

Responsibilities and Guidelines for Community Gardens on City-Owned Property

Table of Contents

- 1 Introduction 1**
- 2 Application Process Outline..... 2**
- 3 Appeals Process 2**
- 4 Rating Criteria for Application Review 3**
- 5 Community Garden Responsibilities and Guidelines 3**
 - 5.1 Planning 4
 - 5.2 Operational 4
 - 5.3 Community Support 10
 - 5.4 Follow-Up 11

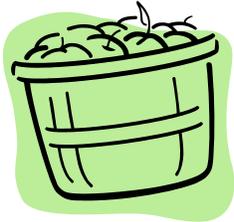
Attachments

- Community Garden Application
- Community Garden Scope of Work
- Release and Waiver of Liability: Working on Community Gardens on City-Owned Property
- Acknowledgement of Community Gardens Responsibilities and Guidelines
- Decatur Environmental Sustainability Board Guidance Document on the Decatur Urban Agriculture Initiative



Responsibilities and Guidelines for Approval of Community Gardens on City-Owned Property

1 Introduction



Promoting community gardening is a priority for the City of Decatur and the Environmental Sustainability Board. These guidelines have been developed in order to ensure that community garden proposals on city-owned property have proper community support, address the current and future needs of the garden, and meet operational needs of the City.

Gardens can be a stimulus for recreation, community building, and environmental improvement in our city. However, attaining these ends requires careful planning and implementation, and this document is intended to guide the city's community gardens toward these positive outcomes.

From an environmental perspective, it is important that gardens are designed and managed to protect our limited water and soil resources and to reduce the movement of pollutants into our waterways. While local gardens can at least in part replace food sourced from distant locations, the greenhouse gas, air pollution, and energy consumption benefits of locally produced food can only be realized if vehicular transportation in the production of local food is minimized. Given that many community gardens in Decatur will likely be located near our waterways, due to the availability of open spaces near our floodplains, protection of water resources needs to be a primary concern in our community gardens. These guidelines are designed to assist in protecting and improving the environment.

Applications for community gardens on city-owned property will be evaluated using the criteria outlined in the Urban Agriculture Guidance Document which is included in the attachments. This document was adopted in 2009 to reflect the City's goals and vision for agricultural activities within the city limits.



Responsibilities and Guidelines for Approval of Community Gardens on City-Owned Property

2 Application Process Outline

- STEP 1: Applicant makes efforts to notify adjacent property owners as well as members of the greater neighborhood area of proposal for a community garden.
- STEP 2: Applicant fills out Application Form and submits to city staff.
- STEP 3: Application is reviewed by the Environmental Sustainability Board at the upcoming meeting, provided that application was received at least 7 days in advance of the meeting. The board members may ask for clarification, provide feedback, and suggest changes to the application prior to granting approval.
- STEP 4: Once approval is received from the Environmental Sustainability Board, the City of Decatur Engineering staff will complete a preliminary review to identify potential areas of concern. Applicant may edit the application as necessary based on the results from the preliminary review, and may have to develop additional materials as required to meet regulations.
- STEP 5: If preliminary approval is given by the Engineering staff, City of Decatur staff will facilitate the process of obtaining all necessary permits including but not limited to a Minor Development Permit, Floodplain Development Permit, Stream Buffer Variance, and/or Building Permit. The primary contact for the Garden Groups is responsible for providing all necessary materials and information to fulfill the requirements of the permit procedures. All members of the Garden Group must sign and submit the Release and Indemnification Agreement form at this time.
- STEP 6: Once necessary permits have been issued, work on the garden can begin.

3 Appeals Process

If the applicant is denied approval from the Environmental Sustainability Board or the City of Decatur Engineering staff, appeals may be sent to the City Manager's Office, 509 North McDonough St, Decatur, GA 30030.

The response and the reasons for denial will be reviewed, and a response will be sent by the City Manager, or an authorized designee, within 14 business days of receipt of the appeal.



Responsibilities and Guidelines for Approval of Community Gardens on City-Owned Property

4 Rating Criteria for Application Review

The Environmental Sustainability Board has developed the following goals for urban agriculture initiatives in the City of Decatur. Proposals for community gardens will be evaluated based on their alignment with these goals.

1. **Education:** Proposals should help to develop the knowledge of city residents of all ages regarding:
 - a) How to grow food
 - b) How to protect the environment while growing food
 - c) How to improve nutrition and food quality
2. **Community Building:** Proposals should increase opportunities for city residents to interact with one another and celebrate our food heritage.
3. **Integration with Existing City Environmental Plans:** Proposals should be integrated with and assist and enhance the city's efforts to implement the following environmental plans that have been developed by Decatur:
 - a) Greenspace Plan
 - b) Stormwater Plan
 - c) Waste Management Plan
4. **Financial Sustainability:** Proposals should address both short and long term funding sources to ensure that the garden does not become a drain on City resources or a nuisance for residents.

