




URBAN FOOD ZONING CODE UPDATE
CONCEPT REPORT

Enhancing Portlanders' Connection to Their Food and Community

PUBLIC REVIEW DRAFT – July 2011

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The Bureau of Planning and Sustainability (BPS) and Oregon Public Health Institute (OPHI) received funding from the Multnomah County Health Department through the Health and Human Services\Communities Putting Prevention to Work (CPPW) Initiative to consider health and equity issues in this project.

The Bureau of Planning and Sustainability is committed to providing equal access to information and hearings.

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Additional copies of this report are available:

- On the project website at *www.portlandonline.com/bps/foodcode*.
- At the Bureau of Planning and Sustainability at 1900 SW 4th Ave., 7th floor.
- Mailed to you, if you call 503-823-7700.
- At community meetings.

For more information

www.portlandonline.com/bps/foodcode

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Phase I: Project Advisory Group

Special thanks to the more than 60 people who attended one or more of the topic area discussions (winter 2011)

How to participate in this project

Read this report. This Concept Report provides a framework for discussion about the regulations that apply to growing and distribution of food, such as community gardens and farmers markets. Each topic area includes a direction; the directions are still conceptual.

Fill out the questionnaire at the end of this report or write to us. Your thoughtful feedback and constructive critique of the ideas in this report will guide the development of the final concepts and the actual Zoning Code language. To be included in the public review summary, comments must be received by 5:00 p.m. on Monday, August 15.

The questionnaire is also available online *www.portlandonline.com/bps/foodcode*. You can send the questionnaire or other written comments to:

Julia Gisler, Bureau of Planning and Sustainability
1900 SW 4th Avenue, Suite 7100
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Come to a community meeting. Please attend one of these community meetings to learn more about the project and give us your comments on the ideas in this report.

First hour open house followed by staff presentation and community discussion.

Thursday, July 28 **6 - 8:30 p.m.**	**Hollywood Senior Center,** 1820 NE 40th Avenue TriMet Bus #12 and MAX Blue, Green and Red Lines
Tuesday, August 2 **6 - 8:30 p.m**	**Portland Development Services Building**,1900 SW 4th Avenue, Room 2500 TriMet Transit Mall, Portland Streetcar, and MAX Green and Yellow Lines
Monday, August 8 **5 - 7:30 p.m.**	**Midland Library,** 805 SE 122nd Avenue TriMet Buses #71, #77, and MAX Blue Line

Join our mailing list. There will be additional public meetings as we develop final concepts and code language. If you would like to receive notice about these meetings, please join our mailing list by signing up electronically on the project website or by contacting Chris Dornan at 503.823.6833.

Learn about our advisory group. This fall, we will convene an advisory group to represent the community and government agencies. Members will have expertise in areas related to food, health/equity, business, or represent neighborhoods or other stakeholders. This group will review and advise us on proposals, including draft zoning regulations. If you would like to learn more about this group, contact Julia Gisler at 503.823.7624.

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Organization of this Report

This report is divided into the following sections:

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II. **Benefits and Impacts** – This summarizes the potential health, environmental, and economic benefits and possible negative impacts of the concepts.

III. **Topic Areas** – There are five topic areas, that include market gardens, community gardens, farmers markets, food membership distribution sites, and animals/bees. For each topic area, there are the following subsections:

- Description of Topic Area
- Examples in Portland (w/photographs)
- Issues Identified
- Related Issues Beyond the Scope of This Project
- Current Zoning Regulations
- How Other Cities are Regulating these Activities
- Project Direction and Discussion Questions. The questions at the end of each topic area are also on the questionnaire found at the back of this report where there is room to write comments.

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I. Introduction

Project Summary

Recognizing the connections between food and the community's environmental, economic, and public health, the City of Portland strives to increase access to healthful, affordable food for all residents, especially for diverse communities who may have fewer healthful food options or limited means of access. While farmers markets, community gardens, backyard farming, animal husbandry, community supported agriculture (CSA), and food buying clubs have dramatically increased in the city, the applicable zoning code regulations can be cumbersome and unclear.

The Urban Food Zoning Code Update is the City's first broad look at how our regulations affect the activities associated with growing and distributing food in our neighborhoods. Current regulations address large-scale farms—often with significant acreage that can require a sizeable labor force and equipment such as tractors. This update examines food production and distribution at a scale that is appropriate to neighborhoods in an urban environment and helps build community.

This project explores allowing for-profit market gardens in more areas of the city; encourages more gardening for personal consumption and donation; and provides more certainty for food distribution activities such as farmers markets, CSAs, and food buying clubs. As new regulations for these activities are developed, possible impacts to the surrounding neighborhood will be considered, and where appropriate, mitigated.

While the issues and opportunities of urban food are vast, this project focuses on five topic areas. Each is described below, and has a chapter in this report. In particular, this project looks at the topic areas in terms of zoning approaches and regulations.

1. **Market Gardens** are gardens or orchards where food is grown to be sold. It may be sold directly to consumers, restaurants, and stores. Market gardens tend to be more intensively cultivated and smaller scale than typical farms. A market garden can be the primary use on a property or an accessory use to a primary use such as a house or an office building.

2. **Community Gardens** are gardens where any kind of plant is grown—including flowers—and several individuals or households work at the site. The site may be divided into small plots, or gardeners may work together to cultivate the entire property. The land may be publicly owned, as in the Portland Parks and Recreation Community Gardens Program or may be privately owned. The garden might be on the site of a religious institution, a school, corporate park, or medical center.

   As with market gardens, community gardens tend to be more intensively cultivated and at a smaller scale than typical farms and they can be a primary or secondary use on a property. The significant distinction between Market and Community Gardens is that food is grown for sale on the former while food from Community Gardens is used for personal consumption and/or donation.

3. **Farmers Markets** are events that occur on a regular basis in the same location. Markets may occur only during the growing season or year-round. Market vendors are farmers, ranchers, and other agricultural producers who sell food and added-value products, such as jams and jellies, they have grown, raised, or produced. A few markets allow a limited number of craft vendors who sell hand-made products with materials from Oregon.

4. **Food Membership Distribution** fall into two categories:

   - Community Supported Agriculture allows people to buy a "share" of a farm, which entitles them to future produce, meat, eggs, etc. The farmer delivers the "share"—a box or bag of food, usually once a week. In many cases, the farmer delivers multiple shares to one location and individuals go to that distribution site to pick up their shares.

   - Food Buying Clubs allow people to pool their resources to buy food directly from wholesalers, distributors, or growers, usually at significant savings. While most of the items purchased are bulk or processed foods with a long shelf life, fresh fruits and vegetables can also be included. The growers or distributors typically make deliveries to a single location or distribution point. The club then relies on the volunteer efforts of its members to divide up the food for the participants.

5. **Animals and Bees** topic area includes raising bees and a variety of animals in residential areas; the purpose is to harvest food such as honey, eggs, milk, chickens, and so on. Many animals—including chickens, goats, ducks, and rabbits—can be accommodated in residential areas and are increasingly common.

Project Objectives

- **Affirm the City's commitment to expanding access to healthy food for all residents.** This commitment is reflected in community values and policies of the *Climate Action Plan, Peak Oil Task Force Report* and the ongoing policy work of the *Portland Plan*.

- **Increase access to healthful, affordable food, especially in diverse communities.** Access to farmers markets, community gardens, and other ways for residents to grow and purchase fresh produce are not equally distributed in Portland neighborhoods.. A lack of access to healthy and affordable food can lead to significant health problems such as diabetes and obesity. The disparities in access to healthful and affordable food can lead to disparities in health.

  This project will explore ways zoning code regulations can promote access to healthful food for all. While the Zoning Code is a good tool for treating issues equally, it is not a good tool for addressing equity. Code changes that support growing and selling food throughout the city can increase everyone's access to healthful food. Addressing these activities allows government and social services providers to prioritize programs that meet the needs of diverse communities more effectively.

- **Support healthy, vibrant neighborhoods by increasing opportunities to grow, sell, and purchase healthful food.** Gardening, farmers' markets, and food membership networks can bolster a neighborhood's sense of community by combining common interests with gathering places for social interaction, group activities, or educational programs.

  Increasing the ability to garden for profit allows small entrepreneurial food ventures and urban farmers the opportunity to employ neighborhood residents, supplement household incomes, and offer more opportunities for residents to buy locally grown food. Institutions, such as schools, faith-based facilities, hospitals and community centers provide excellent opportunities for neighborhoods to increase food growing capacity and access to healthful food.

- **Develop zoning code regulations that support residents' ability to grow, sell, and buy healthful food at a scale that is appropriate to Portland's neighborhoods.** Develop clear regulations; support growing food and easier access to locally grown food; and when appropriate, mitigate impacts to the surrounding neighborhood (such as noise and traffic). Regulations should set the appropriate framework for these activities to expand and grow in the future if desired. Limit the use of expensive review and permitting procedures to activities and situations that clearly have a significant impact to the surrounding neighborhood; for smaller or less intensive activities, develop standards that can be met with minimal cost to the applicant.

  As the current regulations are analyzed and modified the community will be invited to participate in the discussion and learn about the benefits, impacts, and trade-offs of removing barriers to growing and distributing food in the City. Efforts will be made to ensure diverse communities are included in these discussions.

- **Identify and document issues beyond the scope of this project for other projects and larger citywide policy discussions** such as the *Portland Plan* and the update to the *Portland Comprehensive Plan*, including follow-up recommendations.

Project Partners

The Bureau of Planning and Sustainability (BPS), in partnership with the Portland Multnomah Food Policy Council (FPC) and the Oregon Public Health Institute (OHPI), is leading this process to examine the zoning code regulations and ensure that they support the values and policies of our community.

Portland Multnomah Food Policy Council

The Food Policy Council has addressed zoning code issues for many years and taken the lead in identifying barriers in the zoning code that inhibit food production and distribution. BPS is working with members of the FPC to document past research of these issues as well as utilize their broad connections to groups and individuals to ensure appropriate stakeholders are notified of the project. Members from this committee will co-chair the Project Advisory Group (PAG) meetings with project staff.

