

## **HFPP Urban Agriculture Zoning Code Research Methodology**

### **I. Methodological Approach**

The Healthy Food Policy Project (HFPP) focuses on local laws that encourage access to healthy food while also contributing to strong local economies, an improved environment, and health equity.<sup>1</sup> This resource aims to further HFPP's goals of identifying local laws that support access to healthy foods by researching the best ways to improve zoning codes to promote urban agriculture practices. The research focused specifically on urban agriculture zoning ordinances that local governments have passed within the last 10 years. Studying different approaches to addressing urban agriculture through zoning codes across the country created a stronger understanding of the national landscape, as well as the ability to compare best practices and identify potential barriers for local governments.

### **II. Method of Data Collection and Analysis**

#### *A. Broad search*

Research began by compiling a spreadsheet of updated zoning code provisions that dealt with urban agriculture, either as an amendment or an addition to the zoning code. These code provisions were found by searching the HFPP policy database, Growing Food Connections database, [healthyfoodaccess.org](http://healthyfoodaccess.org), Google, and Julien, the Vermont Law School library catalogue, to find academic sources. Search terms used included: urban agriculture, urban garden, community garden, market garden, urban food, urban farm, urban agriculture zoning code, municipal zoning code, urban agriculture zoning policy.

Zoning code provisions were only included for further research if they were in a codified zoning code that was updated within the past ten years. An ordinance located in the City Code rather than the zoning code, proposed changes, or comprehensive plans were excluded from this analysis. After a broad search using these parameters, 86 cities were found to have language included in the zoning code within the past ten years that supports urban agriculture, although this is by no means a comprehensive list.

#### *B. Audit tool and first round of city selection*

In order to analyze the data compiled from the broad search and select a small number of cities for an in-depth study, an audit tool was utilized to measure the effectiveness of a given

<sup>1</sup> HEALTHY FOOD POLICY PROJECT, <https://healthyfoodpolicyproject.org/about>.

city’s zoning code as relating to urban agriculture. Six of the questions were taken directly from the Center for Resilient Cities Audit Tool,<sup>2</sup> and a question regarding equity language and supporting priority populations was also included. This was informed by the HFPP Coding Manual and was important to include because it is a crucial aspect of HFPP’s mission.<sup>3</sup>

| <b>Urban Agriculture Audit Tool</b>  |
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| <b>Section 1- Equity</b>   |
| Does the locality have specific language that supports or promotes priority populations? (Does the zoning code include urban agriculture laws that a) prioritize, b) focus on, or c) are otherwise particularly relevant to a socially disadvantaged group?) |
| <b>Section 2- Permissible Land Use</b>   |
| Does the zoning code provide a clear definition of urban agriculture use with reference to types and scales of operation?  |
| Does the zoning code permit the keeping of bees and livestock, and/or accommodate aquaculture operations (fish)?   |
| Do zoning codes pertaining to urban agriculture allow for construction of accessory structures where food production is considered a primary use?  |
| <b>Section 3- Land Access</b>  |
| Does the code allow for temporary and conditional use of vacant lots for neighborhood gardens and/or urban farms?  |
| Does the zoning code allow agricultural uses in institutional and park districts for non-commercial food production?   |
| <b>Section 4- Economic</b>   |
| Does the locality allow for on-site sale of agricultural products (produce, value-added goods)?  |

Keeping in mind the questions included in the audit tool, we revisited the list of cities created during the broad search and selected 19 cities for further review. These cities, through a cursory overview of their zoning codes, seemed to include several provisions for urban agriculture that could also positively impact food access.

<sup>2</sup> *Food Policy Audit*, UNIVERSITY OF WISCONSIN-MADISON <https://fyi.extension.wisc.edu/foodsystemstoolkit/food-policy-audit/>. The audit tool was created in 2010 at the University of Virginia to create a targeted food assessment for local governments and fill the gap in traditional planning tools to more comprehensively address food systems policies. (Jennifer, O’Brien & Tanya Denckla Cobb, *The Food Policy Audit: A New Tool for Community Food System Planning*, 2 *Journal of Agriculture, Food Systems, and Community Development* 177, 177-182 (2012)).

<sup>3</sup> *Key Definitions*, HEALTHY FOOD POLICY PROJECT, <https://healthyfoodpolicyproject.org/about/key-definitions>

### C. Narrowed list of cities and in-depth research

From the narrow list of 19 cities, 13 were selected for further in-depth analysis. The audit tool was used extensively in this process to study how a city's zoning code is written in a way to encourage urban food production and food access. The four categories in the audit tool (equity, permissible land use, land access, and economic) were all included in the audit tool because they are crucial aspects of inclusion in order to create incentives for urban agriculture and improve food access.

### III. Use of the Audit Tool

The Center for Resilient Cities Food Policy Audit Tool was used for this resource because it is already established and well-recognized as an adaptable method for measuring local food systems policies.<sup>4</sup> Rather than creating a new document or new measures, relying on an established tool ensures a comprehensive study of the potential issues. Out of the original list of 129 questions in the audit tool, six were selected based on their relevance to urban agriculture and food access, and one additional question was added because of the focus HFPP has on equity. Because the questions selected were informed by the HFPP team and mission statement, they are consistent with the overall objective of HFPP's goals to identify local laws that support access to healthy food, specifically for priority populations. By creating an abridged audit tool during the research process, this also creates a quick, easily used tool for city governments to potentially use to measure their zoning code and identify areas where additional allowances can be included.

<sup>4</sup> Cindy Vong, *Setting the Stage for Success: Using the Food Policy Audit to Guide the Greater Pittsburg Food Action Plan*, CONGRESSIONAL HUNGER CENTER, 27 (2019) <https://www.hungercenter.org/wp-content/uploads/2019/03/HFCR-Setting-the-Stage-for-Success.pdf>; Leslie Freehill, *Urban Farming on the Fringe: The State of Urban Agriculture in Four Cities of the Milwaukee Metropolitan Region*, University of Wisconsin-Madison 34-35 (2015) [https://minds.wisconsin.edu/bitstream/handle/1793/72903/Freehill\\_Thesis\\_Final.pdf?sequence=1](https://minds.wisconsin.edu/bitstream/handle/1793/72903/Freehill_Thesis_Final.pdf?sequence=1); Jennifer, O'Brien & Tanya Denckla Cobb, *The Food Policy Audit: A New Tool for Community Food System Planning*, 2 *Journal of Agriculture, Food Systems, and Community Development* 177, 187 (2012) (discussing the wish of the audit tool creators for the tool to be adapted to the need of the user).