5 Community Garden Responsibilities and Guidelines

The responsibilities and guidelines presented in this document fall into 4 categories:

PLANNING

It is critical that the group organizing the proposal consider the strategic needs of the garden.

The City of Decatur needs assurance that the group is capable of managing the requirements of the garden, and is able to address the long-term needs.

OPERATIONAL

The focus of these guidelines is to ensure that the operational needs of the City of Decatur are met. Many of these requirements focus on stream buffer and floodplain issues, as much of Decatur's remaining green space is subject to legal requirements in these categories.

COMMUNITY AWARENESS

Approval of an application is contingent upon sufficient notice being provided to the neighboring community regarding the garden proposal.

FOLLOW-UP

An annual review and inspection will be conducted of the garden by city staff to ensure that proper policies and procedures are being followed.



Responsibilities and Guidelines for Approval of Community Gardens on City-Owned Property

5.1 Planning

It is critical that the Garden Group consider both the short and long term operations of the proposed garden. The Environmental Sustainability Board will be examining applications to ensure that the garden will not become a burden on city resources or a nuisance for residents.

Three planning questions have been included in the Community Garden Application form. Please feel free to attach extra sheets if necessary.

1. Who will manage the garden?
2. What are your short and long-term funding sources?
3. Why did you choose this location?

5.2 Operational

MEMBERS

The Garden Group must consist of at least 5 members.

Each group must develop a set of bylaws that include the following minimum requirements and include a copy of the bylaws with the application:

- Each member must sign a **Release and Indemnification Agreement** to be kept on file with the City of Decatur. (Located in Appendix)
- The primary and alternate contact must sign an **Acknowledgement of Community Gardens Responsibilities and Guidelines** form to be kept on file with the City of Decatur. (Located in Appendix)
- Only Decatur residents and City of Decatur staff may participate in the community garden.
- The bylaws must outline the circumstances under which membership in the garden may be limited. This may include proximity to the garden, willingness to contribute the necessary number of volunteer hours, or other factors. Participation may not be limited based on race, color, religion, sex, sexual orientation, age, or national origin. These restrictions will be reviewed by the Decatur Environmental Sustainability Board for appropriateness.

Membership fees may be charged in an amount necessary to recover the cost of initiating and maintaining the community garden. City staff will investigate any claims of unnecessarily high membership fees being charged by Garden Groups based on a range of membership fees of other gardens in the area.

All members of the Garden Group must sign a **Release and Indemnification Agreement** to be kept on file with the City of Decatur. The Garden Group and all of its members must abide by all federal, state, and local laws.



Responsibilities and Guidelines for Approval of Community Gardens on City-Owned Property

The Garden Group must notify City of Decatur in writing at any time there is a change in the Primary or Alternate contact.

FEES

At the time an application is made, the Garden Group must submit a one-time, non-refundable application fee of \$50. Each year of operation, the Garden Group will also need to pay a \$200 non-refundable, Community Garden Permit fee. This fee provides the Garden Group with exclusive use of the proposed property for the creation of a community garden. If the application is approved, the \$50 application fee will be credited towards the first year’s Community Garden Permit fee. If the Garden Group’s Community Garden Permit is revoked for any reason, any fees paid to the City will not be refunded.

Fees may be waived by asking the city for hardship status. Hardship status is defined as 75% of the garden members having an income less than 150% of the federal poverty level. Annual fee payment is due January 5th with a 30 day grace period. The Community Garden Permit fee will be pro-rated with an anniversary date of January 5th.

Additional City of Decatur permits may be required, based on the location and scope of work for the proposal. If preliminary approval is given by the Engineering staff, City of Decatur staff will facilitate the process of obtaining necessary permits including but not limited to a Minor Development Permit, Floodplain Development Permit, Stream Buffer Variance, and/or Building Permit. The primary contact for the Garden Groups is responsible for providing all necessary materials and information to fulfill the requirements of the permit procedures. Changes to original proposal may be necessary at this stage to fulfill environmental protection policies and procedures. City of Decatur permit fees will be waived.