Multnomah County Health Department Communities Putting Prevention to Work (CPPW) Grant

This project is partial funded by a grant from the national Center for Disease Control and Prevention Communities Putting Prevention to Work (CPPW) program. The purpose of the CPPW program is to improve access to healthful food and opportunities for physical activity. City, county, regional agencies, and community-based organizations funded by CPPW aim to ensure policy decisions promote health equity and equitable distribution of resources to underserved communities.

Oregon Public Health Institute (OPHI)

OPHI is also funded by the CPPW grant to ensure that health/equity is addressed throughout this project. OPHI staff will accomplish this by contributing health/equity information to written materials and reports, identifying and providing relevant research and best practices on health impact of recommendations, engaging health/equity stakeholders in the process, and facilitating communication with CPPW partners who may be interested in this project.

Advisory Groups

(Also see Appendix A: Public Involvement for more information)

Project Advisory Group (PAG)

- **Phase 1: Topic Area Discussions –** The PAG in this phase was composed of people who participated in one, or more of the topic areas discussions held January through March 2011. Topic area discussions were open to the public and more than 60 people were involved in the various discussions.

- **Phase 2: Project Recommendations –** A second PAG will be convened with members to represent the community and government agencies. Members will have expertise in areas related to food, health/equity, business, or will represent neighborhoods and other stakeholders. This group will review and advise project staff on proposals, including draft zoning regulations.

Technical Advisors and Government Coordination

Many government agencies have jurisdiction and expertise in areas of food production and distribution. The following bureaus/agencies will be invited to participate in the project and when appropriate provide technical advice throughout the process.

City of Portland (Bureau of Development Services, Portland Parks and Recreation, Portland Bureau of Transportation, Bureau of Environmental Services, Portland Water Bureau, Portland Development Commission, and Office of Neighborhood Involvement); Multnomah County (Health Department, Office of Sustainability, Land Use Planning, Vector Control); School Districts (Portland Public, David Douglas, Centennial, Reynolds, Parkrose, and Riverdale); Metro; and Multnomah Water and Soil Conservation Districts (East and West).

Project Schedule

(Also see Appendix A: Public Involvement)

Fall/Winter 2010	Food Policy Council Food Production and Distribution Committee Initial Work
	Project staff attended the monthly meetings of the Food Production and Distribution committee. Staff reviewed background work and confirmed issues as well as identified stakeholders and ideas for public involvement. These meetings were open to the public and relied on notification from the Food Policy Council.
Winter/Spring 2011	**Topic Area Discussions**
January	**Establish On-Going Communication Tools** Project website goes live Publish project brochure Start building project mailing list Set up Dropbox to share background documents and relevant research between partners and interested stakeholders **Topic Area Discussions** Because of the wide variety of issues covered by this project, initial discussions with stakeholders were divided into the following topic areas:
January 18 February 1 February 15 March 1 April 25	▪ Project Summary/Introduction Meeting ▪ Urban Food Production ▪ Community Gardens and Animals and Bees ▪ Farmers Markets and Community Food Distribution Sites ▪ Send summary memo to PAG members
	The FPC Food Production and Distribution committee members were notified via email of the topic area discussion meetings and additional health, food security, and hunger organizations were identified and invited to participate. People who attended one or all of these meetings were put on a Project Advisory Group (PAG) mailing list. The topic area discussions were open to the public. Participants discussed the existing types of activities for each topic, reviewed the issues, and brainstormed the benefits and possible impacts to surrounding neighborhoods.
Spring/Summer 2011	**Concept Report**
July 20	Building on the topic area discussions and additional research, staff published a Concept Report that identified issues, benefits, potential impacts and examples of how other cities regulate food growing and distribution activities. The report did not include draft zoning code language. The first step in a zoning code update project is to thoroughly understand regulatory issues around existing activities by reviewing them with a wide perspective of stakeholders.

WE ARE HERE **July 28** **August 2** **August 8** **August**	There will be three community meetings to discuss the ideas in the Concept Report. ▪ Hollywood Senior Center ▪ Development Services Building ▪ Midland Library In addition to these meetings, project staff will coordinate outreach to diverse communities or groups that have historically been underrepresented in public processes such as zoning code updates. Comments from the public review of the Concept Report will be compiled and posted on the project website. Phase II PAG recruited to review and comment as project recommendations are developed.
Fall 2011	**Develop Project Recommendations**
    September- November **December**	Once guidance on the direction is received from community input on the Concept Report work will begin on developing the proposed zoning code regulations. The technical aspects of writing zoning code regulation require a PAG with members who are knowledgeable about how the zoning code works and are committed to attend multiple meetings. **PAG Meetings** (schedule TBD) ▪ Review comments on Concept Report ▪ Understand the Zoning Code ▪ Provide advice on proposed zoning code regulations A Discussion Draft of Project Recommendations will be published and the public will be invited to comments on the proposals. The comment period will be several weeks and there will be at least one community meeting.
Winter 2012	**Portland Planning & Sustainability Commission and City Council Review**
	Staff will publish report to the Planning and Sustainability Commission (PSC) with proposed zoning code regulations as well as next steps. Issues outside the scope of this zoning code project will be directed to appropriate city-wide policy discussions such as the Portland Plan and the Update to the Portland Comprehensive Plan. PSC will hold a public hearing. After they complete their review they will send their recommendations to City Council. City Council will hold a public hearing on the PSC's recommendations and make final decision.

II. Benefits and Impacts

How does growing, distributing and selling food in Portland affect our daily lives?

This section highlights the potential benefits and impacts that must be considered and balanced as zoning code regulations are developed that allow more food to be grown, distributed, and sold in Portland. For more specific research please refer to the Health, Environment, and Economic Considerations Report.

Summary

Market gardens, community gardens, animal husbandry, farmers' markets, and community food distribution sites have the potential to provide many public health, environmental, and economic benefits to Portland residents. However, it is important to consider how our health, neighborhood livability and the environment could be impacted. In most cases, the benefits outweigh the risks, yet as we explore ways to better regulate these activities, we must consider and try to mitigate all factors—both good and bad—that may affect the community overall. New zoning code regulations can include operational standards and mitigation strategies to help diverse communities enjoy the benefits of growing, distributing, or selling food in Portland.

Benefits

Health Benefits

- **Access to Healthful Food –** A food environment that provides a variety of healthful food options is necessary to maintain health and well-being. However, not all communities experience an equitable food environment. Cost, transportation and cultural significance are some of the factors that influence healthful food access. In some communities, these factors may present more barriers than in others. Personal and community gardens can help to improve access and food security in communities that have limited options.

- **Social Connectivity –** Communities that are more socially connected often perceive their neighborhoods to be safer and offer more opportunities for social gathering. Gardening, raising backyard animals, farmers' markets and community food distribution points can create social gathering places in communities that have fewer social engagement opportunities. Many of these activities can also help to build and empower communities to get involved in local food justice causes.

- **Healthy Eating –** A household or community garden plot encourages the eating of more fresh produce as well as helps to fulfill daily nutritional requirements that contribute to good health. There is a direct connection between increased fruit and vegetable intake and successfully

maintaining a healthy weight. People who are not obese or overweight are less likely to develop chronic diseases such diabetes and hypertension.

- **Nature in Neighborhoods –** Urban gardens help to "green" and beautify neighborhoods, offering more places where residents can relax in a natural environment, thereby reducing stress and anxiety, and instilling a sense of place and connection with nature.

- **Cultural heritage** – Gardening provides an opportunity to share knowledge and gain access to foods that have cultural significance for different ethnic groups. Many people who arrive to the United States as refugees and immigrants from rural backgrounds have benefited from applying their agricultural skills in community gardening or economic development projects.

- **Physical Activity –** Gardening and attending farmers' markets is a good form of exercise. Physical activity that is integrated into daily errands and activities—such as weeding, maintaining compost and walking or bicycling to a farmers' market—help contribute to positive health impacts over a lifetime.

- **Mental Health –** Gardening outdoors can help to strengthen mental health for many people as well as be therapeutic in a clinical setting. It has been found to reduce stress, restore mood and instill a sense of satisfaction in feeding one's family.

- **Nutrition Education –** Gardening or visiting farmers' markets serve as opportunities to teach family and friends about the origins and cultural significance of food. Cooking is a great way to encourage children, parents and seniors in developing lasting healthy eating habits.

- **Health Care Costs –** Increased intake of fruits and vegetables in combination with regular physical activity helps in maintaining a healthy weight, thus reducing the chance of developing chronic diseases such as obesity, heart disease, stroke and some cancers—which can reduce lifelong healthcare costs.

- **Respiratory Health –** Plants and vegetation in urban gardens help to improve the quality of the air, which benefits the health of nearby residents. Children in particular are positively affected, as asthma and other respiratory illnesses often develop early in life as a result of outdoor environmental conditions.

Environmental Benefits

- **Wildlife Habitat –** Green areas created by urban gardens provide a healthy habitat for animals, birds and insects. Beekeeping helps to increase bee populations and improves crop pollination.

- **Biological Diversity –** Gardens that incorporate native plant species support an increased number and variety of regional flora, which helps to ensure the ecological sustainability of numerous plant and animal populations.

- **Healthy Watersheds –** Urban vegetation effectively absorbs and filters rainwater, which reduces the impact on municipal storm water systems and delays storm water runoff that can pollute waterways and harm fish populations.

- **Cooler Temperatures–**The vegetation of vegetable gardens and orchards can have a cooling influence on urban areas. The additional shade surface helps to offset heat generated by surrounding buildings and pavement.

- **Carbon Footprint –**Growing food near home or buying locally-produced goods through farmers markets and community distribution points can reduce carbon emissions from transporting and distributing food. Purchasing food from farmers markets and community food distribution points may reduce automobile trips to grocery stores and the demand on non-regional produce.

Economic Benefits

- **Family Food Costs –** Maintaining a backyard or community garden plot can generate hundreds of pounds of produce in a year, which reduces household food-related costs. The result of vegetable gardening fosters self-sufficiency and supports family food security.

