these types of zoning code projects. It's important we all work together to get the word out so we can have a successful public review of the *Concept Report*.**



City of Portland, Oregon | Bureau of Planning and Sustainability | [www.portlandonline.com/bps](http://www.portlandonline.com/bps)  
1900 SW 4th Avenue, Suite 7100, Portland, OR 97201 | phone: 503-823-7700 | fax: 503-823-7800 | tty: 503-823-6868

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## Topic Area Discussions: Key Issues

There were four Project Advisory Group (PAG) meetings to discuss the five topic areas: urban food production, community gardens, farmers markets, community food distribution sites, and animals/bees. PAG meetings were open to the public and more than 60 people participated in some or all of the meetings held on January 18, February 1 and 15, and March 1. The project website has agendas, handouts, and meeting notes: <http://www.portlandonline.com/bps/foodcode>

Below is a list of the key issues from each of the topic area discussions, starting with a list of general comments that apply to the overall project. Other issues discussed that are outside the scope of this zoning code project will be included in the *Concept Report*, but are not mentioned here.

### General

- Need more flexibility to grow and sell produce in more zones, especially residential and commercial.
- Lack of definitions of urban food production and distribution activities creates uncertainty, and in some cases, barriers to beneficial activities.
- Conditional use reviews necessary in some zones are prohibitively expensive for many urban food production and distribution activities (i.e. market gardens, farmers markets)
- Need to engage health and equity stakeholders and examine extent to which zoning codes can address health and equity issues in underserved communities. For the purposes of this project, underserved community are characterized by income, race, lack of healthy food options, and presence of high density multi-family affordable housing.

### Urban Food Production

- Current regulations do not address food production activities that are smaller than farms, e.g., one acre or less. Need to define and clarify different scales of agriculture.
- Regulations should allow food to be grown for personal consumption anywhere in any zone. However, when selling is involved more analysis is needed to determine the appropriate scale, location, and operational restrictions.
- Impact of production and sales on surrounding area, such as traffic, noise, and parking, and potential health issues, such as exposure to pesticides and fertilizers, need to be considered.
- Need to analyze impacts of urban food production activities on properties with conditional uses (i.e. schools, faith-based, hospitals, community centers) and regulate appropriately to encourage creation of gardens while balancing needs of surrounding area.
- Need to clarify rules regarding selling produce grown in residential yards. Can it be sold off-site such as at a farmers market or as part of a CSA? Can it be sold on-site such as a produce table in front of the house?

## **Community Gardens**

- Need to be careful how we use term "community." There are many models of community gardens beyond Portland Parks & Recreation program. In other models, community gardens can include social programs, education components, and entrepreneurial elements instead of, or in addition to, growing food only for personal consumption.
- There is no definition of community gardens in the zoning code. However, community gardens are identified as examples in Parks And Open Areas use category and as such are allowed in all zones. Continue to allow community gardens in all zones, but include definitions that enable regulations that specifically address community gardens and ensure their development is well-integrated and beneficial to the surrounding neighborhood.
- Need to analyze impacts of community gardens on properties with conditional uses (i.e. schools, faith-based, hospitals, community centers) and regulate appropriately to encourage the creation of gardens while balancing needs of surrounding area.
- Some community gardens in low-income neighborhoods are cultivated by non-area residents, making it more difficult for these lower-income residents to experience benefits of the community garden in their neighborhood.

## **Farmers Markets**

- Need to develop regulations for farmers markets to ensure the largest range of possibilities in the widest range of places without disturbing neighbors and businesses in the surrounding area.
- There is no definition of farmers market in the zoning code. Currently, the way they are regulated (mostly as temporary uses) results in operational difficulties and do not adequately address where they should be allowed, their duration, or livability issues of the surrounding neighborhood. Need to create definitions and appropriate zoning code regulations that allow farmers markets to operate more efficiently and with more certainty.
- Need to analyze impacts of farmers markets on properties with conditional uses (i.e. schools, faith-based, hospitals, community centers) and regulate appropriately to encourage the markets while balancing needs of the surrounding area.
- The conditional use process is costly and difficult, creating barriers for farmers markets that tend to operate as non-profits with limited funds.

## **Community Food Distribution Sites**

- Zoning code does not specifically address community food distribution sites, such as for CSAs and food buying clubs. The uncertainty that results may hinder community food distribution sites in locations that efficiently serve people.
- There is general support for allowing small-scale community food distribution in most situations. However, impacts to surrounding neighborhood need to be analyzed. Truck and vehicle traffic have been the main issues identified. Need to look at the impacts of delivery trucks and vehicles coming to a site and determine if limits should be set to reduce impact to the surrounding area. The accessory home occupation regulations may provide guidance when developing regulations that address neighborhood impacts.

## **Animals and Bees**

The City of Portland contracts with Multnomah County to administer and enforces Portland's regulations regarding animals and bees. Most think the current system works well. However, there were a few issues raised:

- Some sections of the regulations are confusing and need to be clarified. For instance, what is “adequate evidence” of notification? How are ‘roam at large’ and ‘picketing’ defined? Are permits site specific or issued to individuals?
- Consider increasing number of permitted animals to four, allowing for good husbandry practices with two animal pairs.
- Breeders are required to be licensed and temporary changes in the allowed number of animals due to additional births has not been an issue, but language could be changed to accommodate.
- One-hundred percent approval of neighbors within 150 feet may be too stringent for beekeeping permit.