Mandatory Fees

Name	Amount	Details
Community Garden Application Fee	\$50	One-time, non-refundable
Community Garden Permit Fee	\$200	Annual, non-refundable

Potential Fees (Will vary depending on location and scope of work)

Name	Amount	Details
Minor Development Review	\$0	
Floodplain Development Permit	\$100 (waived)	See “Protection of Waterways” for more information
Stream Buffer Variance	\$50 (waived)	See “Protection of Waterways” for more information

** Note: This is not an inclusive list. Necessary permits will be identified by the City of Decatur based on the scope of work.*



Responsibilities and Guidelines for Approval of Community Gardens on City-Owned Property

PROTECTION OF WATERWAYS

The Georgia Environmental Protection Division (EPD) and the City of Decatur have regulations about activities that can be undertaken in environmentally sensitive areas such as floodplains, stormwater detention areas, and stream buffer setback areas. As part of the application process, it is the Garden's Group responsibility to familiarize themselves with their proposed garden location and comply with the applicable State and Local regulations. The City's Code of Ordinances can be found online on www.decalurga.com under the Residents tab. Specifically, Chapter 42 of the Codes contains the local regulations for floodplain management and stream buffer protection. These regulations will be discussed in detail during the Preliminary Review with the City of Decatur Engineering Staff.

The first step a Garden Group should take when proposing a new community garden is to determine if it is located in the 100-year floodplain. Any disturbance within the 100-year floodplain will require a City Floodplain Development Permit. The fee for this permit is \$100. The City does not permit the removal of trees or the building of enclosed structures within the Floodplain, and restrictions apply to the use of fill dirt in certain areas of the 100-year Floodplain. All proposed open structures will require plan details on how they are to be anchored. If additional fill dirt is allowed, a cut and fill balance would be required as part of the City Floodplain Permit. The map below shows the locations of the 100-year floodplain in the City; http://www.decalurga.com/client_resources/cgs/citysvcs/eng/floodplain_lomr1.pdf

Community garden applications will not be approved within a 25 foot buffer along the bank of any waterway, as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action. This buffer was established by the Georgia Erosion and Sedimentation Act of 1975 to protect the natural functions of waterways such as preventing soil erosion, improving water quality, and providing animal habitat.

The City of Decatur has additional regulations for activities occurring in a 75 foot stream buffer. If a Garden Group wishes to operate within this area, a City Variance through the Zoning Board of Appeals is required. There is a \$50 review fee for Variance Requests. Variance requested must include mitigation measures to offset the effects of any proposed land development on the property or an explanation as to why no mitigation is being done.

To be considered, each application must include:

- a. Name and address of Applicant
- b. Address of property needing variance
- c. \$50 review fee
- d. Description of work to be done within the 75' City Stream Buffer
- e. Explanation for the need to encroach due to the extraordinary and exceptional conditions pertaining to the specific piece of property (narrowness, shallowness, shape, or topography) and/or explanation of the unusual circumstances where adhering to the buffer requirements would cause extreme hardship



Responsibilities and Guidelines for Approval of Community Gardens on City-Owned Property

- f. Survey of property – showing all streams, wetlands, floodplain boundaries, and other natural features
- g. Existing and proposed improvements drawn to scale with 50’ buffer shown from top of bank and the additional 25’ buffer shown beyond the 50’ buffer
- h. Description of the topography, slope, soils, vegetation and other physical characteristics of the property

For questions regarding these requirements, please contact the City of Decatur’s Stormwater Engineer Julie Gyuricza at 404-377-6198 or julie.gyuricza@decaturga.com.

GARDEN/PLOT MAINTENANCE

The City of Decatur will determine the area that may be used by the Garden Group. *All operations conducted by the Garden Group must remain within this area.* The permit may be revoked if Garden Group operations expand beyond the boundaries set by the City.

The Garden Group is entirely responsible for the development, construction, upkeep, watering, and overall maintenance of the community garden, subject to the guidelines and standards herein. Members of the Garden Group may grow food, flowers, and herbs. The sale of produce or other garden products produced on city property is prohibited without express consent of the City.

The Garden Group is responsible for the removal of all waste and trash from the garden area including garden waste that will not be composted. Active maintenance is required year-round. The City will not do any maintenance within the community garden.

PARKING/TRANSPORTATION

The Garden Group must explore methods to encourage people to walk or use alternative transportation to get to the garden. No designated parking areas for community gardens will be permitted.

LIABILITY

All members of the Garden Group must sign a **Release and Indemnification Agreement**, which will be kept on file at the City. It is the responsibility of the Primary Contact to ensure that all new members of the Garden Group sign and submit this document to the City. The Garden Group and all of its members must abide by all federal, state, and local rules regarding non-discrimination.

In signing the Release and Indemnification form, the Garden Group members agree to release and forever discharge and hold harmless the City of Decatur and all of its officers, employees, agents, representatives, and insurers from any and all liability, claims, and demands of whatever kind or nature, either in law or in equity, which arise or may hereafter arise from, or is any way connected, directly or indirectly, to work in a community garden within one of City of Decatur’s parks or on city-owned property.



Responsibilities and Guidelines for Approval of Community Gardens on City-Owned Property

WATER

Access to utilities such as water will be addressed on an individual basis. If access to water is necessary, City of Decatur will assist in working with DeKalb County to install the system to provide water to the community garden. The Garden Group will pay the water bill and water meter installation charge. The Garden Group will be required to start an account with the DeKalb County Watershed Management Department for water service. The Garden Group needs to show on their garden plot plan the desired location of water service.

