

§ 300-0217. Community and home gardens. [Added 6-24-2013]

Community and home gardens shall only be permitted in an R-1, R-2 and R-C Districts provided that:

- A. Community gardens shall be less than one acre in size. Cultivated space shall occupy no more than 60% of the lot.
- B. Home gardens are a permitted use in all residential districts.
- C. All community gardens and their uses must comply with all federal, state, and local laws and regulations relating to the operation, use, and enjoyment of the garden premises. Site users may not introduce heavy metals or other harmful contaminants to garden or farm sites. Site users may NOT use pesticides.
- D. Prior to establishment, site users shall inquire into historical use of the property and undertake soil testing to measure nutrients, heavy metals, and any other harmful contaminants that may be present. The soil testing results and proposed remediation methodology (if needed) shall be provided to and kept on file with the City. Construction of raised bed(s), which are then filled with clean soil, will obviate the need to test soil.
- E. Site users must have an established set of operating rules addressing the governance structure of the garden, hours of operation, maintenance, and security requirements; must have a gardening coordinator to perform the coordinating role for the management of the community gardens and to liaise with the City; and must assign garden plots in a fair and impartial manner according to the operating rules established for that garden. The name and telephone number of the garden coordinator (or those of the leadership team members) and a copy of the operating rules shall be kept on file with the City Department of Development (or the lead community garden nonprofit organization, as appropriate).
 - (1) The land shall be served by a water supply sufficient to support the cultivation practices used on the site
 - (2) The site must be designed and maintained so that water will not drain into adjacent property
 - (3) All seed shall be stored in a sealed, rodent-proof container and housed within an enclosed structure.
 - (4) To the extent permitted under federal and state law, site users must use organic and sustainable growing practices.
- F. In a community garden, compost materials from the garden or gardeners shall be stored at least 10 feet from adjacent property and in a manner that is not visible from adjacent property (shielded from view by shrubbery or an enclosure), controls odor, prevents infestation, and minimizes runoff into waterways and onto adjacent properties. Waste shall be collected regularly by the municipality. Gardeners shall

ensure that containers are placed in specified location to assist municipality in waste removal.

- G. Setbacks in community gardens and urban farms shall be consistent with setback standards of the underlying zoning districts. Grass shall be maintained in a manner consistent with the City's Housing Maintenance Code.
- H. Fences are permitted as regulated in the underlying zoning district.
- I. Fences shall not exceed four feet in height, and shall be constructed of wood, chain link or ornamental metal. For any garden that is 15,000 square feet in area or greater and is in a location that is subject to a staff-level site plan review and approval by City staff, on behalf of the Planning Commission, best efforts shall be taken to ensure that the fence is compatible in appearance and placement with the character of nearby properties.
- J. Any signs shall comply with applicable City ordinances.
- K. At community gardens, produce shall be grown primarily for personal or shared use or donation.