

The following is a rough draft of proposed code language for Urban Agriculture. This draft is a starting point for the regulations and is intended to foster a conversation about Urban Agriculture and hopefully result in public comments/suggestions related to Urban Agriculture. Please provide comments and suggestions to the meeting facilitator or feel free to contact me:

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Thank you in advance for your input!

Current Development Code language in *italics*, proposed language **bold**,
deleted text struckthrough,—comments, **highlighted**;

Definitions

Agricultural Processing: Manufacturing processes that increase the value of primary agricultural commodities. This term does not include commercial slaughtering.

20-1705 Agricultural Sales: On-site sale of feed, **plants**, grain, fertilizers, pesticides and similar goods. Typical uses include nurseries, hay, feed and grain stores.

20-1707 Agriculture: ~~Characterized by uses that create and preserve areas intended primarily for the raising of animals and crops, and the secondary industries associated with agricultural production.~~ **Replace with urban ag**

20-1708 Agriculture, Animal: Activities that primarily involve raising, producing or keeping of animals to provide food, wool, and other products. Also referred to as Animal Husbandry. ~~Examples include breeding or raising of fowl or other animals; stables; riding academies; kennels or other animal boarding places that are not otherwise specifically defined in this Development Code. The keeping of fowl in compliance with the requirements of Article 5 of Chapter III of the City Code shall not constitute an animal agriculture use.~~

- **Small Animal Agriculture, is limited to small animals which are more appropriate in a denser urban setting, such as bees, crickets, worms, rabbits, small goats, fowl, and fish.**
- **Large Animal Agriculture is limited to larger animals that are more commonly considered livestock and require more area such as cattle, sheep, horses, and goats that do not meet the criteria for Small Animal Agriculture.**

20-1709: Agriculture, Crop: ~~Activities that primarily involve raising or producing field crops or other plants. Examples include farming, truck gardening, forestry, tree farming, and wholesale plant nurseries.~~

The management and maintenance of an area of land to grow and harvest food crops and/or non-food ornamental crops, such as flowers, for personal or group use, consumption, sale, or donation. Crop Agriculture uses include but are not limited to personal gardens, community

gardens, tree farms or truck gardens. Standard structures used for Crop Agriculture include hoop houses, cold-frames, greenhouses, equipment or planting sheds, composting and waste bins, and rain barrel systems.

Bee Hotel:

Bee hotels are places for solitary pollinator bees to make their nests. These bees live alone, not in hives, and typically do not make honey.

Community Garden

An area of land managed and maintained by a group of individuals to grow and harvest food and/or horticultural products for personal or group consumption or for sale or donation. A community garden area may be divided into separate garden plots for cultivation by one or more individuals or may be farmed collectively by members of the group. A community garden may include common areas (such as tool storage sheds) maintained and used by the group.

Community Supported Agriculture

A membership organization in which individuals or households become members by purchasing a share or a specified amount of an agricultural producer's output in advance. Members receive food items from the producer on a regular schedule.

Farmers Market:

A food market at which local farmers sell products such as fruit and vegetables and often meat, cheese, and bakery products directly to consumers.

'Fowl':

Domestic birds commonly kept for the production of meat, eggs, or feathers. For the purposes of this Article, 'Fowl' shall include, but not be limited to: female chickens, ducks, turkeys, geese, or guinea fowl. For the purpose of this Article, 'Fowl' shall not include peafowl, ostriches, emus or other large birds.

Home Garden

A garden that is maintained by one or more individuals who reside in a dwelling unit located on the same property.

On Site Sales

Display or sale of agricultural products, such as plants, produce, eggs and honey grown or produced on the property. Honey produced off-site may be sold in conjunction with honey that is raised on-site if it is produced on a site that is registered to the same user (off-site bee hives).