The City highly encourages Garden Groups to consider alternative sources of water such as the use of rain barrels. The City of Decatur is happy to work with groups to determine if an alternative to traditional metered water service is feasible.

CITY ACCESS

At any time, representatives from the City may visit the community garden. The Garden Group may not block, fence-in, or enclose the garden so as to prevent access by the City (fences with gates are allowed subject to the Garden Standards (below)). The space allocated to the Garden Group is on public land and must always be accessible by the City.

SUBLEASING PLOTS

The Garden Group may not sublease plots.

PROHIBITED ACTIVITIES

- Littering, dumping, alcohol consumption, and any other unlawful activities
- Amplified sound
- Pets are not allowed in the garden

USE OF CHEMICALS

Only organic pesticides may be used. The most common pesticides include fungicides, insecticides, and herbicides. Home remedies are not encouraged as they lack use directions and other labeling found on registered organic products. No synthetic chemical measures may be used without express written approval from the City of Decatur. Only organic sources of nutrients may be used as they supply soil building organic material as well as nutrients. Commercial pesticides and fertilizers must be OMRI (Organic Materials Review Institute) approved.

Organic pesticides are naturally derived, rather than synthetically, but that doesn't mean they are harmless. Likewise, organic fertilizer may be overused, and damage plants or pose pollution problems. Any pesticide or fertilizer should be used with caution and only when necessary. It is important to identify and understand the problems that are being addressed, use preventative measures when possible and ensure that all proper labeling instructions are followed for the product being used.



Responsibilities and Guidelines for Approval of Community Gardens on City-Owned Property

Garden groups are highly encouraged to identify measures that reduce the need for pesticides and to apply appropriate amounts of nutrients. Before planting begins, it is recommended that the group obtain a soil test from the University of Georgia's Cooperative Extension Service. Instructions and supplies for these tests are available at the DeKalb County Extension Main Office. Tests cost less than \$15, and provide a wealth of information about the soil amendments that will be necessary to ensure a healthy and productive garden. They can also help you identify and solve pest problems during the season.

DeKalb County Extension Office Main Office

4380 Memorial Drive
Decatur, Georgia 30032-1239
Phone: (404) 298-4080
Fax: (404) 298-4081
Office Hours: 8:30 AM to 5:00 PM

Additional measures that may reduce the need for chemical applications include, but are not limited to:

- Planting vegetables in the appropriate season.
- Following proper mulching practices.
- Choosing a proper location.
- Grouping plants with similar needs together.
- Staking or supporting plants off the ground when possible.
- Using disease and insect resistant plant varieties.
- Using row covers to protect plants from flying insects.
- Using drip or soaker hose forms of irrigation.
- Enriching the soil using organic matter.

University of Georgia's Cooperative Extension Service Publications

Vegetable Garden Calendar	http://pubs.caes.uga.edu/caespubs/pubs/PDF/C943.pdf
Mulching Vegetable Guide	http://pubs.caes.uga.edu/caespubs/pubs/PDF/C984.pdf
Growing Vegetable Organically	http://pubs.caes.uga.edu/caespubs/pubs/PDF/B1011.pdf

COMPOSTING

Composting of waste garden materials is encouraged. The Garden Group should avoid composting items that are malodorous or attract rodents or other animals. Compost must be within the designated garden area.



Responsibilities and Guidelines for Approval of Community Gardens on City-Owned Property

GARDEN STANDARDS

Structures:

- Size: Not to exceed 3 ft. by 5 ft. by 6.5 ft. tall.
- Acceptable material: pressure treated lumber, red cedar, plastic or galvanized steel.
- Limit one structure per community garden. Other structures for compost material will be allowable.
- All structures must receive necessary permits from the City of Decatur.
- Enclosed structures are not allowed within the Floodplain or City Stream Buffer Areas. All proposed open structures will require plan details on how they are to be anchored.

Fences:

- Size not to exceed a height of 5 ft.
- Acceptable materials include aluminum, pressure treated wood, galvanized or coated steel, red cedar, and vinyl; other materials will be considered.
- All fences must receive necessary permits from the City of Decatur.
- Fences placed on property within the Floodplain or City Stream Buffer have specific restrictions. These restrictions will be discussed during the Preliminary Review with City Engineering staff if necessary.
- City of Decatur representatives must have access into community gardens at all times
- City of Decatur must retain access large enough for equipment to enter for maintenance purposes

5.3 Community Support

Following the submission of the Community Garden Application form, the Garden Group must post a sign at the location of the proposed garden to inform the public about the proposal. These signs will be provided by the City of Decatur, and must be posted for 30 days prior to start of work, regardless of approval status.