- **Supplemental Income and Multiplier Effect –** Selling food from accessory or market gardens helps to generate income, as well as benefit other businesses in the gardening and agricultural sectors. Farmers markets in Portland, for example, have a "spillover" effect generating dollars for neighboring businesses and supporting jobs. By increasing the places where local food is sold, more economic opportunities are available to producers.

Impacts

It is important to recognize the potential negative impacts these activities could have on health and neighborhoods as well as the environment. It is particularly important to consider these impacts on communities that have historically been overlooked.

Health Impacts

- **Soil Contamination –** Growing food in soil that contains high levels of lead, mercury, copper and other substances can be hazardous for human consumption. This is particularly true in brown fields, industrial zones, near railroads and high volume streets and freeways where contamination is likely high.

- **Fertilizer and Pesticide Safety –** Chemicals applied on gardens can blow or create runoff onto neighboring properties, possibly leading to soil contamination, entering nearby sewers and waterways. Pesticide exposure has been linked to types of cancers and respiratory illnesses in farmworkers.

- **Air Pollution –** Outdoor activities such as gardening or visiting a farmers market which are located near high volume streets and highways increase the likelihood of being exposed to harmful traffic pollutants. Growing crops and raising animals can cause elevated dust and allergen levels, which can adversely impact neighbors.

- **Vehicle Hazards and Noise –** An increased number of vehicles and traffic in neighborhoods that have gardens, CSA drop-off sites or farmers' markets can result in more accidents as well as elevated noise, which effects sleep and functioning.

- **Domestic Animals –** Backyard farm animals such as fowl, goats or pigs can harm human health if they become diseased, and pathogens can be spread through their manure. Keeping bees may pose a hazard to surrounding neighbors with severe allergies to bee stings.

- **Pests –** Improperly maintained compost, feeding bins or water catchment systems can attract rats, opossums, mosquitoes, flies and other pests, which often are hosts to various diseases.

- **Food Safety –** It is important that all food and animal products—at home and when sold—are properly washed, stored and prepared before eating.

Neighborhood Impacts

- **Nuisances –** On-street parking from farmers' markets or CSA drop off sites, clucking noises from neighboring hens, and barnyard smells or dust can sometimes be irritating and may disrupt one's enjoyment of their property.

- **Aesthetics –** The act of gardening creates a "look" that some may feel is incongruent with a neighborhood's residential character. Equipment such as rototillers, structures including greenhouses or sheds, as well as fallow garden beds in the offseason create an effect that neighbors may consider unsightly.

- **Increased Activity –** Allowing more food to be grown, distributed and sold may bring more people to an area—and with them there may be increased litter, noise and traffic. In residential neighborhoods, land uses are primarily restricted to household living. Uses in neighborhoods that generate more activities like churches or schools, are often subject to a conditional use review.

Environmental Impacts

- **Waterways –** With more usage of municipal utility water for gardening, increased runoff can occur, potentially harming the water table if agricultural chemicals are used.

- **Air quality –** Fumes associated with farm machinery, delivery trucks, compost and backyard animals can escape into the open air, thus compromising air quality.

- **Agricultural chemicals –** Chemicals such as fertilizers, herbicides, or pesticides that are applied to crops can be hazardous if improperly used, stored or disposed. This creates the potential for adversely affecting air, water and soil quality as well as the surrounding flora and fauna.

- **Energy use –** Some activities related to urban food production affect a city's carbon 'footprint'. Greenhouses are one example, as they utilize heat and light during the winter months to keep plants alive, yet they require electricity, thus increasing energy consumption tied to the burning of fossil fuels.


community gardens, animals and bees, food membership distribution
backyard gardens, farmers markets
FARMERS
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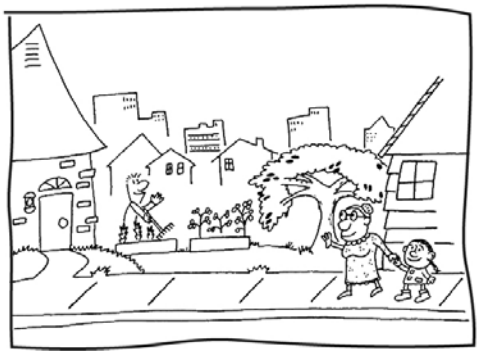
Illustrations by Rob Gisler



1. Market Gardens

Description

Market Gardens are gardens or orchards where food is grown to be sold. It may be sold directly to consumers, restaurants, and stores. Market gardens tend to be more intensively cultivated and smaller scale than typical farms. A market garden can be the primary use on a property or an accessory use to a primary use such as a house or an office building.

Examples in Portland

The Fargo Forest Garden on N. Williams Avenue is run by the Urban Farm Collective.

Customers buying farm stand produce grown at Ariadne's Garden in NE Portland.

Refugees preparing to plant cucumbers in New American Agriculture Project Garden in East Portland run by Mercy Corps.

Issues Identified

- **The current zoning code regulations were written for large production farms and do not adequately address growing food at a smaller scale, such as market gardens.** The current regulations consider growing food for profit to be inappropriate in most zones; it is allowed only in industrial and very low-density residential zones, or, through a land use review, in a few other locations.

- **Because the current regulations limit where food may be grown for a profit, there is a lack of land that is both suitable and legal for market gardens.** This is a barrier to small-scale food-growing operations. Because the interest and demand is so great, there are a number of market gardens in residential and commercial zones operating outside the zoning code.

- **The land use reviews required for market gardens in some zones can be prohibitively expensive for small-scale food growers.** The current zoning code relies heavily on land use reviews to determine if market gardens are allowed in many commercial and residential zones. The cost ($3,000 and up) of having the city perform the land use review in addition to the time (several months) can be a barrier to small scale food growers.

- **The regulations that apply to selling produce from gardens on properties zoned for residential use are not clear.** Can produce be sold off-site at a farmers market? Can it be sold on-site from a table in the front yard? Can a commercial operator lease garden space from a homeowner?

- **City policy and regulations are not clear about growing food on what are commonly called** *institutional sites* such as schools, faith-based institutions, hospitals and community centers. These sites often have special regulations that apply to them. The uncertainty of the process as well as the potential costs of land use reviews may be a barrier to growing food on these sites.

Related Issues Beyond the Scope of This Project

- **Water –** Urban water costs are much higher than agricultural water rates, which are not available in the city. There are also barriers to using grey water systems for gardens (regulated by the Oregon Department of Environmental Quality)

- **Because food is being sold to the public and is not just grown for personal use –** There are various laws that exist to ensure that both workers and consumers stay safe. Various local, county and state agencies—such as Multnomah County Health Department, Oregon Department of Environment Quality and Oregon Department of Agriculture enforce regulations with the intent of protecting people from harmful exposure to agricultural chemicals, contaminated soil where vegetables are grown, as well as food-borne illness that can occur from improper growing, distributing, storing, preparing and serving food products.

- **Soil Testing –** The Oregon Department of Environmental Quality (DEQ) does not currently require soil testing on properties with potentially contaminated soil. However, it is recommended that soil be tested for urban food production projects to ensure quality and safety.

Current Zoning Regulations

Portland: Market gardens are regulated as agricultural uses and limited to very few zones. On-site sales are allowed in residential areas as temporary activities.

Market gardens are only allowed by right in open space, employment, industrial, and farm/forest zones. They are prohibited in all multi-dwelling zones and many commercial and single dwelling zones. Agricultural uses are allowed through a conditional use in commercial and single dwelling zones that do not prohibit them.

Base Zone Category	Allowed	Conditional Use	Prohibited
Open Space	X		
Single Dwelling	Farm/Forest and low density single dwelling zones such as along Skyline Road in NW Portland	Medium density single dwelling zones, examples include: Cully, Russell, and Hillsdale neighborhoods	High density single dwelling zones, examples include: Buckman, Irvington, and Sellwood neighborhoods
Multi-Dwelling			X
Commercial		General commercial, storefront, and central city commercial	Smaller office and neighborhood commercial
Employment/Industrial	X		

On-site sales are only allowed in zones that allow retail sales (mostly commercial and some employment zones). However, seasonal sales such as farm stands are allowed as temporary activities for five (5) consecutive weeks in all residential zones, two times a year for a total of 10 weeks a year. Seasonal outdoor sales are allowed for up to one (1) month at any one (1) time in commercial, employment, and industrial zones.

How Other Cities Regulate Market Gardens

There are a handful of cities—principally San Francisco, Seattle and Kansas City—that are leading the way in removing zoning barriers for growing and selling food in urban spaces. Although the term 'market garden' is not typically used within the zoning code language for many jurisdictions—except for in Lincoln City, Oregon—it is useful to understand the framework in which the regulations were created. One common theme among several of these city policies is governing activities of growing and selling food in residential zones, due to the potential benefits of accessible healthful food while considering the associated negative land use impacts. Examples of regulations include restricting the

time of the day when visitors are allowed, what types of products can be sold, rules on heavy machinery, as well permit approvals that are required in some cases.

San Francisco: *Neighborhood Agriculture* allows on-site sales of home garden produce from gardens less than one acre (43,560 sq. ft) in all zones, that meet neighborhood livability requirements.

In San Francisco, market gardens are addressed under an umbrella definition of urban agriculture. *Neighborhood Agriculture*—allowed in all zones—specifically falls under a general category of *urban agriculture*, meaning that it is a use that occupies less than one acre for the production of food and horticultural crops to be harvested, sold or donated...[it] may be principal or accessory use. Produce that is grown in a market garden can be sold on-site during certain hours of the day as long as the sales occur outside the home.

In every zone except residential, the sale of value-added products where the primary ingredients are grown and produced onsite are allowed as long as specific physical and operational standards are followed (such as setbacks, fencing, the use of farm equipment and hours of operation).

Seattle: *Urban Farms* of any size are allowed to sell produce grown on premises in any zone, must meet neighborhood livability requirements/standards. Urban farms that are accessory to a residence, institutional facility, or other primary use with planting areas less than 4,000 sq. ft. are allowed in all zones.

