STAKEHOLDER/PUBLIC INPUT

Public Session #2 Process and Code Coordination

The Homegrown Revival [redacted] Mon, Apr 29, 2013 at 6:44 PM
To: [redacted]

Heather and Katherine -

Thanks so much for holding these discussions and furthering the civic engagement for real issues.

Below are some thoughts from Sonya and I that we would like to share.

1. Site Requirements - what kinds of requirements should urban farms meet to be in harmony with different types of zones (single-family, multi-family, commercial, etc)?

We believe there should be no zoning restrictions for urban farms. If urban farms are already SF3 and can be anywhere in the city, we believe they should be able to continue to start, thrive and build anywhere in Austin. We all know that it will be difficult to do this outside of East Austin because the soil is less than desirable in south, west and even northerly parts of the city.
What we should encourage is farms to engage their neighbors, maybe even hire their neighbors in possible (for larger ones). For new 'urban farms' we believe that setting site requirements (size, animal restrictions, produce restrictions) limit the growth of urban farms.

2. Commerce - what kinds of things should farmers be able to sell from their farm and how often?

We believe farmers should be able to sell whatever they grow on their land. The model set by Boggy Creek and Springdale Farm of a twice a week farm stand really benefits access. We understand that added traffic and 'commerce' provides a 'nuisance' to neighbors. What is important is we stay away from 'commercial traffic' of big trucks, loading vans, etc and concentrate on how the farmers can make income on their hard work and produce. Therefore twice a week farm stands, the ability to deliver whatever produce or protein that is grown on that property is key for us.
We also believe that if we encourage the city to build/operate a distribution center - or encourage places such as Rosewood Market, in.gredients, and new places to continually purchase these products, the farmers can expect an income. The economic impact study recommended two paths recently - that of a distribution center/every day market or even encouraging neighborhood markets. we should encourage both, as they allow for less 'commerce' traffic at the urban farms.

3. Labor - how many employees should urban farms have, can they live on site, and other questions.

Labor is one of the key aspects of how a successful urban farm can run. The employees at Boggy Creek have worked there for over a decade - one for 16 years from our last conversation with Carol Ann. Springdale kept their landscaping employees by starting a garden, that flourished into a present farm. Farms should be encouraged to hire people living near them.
We believe farmers will be better suited to answer this question, but most of these 5 acre tracts have 3-7 employees full or part time employees. We see no cause to change this.
In our humble opinion, we believe it would be beneficial to have employees live on the property - less cost for them, more savings, ability to travel less and promote sustainable lifestyles.
We understand that building more structures on properties increase the need for permits, zoning - (single to

multiple family zoned property) but we should be careful to not zone a farm a certain way where this last part is hindered in its growth.
If they are not capable of living on site, we believe we should find some way to encourage farmers to help their employees (health plans, food, etc) Again, this last point is something the farmers are way more knowledgeable than we.

Best, and Thanks again for all you do.

David and Sonya

--
The Homegrown Revival
www.thehomegrownrevival
twitter feed - @hgrevival

Food is life, The Revival is a movement.

GAIN- *Guadalupe Association for an Improved Neighborhood*

1111 East 8th Street - Austin, Texas 78702

Ph 512-479-6275

May 7, 2013

Re: Urban Farm Ordinance

To Whom It May Concern:

The Guadalupe Association for an Improved Neighborhood, GAIN, met on Saturday April 27, 2013 and voted unanimously to support efforts to have various departments, boards and commissions of our city conduct a thorough review of the impact of the Urban Farm Ordinance on single-family neighborhoods. The membership of GAIN believes attention should be placed on whether some activities related to urban farms meet compatibility standards, whether existing in code or implied by common sense, and if the more commercial elements of urban farming are incompatible with the zoning of the property and with surrounding single-family uses.

GAIN supports small urban farms, especially when they replace vacant and underutilized property. However, when urban farms slaughter animals on a regular basis, or become a frequent tour destination, or a place for weddings, parties and concerts, they may no longer be an appropriate, acceptable use on land zoned for single-family use in single-family neighborhoods.

GAIN believes land that is zoned for single-family housing should be developed with housing. Whereas urban farms offer a pleasant and productive interim use, when they become lucrative commercial enterprises, they undermine the intent of the zoning and the reasonable expectations of the surrounding single-family property owners.

For these reasons, the city should conduct a through review of the Urban Farm Ordinance.

Sincerely,

H. Michael Guajardo, President
Guadalupe Association for an Improved Neighborhood

Heather

Frambach, Heather

From: The Homegrown Revival [redacted]
Sent: Wednesday, May 15, 2013 12:54 PM
To: Frambach, Heather; Katherine Nicely
Subject: Meeting 3 for Urban Farm Ordinance update

Heather and Katherine,

Thanks again for all your work.
Please see below for input for tonight's meeting. Sonya and I will be unable to attend. We hope to answer all questions, but the list is rather ambiguous, so we are giving it our best shot.
We are firm believers that the city should not make it more strict for urban farms to operate. The city should follow state and federal laws and accept the urban farms as operating entities and encourage their existence.

Byproducts, Environmental Health and Sustainability

Byproducts -
We believe a farm should be able to sell any type of product that is made on a farm. - Honey, jams, etc.
With the passage of certain laws in the Texas House/Senate (hopefully) farms should be able to sell items such as Confituras, dairy items, and anything that is USDA certified protein - chickens, longhorn, buffalo, bison, beef, lamb, pork.
The city should NOT make it more strict to sell items the USDA or FDA finds to be certified. The farms have been selling these items and should be able to continue to sell these items.

As for items that may be not consumable - pelts, dried skins, furs, etc - those should have a designation, but we would not know where to begin. Farms, ranches, and such used to sell such items and people sell such items on the sides of roads, so it's always going to happen. We would recommend that the majority percentage of sells come from consumables - fruits, vegetables and proteins.