Urban Agriculture

The growing, processing and distribution of plant and animal products — by and for the local community — within an urban environment. Urban Agriculture includes,

but is not limited to: animal husbandry, aquaculture, agroforestry, beekeeping, gardening, and horticulture. Complementary activities associated with Urban Agriculture include the processing and distributing of food, collecting and reusing food waste and rainwater, and public outreach activities such as education and employment.

Urban Farm

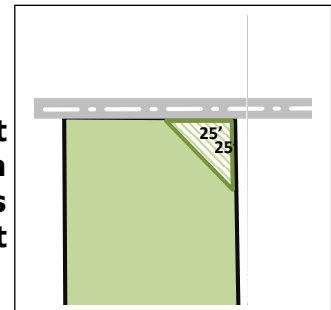
An agricultural use which includes larger scaled market gardens, typically one-half acre or larger, and larger-scale production of food-producing or ornamental plants (such as truck farm or wholesale plant nursery), bees, fish, poultry, small and large animals, for commercial purposes. End products are typically sold on- or off-site or are distributed through the community supported agriculture (CSA) distribution or other small scale distribution model. Home Occupation standards limiting the use to no more than 10 customers a day or to one non-resident employee would not be appropriate for an Urban Farm.

STANDARDS:---Article 5

Crop Agriculture

Crop Agriculture must comply with the following standards:

1. Crops between 3 ft and 10 ft in height are not permitted within the sight distance triangle (area created by connecting the endpoints of two lines measured 25 ft from the intersection of two adjacent streets). See figure
2. Crops may be grown within the right-of-way adjacent to the property without the need to obtain a use of right-of-way permit; however, the use is temporary and may need to be abandoned when street or infrastructure improvements are proposed.
 - a. Crops may not exceed 3 ft in height when located within 8 ft of the roadway or within 3 ft either side of a sidewalk to avoid interference with visibility for driveways and other access points.
3. The garden shall have reliable and legal access to an onsite source of water. Use of water storage systems such as cisterns and rain barrels is allowed when in compliance with the accessory structures provisions of this Code.
4. Prior to development of a community garden on a site with previous industrial uses, soils should be tested to evaluate the levels of heavy metals (Copper, Cadmium, Chromium, Nickel, Lead, and Zinc). Raised beds may be



used to mitigate the contamination. All produce must be washed thoroughly before sale, donation, or consumption.

5. The site must be designed and maintained so as to prevent the free flow of stormwater, irrigation water, chemicals, dirt, or mud across or onto adjacent lots, properties, public streets, or alleys.
6. The site shall be maintained in accordance with the City Code including maintaining the site free of high grass or weeds, taller than 12 inches or debris and screening exterior storage.
7. If hoophouses or low tunnels are used, the coverings must be maintained and kept intact.

On-Site Agricultural Sales

1. The on-site sale or distribution of processed items requires registration as a Home Occupation or the appropriate zoning.
2. Only eggs or whole, uncut, fresh produce and/or horticultural products produced or grown on site may be donated or sold on-site or distributed through Community Supported Agriculture (CSA) pick-ups without registration as a Home Occupation.
 - a. An exception to this standard is honey that is produced in off-site hives that are registered to the same person that operates the on-site production.
3. One temporary sign advertising only food or horticultural products grown on-site may be displayed during sales.
 - a. The sign must be on-site, unilluminated, and not more than 2 sq ft in area or 3 ft in height.
4. The scope of the sales/distribution of unprocessed items is limited to no more than 10 customers per day and employment is limited to 1 non-resident employee.
5. Any structure used for on-site sales will be temporary and will be removed during times when the garden is not open for sales.
 - a. Structures shall comply with the Accessory Structure Standards.

Animal Agriculture, Small

1. **General Standards for all Small Animal Agriculture**
 - a. Structures shall comply with the Accessory Structure Standards except where expressly stated.

- b. Waste, manure, etc. shall be managed to prevent odors and insects.
- c. The facilities used to house the animals shall be of adequate design to keep the animal reasonably safe from predators and provide enough shelter and room to provide humane conditions.

