

PRELIMINARY DRAFT REGULATIONS FOR COMMUNITY GARDENS

Table 3-102 – Permitted Land Uses (AG, SFR, MF, MH, RMH, TP)				
Uses	Status of Use in District			
	AG	SFR	MF	MH/RMH/TP
COMMUNITY GARDENS [SECTION 3-427]	S	U(S)	U(S)	U(S)

Table 3-202A – Permitted Land Uses (R/O, CSS, CC, PCC, RCC)						
Uses	Status of Use District					
	R/O	CSS	CC	PCC-1	PCC-2	RCC
COMMUNITY GARDENS [SECTION 3-427]	<u>U(S)</u>	<u>U(S)</u>	<u>U(S)</u>	<u>U(S)</u>	<u>U(S)</u>	<u>U(S)</u>

Table 3-202B – Permitted Land Uses (MU-1, MU-2, MU-3, MU-4 and MU-Ed)					
Uses	Districts				
	MU-1	MU-2	MU-3	MU-4	MU-Ed
COMMUNITY GARDENS [SECTION 3-427]	<u>U(S)</u>	<u>U(S)</u>	<u>U(S)</u>	<u>U(S)</u>	<u>U(S)</u>

NEW SECTION FOR COMMUNITY GARDENS:

- Purpose.** The purpose of this section is to foster and support sustainable practices through interim use and/or the adaptive re-use of open space and vacant lands with *community gardens*.
- Applicability.** A *community garden* is permitted in the AG, Agricultural District. A community garden is also permitted, subject to approval of a use permit in all other residential districts and in all Commercial, Mixed-use and Industrial districts. See procedures identified in Section 6-308, Use Permit.
- Operation Requirements.** A *community garden* may be located on a vacant lot, within an enclosed building, or on a lot with other buildings and uses.

 - Buildings or structures, a maximum of two hundred (200) square feet in area and equal to or less than eight (8) feet in height, may be located in the required side or rear yard setbacks, subject to applicable building codes. Development plan review is not required.

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- Any building or structure, in excess of two hundred (200) square feet in building area or over eight (8) feet in height must comply with setback and receive approval of a development plan review, pursuant to section 6-306.
- Any existing on-site retention shall be maintained or may be reconfigured in accordance with city code requirements.
- All equipment or materials, not in use, shall be stored within a structure or screened from street view.
- Use of vehicular equipment, such as rototillers or tractors, for maintenance of the *community garden* may be used to establish the garden and may only be used for ongoing maintenance if approved through this use permit process. The use of hand-operated equipment is permitted.
- Chain link fence and other fencing materials, without barbed or razor wire, are permissible for the community garden. No lighting is required for the gate entrance.
- Outdoor retailing of products produced on the site is permitted as a part of the use permit. Other resale products may be sold upon determination of permitted uses allowed within the zoning district or if allowed pursuant to Section 3-417, Outdoor Retailing.
- Proposed improvements on the site relating to other land uses, development including adding buildings, parking, lighting and driveways, shall conform to the standards in this Code, unless otherwise permitted by this ordinance.
- **Discontinuance of use.** If a community garden is no longer in operation for a period of six (6) months or more, the site shall be returned to its original form. If previously vacant the site shall provide proper dust control mitigation. Any re-establishment of a community garden shall require processing and approval of a new use permit.

DEFINITION:

Community garden means land gardened collectively by a group of people. Gardening may include, but is not limited to, all types of horticulture such as flower, vegetable or field crops, and orchards containing berry, bush or tree crops.

NEW ZONING FEE:

d.	Use Permits:	
	<u>COMMUNITY GARDEN</u>	<u>\$50.00 EACH</u>
	Single Family Dwelling Units	\$396.00 per lot, including variances
	All Other Uses	\$1,133.00 each
	Use Permit Transfer	See Administrative Applications
	Unauthorized Activity	Twice the normal fees