Byproducts - composting.
Composting is what gives farm life - the soil and the plants need it. Farmers should be able to compost anything on their property as it pertains to compostable materials so they can continue to build their biomass and healthy soil. We would recommend not having composting near drainage ditches and not within 50 feet of neighboring houses.

Composting as it deals with animal remains.
We would recommend coming up with a limit on what is compostable as it pertains to animal remains.
They should be in containment bins, therefore not able to seep into city water supply or underground.
The debate is between being sustainable (doing it on property with black soldier flies, or doing it offsite and having to transport). If the city can provide a way to transport, and to have property for compost - DO IT!. If the city cannot provide transport and property, then limits should be set on how many animal remains to compost in a given time. These should also be done outside of the 50 foot from neighboring houses and recommended compost bins for containers.

Environmental Health - We would recommend not putting anything hazardous near water streams, run offs, street runs offs or other avenues that would allow farms waste to go outside of property.

Sustainability -
We may need to get away from the organic label as it costs money and all the farms are currently practicing organic methods, but may or may not have organic status.
The farms should be given sustainable status by the city if they meet certain criteria:
No pesticides, chemicals or hazardous materials are used on their property for plants, proteins or even regular trees/grass.
If the farms practice organic farming, they should be given sustainable status by the city.
The city should follow state and federal laws when it comes to this, they should not make it more strict.

Gmail by Google

heather frambach [redacted]

note from a friend who asked me to pass it along

Dorsey and Susan [redacted] Wed, May 15, 2013 at 12:51 PM
Reply-To: [redacted]
To: heather frambach [redacted]>, Katherine Nicely [redacted], Paula McDermott [redacted]

Wish I could make the meeting. If a statement can be placed in the record please place this for me. In North Carolina with the future. My grand children. Thank you Sue Sue and Dorsey for taking On this fight. I know it must be so frustrating but your knowledge and passion will prevail. Love you both- Carolyn

The chronic diseases that now kill most of us (coronory heart disease, diabetes, stroke, and cancer) can be traced to the industrialization of our food. The rise of highly processed food and refined grains, the use of chemicals to raise plants and animals, the superabundance of cheap calories... and the narrowing of the human diet to a tiny handful of staple crops, notably corn, wheat, and soy.

- Michael Pollan

The city of Austin can work towards dismantling the broken system that dominates today. We can work to endow the human being with their former power to know what real food looks like, where to find it, and even how to call it up out of the ground themselves. This can be done with cooperation and responsibility. Keeping the earth safe, allowing an ecosystem that helps man, insects and treats animals with love and dignity. Urban farms help everyone. Understanding the life cycle, seeing that what we eat can come from people who not only respect life but love all living things can only make our world, my world, my life better. Susan and Dorsey have already impacted my life. I have learned so much about organic farming from the gardens to the animals. Knowing that what I eat is good for me, helps fight against environmental poisons and even helps eliminate environmental poisons that are not only killing humans but are killing our earth. I want my grandchildren to love and respect all life and Urban Farms are the living schools where they can go, learn about how to protect our earth, grow healthy foods to keep our bodies healthy, and how to treat our animals whether they are pets or our next meal with love and respect. Thanks to all the Urban Farmers who are the modern pioneers.

--
HausBar Farms
512-577-4731

Frambach, Heather

From: heather frambach [redacted]
Sent: Friday, May 17, 2013 4:57 PM
To: Frambach, Heather
Subject: Fwd: dGovalle/Johnston Terrace Neighborhood Contact Team Recommendations for Urban Farm Ordinance Re write

---------- Forwarded message ----------
From: **Daniel Llanes** <[redacted]>
Date: Fri, May 17, 2013 at 4:48 PM
Subject: dGovalle/Johnston Terrace Neighborhood Contact Team Recommendations for Urban Farm Ordinance Re write
To: Katherine Nicely [redacted], heather frambach [redacted]
Cc: Susana Almanza [redacted]

Hi Katherine and Heather,

Once again I want to thank you all for coming to listen to our Review Committee in regards to the re write of the Urban Farm Ordinance. Here is a list of the recommendations from our meeting. Please accept these on behalf of the Review Committee for the Govalle/Johnston Terrace Neighborhood Planning area.

thanks again,

Daniel Llanes
Coordinator, Review Committee
Govalle/Johnston Terrace Neighborhood Plan
.....

Recomendatons:

1. No slaughtering, commercial or otherwise, of animals within the City limits.

2. No farms on Single Family or residential zoning.

3. Farms must provide on site parking for all activities.

4. Grandfather Boggy Creek, Springdale, Rainlily and Hausbar farms in regards to occupancy permits and single family land status.

5. Applications for Urban Farm status must go through the Neighborhood Plan amendment process.

6. Minimum size requirement should be greater than 1 acre, perhaps 2 acre minimum.

7. Define Urban Farm uses, especially accessory income generating uses. Insure that these extra uses do not exceed intended "farm use", particularly in regards to parking and crowd control.

Kate Vickery [redacted]

Fwd: TCEQ Composting Regs., Water Quality Control and Manure

Katherine Nicely [redacted] > Mon, Jun 3, 2013 at 9:27 AM
To: [redacted]

Some information regarding TCEQ regulation as talked about in our last session.
Katherine

---------- Forwarded message ----------
From: **Michael Hanan** [redacted]
Date: Wed, May 15, 2013 at 12:01 PM
Subject: TCEQ Composting Regs., Water Quality Control and Manure
To: Katherine Nicely [redacted]

Hello everyone,

TCEQ COMPOSTING REGULATIONS-
Here is a link to a really nicely put together page that explains TCEQ regulations and exemptions around composting and mulching:
http://www.tceq.texas.gov/permitting/waste_permits/msw_permits/MSW_amlregulatedcomposting.html

Through my reading it seems that almost every function you'd expect to find on an urban farm (composting vegetables, manure, and carcasses) will be exempt from permitting, registration, and notification requirements under Section 332.3(d). However, exempt operations must comply with Texas Water Code, Chapter 26 (relating to Water Quality Control) and must prevent the creation of nuisance conditions as defined in Section 330.2 and as defined by the Texas Health and Safety Code, Chapters 341 and 382 (relating to Minimum Standards of Sanitation and Health Protection Measures; and Clean Air Act), the Texas Water Code, Chapter 26 (relating to Water Quality Control), Section 101.4 (relating to Nuisance).