2. Keeping of Bees

- a. The following standards apply to the keeping of bees:
 - i. Africanized honey bees are not permitted.
 - ii. Hives must be registered with the City Clerk's Office before the use commences and a license obtained.
 - 1) The applicant for the license shall notify the following:
 - The owner or operator of the property if the applicant is not the owner or operator;
 - All residents of the property, if the property contains multiple residences; and
 - Adjacent property owners and residents.
 - 2) The license must be renewed every 2 years. Notification is not required for renewal of a license)
 - 3) A list of the registered hives shall be available upon request.
 - iii. Up to 2 colonies may be located on a lot of $\frac{1}{4}$ acre or less; 4 colonies on lots between $\frac{1}{4}$ and $\frac{1}{2}$ acre; 6 colonies on lots of $\frac{1}{2}$ to full acre. 8 colonies are permitted on any property larger than an acre (exception for additional colonies when they are set back at least 200 ft from all property lines.)
 - 1) For every 2 colonies permitted on a tract there may be maintained upon the same tract one nucleus colony in a hive structure not exceeding one standard $9 \frac{5}{8}$ inch depth 10-frame hive body with no supers attached as required from time to time for swarm management.
 - 2) Each such nucleus colony shall be moved to another tract or combined with another colony on the subject tract within 30 days after the date made or acquired.
 - iv. Every person owning a hive, stand, box or apiary shall identify such hive, stand box or apiary by a sign or other prominent marking stating in letters at least one inch high on a contrasting background the name, address, and phone number of the owner of such equipment.
 - v. No hive shall exceed 20 cubic feet in volume.

- vi. The following locational requirements apply to all hives:
- a. Hives are permitted only in the side and rear yards, unless roof-mounted.
 - b. No hive shall be located closer than 3 ft from any property line.
 - c. No hive shall be located closer than 10 ft from a public sidewalk or 25 ft from a principal building on an abutting lot. (Hives will be relocated as needed as abutting lot develops.)
 - d. If a hive is within 10 ft of a property line, a flyway barrier is required.
 - This shall be at least 6 ft tall and extend 10 feet beyond the colony on either side. It can be solid, vegetative, or any combination of the two that forces the bees to cross the property line at a height of 6 ft.
 - The flyway barrier requirement can be waived if the hive is located at least 10 ft off the ground.
 - e. Hives may not be located on land that is not owned by the keeper of such bees without first obtaining written permission from the owner or person lawfully in possession of such land.
 - f. Queens shall be selected from stock bred for gentleness. The beekeeper shall promptly requeen the colony if the colony exhibits unusual defensive behavior without due provocation.
 - g. A constant supply of water shall be provided for all hives (within 25 ft of each hive) between March 1 and October 31 of each year.
 - h. The operator shall observe appropriate fire safety measures when smoking beehives.

b. Bee hotels are permitted without registration.

3. Keeping of Fowl

The following standards apply to the keeping or harboring, on a temporary or permanent basis, any Fowl within the City:

- a. Fowl may be kept on a property only as an accessory use to a permitted primary use.
- b. The maximum number of Permitted Fowl is limited to:
 - i. One fowl per 500 sq ft of lot size, rounded down; and
 - ii. No more than 20 fowl, regardless of the size of the lot.

