Community Garden Ordinance

Public Meeting Comments & Summary

July 14, 2014

Summaries:

On July 14, 2014, City of Knoxville officials asked for public input on proposed ordinances regarding the definition of Urban Agricultural practices. The topic of the meeting was to discuss proposed definitions of “Community Garden” and “Market Gardens” to allow for primary-use gardening in all zones rather than just R-1.

About 47 people attended the public meeting held at the Cansler Family YMCA, 616 Jessamine St. The Office of Sustainability received 12 comments through comment card and email following the meeting.

The commenters asked for clarification on the sale of produce, the assessment of garden size, fees and permits associated with gardens, and how to deal with abandoned or mismanaged gardens.

Officials emphasized that the City is dedicated to highlighting the region’s agricultural roots and fostering the development of a vibrant local food economy.

The Office of Sustainability will take all input into consideration as it develops new Urban Agriculture ordinances.

Comments:

Comment Card:

- The hen allowance should be increased to accommodate for larger, more production-focused gardening operations.
- The Seasonal Sale Permit should be adjusted to accommodate for co-operative farming practices and CSA distributions.

Comment Card:

- There should be considerations for invasive species and non-indigenous pests.
- What regulations will be in place to provide protections to the care of bees and animals (e.g. hens) on community garden sites.

Comment Card:

- Placing too many strict regulations and oversights may be too onerous on small, upstart inner city agricultural businesses.

Comment Card:
- Concern over the potential neglect of hens on property where manager doesn’t live nearby.
- Who is ultimately accountable for the welfare of livestock at a community garden?

Comment Card:
- How will theft be addressed by the police: Is the produce in community gardens considered a private asset or personal property?

Comment Card:
- Would like to see more information on soil testing and public health safety for garden sites.
- Would like to see a program provided by the city, or subsidized by the city, for lead testing and abatement for future garden sites.

Online Comment:
- The present zoning ordinance allows agricultural crops to be grown as Principal Use in R-1 zoning districts, and the new ordinance would ask them to register their garden.
- Recommend an alternative definition of Community Garden that distinguishes between an owner growing on their own empty lot from many individuals growing on an empty lot and from an individual (other than the owner) growing on an empty lot.

Online Comment:
- Would like to reduce the restrictions of the Seasonal Sales Permit. Particularly reducing the price and the restrictions that produce sold must have been grown on-site.
- If possible, would like to have personal and community gardens exempt from the Seasonal Sales Permit.

Online Comment:
- Can there be such a thing as a market garden smaller than a ¼ acre under these definitions?
- Will meat and/or dairy be allowed in compost? What protections will neighbors have for smelly/poorly managed compost?
- Are bee hives allowed on top of structures?

Online Comment:
- Fees should be assessed for community gardens to prevent abandonment.
- There should be accountability for the aesthetics of the garden.

Online Comment:
- There be a clear definition of how the garden size will be assessed; Will it be total lot size or garden size?
- Recommend a definition of “Garden Area” to encompass that delineation, or an “and/or” qualifier for the size and sales relationship.
- Clarification is recommended for low-tunnels and hoop houses in the way of adding “from growing soil height.” This would reduce the ambiguity in measurement when considering the use of raised beds.
- Composting dimensions should consider height and/or volume. A 7yd³ limit is recommended based on the approximate carrying capacity of a single-axle dumptruck.

**Online Comment:**

- Providing general statement defining “Urban Agriculture.”
- Should not state that it is not exempt from Federal, State, or Local regulations for erosion control and sediment discharges.