There are additional requirements for exempt operations, however I suspect that with small scale composting operations that are not engaging in trade or commercial exchange of compostable materials or compost, that these can probably be foregone. These additional actions are listed under the "Exempt Composting and Mulching Operations" section in the link posted above and in Sections 328.4 and 328.5. Also, under Section 332.8 exempt composting facilities must meet certain air quality requirements. These, too seem to apply exclusively to industrial scale.

The takeaway, for me, is that there seems to be sufficient regulation at the State level to legally protect community members against potential problems relating to nuisance, air quality, water quality, and public health that might stem from composting operations. As such, I recommend that we refer to those existing regulations and refrain from adding an additional layer of regulation at the City level.

WATER QUALITY CONTROL AND MANURE-
Matt, this is mostly for you - here are some officially published links with information about protecting streams from animal manure with vegetative buffers, etc.:

http://ohioline.osu.edu/aex-fact/0708.html
http://www.iowadnr.gov/portals/idnr/uploads/afo/sepdstb4.pdf (these are for high density livestock operations and thus the setback suggestions are probably higher than needed for the reality of an urban farm)
http://www.mass.gov/dep/water/drinking/manure.pdf
http://info.sos.state.tx.us/pls/pub/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=30&pt=1&ch=321&rl=40 (The State of Texas requires a 100 ft. vegetative buffer for Concentrated Animal Feeding Operations - again much denser production of manure than will be allowable in an urban farm setting. This number should be able to go down for low density production that will be allowed on urban farms.)

It seems that we could require a reasonably sized vegetative buffer for all livestock being kept on urban farms (perhaps 25 ft.?). This could also be applied to composting facilities.

Ok, well please share any thoughts y'all have. Best of luck at the Public Session tonight and I'll see you all Tuesday!

Michael Han[illegible]
Market Man[illegible] Sustainable Food Center
214.995.7388
www.sustainablefoodcenter.org

[illegible] Av[illegible]los [illegible] LEED Gr[illegible]n Assoc
Urb[illegible] Assoc AIA/Food Po[illegible]y Advocate
Sus[illegible]ble Food Policy Board Member City of Aust[illegible]
Graduate [illegible]ing Assistant (University of Texas School of Architecture

B.Arch. Pont[illegible]ia Universidad C[illegible]lica del Ecuador Quito
[illegible]CRP University of Texas Austi[illegible]
915.355.5651

People Organized in Defense of Earth and her Resources

June 6, 2013

Paula McDermott, Chair
And Sustainable Food Policy Board Members

Dear Sustainable Food Policy Board Members:

PODER (People Organized in Defense of Earth & her Resources) makes the following recommendations to the revision of the City of Austin's Urban Farm Ordinance:

1. No urban farms in single family zoned land.

2. Applications for urban farms must go through the zoning process as conditional use and reviewed by Neighborhood Plan Contact Team/Neighborhood Planning Team process.

3. Set limits on amount of chickens/fowls and other animals that will be allowed on urban farms.

4. The slaughtering of chickens should only be allowed for personal use.

5. Urban Farms should provide on site parking for their business use.

6. Minimum size requirements should be 2 acres.

7. A clear definition Urban Farm uses.

8. A clear definition of desired development zone.

9. Should the present owners of the Urban Farms in East Austin, cease to operate, the Single Family zoned land should revert to single family zoning uses.

Sincerely,
Janie Rangel
Janie Rangel, Board Chair

Xc: Heather Frambach
Austin City Council Members

PODER P.O. Box 6237 Austin, TX 78762 512/428-6990 email: poder.austin@gmail.com

-------- Original Message --------
Subject: Input to Urban Farm Process regarding "organic farming" requirement
Date: Thu, 13 Jun 2013 09:43:03 -0500
From: Steve Diver [redacted]
To: Heather Frambach [redacted] Dorsey Barger [redacted], Steve Diver [redacted]

Heather -

I attended Public Session #3 of the Urban Farms Process and Code Coordination meetings at Fiesta Gardens.

Following the break-out sessions, one of the proposed regulations was a requirement to follow "organic farming methods" vs "sustainable farming methods". I spoke to one of the coordinators following the meeting and she gave me your email address to send my comments.

Could you please pass this along to the right person, thanks.

My primary comment is to keep "regulations" to a minimum. As much as possible, explain the program in terms of guidelines or best management practices vs enforceable regulatory statements. Regulations imply codified laws that can put urban farmers in a tight situation if they are "not in compliance" whereas guidelines spell out the flavor of the program; the latter provides leeway for farmers to fit within a spectrum of sustainable farming practices and still meet the goals of the program.

For example, requiring urban farms to follow organic farming practices has several negative implications. USDA requires any farm selling foods labeled as "organic" to obtain certification. Thus, urban farms would be required to obtain certified organic status through Texas Department of Agriculture (TDA); another accredited body working in Texas is Natures International Certification Services (NICS). These inspection and certification programs add an additional, un-needed expense for "every" urban farm. These programs are based on USDA-National Organic Program (NOP) standards which are codified and unweildy. Some aspects of USDA-NOP are out-dated, other aspects simply limit growers from using good options because the certification programs can't keep up with progress or understand why certain products or practices should be allowed. Another factor is that practically every crop input has to be submitted for approval -- at the same time TDA is over six months behind schedule due to under-staffing. This fact alone is the single reason why many farmers do not want to participate in certified organic programs. In fact, several of the existing urban farms do not even have certified organic status. Organic certification is more important for larger farms that supply labeled boxes of fresh organic produce into the wholesale food chain vs direct-to-consumer sales more typical of the smaller, urban farms. In addition, organic certification includes extensive record keeping which is another unweildy burden on small urban farms.