In Seattle, urban farms fall under an umbrella term *of urban agriculture* (which also includes community gardens, animal husbandry, aquaculture and horticulture). Urban farms that grow and sell food on the same lot are allowed in all zones, including residential.

Urban farms under 4,000 square feet of planting area are allowed in all zones as accessory uses, including properties with conditional uses. In these cases, even though extra permits are not required, there are various operational standards that must be followed. For example, food retail sales and related all public activities are allowed to occur between 7am-7pm, deliveries are limited to one per day, there is a two vehicle limit, and other requirements must also be considered.

Farms with over 4,000 square feet of planting area may be permitted as a conditional use in any zone. In these situations, applicants must submit a management plan as well as a summary of potential impacts and mitigation strategies.

Kansas City: Home gardens, CSA farms and on-site sales of produce allowed in all zones. CSA farms need special permit in residential zones.

In Kansas City, agriculture is considered a distinct use—with three categories of Crop Agriculture, Animal Agriculture, or Urban Agriculture—and is allowed in residential, office/commercial, and manufacturing zones. The Urban Agriculture use has three subcategories: Home Garden, Community Garden, and Community Supported Agriculture (CSA) Farm. All three designations allow on-site sales

of produce, although home gardens may only engage in onsite sales during a five-month timeframe starting in the spring. A CSA farm may be a principal or accessory use, and is allowed to be located in a residential zone with a special use permit.

Philadelphia: Proposed changes would allow market farms as primary or accessory uses in various zones with specific development regulations

In Philadelphia's proposal for a new zoning code, *market or community-supported farms* would be allowed by right as a primary or accessory use in various residential, commercial and industrial zones. These farms would be allowed to sell products that were grown and harvested on site—which could include indoor areas or rooftops. Market or Community-Supported Farms would fall under the Urban Agricultural Use Category, which also includes use subcategories of Animal Husbandry, Community Gardens, Horticulture Nurseries and Greenhouses.

Specific development regulations would apply to market and community-supported farms, such as rules for fencing to screen farms along front, side and rear lot lines; providing rodent-resistant compost bins as well ensuring setback distances from abutting properties; enclosing tools and equipment in storage areas when located in residential districts; and limiting activities involving heavy machinery between sunset and sunrise.

Lincoln City, Oregon: Market gardens permitted in various residential, commercial, and special planning areas

In Lincoln City, market gardens are allowed as a primary or accessory use in various zones if specific regulations are followed.

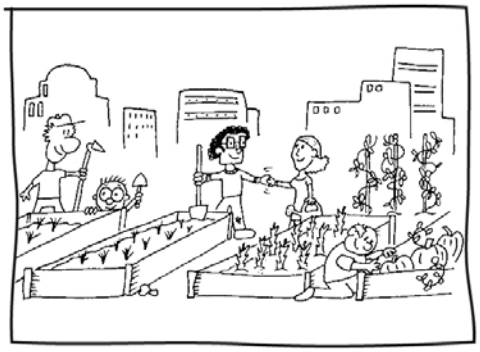
If the market garden is accessory to a primary use involving a building, then structures used to extend the growing season are allowed in the backyard. Moreover, they do not count against the allowed lot coverage, even if the structure requires a building permit. However, storage structures such as tool sheds must not exceed a certain size and must be at least three feet from all property lines. There are no off-street parking requirements for accessory market gardens.

Project Direction and Discussion Questions

Direction: Allow market gardens in more locations, including institutional sites (schools, religious organizations, medical centers). Ensure compatibility with residential areas by limiting the size to 5,000 square feet. This number was chosen because typical Portland city lots are 50 x 100 ft.

The following discussion questions are the same that are found on the questionnaire at the back of this report.

1. Is this the right direction?
2. Is 5,000 sq. ft. the right size for market gardens in residential areas?
3. What types of areas do you think market gardens should be allowed?:
    - Open Space (i.e. parks, golf courses)
    - Single-Dwelling Areas (such as Sellwood, Laurelhurst and Council Crest neighborhoods)
    - Mutli-Dwelling Areas (such as along major streets like SE122nd Avenue and the North Interstate Light Rail Corridor)
    - Commercial Areas
    - Areas where there is light industry
4. In residential areas, do you think produce should be sold on site, as at a farm stand?
5. What types of impacts concern you the most?



2. Community Gardens

Description

Community Gardens are gardens where any kind of plant is grown—including flowers—and several individuals or households work at the site. The site may be divided into small plots, or gardeners may work together to cultivate the entire property. The land may be publicly owned, as in the Portland Parks and Recreation Community Gardens Program or may be privately owned. The garden might be on the site of a religious institution, a school, corporate park, or medical center.

As with market gardens, community gardens tend to be more intensively cultivated and at a smaller scale than typical farms and they can be a primary or secondary use on a property. The significant distinction between Market and Community Gardens is that food is grown for sale on the former while food from Community Gardens is used for personal consumption and/or donation.

Examples in Portland

The Urban Harvest Garden is a joint project of the Urban League of Portland and the African Women's Coalition.

Children explore the community garden located at Holy Redeemer Catholic School on Rosa Parks Way in North Portland.

Emerson Community Garden, located on a narrow city lot in NE Portland is secured under Oregon Sustainable Land Trust.

Types of Community Gardens

- **Portland Parks and Recreation Community Gardens Program** – These gardens are managed by the City and individual plots are leased to members of the public. Sales are not allowed, and the gardens must be organic. They are located on City-owned parks property as well as at schools and commercial buildings.

- **School-based –** Vegetable gardens on school sites are used for education as well as community gardens.
- **Social programs –** These gardens include programmatic components such as food donation, education, therapy, part of larger health care program, seniors, children, etc. They may be on the site of faith-based facilities, hospitals, community/senior centers, or donated private or commercial land.
- **Educational Farms –** There are several urban educational farms that grow food as a component of their programs such as Zenger Farm.
- **Private Gardens –** Managed and worked by a group of individuals for personal consumption.

Issues Identified

- **Community gardens are not defined in the zoning code, and there are no specific regulations for them.** While community gardens are allowed in all zones, it would be beneficial to address their potential impacts and ensure their continued compatibility with neighbors.
- **Regulations for community gardens should consider the many types of community gardens.** In addition to the Portland Parks & Recreation program, community gardens include a variety of arrangements, such as those listed above.
- **Community gardens on properties with institutional uses are not clearly addressed by current regulations.** Many institutions such as schools, faith-based organizations, hospitals and community centers are sited in zoning categories that required a land use review; changes to the site or operations (such as new activities or structures) often require additional city review. Some of the institutions have, or are interested in developing, community gardens on their property. The current regulations are not clear as to whether a review would be required for a community garden. In addition, there are concerns that requiring land use reviews—which can be expensive and complex—could be a barrier to establishing community gardens.

Related Issues Beyond the Scope of this Project

Community gardens in unimproved public-right-of-ways. There is interest in establishing community gardens on unimproved right-of-ways (streets). The rules around this are unclear.

Current Zoning Regulations

Portland: Community gardens allowed in all zones, on-site sales allowed as temporary activity.

The only place that community gardens are mentioned in the Zoning Code is in the description of Parks And Open Areas use category. Community gardens are allowed by right in all zones.

On-site sales are only allowed in zones that allow retail sales, mostly just commercial zones. However, seasonal sales such as farm stands are allowed as temporary activities for five (5) consecutive weeks in all residential zones, two times a year for a total of 10 weeks a year. Seasonal outdoor sales are allowed for up to one (1) month at any one (1) time in commercial, employment, and industrial zones.

Note: *Even though the current zoning allows limited sales from community gardens, Portland Parks and Recreation's community garden program has a policy that no produce from their community gardens can be sold for profit.*

How Other Cities Regulate Community Gardens

A community garden is probably one of the most identifiable food-related land uses found within updated zoning codes around the country. The various definitions of community gardens vary slightly yet are fairly uniform in nature. One of the largest distinctions between how cities regulate community gardens is whether on-site sales of produce is allowed. Another difference is whether they are considered temporary or permanent land uses. Generally, all recent zoning code updates have listed community gardens being permitted in most zoning districts, since their negative impacts are perceived as less intensive compared to market gardens or famers' markets.

Seattle: Community gardens allowed in all zones. Produce must be used for personal consumption or donation. Special restrictions apply in industrial zones.

Allowed in all zones In Seattle, a community garden falls under an umbrella term of urban agriculture (which also includes animal husbandry, aquaculture, horticulture, and urban farms) and is a use in which land managed by a public or nonprofit organization, or a group of individuals, is used to grow plants and harvest food or ornamental crops from them for donation or for use by those cultivating the land and their households. Community gardens are allowed by right in all zones, except for heavy industrial land where they are allowed only on rooftops and the sides of buildings. There are size and height limitations for structures located in community gardens.

Cleveland: Urban Garden Overlay, which allows community gardens, can be applied in all zones. Occasional on-site sales of crops grown on-site are allowed.

In Cleveland, a community garden is an area of land managed and maintained by a group of individuals to grow and harvest food crops and/or non-food, ornamental crops, such as flowers, for

personal or group use, consumption or donation. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members. Cleveland's Urban Garden Overlay allows community gardens and can be applied in all zones. The overlay includes specific requirements for accessory structures and occasional on-site sales.

Kansas City: Community gardens are allowed in all zones, on-site sales are allowed in nonresidential zones.

In Kansas City, agriculture is considered a distinct use and is divided into three categories: Crop Agriculture, Animal Agriculture, or Urban Agriculture. Community gardens—along with Home Gardens and Community Supported Agriculture (CSA) Farms—are classified under the Urban Agriculture use. A community garden can be located in any zone as a primary or accessory use. Common areas (i.e. tool sheds, gathering places) are allowed for the group that is maintaining the site. Site users can live on the property.

In the city zoning code, traditional community gardens are not distinguished from market gardens, such as what has been done in cities such as Cleveland and Madison. Instead, community gardens are considered collective endeavors in which selling what is grown on-site is an optional activity in zones other than residential districts.

Baltimore: Proposed zoning changes would distinguish between 'permanent' and 'temporary' community gardens, on-site farm stands would be allowed in both categories.