- c. **Any person who owns, keeps, or harbors Fowl, i.e. chickens and ducks, shall provide a coop or other similar shelter.**
 - i. **Any coop or shelter shall be screened or walled in a manner that allows the Permitted Fowl to be reasonably protected from predators.**
 - ii. **Any coop or shelter shall be a minimum of 3 sq ft in size per fowl if the fowl have an enclosed outdoor run, or 10 sq ft in size per fowl if the fowl do not have an enclosed outdoor run.**
 - iii. **Any coop or shelter shall be constructed in a manner that is consistent with the requirements of this section. In the event that the coop or shelter qualifies as an accessory structure then all requirements regarding placement and setbacks must be met.**
 - iv. **In no event shall any coop or shelter be located nearer than 5 foot from any neighboring property line.**
 - v. **Any coop or shelter shall be maintained in a clean and sanitary fashion to prevent the unreasonable accumulation of waste or other noxious substances, the emanation of noxious odors, or the presence of vermin.**
 - vi. **A roost shall be provided for each chicken, with a minimum length of 10 inches per chicken and a minimum size of 4 sq inches. A roost is not required for ducks.**
 - vii. **For every three chickens, a minimum of one laying box space, with a minimum size of one square foot, shall be provided. Each laying box shall contain adequate clean bedding material such as hay or other soft material. A laying box is not required for ducks.**
- d. **Commercial slaughtering of fowl is not permitted except in USDA licensed locations. Slaughtering for personal use may occur in compliance with State regulations and must occur within an enclosed structure. Researching State Statutes related to slaughtering, will revise as needed.**

4. Goats

- a. **Goats may be kept on a property only as an accessory use to a permitted primary use.**
- b. **Only small goats are permitted as 'small animal agriculture'. Breeds which would be considered 'small goats' are Pygmy Goats, Nigerian Dwarf Goat and Miniature Dairy Goats.**
 - i. **Breeds that do not exceed 24" at the withers are considered small goats.**
- c. **Male goats must be neutered.**

- d. **Goats over 12 weeks of age shall be vaccinated against rabies and shall continue to be vaccinated by a veterinarian at intervals recommended by the veterinarian.**
- e. **Slaughtering is not permitted on-site.**
- f. **No more than 2 goats may be kept on the premises**
 - i. **Nursing offspring of goats licensed according to the provisions of this Code may be kept until weaned, no longer than 12 weeks from birth, without violating the limitations of this sub-section.**
- g. **The following standards apply to any structure used to house goats:**
 - i. **Must be located a minimum of 50 ft from any off-site dwelling.**
 - ii. **Must be located in the rear yard and a minimum of 15 ft from adjacent properties.**
 - iii. **The structure shall provide a minimum of 10 sq ft of living area per goat.**
 - iv. **A fenced open air enclosure shall be provided which has a minimum area of 150 sq ft per goat.**

Agricultural Processing

- 1. The establishment may employ up to 10 employees in the CN1 District and up to 20 employees in other commercial districts.**
- 2. No outside storage of materials or products is permitted.**
- 3. All processing must occur indoors with potentially offensive external effects mitigated to insure compatibility with nearby residential uses.**

Section 20-602(e)(6)(viii)

Covered Accessory Structures (Buildings) are items such as garages, greenhouses, storage Buildings, wood sheds, covered decks, **coops for fowl, or other agricultural structures**, and covered porches. Covered Accessory Structures that are six feet or less in Height are allowed in required Side and Rear Yards, and covered Accessory Structures greater than six feet in Height are allowed in the required Rear Yard where an Alley abuts the Rear Lot Line, but no covered Accessory Structure is allowed in a required Front Yard.

Section 20-533 General Standards For Accessory Structures

The standards of this subsection apply to all accessory uses and structures.

- (1) Time of construction

Accessory Structures shall be constructed in conjunction with or after the Principal Building. They shall not be built prior to the construction of the Principal Building.

- **No principal building is required for structures that are accessory to an Urban Agriculture use.**

(2) Subordinate Nature

- (i) Accessory Uses shall be a subordinate part of a Principal Use and be clearly incidental to a Principal Use.
- (ii) Accessory Structures shall be of secondary importance and subordinate in size and Scale to the Principal Building on a site.
 - **No principal building is required for structures that are accessory to an Urban Agriculture use.**

(3) Density and Dimensional Standards

Unless otherwise expressly stated, the Setback, Height, and Building coverage standards of the Base District apply to both principal and Accessory Structures (See Density and Dimensional Standards, Article 6). Accessory Structures in residential districts shall be located to the rear of the front Building line and may be located as close as 5' to interior and Rear Lot Lines. Setbacks from interior Side Lot Lines shall not apply to accessory Buildings placed on lots that abut Alleys. An Accessory Structure may be located up to the rear property line when the Lot abuts an Alley and when the doors to the Building do not open directly onto the Alley. There shall be no Setback required between an Accessory Structure and an Alley when Access to the Structure is parallel to the Alley, except that no part of the Structure shall overhang or otherwise encroach onto the Alley.