More importantly, from my perspective as a farm consultant, while organic farming is widely known it is only one of several alternative farming systems that are widely practiced. The Acres USA magazine, which is published in Austin, TX, promotes the "eco-agriculture" farming system. Farmers producing under the eco-agriculture system might use selected commercial fertilizers (liquid phosphorus, calcium nitrate, ammonium sulfate) while expressly avoiding other commercial fertilizers (ammonium nitrate, potassium chloride); eco-agriculture likewise aims for healthy vitalized crops, beyond organic food nutrition, and avoids toxic pesticides. The aforementioned commercial fertilizers are benign to the environment but can enhance plant health and food nutrition, however they do not fit strict organic guidelines.

Another problem with organic certification is the very picky way "regulators" view common inputs like compost teas, manures, composts, vermicomposts, integrated livestock, and homemade organic fertilizers.
This fact along is a primary reason to reject USDA-NOP as a viable urban farming system. It adds extra headaches to mess with fuzzy restrictions that are formulated by academic and industry-focused staffers sitting in committees thousands of miles away.

In summary, organic farming as it has been practiced for decades or even thousands of years is a good, sustainable approach to raising food.

However, once it got into the hands of government regulators it has turned into a restricted, contentious mess of entangled laws and anthropomorphogenic projections as to what "organic farmers ought to do"
vs real-world practical guidelines that empower farmers.

I speak from experience. I first started growing certified organic fruits and vegetables in in 1988, I have served on organic certification committees at state levels, I have both attended and taught at IOIA organic inspector trainings, and I served on the NOSB Compost Teas Task Force in 2003-2004. Most of my current work as a horticultural & soils consultant deals with certified organic farms and related ecological farming systems that include sustainable farming, eco-agriculture, biodynamic agriculture, and eco-label systems such as Certified Naturally Grown.

In summary, "sustainable farming methods" or some similar broad wording does indeed work more favorably for urban farmers than "organic farming methods".

Steve Diver
Agri-Horticultural Consulting
http://www.agri-synergy.com<http://www.agri-synergy.com/>
512-944-8928

Paula McDermott
Sustainable Food Policy Board

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Austin Urban Farms
farmers make good neighbors

Austin Urban Farms neighbors, farmers, friends

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What we need in the Urban Farm Code

June 24, 2013 0 Comments

Austin's urban farmers have been working with volunteers from the Sustainable Food Policy Board and **City of Austin** staff for the past two months to improve the **Urban Farm Code** so that local farms can continue to flourish within the city's urban core and local farmers can continue to be strong community partners.

- **Austin Urban Farms** use only organic methods to maintain and produce crops and proteins, eliminating all synthetics and chemicals. The resulting food is safe, fresh and nutritious.
- **Austin Urban Farms** are good stewards of the land, collecting rainwater and protecting the soil. The farms recycle, reuse and adapt materials to new uses.
- **Austin Urban Farms** care about our community. The farms' hold regular markets, host school field trips, farm tours, supper clubs and fundraisers; all of which provide safe, healthy and educational community gathering points.
- **Austin Urban Farms** bring dollars to Austin through agritourism. Visitors that come from out of town to see the farms subsequently spend money on hotels, rental cars, sightseeing, personal purchases, restaurants and bar visits.

The current recommendations include too many limitations that threaten to stifle the growth of urban farms. In order to keep doing what they do best — farming and supporting our community – **Austin Urban Farms** urges the City to make the following changes or additions to code.

- Allow sales and delivery (retail and wholesale) of eggs, produce and protein grown on the urban farms and/or on other land owned and farmed by the urban farmer without restrictive percentages.
- Allow the raising, processing and sales of animal protein: eggs, rabbits, fowl and fish (through aquaponics).
- Allow sales of local third party, agricultural associated, products including coffee, produce, meat, dairy, eggs, bakery goods, etc., without restrictions on amounts of products sold.
- Allow **Austin Urban Farms** to host events including nonprofit fundraisers, weddings, supper clubs, garden clubs and school groups. This provides both a vital revenue stream and an important avenue for helping educate the community about our local farms.
- Allow more than one dwelling, as per current property zoning allows, for farm stays, bed and breakfast rentals and intern lodging.
- Allow classes such as composting, gardening, cooking/canning, harvesting/processing protein and animal husbandry.
- Allow independent craftspeople, artisans, artists and musicians on farm stand days at the discretion of the farm.
- Do not limit the number of employees **Austin Urban Farms** can hire.
- Do not place a maximum or minimum acreage for an urban farm.

What can you do to help?

- **Sign up as a supporter on this site.**
- **Contact the City Planning Commission and City Council before their hearings (tentatively scheduled for late July and August, respectively) on the Urban Farm Code Update to register your support of urban farms. Click HERE to view a sample letter.**
- **Come to the City Planning Commission and City Council hearings and register your support for urban farms. Stay tuned for specific dates, times**

Vickery, Kate

From: Nicely, Katherine - BC
Sent: Wednesday, July 10, 2013 2:12 PM
To: Frambach, Heather; Vickery, Kate
Subject: FW: Please change the urban farm code to include market gardens

We just got this today. So the emailing begins. Let's talk about how we handle these.
Katherine

Katherine Avalos Nicely, LEED Green Assoc.
Urban Planner/Asoc. AIA/Food Policy Advocate
Sustainable Food Policy Board Member - City of Austin

B.Arch. I Pontificia Universidad Católica del Ecuador - Quito
MsCRP I University of Texas - Austin
915.355.5651