Additionally, prior to application submission, efforts must be taken to inform ALL adjacent property owners of the proposal. This may include personal conversations where signatures are gathered acknowledging the notification, or may simply be a hand-delivered letter to each resident. A copy of any material provided to the adjacent property owners must be submitted with the Application Form.

Efforts should also be made to notify the larger community about the proposal. As with the effort to notify adjacent property owners, this may include personal conversations where signatures are gathered acknowledging the notification, articles in newsletters, or discussions at neighborhood meetings. A copy of any material provided to members of the larger community must be submitted with the Application Form.



Responsibilities and Guidelines for Approval of Community Gardens on City-Owned Property

Any materials provided to adjacent property owners or to the larger community regarding the proposal, must include the following contact information for people who wish to address questions or concerns to city staff.

Lena Stevens

Resource Conservation Coordinator

City of Decatur

509 North McDonough St

Decatur, GA 30030

Phone: (404) 370-4102

Email: lena.stevens@decaturga.com

The Environmental Sustainability Board and city staff will evaluate the level of community support, and also take into account any specific objections by adjacent property owners or residents in close proximity before giving final approval.

5.4 Follow-Up

REVIEW PROCESS

Each year, representatives from the City will conduct an annual review and inspection of the garden to ensure that proper policies and procedures are being followed.

One year after issuance of the Community Garden Permit, the Environmental Sustainability Board may request an update report from the Garden Group, and potentially request that a presentation be made at a board meeting.

TERMINATION

By signing the **Release and Indemnification Agreement**, the garden group members acknowledge that use of the community garden property is granted on a temporary, limited basis, and that permission to use such property can be revoked pursuant to the responsibilities and guidelines identified herein.

If the Garden Group fails to maintain its garden in any respect, as determined by the City, the Garden Group's Primary and Alternate Contacts will each be given written warning notices. If neither the Primary nor Alternate Contact respond to the City, or the problem is not addressed within 15 business days, the permit may be deemed revoked and any reinstatement will require a new permit application fee and a new registration fee.

If the Garden Group decides to no longer maintain its space, it must immediately notify the City of Decatur in writing. Once a community garden permit is terminated, the City retains the right to remove all materials from the garden area.

Attachments



Community Garden Application

Please complete and return by email or US Postal Mail to:

Lena Stevens

lena.stevens@decaturga.com

509 North McDonough

Decatur, GA 30030

Date:	
Name of Organization (Garden Group):	
Location of Proposed Garden: (Please include any description you feel necessary to adequately identify the area.)	

Contact Information

Primary Contact

Name:	
Street Address:	
City ST ZIP Code:	
Home Phone:	
Work Phone:	
E-Mail Address:	

Alternative Contact

Name:	
Street Address:	
City ST ZIP Code:	
Home Phone:	
Work Phone:	
E-Mail Address:	

Application Checklist

Have you submitted the following materials with your application?

- \$50 Community Garden Application Fee
- Copies of materials provided to adjacent property owners and larger community to inform them of the project
- Copy of Floodplain map with proposed location clearly marked
- Scope of work
- Copy of Acknowledgement of Community Gardens Responsibilities and Guidelines form, signed by primary contact
- Copy of bylaws developed by Garden Group

Basic Garden Information

How many gardeners do you expect to participate in your Garden Group?	
What is the approximate size of the proposed garden?	
Will the garden require access to utilities that are not currently available? (water, electricity, etc.) If yes, please list.	
Will your garden have plots? If yes, approximately how many?	

Planning Questions

Who will manage the garden?

What are your Garden Groups short and long term funding sources? How will you ensure that the garden does not become a drain on City resources or a nuisance to the public?

Why did your Garden Group choose this location?

Operational Questions

Fees

Does your Garden Group agree to pay the annual, non-refundable \$200 Community Garden Permit Fee?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does your Garden Group agree to obtain all necessary permits from the City of Decatur for the garden project, including but not limited to a Floodplain Development Permit, Stream Buffer Variance, and/or a Building Permit?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Protection of Waterways

Is the proposed garden located within the floodplain?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does your Garden Group agree to not undertake activities within the 25 foot State Environmental Protection Division Stream Buffer?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Is the proposed garden located within the 75 foot City Stream Buffer? If yes, a City Variance through the Zoning Board of Appeals is required. If granted, onsite mitigation is typically required to protect the stream buffer and water quality.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do the garden plans include the use of fill dirt?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do the garden plans call for the removal of trees?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Do the garden plans include the building of any structures?	<input type="checkbox"/> Yes <input type="checkbox"/> No
<p><i>If yes, please describe any proposed structures:</i></p>	
<p>What methods is the Garden Group proposing to prevent runoff from the garden entering into a waterway?</p>	
<p>Does the Garden Group intend to use any large machinery to manage the garden?</p>	

Parking/Transportation

<p>Where is the access point to the garden?:</p>
<p>How can you encourage people to walk or use alternative transportation to get to the garden?:</p>
<p>Where is parking available for occasional use of vehicles? (delivery, pick-up, special events, etc):</p>

Use of Chemicals

What steps does the Garden Group intend to take reduce the need for chemical pesticides and fertilizers?