- **These setback requirements apply to structures used for *Urban Agriculture* unless a different setback is specified in Section XXXX.**

(4) Building Coverage

- (i) A detached Accessory Structure may not have a larger footprint than the Building footprint of the Principal Building.
- (ii) The combined footprint of all Accessory Structures may be equal to the footprint of the Principal Building or 20% of the Lot Area provided the total footprint of all Structures does not exceed the maximum Building coverage as permitted by Sec. 20-6019a0 or (b) for the corresponding Zoning District.
 - **Temporary *Urban Agriculture* structures used to extend the growing season such as cold frames, low tunnels, and hoopouses are exempt from these Building Coverage regulations.**

PARKING

20-902 Off-Street Parking Schedule A

Use Category	Minimum Number of Vehicle Parking Spaces Required	Minimum Number of Bicycle Parking Spaces
Agricultural Sales	1 per 500 square feet of Building area + 1 space per acre of outdoor storage or assembly	1 per 10 auto spaces
Agriculture, Small Animal	<i>None</i>	<i>None</i>
Agriculture, Large Animal	<i>None</i>	<i>None</i>
Agriculture, Crop	<i>None</i>	<i>None</i>
On-Site Agricultural Sales		
Personal Garden	<i>None</i>	<i>None</i>
Community Garden	<i>1 space per XXX sq ft of garden</i>	<i>None</i>
Farmers Market	<i>Schedule D</i>	<i>1 per 5 auto spaces required</i>
Agricultural Processing	<i>Off-Street Parking Schedule C</i>	<i>1 per 10 auto spaces</i>
Urban Farm	<i>Schedule D</i>	<i>1 per 5 auto spaces required</i>

		RS40	RS20	RS10	RS7	RS5	RS3	RS0	RM12	RM12D	RM15	RM24	RM32	RMG	RMO	Use-Specific Standards
Urban Agriculture	Agriculture, Crop	P	P	P	P	P	P	P	P	P	P	P	P	P	P	stds
	Agriculture, Small Animal	P/A*	P/A*	P/A*	P/A*	P/A*	P/A*	P/A*	P/A*	P/A*	P/A*	P/A*	P/A*	P/A*	P/A*	stds
	Agriculture, Large Animal	P*	-	-	-	-	-	-	-	-	-	-	-	-	-	stds
	On-Site Sales	A	A	A	A	A	A	A	A	A	A	A	A	A	A	stds
	Farmers Market	-	-	-	-	-	-	-	S	-	-	-	-	-	-	P
Agricultural Processing	HO	HO	HO	HO	HO	HO	HO	HO	HO	HO	HO	HO	HO	HO	HO	stds
Urban Farm	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

		CN1	CN2	MU	CO	CD	CC	CR	CS	IBP	IL	IM	IG	OS	GPI	H	Use-Specific Standards
Urban Agriculture	Agriculture, Crop	P	P	P	P	-	P	P	P	P	P	P	P	P	P	P	Stds
	Agriculture, Small Animal	A	A	A	A	A	A	A	A	A	A	A	A	P	A	-	Stds
	Agriculture, Large Animal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
	On-Site Sales	A	A	A	A		A	A	A	A	A	A	A	A	A	-	Stds-
	Farmers Market	S	P	P	P	P	P	P	P	P	P	S	S	P	P	-	Stds
Agricultural Processing	S	S	S	-	S	S	S	S	S	P	P	P	P	-	A	-	Stds
Urban Farm	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	