From: susan kittleson [redacted]
Sent: Wednesday, July 10, 2013 1:49 PM
To: McDermott, Paula - BC; Rutledge, Ronda - BC; Borowski, Rob - BC; England, Hildreth - BC; Green, Kathy - BC; McAfee, Melanie - BC; Murphy-Smith, Michele - BC; Nicely, Katherine - BC; Teeters, Mary - BC; Anderson, Dave - BC; Hernandez, Alfonso - BC; Stevens, Jean - BC; Chimenti, Danette - BC; Jack, Jeff - BC; Nortey, James - BC; Oliver, Stephen - BC; Roark, Brian - BC; Smith, Myron - BC
Subject: Please change the urban farm code to include market gardens

Dear Ladies and Gentlemen of the Sustainable Food Policy Board and the Austin Planning Commission,

I am a resident of Austin living on just under one acre of land overlooking Capitol of Texas Hwy/360. Since moving to Austin from Seattle seven years ago, I have come to love the joy of gardening year round and I have converted much of my property to enable that experience. It took a lot of effort (financial and physical) trucking in soil, finding limestone blocks to build my raised beds and putting in a drip irrigation system to get my garden to grow on top of the limestone hill that I live on, but I have loved every second of it. I have fenced in a large portion of my yard to have a garden free from the wrath of my three dogs and to create a space where my chickens can roam freely. I have replaced the numerous oak trees I have lost to wilt or drought over the past three years with fruit bearing trees and I now have well over a dozen fruit trees including figs, apples, pears, peaches, plums, loquats, pomegranate and olive trees.

At the moment, I tend to give away my harvests when they become too abundant for my family of four to eat, but as I continue to build my skills through my volunteering with Urban Patchwork, Johnson's Backyard Garden and Urban Roots, I had every intention of refining my little garden to enable me to sell my produce at local farmers markets or out of my home. Unfortunately, due to the fact that the urban farm code currently states that I am required to own over one acre of land to meet the guidelines, I am restricted from doing this. I am not clear as to why these restrictions are in place but I urge you to either eliminate them so gardeners like me can supplement my income (I am a former employee of Dell and am currently unemployed) and/or can work with my neighbors to legally sell my produce. This is the same produce that is in the gardens that they visit regularly. The eggs are from the hens that their children helped name and have all enjoyed holding. I don't see why the size of my land should restrict me from selling my products, especially when I am doing all of my gardening using sustainable practices!

I encourage you to eliminate the one acre minimum or to put guidelines in for a market garden so that I can share the fruits and veggies of my labor!

Sincerely,

Susan Kittleson

Vickery, Kate

From: Nicely, Katherine - BC
Sent: Thursday, July 11, 2013 9:49 AM
To: Frambach, Heather; Vickery, Kate
Subject: FW: Austin Urban Farm

FYI

Katherine Avalos Nicely, LEED Green Assoc.
Urban Planner/Asoc. AIA/Food Policy Advocate Sustainable Food Policy Board Member - City of Austin

B.Arch. I Pontificia Universidad Católica del Ecuador - Quito MsCRP I University of Texas - Austin
915.355.5651

From: Wendy Wright [redacted]
Sent: Wednesday, July 10, 2013 8:27 PM
To: McDermott, Paula - BC; Rutledge, Ronda - BC; Borowski, Rob - BC; England, Hildreth - BC; Green, Kathy - BC; McAfee, Melanie - BC; Murphy-Smith, Michele - BC; Nicely, Katherine - BC; Teeters, Mary - BC; Anderson, Dave - BC; Hernandez, Alfonso - BC; Stevens, Jean - BC; Chimenti, Danette - BC; Jack, Jeff - BC; Nortey, James - BC; Oliver, Stephen - BC; Roark, Brian - BC; Smith, Myron - BC
Subject: Austin Urban Farm

Hello,

I am writing to you regarding the update of urban farm code. I would really like to see the size minimum of 1 acre for urban farms be eliminated from the code. I don't really understand why there is a size minimum when it is possible to grow enough food to sell in your local community on less than an acre. I have a large garden/small farm on property (less than 1 acre) that I rent and live on. I grow enough food for my family and more. I would like to be able to sell the fresh produce I grow to people in my neighborhood because it is quite an investment even on the scale that I am growing on (under 1 acre of land). I used to just garden in my front yard, then I expanded to a larger area in my backyard to start learning how to farm. I hope to own a larger farm some day (probably around 5 acres in the city). I use sustainable practices to grow organic produce. I work hard to conserve water by using a drip irrigation system and by collecting rainwater. It is important to me to conserve resources and not to have a negative effect on the environment. I think small farms are incredibly beneficial to their communities because they are more sustainable than larger farms and can provide fresh healthy food to people in their neighborhoods at low costs.

I participated in one of the SFC farmers' markets on MLK, but I have learned that growing on less than an acre doesn't produce enough to go to the market every week. It would be much easier and economical to sell to people directly from my house/garden. People in the neighborhood have walked by and complimented my gardens, one man even thanked me for using the land to grow food and for creating something beautiful to look at! I invite anyone who would like to see the farm to see it and I love to share my knowledge with them about how to grow their own food and how to cook with vegetables that they may not be familiar with. At the supermarket you only see a very small fraction of the varieties of vegetables that exist. Small farms tend to grow more varieties of vegetables and help to keep them from going extinct. This kind of farming and gardening is beneficial to the land as well. By growing different crops and practicing crop rotation, the soil is not degraded of its nutrients which means that chemical fertilizers are not needed. Chemical pesticides are not needed when different crops are planted next to each other in strategic ways to deter pests. Organic material such as compost is added to the soil which increases microbial life and in turn improves the soil on the land by increasing water retention and soil nutrients. Vegetables require less water than a lawn and the product is edible!

I think that urban farms should be encouraged rather than discouraged by strict limitations. More urban farms will result in less carbon emissions, improvement of the land, a friendlier healthier community, and easy access to affordable, fresh food!

