



February 16, 2011

Mr. Andrew Mooney, Commissioner
Chicago Department of Housing and Economic Development

Dear Mr. Mooney,

After many discussions regarding the proposed urban agriculture zoning ordinance, including a public meeting held last week with about 25 people present, Chicago Advocates for Urban Agriculture (AUA) is request that you convene a forum for 30-40 invited urban agriculture practitioners and activists, at which we can get clarifications about the ramifications of the proposed zoning ordinance amendment. We would like to meet with you, Kathy Dickhut and other zoning experts with authority to answer the questions listed below. We propose to submit a list of people we would like to see invited to this meeting.

The document, Chicago: Eat Local *Chicago: Eat Local / Live Healthy*, officially adopted by the Chicago Plan Commission (2007) represents the primary policy document guiding Chicago's approach to urban agriculture, and it endorses continuing and expanding the practice.

Following the requested meeting AUA will convene another meeting of the participants from last week's meeting and other AUA members in order to share the answers to these questions, and to decide on a response/recommendation regarding the proposed zoning ordinance. We feel that this public process will help clear up many of the misunderstandings related to this ordinance.

We also recommend postponing the zoning committee's discussion on the proposed ordinance until April so that we and other concerned parties can get confirmation and clarify the responses.

Below is the list of some of the questions we would like addressed at the requested meeting.

Questions and Concerns Regarding Proposed Ordinance

Compiled by Advocates for Urban Agriculture 2/11

1. What is the status of community gardening and urban agriculture in the current (unamended) Chicago Zoning code? Is it the department's position that these activities are prohibited because they are not explicitly permitted? In other words, how does existing zoning code prohibit establishment of community gardens and revenue-generating non-profit farms?
2. Why is there a push now to update the code to include community gardening and urban agriculture? What would be the harm of waiting to update the code until a process with more public involvement can take place?
3. As urban agriculture develops, new and different technologies, methods, and activities will continue to emerge. In the future, how can practitioners advance uses and activities that are not explicitly mentioned in the code, or that are prohibited in the code?
4. Several practitioners are concerned that if passed, the new ordinance will prevent or severely impede their projects. Can you address their concerns?
 - a. City Farm/Resource Center— proposed new site is in a planned development with an underlying residential district. Would they be able to run the farm as they do their current site, with produce sales and on-site farm stand?
 - b. Growing Power/Cabrini Green— Farm is in a residential zone. Would they be able to continue to run the farm as an entrepreneurial venture for youth?
 - c. Numerous community gardens greater than max SF
5. Several practitioners are concerned that if the ordinance doesn't pass that their projects will be stalled or prevented. Can you explain if and why these projects need the ordinance to move forward?
 - a. Growing Home Honore Street Farm
 - b. Washington Park Consortium
 - c. City Micro Farms
6. We understand that if a group wants to start a commercial urban agriculture project in a residential area they would need to seek a zoning change. Some practitioners are concerned that this will inhibit smaller entrepreneurs and non-profits from pursuing ventures. Can you walk us through how they would go about seeking zoning changes?
7. It is unclear to practitioners how the ordinance will effect indoor and rooftop growing for both commercial and non-commercial projects. Can you explain how they will be impacted?
8. There are many commercial uses permitted in residential districts such as funeral parlors, medical offices, bed and breakfasts, and commercial parking lots. Why would commercial urban agriculture activities not be permitted?
9. There are many revenue-generating non-profit uses defined in the Public and Civic Use Group, such colleges/universities, childcare centers, hospitals, and lodges/private clubs. Why is non-profit farming deemed to belong to the Commercial Use group rather than the Public and Civic Use Group?
10. The above non-profit uses are permitted in residential districts even though they generate and actually depend on revenue generated through operations. Why would a non-profit farm activity be treated differently?

11. How will the ordinance amendment affect those grow on their own property and wish to sell what they grow?
12. Vacant lots are permitted in every zoning district in the City. Why does the department which to support such uses and not urban agriculture?
13. There are many practitioners who approach urban agriculture as a temporary use of unused property. They are concerned that if every urban agriculture project is treated as permanent that it will unduly hamper efforts to re-activate derelict properties through urban agriculture. Is there a temporary use permit that could be created? For example, construction sites allow otherwise not permitted activities.
14. There are several existing requirements that practitioners fear will dramatically increase the cost of them doing urban agriculture. These include requirements for screening, fencing, and street trees, among others. How can we address these requirements for urban agriculture projects where they might be irrelevant or even hindrances?
15. Section 17-3-0304 Indoor/Outdoor Operations of the code requires that all allowed uses in B1, B2, B3, and C1 Districts be conducted inside buildings. This appears to be inappropriate for both community gardens and urban farms. Why doesn't the proposed amendment address this?
16. Similarly, outdoor display and storage areas which *are* allowed in C2 and C3 districts, and which could be seen to include gardens and farms, must be visually screened from R districts and from all contiguous streets by sight-obscuring masonry or wood fences. This appears to negate several primary benefits of urban agriculture, particularly the opportunity to impact blight. Why doesn't the proposed amendment address this issue?
17. As the questions above indicate, there are a variety of elements in the current zoning code that impact the possibility, viability, and potential of urban agriculture in different ways, including setbacks, screening, buffer zones, allowed landscape materials, fencing and fencing materials, use types, restrictions on sales activities, permitted/special uses in various districts, and other issues. The proposed amendment addresses an only very limited subset of these issues. It seems critical to take a more comprehensive view to capture the full potential of urban agriculture for the City. Please comment.

Sincerely,

The AUA Steering Committee (see attached list)