

BACKUP MATERIALS AND FINDINGS

Notes from Public Sessions

- Summary from Public Session #1 – Animal Raising and Aquaponics
- Summary from Public Session #2 – Site Requirements, Wholesaling and Labor
- Summary from Public Session #3 – Byproducts, Environmental Health, Sustainability

Written Comments

- GAIN (Guadalupe Association for an Improved Neighborhood)
- Carolyn (friend of HausBar Farms)
- Govalle/Johnston Terrace Neighborhood Plan Review Committee
- Michael Hanan
- PODER (People Organized in Defense of Earth and her Resources)
- Homegrown Revival (x2)

URBAN FARMS PUBLIC SESSION #1

ANIMAL RAISING AND AQUAPONICS

These remarks are summaries of the public session held regarding the raising of animals and aquatic foods for the City of Austin's urban farm code. The meeting was held at Cepeda Library from 5pm-7pm on 4/22/13.

Aquaponics

prepared by Michael Hanan and Paola Aguillon-Brashear

Introduction

Aquaponics is a relatively new agricultural technology in which fish are grown in recirculating water systems. This is made possible by the symbiotic relationships of aquatic organisms which provide nutrients, bacteria which convert those nutrients into fertilizer, and plants which remove the fertilizer thereby purifying and reconditioning it for the fish. Aquaponics is a hybridization of more established technologies of *aquaculture* (the raising of fish and aquatic organisms in artificial environments) and *hydroponics* (the culture of plants in soilless systems by the use of nutrients solutions).

Aquaponics holds a great deal of promise for the City of Austin because it is the most water efficient method of producing both fish and plants. Compared to field agriculture it is 85%-95% more water efficient. Furthermore, it is one of the most densely productive forms of agriculture which is of high value in cities which are attempting to encourage dense development which also striving to ensure food security.

Aquaponics is uniquely suited to be an answer to Austin's explicit goals of sustainable and dense development faced with the challenges of drought and rapidly growing population. Aquaponics also provides the high level of food security sought by urban areas while maximizing the space needed to do so. Therefore, we suggest that this technology be permitted and encouraged to the highest degree possible as an adaptive form of agriculture. What follows shows that Aquaponics can be done in a way that does not present health or environmental hazards to the community, mitigates nuisances for the community at large, and provides food security to the Greater Austin area.

Topic: scale of production

What are your concerns regarding raising fish for slaughter in a residential neighborhood area? What about in a commercially zoned area?

- we do not recommend different rules for neighborhood areas vs. commercially zoned areas
- concerns with raising fish include the noise associated with the operation of air and water pumps (which is minimal - similar to a pool pump and often smaller and quieter)
- concerns with structures that would house the fish tanks - we recommend that these structures fall under rules for accessory structures for each zone (distance from other structures as well as height requirements).

- concerns with odors associated with fish waste and carcass disposal - we recommend that there be no specific rules for this issue as existing odor nuisance rules will suffice
- concerns with composting and disposal of fish waste and carcasses - follow TCEQ rules for composting (what are these rules?).
- concerns with the disposal of aquaculture effluent onto permeable ground and into waterways is an issue - refer to COA Watershed Protection Ordinance and TCEQ for rules regarding aquaculture discharge. concerns include the possibility of eutrophication from nutrient rich discharge. we recommend discharge within the City of Austin be returned to City facilities as wastewater for treatment.
- concerns with processing of fish - we recommend that there be no city level rules about the processing of fish, as State level rules are already in place from the Department of State Health Services for filleting fish (HACCP) (what about whole fish?)
- concerns with the variety of fishes grown - rules are already in place from the Texas Department of Wildlife and Fisheries about which species are permitted for culture in the State of Texas
- licensing for aquaculture - State Aquaculture Facility license available and Aquaculture Fish Farm Vehicle license available from Texas Agriculture Department

How many fishes is 'too many' to be raised in residential areas?

- The system in its design itself is self regulating. A higher density of fish/gallons of water would only hurt the stocking. It's of the farmer's best financial interest to keep the stocking balanced and healthy.

Should they be less or more depending on where you are in the City? Urban vs. Suburban areas?

- aquaponics, hydroponics, and aquaculture systems can be designed to take many different forms - they are completely scalable to different sizes. Furthermore, these systems can be operated successfully at varying capacities and density. In light of this, we recommend that there not be particular rules about size, capacity, or density for these systems. Instead, since these systems are usually housed within structures such as greenhouses or sheds and in cases where these systems are not housed in structures, the systems themselves can be considered structures. Therefore, we recommend that these systems be limited in size by existing rules regarding accessory structures in each zone.

How would you suggest scale be suggested in code: a ratio, a number?