In Baltimore, new proposed zoning changes would define a community garden as an open space area that is used for the cultivation of fruits, flowers, vegetables or ornamental plants by more than one person or family. Under the new code, community gardens would either be considered a permanent or temporary use. In both categories, soil testing is required and farm stands that sell items grown at the site are allowed. Although, all community gardens are allowed throughout the city, permanent gardens must conform to additional use standards in order to receive the status of 'permanent'.

Project Direction and Discussion Questions

Direction: Continue to allow community gardens everywhere, but clarify regulations in the Zoning Code to address the various types of community gardens and ensure their development is well-integrated and beneficial to the surrounding neighborhood.

The following discussion questions are the same that are found on the questionnaire at the back of this report.

6. Is this the right direction?

7. What types of impacts concern you the most?

3. Farmers Markets

Description

Farmers Markets are events that occur on a regular basis in the same location. Markets may occur only during the growing season or year-round. Market vendors are farmers, ranchers, and other agricultural producers who sell food and added-value products, such as jams and jellies, they have grown, raised, or produced. A few markets allow a limited number of craft vendors who sell hand-made products with materials from Oregon.

Examples in Portland

There are approximately 25 farmers markets that currently operate within Portland.

The King Farmers Market located in a residential area in NE Portland.

A vendor sells honey in front of a neighboring house at the People's Farmers Market in SE Portland.

Customers purchase produce at the Lents International Farmers Market in East Portland (Photo: Zenger Farm).

Issues Identified

- **Farmers markets are not addressed in the zoning code.** The way farmers markets are regulated (mostly as temporary uses) does not adequately address where they are appropriate or consider livability issues of the surrounding neighborhood. A clear set of zoning regulations would allow farmers markets to operate with more certainty and stability.

- **Regulations for farmers markets should consider the variety of characteristics.** Markets vary in size (from a few tables to over 150 vendors); most operate weekly during the main produce growing season, while others exist, or are planning to operate, year round. Not all markets have the same impacts on their surrounding area and should be regulated accordingly.

- **Farmers markets on properties with institutional uses are not clearly addressed by current regulations.** Many institutional uses are located in zoning categories that require a land use review; changes to the site or operations often require additional review. Some of the institutions have, or are interested in having farmers markets on their property. The current regulations are not clear as to whether review would be required for a farmers market. In addition, there are concerns that requiring land use reviews—which are expensive and complex—could be a barrier to establishing markets.

Related Issues Beyond the Scope of this Project

- **Street closures and parking issues –** Street closures depend on unanimous approval by surrounding property owners. Markets need adequate parking for vendors after they have unloaded their goods.
- **Alcohol sales –** Costs for alcohol permits can limit beer or wine vendors at the market.
- **Bike Racks –** Additional bike racks can be difficult to officially obtain as the city considers farmers markets single events rather than continual use.

Current Zoning Regulations

Portland: No special farmers market regulations, treated as temporary uses, retail sales, and/or outdoor markets.

There are no special regulations for farmers markets as they are treated as temporary activities, retail sales and/or outdoor markets depending in what zone they are located.

How Other Cities Regulate Farmers Markets

Most recent changes in city policy around the nation regulate farmers markets as a temporary use, due to the traffic and congestion impacts on neighborhoods, especially for residential zones. Both Minneapolis and Grand Rapids require interested participants to submit site design and operational plans in order to receive a permit. A permitting system versus allowing farmers markets by right ensures that potential land use impact mitigation strategies are anticipated and addressed by applicants. From a health perspective, Public Health Law and Policy (PHLP) lends some wise recommendations on how to ensure that farmers' markets are accessible to diverse populations.

Baltimore: Permitted as a temporary use in all zones

In Baltimore, farmers' markets are allowed—without a permit— as a temporary use in all zones. Within the definition of farmers' markets, items sold must be grown, produced and prepared directly by the vendor.

Minneapolis: Must submit application for permit, then allowed as a temporary use.

In Minneapolis, farmers markets are regulated as a temporary use, which is considered under a 75-day duration in one calendar year (nonconsecutive days are allowed). In residential zones, they must be located on institutional or public uses sites or on zoning lots of not less than twenty thousand (20,000) square feet. New farmers markets must submit a plan with a layout of the site and parking areas, and certain development standards must be met, including rules about vehicle usage.

Local produce markets (know as mini markets, that include five or fewer whole produce vendors) are considered a subcategory of famers markets and follow the same permitting and zoning considerations. The City is working to amend its zoning regulations to relax sign regulations related to this use.

Grand Rapids: Both seasonal sales and farmers markets are allowed as a temporary use with approved permit.

In Grand Rapids, the zoning code distinguishes seasonal sales and farmers markets. Seasonal sales are the temporary outdoor sale of a limited range of seasonal agricultural products (e.g. pumpkins in October, Christmas trees in November-December, etc.), provided by only one vendor, and in existence for a maximum time period of forty five consecutive days, not to exceed two events in a period of twelve consecutive months.

Farmers markets include items cited in seasonal sales yet also permit hand-made and other food-related products as well. They consist of multiple vendors and have a maximum duration of nine consecutive months out of a year in mixed-use commercial zones. In other non-commercial zones, activity is limited to no more than three days per week.

Both uses are considered temporary, and are allowed in mixed-use commercial zones, and in all other zones on lots approved for educational, government or institutional uses. There are setback requirements from residential uses when food preparation and outdoor cooking is involved. A temporary use application must be submitted for both seasonal sales and famers' markets which includes a site plan, photographs as well as operational/management plans.

Model Ordinance from advocacy group *National Policy and Legal Analysis Network to Prevent Childhood Obesity*: **Farmers' markets allowed in all zones if food assistance payment accepted, bicycle parking is available, among other requirements**

The National Policy and Legal Analysis Network to Prevent Childhood Obesity (NPLAN) recommends that farmers' markets be allowed in various zones (including multifamily residential areas), granted that: all health laws are followed; all markets and their vendors accept forms of payment by participants of federal, state, or local food assistance programs (including but not limited to the Food Stamps/Supplemental Nutrition Assistance Program; the Women, Infants, and Children (WIC) Farmers' Market Nutrition Program; and the Senior Farmers' Market Nutrition Program), where forms of payment include but are not limited to coupons, vouchers, and Electronic Benefit Transfer (EBT) cards; every market has an established set of operating rules addressing the governance structure, hours of operation, maintenance and security requirements and responsibilities; and appointment of a Market Manager; that composting, recycling, and waste removal in accordance with all applicable city codes; and that secure bicycle storage is available for patrons.

Project Direction and Discussion Questions

Direction: Develop regulations to ensure ample opportunities for farmers markets to occur at appropriate locations throughout the city. Determining appropriate locations includes consideration of traffic, noise, characteristics of the market (i.e. size, duration, customer base)

The following discussion questions are the same that are found on the questionnaire at the back of this report.

8. Is this the right direction?

9. What types of impacts concern you the most?

4. Food Membership Distribution Sites

Description

Food Membership Distribution

Food membership distribution sites fall into two categories:

- **Community Supported Agriculture** allows people to buy a "share" of a farm, which entitles them to future produce, meat, eggs, etc. The farmer delivers the "share"—a box or bag of food, usually once a week. In many cases, the farmer delivers multiple shares to one location and individuals go to that distribution site to pick up their shares.

- **Food Buying Clubs** allow people to pool their resources to buy food directly from wholesalers, distributors, or growers, usually at significant savings. While most of the items purchased are bulk or processed foods with a long shelf life, fresh fruits and vegetables can also be included. The growers or distributors typically make deliveries to a single location or distribution point. The club then relies on the volunteer efforts of its members to divide up the food for the participants.

Examples in Portland

Food buying club members pick up their weekly shipments of fresh local produce at the CSA distribution site at Holy Redeemer Catholic School in North Portland. The project is organized by Ecumenical Ministries of Oregon.

Issues Identified

- **Membership distribution points are not mentioned in the zoning code, and there are no specific regulations for them.** It would be beneficial to develop regulations that specifically address membership distribution sites to ensure appropriate locations and minimize negative impacts to the surrounding area.

- **Traffic associated with membership distribution points causes the most concern.** The Bureau of Development Services has received traffic-related complaints regarding a location in a residential neighborhood.

Current Zoning

Portland: Food membership distribution sites are not addressed in the Zoning Code.

How Other Cities Regulate Food Membership Distribution Sites

Currently, there are no municipalities that specifically address food membership distribution sites in their zoning codes. However, San Francisco and Seattle have regulations that address nuisances related to urban food production operations such as truck deliveries, hours of activity, etc. In terms of effectively regulating them, food membership distribution sites share many similar attributes to home occupations (such as home offices for accountants, day care, beauty shops, etc), which are regulated as accessory activities to primarily residential uses.

San Francisco: Food sales, drop-offs & pickups associated with urban agriculture are permitted in residential zones, subject to regulation.

In San Francisco, there are regulations pertaining to the distribution, pickup and sales of fresh food products for both residential and nonresidential zones. In residential zones there are requirements that sales occur outside the dwelling unit between the hours of 6am and 8pm. There are also limits on the number of employees coming to the site, signs and displays.

Seattle: Food sales, drop-offs & pickups associated with urban farms are permitted in residential zones, subject to regulation.

In residential districts where urban farms are located, retail sales and other related public uses are permitted between 7am to 7pm daily, deliveries and pickups are limited to one per day, and one identification sign is permitted as long as it follows specific size requirements.

Philadelphia: Home occupation standards could apply to food membership distribution sites.

Home occupation language in Philadelphia's code could serve as guidance for regulating food membership distribution sites. The following rules are of particular applicability: no more than one off-street parking space is permitted for visitors; no separate building entrances may be added for the sole use of the home occupation; home occupations may not produce noise, vibration, glare, odors, parking/loading demands, traffic of other unreasonable effects on neighboring residences, up to three people who are not residents of the principal dwelling be may present at one time in connection with the home occupation; and lastly, truck deliveries of pick-ups of products associated with the home occupation are allowed only between the hours of 8am and 7pm, and delivery and pick-up via semi-tractor trailer is prohibited.

