

URBAN AGRICULTURE IN PRACTICE: RIVERVIEW GARDENS

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The city of Appleton, Wisconsin recently joined the ranks of cities across the country that are experimenting with urban agriculture. With a population of just over 73,000, Appleton has numerous community assets. But it is also experiencing increased rates of homelessness, unemployment, and use of food share benefits.

When a private country club and golf course came up for sale in December 2011, Community Outreach Temporary Services (COTS) saw an opportunity. COTS is a nonprofit organization that provides transitional housing to people experiencing poverty. They bought the 72-acre golf course for \$2.6 million and established a socially innovative nonprofit organization called Riverview Gardens. Riverview Gardens is constructing a market garden, park, trails, community center, and job training program on the site. They hope to build as many as thirty greenhouses and obtain organic certification by 2015.

In order to put their dreams into action, Riverview Gardens worked with the city of Appleton to address planning and zoning issues related to urban farms. They met with the city's Community and Economic Development Department to discuss standards related to urban farms. The goal was to better meet the needs of urban farming while protecting surrounding properties. City staff researched the issue, then presented a report of their findings to the plan commission. This helped the plan commission make an informed recommendation to update the text of their zoning ordinance.

Zoning Code Definitions

The zoning ordinance now includes precise definitions related to urban agriculture:

Community garden means land or roof tops that are managed and maintained by a group of individuals, an organization or business to grow and harvest fruits, vegetables, flowers, and

Riverview Gardens' mission is "to engage Fox Valley residents in community stewardship and collaborate with local outreach organizations in ending poverty, homelessness, and unemployment in the greater community."



other plant and herb products for education, for personal or group consumption or for donation. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed by members of the group and may include common areas maintained and used by group members.

Urban farm means the land or rooftops that are managed and maintained by an individual, group of individuals, organization or business for growing, harvesting, washing and packaging of fruits, vegetables, flowers and other plant and herb products with the primary purpose of growing food for sale and/or distribution.

A Side Note—Bees and Chickens

Bees, chickens, and other micro-livestock are notably missing from the definition of urban farms. Due to health and enforcement concerns, the city of Appleton decided to pursue these issues separately. In August 2012, the Board of Health failed to approve an amendment to allow chickens. In March 2013, the City Council approved an amendment allowing bees by permit in areas designated as urban farms.

Minimum Standards for Urban Farms

Urban farms are considered a permitted use in agricultural, industrial, central business, and commercial districts, and a special use requiring council approval in residential and public institutional districts.

As part of the zoning code update, the city created minimum requirements for urban farms that apply to both permitted and special uses (Sec. 23-66(h)(17)). Under these standards, urban farms are required to submit a farm management plan and comply with other requirements related to retail sale hours, mechanical operations, signage, chemical storage, waste management, etc.

Riverview Gardens was the first urban farm to be approved under the new requirements. They applied to construct an urban farm and recreation facility in an area zoned for single and multi-family housing. Of the 72 acres, Riverview Gardens proposed to use 25 acres for intensive food production and 45 acres for wildlife habitat and a community park.

In reviewing the project, the Community and Economic Development Department noted that it advanced several goals in Appleton's 2010-2013 Comprehensive Plan, including economic development, the viability of regional food production and processing, and leadership in sustainability. The proposed use was also consistent with the Future Land Use Map which designated the area for agriculture and private open space. In July 2012, the city issued Special Use Permit #5-12 with several conditions, including a stipulation that no fruits, vegetables, or flowers be grown within 25 feet of the property line.

For More Information

Riverview Gardens

riverviewgardens.org

City of Appleton Code of Ordinances

Sec. 23-66(h)(17), page 1591

Minimum Standards for Urban Farms

www.appleton.org/i/p/municode.pdf

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NEW PLANNING LAW PUBLICATION

Wisconsin Land Use & Planning Law by Brian Ohm is a new publication available from the University of Wisconsin Law School. The book builds off of Ohm's *Guide to Community Planning in Wisconsin*, which was published in 1999. The new publication includes several new and revised chapters as described below:

- Chapter 1 provides an overview of the community planning process.
- Chapter 2 describes the role of the plan commission and other local government bodies in planning.
- Chapter 3 summarizes types of community plans, including the comprehensive plan.
- Chapter 4 explores consistency between the plan and various plan implementation tools.
- Chapters 5-7 describe common plan implementation tools, including zoning and subdivision regulations.
- Chapter 8 provides an overview of the federal and state constitutional framework for land use regulation.

You may order a copy of the book for \$33 by visiting the Law School publications page:
www.law.wisc.edu/clew/publications