Community Support

Please describe any measures that were taken to inform ALL property owners adjacent to the proposed garden. (Include copies of any materials provided)

To your knowledge, are any adjacent property owners opposed to the project? If yes, please describe the nature of the complaint.

Please describe any measures that were taken to inform residents in the surrounding community about the proposed garden. (Include copies of any materials provided)



Community Garden Scope of Work

Please complete and return by email or US Postal Mail to:

Lena Stevens

lena.stevens@decaturga.com

509 North McDonough

Decatur, GA 30030

The scope of work document is used to describe the nature of the work to be completed and specific details of the proposed project. There is no prescribed template for the scope of work. Please use this opportunity to provide any materials that you believe accurately describe the project. This may include, but is not limited to drawings, photographs, schedules, and special requirements. Be sure to include details regarding any specific projects to be completed such as fences, tool sheds, etc.

Date:	
Name of Organization (Garden Group):	
Location of Proposed Garden: (Please include any description you feel necessary to adequately identify the area.)	



Release and Waiver of Liability: Working on Community Gardens on City-Owned Property

**All member of the Garden Group must complete this form and return by email or US
Postal Mail to:**

Lena Stevens

lena.stevens@decaturga.com

509 North McDonough

Decatur, GA 30030

This Release and Waiver of Liability (this "Release") is in favor of the City of Decatur, and each of its officers, employees, agents, representatives, and insurers (collectively, the "Released Parties").

The undersigned desires to engage in activities related to voluntarily working in community gardens on City-owned property as a member of a community garden group on a yearly basis, pursuant to a community garden permit (the "Volunteer Work"). In exchange for such permit and other good and valuable consideration, I hereby freely and voluntarily, without duress, execute this Release under the following terms:

- Waiver and Release.** I release and forever discharge and hold harmless the Released Parties and their successors and assigns from any and all liability, claims, and demands of whatever kind or nature, either in law or in equity, which arise or may hereafter arise from the Volunteer Work, specifically excepting any liability arising out of intentional acts or omissions of the Released Entities. I understand and acknowledge that this Release discharges the Released Parties from any claim that I may have against the Released Parties with respect to bodily injury, personal injury, illness, death, or property damage that may arise out of, or result from, my participation in the Volunteer Work, as well as any claim that any minor for whom I have responsibility may have against the Released Parties with respect to bodily injury, personal injury, illness, death, or property damage that may arise out of, or result from, their participation in the Volunteer Work.
- Insurance.** I acknowledge that the Released Parties do not assume any responsibility for, or obligation to provide, financial assistance or other assistance, including but not limited to medical, health, or disability insurance, in the event of injury, illness, death, or property damage to me or to any minor for whom I have responsibility. I expressly waive any such claim for compensation or liability on the part of the Released Parties in the event of such injury, illness, death, or property damage.
- Medical Treatment.** I hereby release and forever discharge the Released Parties from any claim whatsoever that arises or may hereafter arise on account of any first-aid treatment or other medical services rendered by any of such Parties or their representatives as the result of an injury or illness to me or to any minor for whom I have responsibility arising out of, or resulting from, my or such minor's participation in the Volunteer Work.
- Assumption of Risk.** I understand that participation in the Volunteer Work may include activities that may pose a risk of injury to me or any minor for whom I may have responsibility, including, but not limited to, using hand tools such as shovels, hoes, rakes, and pick axes, and operating small gas powered walk-behind garden tools such as mowers and tillers. I understand that the Volunteer Work may take place in community gardens located within flood control areas that are subject to flooding. I understand and acknowledge that the Released Parties do not assume any responsibility for any loss which results from acts of nature or the storm water function of the area to be used as a community garden. I hereby expressly assume the risk of

injury or harm in these activities and release the Released Parties from all liability for injury, illness, death, or property damage arising out of, or resulting from, activities that are part of the Volunteer Work.

5. **Photographic Release.** I grant and convey unto the Released Parties all right, title, and interest in any and all photographic images and video or audio recordings made by the Released Parties or others during my participation in the Volunteer Work, and, if applicable, the participation of any minor for whom I have responsibility.

6. **Revocable Permit.** I understand that I am being allowed to use the community garden property on a temporary, limited basis, and that my permission to use such property can be revoked pursuant to the Responsibilities and Guidelines for a Community Garden on City-Owned Property permit application.