Katherine Nicely
Sustainable Food Policy Board

Recommendations for Urban Farm Ordinance Revisions
From
Govalle/Johnston Terrace Neighborhood Contact Team
To
Sustainable Food Policy Board

Recommendations:

1. No commercial slaughtering of animals within the City limits.

2. No future farms on Single Family or residential zoning.

3. Farms must provide on site parking for all activities.

4. Grandfather Boggy Creek, Springdale, Rainlily and Hausbar farms in regards to occupancy permits and single-family land status. If the farm was originally zoned single family, it will revert back to single-family use in the event of sale or secession of use as an urban farm use.

5. Applications for Urban Farm status must go through the Neighborhood Plan amendment process.

6. Minimum size requirement should be a 2-acre minimum.

7. Define Urban Farm uses, especially accessory income generating uses. Insure that these extra uses do not exceed intended "farm use", and must provide on site parking for all events.

8. Promote community gardens in neighborhood to minimize commercialization of food production. Instead of promoting sales of food, we need to promote citizens growing their own food, thereby become more independent and self-sustaining.

Austin City Council – Growth and Gentrification – August 8, 2013
By: Daniel Llanes, Chair, Govalle/Johnston Terrace Neighborhood Plan Contact Team

First and foremost, this is not about urban farms. We appreciate and value the farms in our neighborhood. Our concern is about one property owner, who happens to be and urban farm and was engaged in the commercial slaughtering of animals and composting their body parts in a residential neighborhood on SF zoning. Because of the proposed urban farm language re write, we oppose any future citing of future urban farms on single-family zoned land. Additionally, applications for future Urban Farms status must go through the Neighborhood Plan Amendment process where applicable.

(Slide # 1) At two separate meetings that we attended with the subcommittee of the Sustainable Food Policy Board members, City staff displayed a map showing that Urban Farms were also located in West Austin. We had stated that Urban Farms were only in East Austin. We submitted an Open Records Request on the locations, zoning and permits of those West Austin Urban Farms.

(Slide # 2) On June 27th we received a list of six farms. We questioned the criteria of two urban farms on the list and those two farms were removed from the list and **(Slide #3)** we received a new list on July 5th with four farms in West Austin.

We visited the urban farms on the list. We found that one urban farm, Unity Farm was not within the City limits and did not meet Urban Farm criteria. **(Slide #4)** Back to the Garden on 1900 Scofield Pkwy with a zoning of SF-6 did not exist. **(Slide #5)** 1900 Scofield is a residence, not a farm, located within the Scofield Farms subdivision. **(Slide #6)** Bella Verdi Farm at 5820 W. Hwy 290 is actually the Austin Montessori School. Bella Verdi Farm is located in Dripping Springs, Texas. **(Slide #7)** Yummy Farms located at 6909 Chinook with SF-1-NP zoning is also a residence. Not one site on this list is an urban farm.

As you can see all urban farms are located in East Austin. I hope you can understand why we see the Urban Farm Ordinance re write in its current form as a discriminatory ordinance. An ordinance which has the potential to adversely affect affordable housing for poor and work class communities of color in East Austin.

We ask that you insure that:
No commercial slaughtering of animals & composting of body parts in residential neighborhoods be permitted.
No citing of future urban farms on SF zoning.
New applications for urban farm designation go through the Neighborhood Planning process where applicable.

Susana Almanza
c/o PODER
P.O. Box 6237
Austin, TX 78762

June 27, 2013

Ms. Almanza:

Below is the information you requested regarding the locations of urban farms west of IH-35. This information was obtained from the 2011 report published by the Sustainable Food Center titled "Central Texas Foodshed Assessment." Five Mile Farms and Urban Patchwork use similar strategies of creating a neighborhood "farm" by coordinating activities and vegetable production and sharing between multiple households and community gardens. While some of these activities occur east of IH-35, some also take place west of the interstate. I have included the zoning of the farms in question for your reference, and hope it is helpful.

With regard to your question about Certificates of Occupancy (CO), currently only one farm has obtained a CO (Agua Dulce, which is located in Dove Springs), due to the fact that other farmers did not know that there was a requirement to obtain one.

Farm Name	Address	Zoning
Back to the Garden	1900 Scofield Pkwy	SF-6
Unity Farm	10 Cabin Rd	n/a (ETJ)
Bella Verdi Farm	5820 W Hwy 290	GR-NP
Yummy Farms	6909 Chinook	SF-1-NP
Five Mile Farms	Various	Various (mostly residential)
Urban Patchwork	Various	Various (mostly residential)

Thank you for your inquiry, and we welcome you to contact our office directly if you need further information or data at any time.

Sincerely,

Heather Frambach
Sustainable Urban Agriculture & Community Garden Program
Parks and Recreation Department
City of Austin

Susana Almanza
c/o PODER
P.O. Box 6237
Austin, TX 78762

July 5, 2013

Ms. Almanza:

Below is the information you requested regarding the locations of urban farms west of IH-35. This information was obtained from the 2011 report published by the Sustainable Food Center titled "Central Texas Foodshed Assessment." I have included the zoning of the farms in question for your reference, and hope it is helpful.

With regard to your question about Certificates of Occupancy (CO), currently only one farm has obtained a CO (Agua Dulce, which is located in Dove Springs), due to the fact that other farmers did not know that there was a requirement to obtain one.

