



## Legislation Details (With Text)

**File #:** 17-422      **Version:** 1      **Name:**  
**Type:** Resolution      **Status:** Agenda Ready  
**File created:** 4/21/2017      **In control:** City Commission  
**On agenda:** 5/16/2017      **Final action:** 12/31/2023  
**Title:** RESOLUTION NO. 40-17 ADOPTING A COMMUNITY GARDENS POLICY  
**Sponsors:** Environmental Services Department  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Resolution No. 40-17 Community Gardens Policy, 2. Community Gardens Policy (Exhibit "A")

Date	Ver.	Action By	Action	Result
5/16/2017	1	City Commission	approved	Pass

**TO:** Mayor and Commissioners  
**FROM:** Dale S. Sugerman, Ph.D., Assistant City Manager  
**THROUGH:** Neal de Jesus, Interim City Manager  
**DATE:** May 16, 2017

### RESOLUTION NO. 40-17 ADOPTING A COMMUNITY GARDENS POLICY

#### **Recommended Action:**

Motion to Approve Resolution No. 40-17 adopting a Community Gardens Policy to provide guidelines and standards to encourage community gardens.

#### **Background:**

In June of 2011, the City adopted amendments to the land development regulations pertaining to community gardens. The City sought to control the site design, appearance and operation of gardens that were being established, as some resident were uncomfortable about the garden locations and aesthetics. The new regulations created several hurdles that substantially hinder the establishment of community gardens, while not effectively curtailing the perceived nuisances they were intended to eliminate.

By late 2015, community garden advocates and City staff concluded that the regulatory approach may not be appropriate for community gardens, as these activities are simply collective gardening, a low intensity use that is widely permitted on private property. City staff was asked to frame a new policy to address the concerns over aesthetics, proper management and oversight. Additionally, in consultation with the Planning and Zoning Department, it was concluded that activities related to urban agriculture should be separated into two broad categories. Urban Agriculture, in the form of urban farming would be regulated by new LDR language. Community Gardens, would be removed from the LDR; managed through a more flexible "program" that was citizen-organized, included oversight by the Green Implementation Advancement Board, but could ultimately be enforced by the City.

In May of 2016, a new Community Garden Program was crafted aimed to balance the interest of the garden advocates, community residents and policymakers. State regulations and community garden programs in several Florida cities were examined, as well as exemplary models in other states. Organizers of the local community gardens were provided copies of the text and their comments and concerns were incorporated into the draft document. The program concept, the forms and reports, and the guidelines for design, operations and maintenance were vetted by the GIAB, which recommended approval at their July 21, 2016 meeting.

The Urban Agriculture and Community Garden program was also presented to:

- The Pineapple Grove Main Street (PGMS) committee at their June 29, 2016 meeting, which acknowledged support of this amendment.
- The Downtown Development Authority (DDA) reviewed this item at their July 11, 2016 and recommended approval.
- The Community Redevelopment Agency (CRA) reviewed this item at their July 14, 2016 and was supportive of the proposed amendments.
- The West Atlantic Redevelopment Coalition (WARC) reviewed this item at their September 1, 2016 meeting and voted to recommend unanimous approval of the text amendment.
- Planning and Zoning Board recommended approval on January 23, 2017.

**City Attorney Review:**

Approved as to form and legal sufficiency.

**Finance Department Review:**

Finance recommends approval.

**Funding Source:**

NA

**Timing of Request:**

Community garden advocates have requested that the policy be changed and guidelines be implemented as soon as practicable.