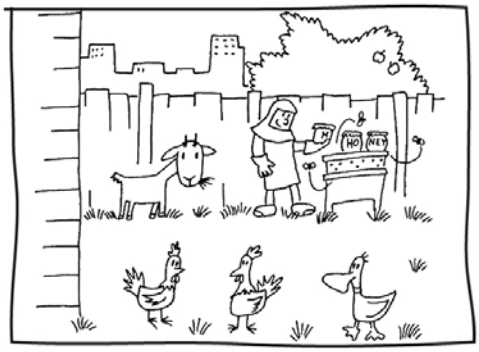
Project Direction and Discussion Questions

Direction: Allow food membership distribution sites in commercial zones and areas where light industry is allowed. Consider allowing small distribution sites with fewer members to operate in residential and open space areas.

The following discussion questions are the same that are found on the questionnaire at the back of this report.

10. Is this the right direction?

11. What types of impacts concern you the most?



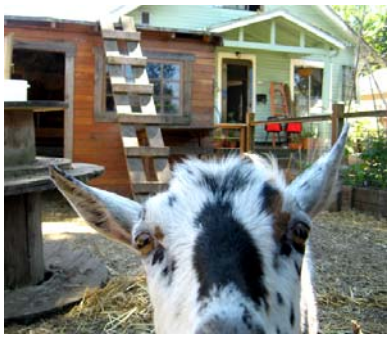
5. Animals and Bees

Description

Animals/Bees topic area includes raising bees and a variety of animals in residential areas; the purpose is to harvest food such as honey, eggs, milk, chickens, and so on. Many animals—including chickens, goats, ducks, and rabbits—can be accommodated in residential areas and are increasingly common.

Examples in Portland

A chicken coop that is in a shared yard among several households.



A pygmy goat greets sidewalk pedestrians at the Sowing Circle Farm in North Portland.

Beehives in a backyard in Portland.

Issues Identified

- **Some sections of the regulations should be clarified.** For instance, what is adequate evidence of notification to surrounding neighbors? 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.
- **Requiring 100% approval of neighbors** within 150 feet may be too stringent a requirement for a beekeeping permit. There also may be legal issues in requiring neighbors' approval.

Current Zoning Regulations

Portland: Permit from Multnomah County not required for three or fewer chickens, ducks, pygmy goats or rabbits. Special permit needed for beekeeping.

Animals and bees are regulated by City of Portland Title 13, and administered and enforced by Multnomah County. Keeping a total of three or fewer chickens, ducks, pygmy goats or rabbits—in any combination—does not require a permit. Ownership of turkeys, geese, doves, pigeons, peacocks, cows, horses, burros, sheep, llamas or bees—no matter how many—requires a permit. Permit regulations require that animals have a secure enclosure that provides adequate lighting and ventilation; the structure must be located 15 feet from neighboring house; and if the animals are hoofed or vocal, the facility should be 50 feet from residential buildings.

Pigeons and bees have additional considerations. When keeping pigeons, the applicant must notify all property owners and residents within 150 of your property lines, yet approval is not necessary for a permit. Beekeeping, on the other hand, requires compliance with the following standards: receiving approval from each neighbor located within 150 feet of a hive; proposed hives must be 15 feet away from public walkways, streets, roads, public buildings, parks, recreation areas, or residential home; if hives are within 150 feet of these places, some sort of buffer around six feet high must be erected; and any person with five or more hives must register them with the Oregon Department of Agriculture.

How Other Cities Regulate Animals/Bees

Due to the unique health, environmental and land use impacts of keeping fowl, farm animals and bees within city limits, most rules around this topic area represent coordinated regulation and enforcement of codes between various local and state agencies. Both Cleveland and Seattle have passed recent zoning ordinances that relax some rules related to animal raising, yet they still require a minimum lot size and consider the effect of these activities on residential areas. Two new categories within animal husbandry which have emerged in recent zoning rewrites include aquaculture (fish) and vermiculture (worms).

Seattle: Three small animals, eight 'domestic fowl' (chickens/ducks), and four beehives allowed in all zones, may be subject to requirements.

In Seattle, the keeping of small animals, farm animals, domestic fowl and bees is allowed by right in all zones as an accessory use to any principal use. Up to three small animals are allowed as an accessory use to business or dwellings not associated with urban farms, and up to four small animals are allowed on lots that are larger than 20,000 square feet. One additional small animal is allowed for each 5,000 square feet of lot area in excess of 20,000 square feet. Some breeds of goats—commonly known as Pygmy, Dwarf and Miniature goats may be kept as small animals, provided that certain rules are followed.

In addition to small animals, up to eight domestic fowl—excluding roosters—can be kept on any lot; on lots greater than 10,000 square feet that include a community garden or urban farm, one additional fowl is allowed for every extra 1,000 feet over the 10,000 square foot lot area.

Farm animals—including horses, sheep and other similar animals—are only allowed on lots larger than 20,000 square feet. The keeping of swine is explicitly prohibited, although miniature potbelly pigs are an exception to this rule. One farm animal for every 10,000 square feet of lot area is allowed, and animal structures must be setback at least 50 feet from any other lot in a residential zone.

Beekeeping is allowed outright as an accessory use, provided that on lots less than 10,000 square feet, there are no more than four hives. Beekeepers must be registered with the State Department of Agriculture and met specific setback requirements.

Additionally, aquaculture is defined and regulated in the new Seattle zoning code. Aquaculture, the raising of fish and other marine life for retail sales, is not permitted in residential zones, but is allowed in commercial and industrial zones.

Cleveland: Six chickens, ducks and/or rabbits, and two beehives allowed in residential zones, may be subject to requirements.

On standard urban lots in residential zones, up to six chickens, ducks and/or rabbits and two beehives are allowed, with structure dimensions and setbacks regulated. Turkeys, roosters, and geese may only be kept in residential districts when lot sizes are at least one acre. Two goats, pigs, sheep or similar farm animals may be kept if parcels over 24,000 square feet; on such properties, for each additional 2,400 square feet of property, one extra farm animal is allowed. In nonresidential zones, one small animal is allowed for each 400 square feet of lot area; up to two goats, pigs, sheep or other similar farm animals may be kept on lots with a minimum of 14,400 square feet in area and with each additional 1,200 square feet of property, one extra animal is permitted; beehives are limited to one for each 1,000 square feet of lot area. Specific development standards apply to both residential and nonresidential zones.

Lincoln City: Vermiculture (using worms to compost food scrapes) is regulated.

In Lincoln City, vermiculture is allowed on any lot provided that the surface area of all worm bins does not exceed two square feet for each 1,000 square feet of lot area. Additionally, bins must be setback at least 10 feet from any abutting properties.

Project Direction and Discussion Questions

Direction: Clarify and resolve minor problems with existing regulations; consider modifying the neighbor 'sign-off' requirement for beekeeping, and consider increasing the number of animals allowed from three to four for good husbandry practices.

The following discussion questions are the same that are found on the questionnaire at the back of this report.

12. Is this the right direction?

13. What types of impacts concern you the most?

Appendix A: Public Involvement

1. Goals of Public Involvement

- **Provide opportunities for the general public to learn how zoning code regulations affect their ability to grow, sell, and purchase locally grown food.** Zoning code regulations set the perimeters on how land throughout the city can be used and developed. Ideally, these regulations reflect the values of the community. For instance, the zoning code regulation for growing and distributing should support the City's goal of increasing access to healthy food for all residents of Portland. As the current regulations are analyzed and modified to better meet this goal, the community will be invited to participate in the discussion and learn about the benefits, impacts, and trade-offs of removing barriers to growing and distributing food in our urban environment.
- **Build on the past work and knowledge of the Portland/Multnomah County Food Policy Council.** The Council's committee on Food Production and Distribution (formerly the Land Use Committee) has been studying how zoning affects food production and distribution activities for many years. This committee has identified situations where the zoning code regulations do not support, and in fact create barriers, to many food growing and distribution activities—particularly at the newly emerging urban scale. Project staff will continue to engage this knowledgeable group and built on their valuable past work.
- **Engage health stakeholders.** Access to healthy food, particularly fruits and vegetables is critical to maintaining healthy diet and warding off chronic diseases such as diabetes, obesity, and heart disease. All communities, regardless of age, race, ethnicity, education, or income should have access to opportunities to grow, sell, and purchase healthy food. This project is funded, in part, by the Communities Putting Prevention to Work (CPPW) program to address obesity and chronic diseases caused by physical inactivity and poor nutrition through policy and environmental change.
- **Design a public involvement process to reflect different interests and skill levels of stakeholders.** To ensure that diverse communities have the opportunity to participate in the public process to update the zoning code, staff must present materials and presentations in a manner that respects a range of interests and knowledge of those who are affected by policy and decision making. Staff will provide learning opportunities and foster collaborative working relationships with diverse communities to ensure effective participation. The process must be accessible, honest, and understandable so the public can provide input that will be able to truly affect change.