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Sincerely,

Heather Frambach
Sustainable Urban Agriculture & Community Garden Program
Parks and Recreation Department
City of Austin

1900 Scofield – Listed as Back to the Garden

5820 W. Hwy 290 –Austin Montessori School – Listed as Bella Verdi Farm

6909 Chinook – Listed as Yummy Farms

Dutton, Greg

From: McDermott, Paula - BC
Sent: Friday, September 13, 2013 1:41 PM
To: Chimenti, Danette - BC; Anderson, Dave - BC; Stevens, Jean - BC; Oliver, Stephen - BC; Smith, Myron - BC; Nortey, James - BC; Jack, Jeff - BC
Cc: Nicely, Katherine - BC; Rusthoven, Jerry; Vickery, Kate; Dutton, Greg
Subject: SFPB Urban Farm-related Code Revision Recommendations
Attachments: SFPB Code Coordination WG Urban Fam Recommendations.pdf; SFPB Code Coordinatin Urban Farm Non-Code Recommendations.pdf

Planning Commissioners,

At our August 26th 2013 full board meeting, the Sustainable Food Policy Board members present voted unanimously to adopt as proposed the recommendations of the SFPB Code Coordination and Metrics Working Group for revisions to the land use development code related to urban food production. They are attached for your convenience and scheduled to go before the Planning Commission Codes and Ordinances Subcommittee on September 17, 2013 and then be sent to the full Planning Commission with C&O's approval/revisions on September 24, 2013.

For reference, I am also attaching non-code recommendations that came out of this process and that were unanimously passed by the SFPB members present at the July 22, 2013 board meeting. These were sent directly to Council.

Many stakeholders particpiated in this highly publicized working group process that was co-chaired by the SFPB and the sustainable urban agriculutre program in PARD with consistent guidance from PDRD and participation from Sustainability, Watershed Protection, HHSD and various Council offices.

If you have any questions related to the process or would like to discuss any part of the recommendations, please don't hesitate to contact me at 512-462-9791 or at this email address. I plan to be present at the aforementioned meetings as a resource, as well.

All the best,

paula.

Paula J. McDermott
Chairperson
Austin/Travis County
Sustainable Food Policy Board (SFPB)

*Please use this email address for all SFPB-related issues

Paula McDermott
Sustainable Food Policy Board

IMPORTANT NOTICE: The City of Austin provides e-mail addresses for members of its boards and commissions for their use as board members. This address should not be used for private or personal messages. The views expressed in e-mail messages reflect the views of the authors alone, and do not necessarily reflect the views of any board or commission of

October 9, 2013

Dear Ms. Almanza and Mr. Llanes,

On behalf of the Code and Metrics Working Group of the Sustainable Food Policy Board (SFPB) that facilitated a participatory process to review the land use development code related to sustainable urban agriculture and then made recommendations to amend it, I want to thank you for your input, which was critical in shaping the process. Your letter, Mr. Llanes, for the Govalle/Johnston Terrace Neighborhood Planning area (dated May 17, 2013) and yours, Ms. Almanza, for PODER (dated June 6, 2013) made specific recommendations for urban farms that were carefully considered by the working group. Items that were incorporated in the final recommendations that reflect Govalle/Johnston Terrace NP Team and PODER recommendations include:

- requiring a dwelling in keeping with base zoning on an urban farm or market garden to maintain residential character;
- limitations on the scale of animal raising and processing operations;
- creating a conditional use for urban farms that wish to host events;
- creating a market garden use that places strict limitations on commercial operations, in accordance with the home occupation ordinance.

Your suggestions helped to inform the Working Group's discussions and recommendations and are part of the "process document," which summarizes the input that the working group received. This document was included as backup when all formal bodies have taken action on the recommendations: the Sustainable Food Policy Board (August 26), Codes & Ordinances subcommittee (September 17), and Planning Commission (September 24). It has lived on the City's Sustainable Urban Agriculture & Community Garden website (please find it included in the working group's final recommendations here: http://bit.ly/19hDDg9). In addition, your letters, along with the many other letters we received have been on that same website (here: http://bit.ly/16YWRjV). As you know, the Working Group met every Tuesday from March through September and was open to anyone who wished to participate. The Public Sessions (three for information gathering and one Town Hall) were also open to the public. Every neighborhood association contact team was invited to be part of the Working Group and to attend the public sessions. The amount of public input received throughout the process demonstrates that Austinites care about the food system, land use, and civic engagement. Several city staff members have commented that they have seldom seen a code-revision process with so many opportunities for public comment and input.

The recommended changes to our land use code attempt to: 1) accurately reflect and honor what urban agricultural operations in the City of Austin are currently doing to provide healthy, nutritious and sustainably produced food for city-dwellers; and 2) ensure that urban agriculture is compatible with neighborhoods by putting appropriate controls and limitations on scale and the commercial nature of the operations. The points listed below provide additional context for the recommended changes:

- This ordinance will apply to the entire City of Austin. Although four urban farms are in the GoValle/Johnston neighborhood, there are approximately 20 small urban agriculture operations in the city limits that will be affected by these changes and required to obtain a certificate of occupancy as a market garden or urban farm.

threaten current sustainable food production and make it difficult for families wanting to establish new sustainable urban farms and market gardens. Additionally, ensuring that people live on an urban farm means that it has appropriate oversight for its operations, especially for farms that have chickens and/or other small animals. A farmer would not be able to live on a farm located in a commercial zone.

3. Farms must provide on-site parking for all activities. (Govalle/Johnston Terrace)
Urban Farms should provide on-site parking for their business use. (PODER)
One of the ecological benefits of urban farms is that they have limited impervious cover, which is unusual for a commercial enterprise. Requiring a specific number of on-site parking spots for urban farms would require them to pave parking spaces. Currently, parking requirements for urban farms can be found in Schedule B of the Off-Street Parking Requirements (Appendix A of Chapter 25-6). As per the schedule, "The director shall determine the minimum off-street motor vehicle parking requirement, minimum off-street bicycle parking requirement, and minimum off-street loading requirement for a use that is subject to this schedule. In making a determination, the director shall consider the requirements applicable to similar uses, the location and characteristics of the use, and appropriate traffic engineering and planning data. A minimum of one bicycle parking space shall be provided for any use except Single-Family residential or Two-Family residential." Under this requirement, each farm will be evaluated by its individual situation, taking into consideration any other off-site parking they may have agreements with (such as neighboring schools, churches, parking lots, etc). This individual assessment will also be done when evaluating a farm for a conditional use permit to become an Urban Farm with Facilities for Gathering. The Ordinance limits the maximum number of attendees at a gathering for these types of farms to three times the total number of off-street parking spaces available for the farm's use.