7. **Other.** I expressly agree that this Release is intended to be as broad and inclusive as permitted by the laws of the State of Georgia and the United States of America, and that this Release shall be governed by and interpreted in accordance with the laws of the State of Georgia. I agree that in the event that any clause or provision of this Release shall be held to be invalid by any court of competent jurisdiction, the invalidity of such clause or provision shall not otherwise affect the remaining provisions of this Release, which shall continue to be enforceable.

To express my understanding of and agreement to this Release, I sign here.

Name of Participant _____ Date: _____
Signature of Participant _____
Address of Participant _____
Daytime Phone Number: _____ Evening Phone Number: _____
Emergency Contact Name _____ Phone _____

If participant is under the age of 18 (a minor), this Release must also be signed by a parent or guardian.

Name of Parent/Guardian _____ Date: _____
Signature of Parent/Guardian _____



Acknowledgement of Community Gardens Responsibilities and Guidelines

Please complete and return by email or US Postal Mail to:

Lena Stevens

lena.stevens@decaturga.com

509 North McDonough

Decatur, GA 30030

**This form must be completed by both the primary and alternative contact for the Garden Group*

I, _____, (*print name*) have read the Community Garden Responsibilities and Guidelines and agree to abide by them.

Signature: _____ Date: _____



Decatur Environmental Sustainability Board Guidance Document on the Decatur Urban Agriculture Initiative

Purpose of this document

The Decatur Environmental Sustainability Board (ESB) developed this document to provide guidance to assist the city in the design and implementation of the Decatur Urban Agriculture Initiative. The ESB considered information on environmental impacts of urban agriculture and developed this document to help the city ensure that urban agriculture supports and enhances city programs directed at environmental sustainability.

Urban agriculture has generated a high level of interest in the City of Decatur, and it can offer our city many positive outcomes for the residents and for the environment: education, community building, water quality protection, carbon footprint reduction, nutrition and food quality enhancement, and greenspace utilization. However, these benefits may not arise automatically through urban agricultural programs unless those programs are designed and implemented in a manner that will be directed toward those ends.

For example, urban agriculture can help to reduce the energy required for food production and the carbon footprint of our food, but local food production will not consistently result in these benefits. In some cases, it is possible for local food production to be less energy efficient than standard agricultural production. With respect to water quality, garden design and production methods must be selected with watershed protection in mind, or adverse potential impacts are possible. Therefore, the ESB sought to provide guidance to ensure that the Decatur Urban Agriculture Initiative maximizes positive outcomes for our residents and our environment.

Goals for the Urban Agriculture Initiative

The ESB recommends that the following be the over-arching goals for the Decatur Urban Agriculture Initiative:

1. **Education:** The Decatur Urban Agriculture Initiative should develop the knowledge of city residents of all ages regarding:
 - a. How to grow food
 - b. How to protect the environment while growing food
 - c. How to improve nutrition and food quality
2. **Community Building:** The Decatur Urban Agriculture Initiative should increase opportunities for city residents to interact with one another and celebrate our food heritage.
3. **Integration with Existing City Environmental Plans:** The Decatur Urban Agriculture Initiative should be integrated with and assist and enhance the city's efforts to implement the following environmental plans that have been developed by Decatur:
 - a. Greenspace Plan
 - b. Stormwater Plan
 - c. Waste Management Plan
4. **Financial sustainability:** The Decatur Urban Agriculture Initiative should attain financial self-sufficiency and be designed to enhance city economic development programs.

Benefits of Urban Agriculture Initiative

Many benefits can result from the development of urban agriculture. Some of these may be goals of the initiative, while others will arise as side benefits.

- Provide healthy eating through local knowledge about raising food and improving nutrition and food quality
- Increase opportunities for interaction among city residents
- Increase recreational opportunities for city residents
- Enhance implementation of city greenspace plan
- Improve stormwater management
- Reduce solid waste
- Reduce energy use and carbon footprint
- Improve soil quality
- Minimize pesticide exposure
- Improve local economic development
- Provide local food production and supply
- Increase food security

Environmental Guidance for Urban Agriculture Initiative

It is important to note that some of these benefits will not arise automatically. In the case of environmental benefits, program design and implementation will be central to ensuring beneficial outcomes. To ensure that beneficial environmental outcomes are attained by the Decatur Urban Agriculture Initiative, the ESB offers the following guidance:

Water Quality Protection:

- Site community gardens with stream protection as a goal. Vegetated buffers should be used to filter run-off.
- Focus education programs on the development of gardens to enhance water quality through siting, design, and production methods.
- Discourage the use of chemical inputs (e.g., commercial fertilizer, pesticides).
- Focus education programs on sustainable manure management for urban animal husbandry (e.g., chickens, goats).
- Establish guidelines for urban farms/garden plots within or adjacent to floodplain.
- Incorporate monitoring, verification and accounting for water quality impacts, along with other best management practices, into the management of urban agriculture projects.