2. Advisory Groups

Advisory Group	Roles & Responsibilities	Methods of Communication
Food Production and Distribution Committee of the Portland/Multnomah County Food Policy Council	▪ During the project start-up phase (September-December 2010) work with project staff to document past work of the committee and review issues that have been identified ▪ Identify key stakeholders and ensure these various perspectives are represented throughout the process ▪ Food Policy Council member from this committee will co-chair the PAG with BPS staff (facilitate meetings/help develop agendas) ▪ Provide project status reports at the monthly Portland/ Multnomah County Food Policy Council meetings ▪ Serve as champions throughout process	▪ E-mail updates ▪ Project website ▪ Access to project Dropbox ▪ Monthly project update to leadership prior to Food Policy Council meetings
Project Advisory Group (PAG)	**Phase I: Topic Area Discussions** ▪ Attend one or more of the topic area discussions (Jan- March 2011) ▪ Help staff understand the activities, issues, benefits, and impacts to the surrounding areas of each of the topic areas ▪ Support broader public engagement and serve as liaisons between their respective communities/ agencies and project staff ▪ Participate in the public review of the Concept Report **Phase II: Project Recommendations** ▪ Members will be recruited that represent food, health, and neighborhood/business interests. This group of community and government representatives will be of a size to accommodate small group discussion and thorough review of materials ▪ Attend bi-monthly meetings (Sept – Nov 2011) to discuss staff proposed changes to zoning code and 'next step' recommendations ▪ Review materials prior to meetings when needed. ▪ Participate in public review events of draft recommendations ▪ Provide testimony before Planning and Sustainability Commission and City Council	▪ E-mail updates ▪ Project website ▪ Access to project Dropbox ▪ PAG meetings ▪ Community events
Government Coordination	▪ Provide technical expertise to staff ▪ Review materials as need ▪ Attend PAG and community meetings as needed ▪ Serve as liaisons with respective bureaus/departments to maintain communication and coordination	▪ E-mail updates ▪ Project website Access to project Dropbox ▪ Staff meetings/ conversations as needed

3. Stakeholder Groups

During the fall of 2010, project staff and members of the Food Policy Council Food Production and Distribution Committee brainstormed a list of potential stakeholders. The list was divided into four broad categories: food, health/equity, neighborhood/business and volunteer advisory groups. Possible representatives from each group were identified and efforts were made to reach out to them and compile a project mailing list. This was not intended to be a complete list—as there are currently many food interests/activities in Portland—but rather a tool to guide staff as they engage the community to ensure a wide spectrum of perspectives are informed about the project.

Food

- Farmers
- Businesses Associated with Food Growing and Distribution
- Community Garden
- Farmers Market
- Food Membership Distribution (food buying clubs, CSAs)
- Animals and Bees
- Community Development Corporations w/ programs/interest in food
- Non-profits w/ programs/interests in food
- Institutions w/programs/interest in food
- Schools and Education

Health/Equity

- Multnomah County
- Public Health Advocates
- Health Organizations
- Nutrition Policy
- Food Security/Hunger
- Organizations serving minority and non-English speaking communities

Neighborhood/Business

- City of Portland Neighborhood and Business Associations
- Miscellaneous Neighborhood Groups
- Miscellaneous Business Groups (include Realtors)

Volunteer Advisory Groups

- Multnomah Youth Commission
- Multnomah County Food Safety Advisory Committee
- Multnomah County Vector Control Advisory Committee
- Healthy Portland Plan Work Group

4. Project Updates/Public Notification

Project Website

A project website will be maintained for the Urban Food Zoning Code Update on the PBPS website. Project materials, meeting and event announcements and status updates will be provided on the project webpage. The web address: www.portlandonline.com/bps/foodcode

Project Mailing List

Staff will add individuals and organizations throughout the Project who request to be included on the Project mailing list. Staff will bring sign-up sheets to public meetings/ events so that people can sign-up to be added to the project mailing list. The project webpage will also be a means for people to add themselves to the project mailing list. E-mail updates will be provided periodically to those on the mailing list to announce events and project status.

Distribution of Reports

Reports will be available on–line and at the Bureau of Planning and Sustainability and the Oregon Public Health Institute. Orders will be taken if other organizations would like to have them available.

Public Notification

There will be broad as well as focused and targeted notification and announcement of public meetings and events.

City of Portland General Notification

- Press releases
- E-mail city distribution list (included all neighborhood and business associations)
- BPS website/calendar
- Project mailing list electronic notices
- Citywide land use chairs distribution list

Food

- Portland Multnomah Food Policy Council
- Portland Farmers Market Managers
- Friends of Community Garden

Health

- Oregon Public Health Institute (OPHI) website
- Community's Putting Prevention to Work (CPPW) Partners
- Healthy Kids/Health Community (Robert Wood Johnson Foundation Grant) Steering Committee
- Healthy Portland Plan Work Group

5. Opportunities for Public Review

The Concept Report

The public review will consist of the following elements.

- **Community Meetings.** There will be three community meetings during the public review of the concept report. These meetings will be held in three different geographical areas of the city. The format will consist of an open house time, staff presentation, and time for participants to talk with staff and prepare written comments. *(Community meetings to review the Draft Project Recommendations TBD)*

- **Written Comments.** Written comments will be accepted during the public review of project reports. Issues raised during discussions with stakeholders will be recorded and staff encourages participants to submit written comments to ensure their ideas are incorporated into the project record. A questionnaire will accompany the Concept Report and can be submitted in writing or by completing the on-line form on the project website.

- **Attending Events or Meeting with Diverse Communities.** Project staff will be available to attend community group meetings or events by invitation. Staff will consult with diverse communities to determine what meetings and events would be appropriate and/or essential to attend. The City will continue efforts to establish new and strengthen existing relationships with diverse communities and identify liaisons to assist with outreach throughout the process.

- **Report Back/Summary.** A summary of the input received during the public review will be consolidated and posted on the project website.

Draft Project Recommendations

Same as Concept Report above

Report to the Planning and Sustainability Commission (PSC)

Staff will follow legal requirements for notification, report availability, and public hearing. *(33.740.020 Commission Review)*

- **Public Hearing –** The PSC will hold a public hearing that provides the public the opportunity to testify before the commission on the staff recommendations. If possible, the public hearing will be held during an evening meeting.

- **Written Comments –** The PSC will receive written comments on the staff recommendations up until the public hearing is over or the record is closed. Written comments become part of the legal record.

- **Report Back/Summary –** As part of the report to the City Council issues raised during the PSC's review will be documented and discussed.

Planning Sustainability Commission's Recommendations to the City Council

Staff will follow legal requirements for notification, report availability, and public hearing. *(33.740.030 City Council)*

- **Public Hearing** – The City Council will hold a public hearing that provides the public the opportunity to testify before the council on the Planning and Sustainability Commission's recommendations. If possible, the public hearing will be held during an evening meeting.
- **Written Comments** – The City Council will receive written comments up until the public hearing is over or the record is closed. Written comments become part of the legal record.
- **Council Decision** – At the conclusion of its hearing, the Council may adopt, modify, or give no further consideration to the recommendations. If the decision is to adopt a Code or policy change which was originally authorized by ordinance (i.e. Zoning Code, Portland Comprehensive Plan) the Council must enact its decision by ordinance.

Appendix B: Definitions

The following are definitions of terms found in the Concept Report that some readers may not be familiar with. They have been divided into three sections: planning and zoning definitions, health/equity definitions, and related reports and planning efforts.

1. Planning and Zoning Definitions

Accessory Home Occupation

Accessory home occupations are activities that are accessory to a house, apartment, or condominium. They have special regulations that apply to ensure that they will not be a detriment to the character and livability of the surrounding neighborhood. These regulations address issues such as number of clients, employees, and/or deliveries coming to the site, modifications to the appearance of the site, and adverse impacts to the neighborhood such as noise and hazardous substances.

Accessory Use

An accessory use is an activity that is subordinate, or secondary, to the primary, or main, use on a site. For example, in residential zones where the primary use is household living, common accessory uses include raising pets, parking of owners' vehicles, and gardening. A garden may be accessory to any primary use such as a household living, commercial or institutional.

Allowed Use

An allowed use can happen on a site without a land use review, it however, may still be subject to additional requirements or conditions depending on the regulations in the base zone it is located. These uses may also be referred to as 'permitted" or "allowed by right".

Base Zone Categories

There are twenty-seven different base zones in the Zoning Code that fall into the following six general categories: Open Space, Single-Dwelling Residential, Multi-Dwelling Residential, Commercial, and Employment/Industrial. Each base zone includes a set of land use and site/building development regulations, also called 'standards'. The use regulations dictate what uses are allowed by right, with limitations, or through a conditional use review as well as those uses that are prohibited. The development regulations address site and building design (i.e. property line setbacks, building height, parking placement).

Conditional Use Review

Certain uses are conditional uses instead of being allowed outright, although they may be beneficial to the neighborhood and serve an important public interest, such as a school or religious institution. These uses are subject to a conditional use review because they may have significant adverse effects—either individually or cumulatively— on the surrounding area. A conditional use, which includes notification to the neighborhood, provides an opportunity to allow the use when there are minimal impacts, to allow the use but impose conditions that address identified concerns, or to deny the use if the concerns cannot be resolved.

Land Use Review

A land use review is a process conducted by the Bureau of Development Services (BDS) to determine if a particular activity, land use, or building may be allowed on a site. There are many different types of land use reviews, including those related to protecting the environment, considering special conditions and impacts, ensuring appropriate architectural designs for buildings, or appropriately subdividing plots of land.

Primary Use

A primary use is the main activity on a site. A site may have more than one primary use. Each base zone includes a list of primary uses that are allowed, not allowed, or allowed with limits or require some type of land use review.

Prohibited Use

A prohibited use is not allowed in a particular zone under any circumstances because it inherently conflicts with other allowed uses in the zone or produces substantial negative impacts on the surrounding community.

Temporary Activities (Uses)

Temporary activities (uses) are characterized by their short-term or seasonal nature and by the fact that permanent improvements are not made to the site. There are special regulations to ensure they are truly temporary, will not adversely impact the surrounding areas and can be terminated and removed immediately. For example, a garage sale in a single dwelling zone is allowed as a temporary activity in a zone that typically does not allow retail sales.

Urban Growth Boundary

Oregon has a system of state-wide planning goals and regulations that guide land use policies and regulations in Portland. One of the most significant elements of this system is the Urban Growth Boundary (UGB). Each city or metropolitan area must draw a UGB, and different regulations apply inside and outside the UGB. The major purpose of the UGB is to preserve agricultural and forest lands from urban development, and to focus urban development where infrastructure (sewers, water, etc.) either already exist or can reasonably be provided.

Under this scheme, land inside the UGB should be developed, not used for farming. The state goals and regulations do not strictly prohibit agriculture within the UGB, but see it more as an interim use of land until the land is developed. In recent years, there has been much discussion about allowing more opportunities for growing food inside the UGB, taking into consideration the many benefits of doing so. At this point, it is reasonable to see that growing food within the UGB does not conflict with State goals when it is done in a manner significantly different from traditional agriculture. The elements to be considered in differentiating agriculture outside the UGB from growing food inside the UGB include:

- Scale—Sites used to grow food in urban areas are generally small—an acre or less.
- Techniques—Use of large mechanized equipment on these small sites is rare; hand tools and smaller equipment is more typical.
- Consumers—Food grown on these sites is usually consumed by people who live in the same city or metropolitan area. Most often, the food is eaten by those who grow it, but if it is sold, it is sold locally.