4. Grandfather Boggy Creek, Springdale, Rainlily and Hausbar farms in regards to occupancy permits and single family land status. (Govalle/Johnston Terrace)
Because only one agricultural operation – Agua Dulce Farm in Dove Springs – is formally permitted as an Urban Farm under the current regulations, there is no way to 'grandfather' other existing farms. The changes to the code – including the number of employees, animal raising and processing, third-party sales, events, and number of dwellings – are intended to more accurately reflect the practices of the current urban farms, while ensuring that they are compatible with the neighborhood context in which they are situated.

5. Applications for Urban Farm status must go through the Neighborhood Plan amendment process. (Govalle/Johnston Terrace)
Applications for urban farms must go through the Zoning process as conditional use and reviewed by Neighborhood Plan Contact Team/Neighborhood Planning Team process. (PODER)
Because becoming an Urban Farm is a <u>change of use</u>, not a change in zoning, there is no precedent for this to go through the Neighborhood Plan amendment process. The applications for Urban Farms with Facilities for Gatherings and applications for Market Gardens on properties without a dwelling would require public notification and a public hearing as part of the Conditional Use permitting process.

6. Minimum size requirement should be greater than 1 acre, perhaps 2 acre minimum.

This request is outside of the scope of the Urban Farm Ordinance. All Certificates of Occupancy (Urban Farm or any other business) carry forward with the property itself, regardless of changes in ownership.

We appreciate all of the time and energy stakeholders have committed related to this Ordinance and welcome any questions you have. We hope that this letter helps to clarify the working group's recommendations and to reassure you both, that as key stakeholders, your comments and concerns have absolutely been heard and considered in this process.

Sincerely,
Katherine Nicely
Chair of the Codes & Metrics Working Group
Sustainable Food Policy Board Member

From: Donald Luna [redacted]
Sent: Thursday, October 10, 2013 11:22 AM
To: Austin 311
Subject: Email from austintexas.gov: Urban Farms Ordinance

This message is from Donald Luna. [redacted]

I do not support the NEW Urban Farms Ordinance in its current draft form. Farmers should not be allowed to SLAUGHTER and COMPOST chickens, rabbits, fish or other animals in residential areas. We like the peacefulness of our residential neighborhoods. COMMERCIALIZATION of SINGLE FAMILY ZONED LAND should not be allowed. OUTSIDE PRODUCTS belonging to other businesses such as Milk, cheese, bison, lamb, books, chocolate, yogurt ect should not be allowed to be sold out of "Urban Farms" or "Market Farms" located within RESIDENTIAL areas. There is no monitoring of HEALTH and SAFETY requirements listed in the draft ordinance. PUBLIC HEALTH will be at risk. Can you say "E. COLI"
Music venues, weddings, parties, fundraisers, temporary restaurants, ect should NOT be allowed more than once a month on "Urban Farms or Market Farms". Farmers should not be given WAIVERS to NOT PAY for permits that ALL OTHER TAX PAYERS have to PAY. I do not want the ordinance passed. The city needs to have an outside entity rewrite ordinance with inclusion of stakeholders. The staff that wrote the current draft is biased. I ask you to NOT PASS the ordinance. POSTPONE the vote

People Organized in Defense of Earth and her Resources

October 10th, 2013

Proposed City of Austin Urban Farm Ordinance
The Taking of East Austin Single Family zoned Land

1. The current proposed Urban Farm Ordinance would allow the commercialization of single family zoned land (SF-3) in East Austin and throughout the city. In essence, the ordinance would blanket zone all single family zoned land in East Austin for commercial use, which would transform the property's use as Commercial Service Mix Use zoning (CS-MU). Even though is would be a city-wide ordinance, it would basically impact East Austin.
2. The proposed ordinance would allow the slaughtering of chickens, rabbits and other animals and decaying their body parts on single family zoned land.
3. The Urban Farm Ordinance would continue to allow farmers to host weddings, dinners, fundraisers, and cooking classes without having to adhere to parking regulations, outdoor amplified sound, and outdoor/indoor entertainment regulations.
4. The ordinance would continue to allow off-site agricultural products and non-agricultural products to be sold on single family zoned land.
5. The ordinance would allow farmers to employee two (2) workers per acre, plus two additional employees for remaining portion of an acre without requiring farmers to pay a living wage to workers.
6. The Sustainable Food Policy Board submitted the current Urban Farm Ordinance without requiring that farmers accept SNAP food benefits (used to be called food stamps). The Sustainable Board missed the opportunity to serve those most in need.
7. The maximum number of dwellings allowed will follow the base zoning of the lot(s). No minimum number of dwellings is required on a market garden.

This ordinance allows the commercialization of East Austin single family zoned land. The current Urban Farm Ordinance requires that you must have a site of not less than one acre and not more than five acres. If the current proposed Urban Farm Ordinance is approved by the Austin City Council, it will allow all single family zoned land regardless of site size to be commercialized.

The City of Austin must identify and address policies and/ordinances that disproportionately impact communities of color and low-income populations. The City Council most work to mitigate and minimize the adverse effects of gentrification. This ordinance would take single family zoned land and commercialize it.

We recommend that the City Council postponed this Urban Farm Ordinance, which has been set for Public Hearing on October 17th, 2013. We recommend that outside entities from various departments of the University of Texas and/or other universities come together with community neighborhood groups, representative from Community Development Commission and farmers to develop an Urban Farm Ordinance that doesn't discriminate and/or further gentrifies East Austin.

Janie Rangel, Chair
PODER

PODER P.O. Box 6237 Austin, TX 78762 512/428-6990 [redacted]

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Susana Almanza, PODER
[redacted]

Daniel Llanes, Chair
Govalle/Johnston Terrace Planning Team