Energy Savings/Carbon Footprint Reduction:

The relative energy and carbon impacts of local foods as compared to food from standard commercial distribution channels are uncertain. While it would seem that local foods would reduce energy impacts,

they may not do so consistently. More research on this topic is needed, but the following suggestions should result in reduced energy use related to this effort:

- Encourage biking/walking to community gardens, to distribute food from gardens, to acquire inputs, and to manage waste (i.e., composting)
- Encourage the use of "closed cycle" farming systems that use local resources and recycle nutrients.
- Disperse community gardens sites evenly throughout the city to minimize the distance each resident has to travel to reach a site.

Greenspace Protection/Enhancement:

Vacant urban areas can be used for agriculture production. Some of the land now under the ownership of the City that is dedicated to creating the Decatur Greenways can be utilized for community urban farms or garden plots. The Decatur Urban Agriculture Initiative can move forward and enhance the implementation of the Decatur's greenspace plans increasing the benefits offered by these greenspaces. Furthermore the City could develop more comprehensive stewardship of the greenspace, encouraging use and maintenance of greenspace by residents. Implementation of the Decatur Urban Agriculture Initiative should be integrated with the city's existing greenspace plan and should seek opportunities to provide joint beneficial outcomes.

Possible steps to proceed include:

- Prepare an inventory of the land dedicated for the Decatur Greenways that could be appropriately utilized for community urban farms.
- Establish guidelines for urban farms/garden plots within the greenspace.
- Promote volunteer partnerships with neighborhood, civic, and other interested volunteers to take part in the care and ownership of sections of the Decatur Greenways, and establish the Greenway to become in a sense, true 'public land'.
- Develop stewardship standards (to further the Decatur Greenspace Stewardship Plan as proposed by the past Decatur Greenspace Commission), including removal of invasive species and other issues that impact neighborhoods and homeowners.
- Conduct one or more pilot projects in the greenspaces with the consent, participation, and support of the neighborhood.

Waste Management:

Urban agriculture generates waste, but most of that waste can be used as a beneficial by-product. The Decatur Urban Agricultural Initiative should be designed to assist in meeting the city's goals to reduce solid waste by encouraging the development of composting. Education programs should be directed to assisting residents in composting at their homes, and community composting can be developed at community gardens. Composting initiatives should be designed in a manner that will minimize energy consumption in transporting and distributing by-products.

Objectives for the Urban Agriculture Initiative

The following objectives are illustrative of actions and measurements to achieve the goals of the Urban Agriculture Initiative. Additional measurable objectives will be developed through various processes including stakeholder discussions, among others:

1. Education:

- a. Evaluate existing education programs (e.g., county extension, Oakhurst Community Garden Project, Georgia Organics, The Atlanta Local Food Initiative), identify needs, and develop integrated urban agriculture education plan.
- b. Target to reach an audience of 10,000 residents with education programs by 2012.

2. Community Building:

- a. Establish community garden plots or urban farm within 0.25 miles of all Decatur residents.
- b. Develop a community farm market.

3. Integration with Existing City Environmental Plans:

- a. Review all initiatives for environmental impacts and consistency with city plans to ensure these activities complement and enhance those initiatives.
- b. Integrate the Decatur Urban Agriculture Initiative and Greenspace Plan.
- c. Develop a community composting program to reduce solid waste.

4. Financial sustainability:

- a. City funding for an urban farm or a community farm market should be matched with funds from other sources and be directed toward start-up costs (not operations)
- b. Develop user fee schedule for community garden plots with provisions for low-income residents to participate at no cost.
- c. Assist with the development of a viable, sustainable market through zoning, marketing, and other mechanisms as appropriate.

References: The Atlanta Local Food Initiative. *A Plan for Atlanta's Sustainable Food Future*. Summer 2008.

Checklist to Evaluate Decatur Urban Agriculture Initiative Proposals

Date: _____ Proposal Name/Identifier: _____

Rank 1 – 5 how well a proposed project supports the goals of the Decatur Urban Agricultural Initiative.

1 = Does Not Support, 3 = Has Potential, 5 = Strongly Supports

1 2 3 4 5 Educational Opportunities

Notes/Explain:

1 2 3 4 5 Community Building

Notes/Explain:

1 2 3 4 5 Existing City Environmental Plans

Notes/Explain:

1 2 3 4 5 Financial Sustainability

Notes/Explain:

+ + + + = **TOTAL SCORE:** _____

Score of <8: Weakly supports DUAJ Goals

Score of 8 to 14: Moderately supports DUAJ Goals

Score of >15: Strongly supports DUAJ Goals