2. Health/Equity Definitions

Diverse Communities

Diverse communities often experience social and economic discrimination based on race, income, education, and employment. These communities also often suffer disproportionate disparities in health outcomes and are at a greater risk for developing chronic diseases such as obesity, type II diabetes, hypertension, and some cancers. Diverse communities often experience limited employment opportunities, few safe places for physical activity, and inadequate healthful food options. *From "Health Disparities and Inequalities Report – United States, 2011." Centers for Disease Control and Prevention. Morbidity and Mortality Weekly Report. January 14, 2011.*

Healthful Food

Healthful foods include whole and minimally processed fruits, vegetables, whole grains, legumes, nuts, seeds, eggs, dairy, meats, fish, and poultry. They are produced without added hormones or antibiotics, without artificial colors or unnecessary preservations. Healthful foods are equitably accessible in residential neighborhoods, worksites, and schools. They are also reflective of the cultural traditions of consumers. Healthful foods are also produced, processed, and transported in a way that protects farmers, farm workers, and natural resources. *From "Setting the Record Straight: Nutrition and Health Professionals Define Healthful Food." Prevention Institute. August 2009.*

3. Related Reports and Planning Efforts

Climate Action Plan

The Climate Action Plan was approved by the City of Portland and Multnomah County in 2009 to provide an innovative framework for the region's transition to a more prosperous, sustainable and climate-stable future. The goals and strategies outlined in the plan will guide future efforts by the City and County as well as encourage businesses and citizens to take actions that support this desired outcome.

Peak Oil Task Force

In May 2006, Portland City Council created the Peak Oil Task Force to develop recommendations on appropriate responses to uncertainties in the supply and affordability of oil. This group identified key short-term and long-term vulnerabilities and developed recommendations for addressing these issues.

Portland Comprehensive Plan

The Portland Comprehensive Plan—also referred to as the 'Comp Plan'—provides a coordinated set of guidelines for decision-making to guide the future growth and development of the city. The State required all cities to have comprehensive plans and to periodical update them. Comprehensive Plans are intended to be dynamic, flexible documents able to respond to changing circumstances, technology, and community values. Since adoption in 1980 the Portland Comprehensive Plan has been revised many times. The Bureau of Planning and Sustainability is currently developing the workplan for the Comprehensive Plan Update.

Portland Plan

The Portland Plan is a long-range plan to make Portland a thriving and sustainable city – a city that is prosperous, healthy and rich in opportunity for all. Through it, Portlanders can help define community priorities, guide investments and set the course for the city and partner agencies for the next 25 years. The Portland Plan is built on a foundation of equity. The Bureau of Planning and Sustainability is leading this effort with the help of many regional and local community and business partners.

The Portland Plan will be accomplished over time through a variety of efforts, such as:

- Intergovernmental agreements
- Legislative advocacy
- Programs
- City internal practices
- Budget instructions
- A new Comprehensive Plan (policies, map and citywide infrastructure systems plan)

Appendix C: Concept Report Questionnaire

A survey is attached to the end of this document.

Please use this questionnaire to provide your comments on the Concept Report. Your input is very important and will guide the next phase of this project as we development of the actual Zoning Code language!

The questionnaire is also available online at www.portlandonline.com/bps/foodcode. To be included in the public review summary, comments must be received by 5:00 p.m. on Monday, August 15, 2011. Send your questionnaire or other written comments to:

Julia Gisler, Bureau of Planning and Sustainability
1900 SW 4th Avenue, Suite 7100
Portland, OR 97201
julia.gisler@portlandoregon.gov

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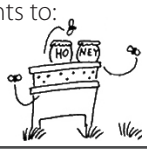
URBAN FOOD ZONING CODE UPDATE
CONCEPT REPORT QUESTIONNAIRE

Please use this questionnaire to provide your comments on the Concept Report. The report provides a framework for discussing the regulations that apply to growing, selling and purchasing healthful food. Below, each topic area includes a project direction and set of questions; the directions are still conceptual and will guide the development of the actual Zoning Code language. Are we on the right track? Your input is very important!

The questionnaire is also available online at *www.portlandonline.com/bps/foodcode*. To be included in the public review summary, comments must be received by 5:00 p.m. on Monday, August 15, 2011. Send your questionnaire or other written comments to:

Julia Gisler, Bureau of Planning and Sustainability
1900 SW 4th Avenue, Suite 7100, Portland, OR 97201
julia.gisler@portlandoregon.gov



1. Market Gardens are gardens or orchards where food is grown to be sold. It may be sold directly to consumers, restaurants, and stores. Market gardens tend to be more intensively cultivated and smaller scale than typical farms. A market garden can be the primary use on a property or an accessory use to a primary use such as a house or an office building.

Direction: *Allow market gardens in more locations, including the sites of institutions (schools, religious organizations, medical centers). Ensure compatibility with residential areas by limiting the size to 5,000 square feet. This number was chosen because typical Portland city lots are 50 x 100 ft.*

1. Is this the right direction? (mark one)

❑ Yes ❑ No

Why?

2. Is 5,000 sq. ft. the right size for market gardens in residential areas? (check one)

❑ Yes ❑ No

Why?

3. Check the types of areas where you think market gardens should be allowed:

❑ Open Space (i.e. parks, golf courses)

❑ Single-Dwelling Areas, such as Sellwood, Laurelhurst and Council Crest neighborhoods

❑ Mutli-Dwelling Areas, such as along major streets like SE122nd Avenue and the North Interstate Light Rail Corridor

❑ Commercial Areas

❑ Areas where there is light industry

4. In residential areas, do you think produce should be sold on site, as at a farm stand? (check one)

❑ Yes ❑ No

Why?

5. What types of impacts concern you the most?

2. Community Gardens are gardens where any kind of plant is grown—including flowers—and several individuals or households work at the site. The site may be divided into small plots, or gardeners may work together to cultivate the entire site. The land may be publicly owned, as in the Portland Parks and Recreation Community Gardens Program or may be privately owned. The garden might be on the site of a religious institution, a school, corporate park, or medical center.

As with market gardens, community gardens tend to be more intensively cultivated and at a smaller scale than typical farms and they can be a primary or accessory use. The significant distinction between Market and Community Gardens is that food is grown for sale on the former while food from Community Gardens is used for personal consumption and/or donation.

Direction: *Continue to allow community gardens everywhere, but clarify regulations in the Zoning Code to address the various types of community gardens and ensure their development is well-integrated and beneficial to the surrounding neighborhood.*

6. Is this the right direction? (check one)

❑ Yes ❑ No

Why?

7. What types of impacts concern you the most?

The Concept Report is available online at *www.portlandonline.com/bps/foodcode* and at the Bureau of Planning and Sustainability at 1900 SW 4th Avenue, 7th floor.
Call 503-823-7700 to have a copy mailed to you.

Bureau of Planning and Sustainability
Innovation. Collaboration. Practical Solutions.
City of Portland, Oregon
Sam Adams, Mayor • Susan Anderson, Director

3. Farmers Markets are events that occur on a regular basis in the same location. Markets may occur only during the growing season or year-round. Market vendors are farmers, ranchers, and other agricultural producers who sell food and added-value products, such as jams and jellies, they have grown, raised, or produced. A few markets allow a limited number of craft vendors who sell hand-made products with materials from Oregon.

Direction: *Develop regulations to ensure ample opportunities for farmers markets to occur at appropriate locations throughout the city. Determining appropriate locations includes consideration of traffic, noise, characteristics of the market (i.e. size, duration, customer base)*

8. Is this the right direction? (check one)

❑ Yes ❑ No

Why?

9. What types of impacts concern you the most?

4. Food Membership Distribution fall into two categories:

- **Community Supported Agriculture** allows people to buy a "share" of a farm, which entitles them to future produce, meat, eggs, etc. The farmer delivers the "share"—a box or bag of food, usually once a week. In many cases, the farmer delivers multiple shares to one location and individuals go to that distribution site to pick up their shares.
- **Food Buying Clubs** allow people to pool their resources to buy food directly from wholesalers, distributors, or growers, usually at significant savings. While most of the items purchased are bulk or processed foods with a long shelf life, fresh fruits and vegetables can also be included. The growers or distributors typically make deliveries to a single location or distribution point. The club then relies on the volunteer efforts of its members to divide up the food for the participants.

Direction: *Allow food membership distribution sites in commercial zones and areas where light industry is allowed. Consider allowing small distribution sites with fewer members to operate in residential and open space areas.*

10. Is this the right direction? (check one)

❑ Yes ❑ No

Why?

11. What types of impacts concern you the most?

Illustrations by Rob Gisler

5. Animals and Bees topic area includes raising bees and a variety of animals in residential areas; the purpose is to harvest food such as honey, eggs, milk, chickens, and so on. Many animals—including chickens, goats, ducks, and rabbits—can be accommodated in residential areas and are increasingly common.

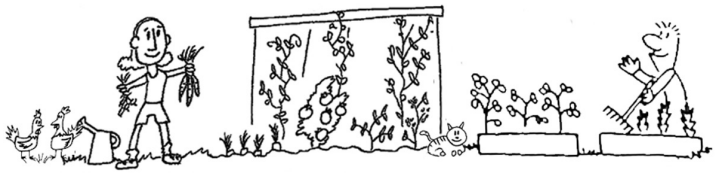
Direction: *Clarify and resolve minor problems with existing regulations; consider modifying the neighbor 'sign-off' requirement for beekeeping, and consider increasing the number of animals allowed from three to four for good husbandry practices.*

12. Is this the right direction? (check one)

❑ Yes ❑ No

Why?

13. What types of impacts concern you the most?



General Comments

Thanks you! May we contact you if we have questions?

Name:

Address or Email:

Phone:

❑ Please add me to the project mailing list