

MEMORANDUM

To: Honorable Mayor, City Council members and City Manager

From: Joan Davenport, Community Development Director
Joseph Calhoun, Planning Manager
Ken Wilkinson, Parks Manager

Subject: Community Garden Development Standards

Date: January 19, 2021 City Council Meeting

At the January 5, 2021 City Council meeting, staff was directed to provide at the next City Council meeting, information related to Community Gardens in the City of Yakima. The City Zoning Ordinance (Yakima Municipal Code, YMC Title 15) includes standards for shared or community garden spaces in every zoning district with a few exceptions (Regional Development Zone and Heavy Industrial Zone).

As you will note from the General Purpose statement of YMC 15.09.120, the standards are intended to be minimal, encourage and allow private or public land to host community gardens. Likewise, the standards are intended to ensure that the gardens are compatible with the adjoining land uses and not have negative environmental impacts to the area. There are a number of management related requirements in the City Code including a maintenance plan, agreement or written permission from owner, and a site plan that identifies plots inside the garden and others.

An existing land use (for example: a church, non-profit, or business) may choose to host a community garden as an accessory use on land they control. In this example, the community garden is a permitted, Class 1 use in all zoning districts. The conditions listed below would still apply, but the review may be streamlined. If a resident chooses to host a small community garden with a planting area of less than a quarter-acre, these are also Class 1 uses. A community garden of more than a quarter-acre in size requires Class 2 review which includes notice to properties within 300 feet for comment.

City property, including park property and other sites, has also been discussed as a potential option for a community garden. While the growing of food on public land may seem like an appealing idea, there are a number of considerations that may limit the feasibility of this concept. Property liability, maintenance of plants/watering/weeding, exclusivity of individual plots to a select number of parties, and park security are some of these issues.

Changes to the Yakima Zoning Ordinance (YMC 15) are subject to review by the City Planning Commission and a public participation process.

City of Yakima Municipal Code Chapter

15.09.120 Community garden development standards.

A. Purpose. The purpose of this section is to establish minimal development standards for community gardens which allow private groups or neighborhoods to use privately or publicly owned lands to establish a garden for the cultivation of fruits, vegetables, plants, flowers, or herbs that is maintained by the group members who may or may not have ownership in the subject property. These standards are intended to assure that the established community gardens are compatible with adjoining land uses, the character of the district in which they are located, and will not otherwise have any unmitigated negative environmental impacts.

B. Review Process. Community gardens shall follow either the Type (1) or Type (2) review processes as specified by YMC Chapters [15.13](#) and [15.14](#), and [15.04](#) Table 4-1, Permitted Land Uses.

C. Additional Type (1) and (2) Review Submittal Requirements for Community Gardens. Applications for community gardens shall include, but are not limited to, a “memorandum of understanding (MOU)” or “agreement” between the city and applicant, which includes the following elements:

1. Right of operating/use agreement, between the property owner and sponsoring organization, which includes: term of use, location and size of planting area(s), and supporting uses and/or structures. These items shall be shown on a site plan that meets the requirements of the site plan checklist, specified in YMC Chapter [15.11](#).
 - a. The term of the above required right of operating/use agreement shall be a minimum of one year; however, none of the implementing regulations which govern community gardens shall prevent an applicant from submitting an agreement with a term that extends beyond this minimum requirement;
2. Sponsoring organization name, contact information, etc.;
3. Rules established for the prohibition of selling goods and produce grown on site: i.e., produce grown on site may not be sold;
4. Rules established for the use of herbicides, pesticides, and chemical fertilizers should be contained on site, and used in accordance with label instructions and generally accepted horticultural practices;
5. Maintenance procedures and regulations established for the control of weeds, garbage, standing water, odors associated with composting, the identification of how garden waste will be dealt with (on-site composting or hauled away), and the proposed winterization of the garden;
6. Water/irrigation: indication of method of providing water (i.e., certificate of availability), and indication of water runoff prevention;

7. Rules established for the use of equipment/tools, sheds (storage of hazardous materials, i.e., fertilizers), and other structures;

8. Hours of operation which conform to the provisions of YMC [6.04.180](#)(E) in terms of hours of operation, and intensity of noise.

D. Required Parking.

1. Total Number of Required Parking Spaces. The total number of required parking spaces for each type of community garden shall be as follows:

a) Community gardens (accessory to an approved principal use): none.

b) Community gardens (with planting area of one-quarter acre or less): none.

c) Community gardens (with planting area of more than one-quarter acre and up to one-half acre): two spaces.

d) Community gardens (with planting area of more than one-half acre up to one acre): four spaces.

2. Surfacing. Required parking for community gardens shall consist of an unpaved surface of compacted gravel.

3. Dimensions. The area of each parking space shall be no smaller than nine feet by nineteen feet.

4. Shared Parking. Community gardens may share parking with a nearby use/business in accordance with YMC [15.06.050](#).

5. Administrative Adjustment of Parking Authorized. Notwithstanding any contrary provision in Chapter [15.10](#) YMC, the total number of parking spaces for community gardens may be administratively adjusted under the provisions of YMC Chapter [15.10](#), as the parking standards for community gardens are codified under both the provisions of YMC Chapters [15.06](#) and [15.09](#).

E. Accessory Structures. Accessory structures for community gardens are permitted as an accessory use to a community garden or as otherwise permitted under the provisions of YMC [15.04.060](#), and as described below:

a) Community gardens (accessory to an approved principal use):

a. Accessory structures one hundred twenty square feet or less are permitted in accordance with YMC [15.05.020](#)(E)(2).

b) Community gardens (with planting area of one-quarter acre up to one acre):

a. Accessory structures one hundred twenty square feet or less are permitted in accordance with YMC [15.05.020](#)(E)(2); and

b. Accessory structures larger than one hundred twenty square feet are permitted in accordance with YMC [15.05.020](#)(E)(1) and building permit issuance. (Ord. 2016-029 § 1 (Exh. A) (part), 2016; Ord. 2014-030 § 4, 2014).