- See previous answers for recommendations about size, capacity, and density. We do not recommend specific rules about scale.

Topic: zoning and neighborhood relationships

What are the pros and cons of allowing fishes in areas zoned for single-family residential vs. commercial? In urban areas and/or suburban areas, rural areas?

- Aquaponics is the most water efficient technology for growing fish and plants ever developed. Because the fish fertilize the plants and the bacteria and plants recondition the water for the fish the water recirculates indefinitely with minimal loss due to evapotranspiration. Numbers

vary but aquaponics has been found to be 85%-95% more water efficient than field agriculture. This is of huge interest to a City such as Austin that is trying simultaneously to address concerns of food security while dealing with drought and ever growing population.

- Along with its parent technologies, hydroponics and aquaculture, aquaponics is the most densely productive way of producing food ever developed. This is of high value to Cities such as Austin that are striving for food security through local production and wish to make the best and highest use of available lands. Put simply, aquaponics can produce the most amount of food with a given amount of land.
- Aquaponics systems are completely self-contained within tanks and grow beds. As such, they do not represent much of a risk for causing nuisance in terms of noise or odor to neighboring residents or businesses. Furthermore, these systems can be designed to be quite compact or very large and therefore can reasonably fit into many backyards, indoor settings, and large outdoor spaces. This means that aquaponics can be reasonably employed in many different settings appropriately without negative consequences for other community stakeholders.

How should these types of operations be appropriately integrated into your neighborhood?

- We recommend that structures associated with aquaponics systems be considered as accessory structures and be treated as they are for zones under existing code.

Should fishes be allowed in the Drinking Water Protection Zone or 25-year floodplain?

- Fishes contained within recirculating systems will not be releasing discharge into the watershed unless a flood compromises the self-contained nature of the system. The State does not permit the culture of invasive species of fishes or other aquatic organisms and this would prevent the spread of potentially harmful invasive species into our native ecosystems. We recommend that TCEQ rules regarding the construction of aquaculture systems in 25 year floodplains be researched and any relevant City codes be researched and brought to bear on this issue.

Topic: definition of terms

What definitions are missing from the current Urban Farm Ordinance in regards to fishes?

- Fish and aquaculture are not currently accounted for in the Urban Farm Ordinance. They should be explicitly permitted with conditions ensuring that they are contained within tanks and that aquaculture system water is not discharged inappropriately. Also, reference should be made to relevant State level licenses and regulations.

What kind of animals should be added to fishes in current Urban Farm Ordinance?

- Fish, crustaceans, and amphibians can all be raised in aquaponics systems. Earthworms are often used in conjunction with these systems as well but are usually retained in the growbeds and should not be considered aquatic organisms along with those previously mentioned.

Topic: dwellings/structures on site

What kinds of structures should be required and/or allowed for a farm that raises fishes?

- Aquaponics systems usually include fish tanks, grow beds, solids filtration components, and may include sump tanks, greenhouses, and sheds. All of these structures should be permitted to allow for aquaponics to be implemented in Austin.

What characteristics make these structures appropriate for an urban vs. a suburban context?

- We recommend that this be dictated by existing code for accessory structures in the respective zone.

Should the farmers have to live on the same parcel as the fishes operation?

- We recommend that, in residential zones, farmers be required to live on the same parcel as the aquaponics fishes operation. However, in the situation where these systems are employed in commercial zones, it would be an unnecessary rule to require residence on site. This is because these systems can be designed with redundancy, self-regulation, and self-monitoring alarm systems.

Topic: sustainable practices

What are your standards for sustainable raising of fishes ?

- No aquaculture discharge into watershed.

How should animal byproducts or waste be disposed of?

- Plant material, fish waste, and fish carcasses are the primary waste products and these can be composted as permitted in TCEQ rules.

Who should monitor sustainability practice when raising fishes?

- The City can require that system discharge be returned as wastewater and treated appropriately rather than be released into the watershed. This could conceivably be enforced by the Watershed Protection Department. Aside from this, these systems use very little water and electricity and we suggest that these relatively slight uses do not warrant regulation.

Topic: animal welfare

Should urban farms have to comply with stricter animal welfare standards than non-urban?

- We recommend that, generally, yes, urban farms should be required to meet high standards for animal welfare. This is because urban farms are by definition embedded in high proximity to neighboring community members that may be offended by the cruel treatment of animals. Furthermore, high density raising of livestock can lead to disease if systems are not properly

designed. With regard to aquaponics systems and aquaculture systems, however, welfare guidelines may be unnecessary and unenforceable.

What kind of standards are appropriate?

- If anything, standards should be based on stocking density. However, we do not recommend rules regarding stocking density as there are many varieties of fish and aquatic organisms that can be cultured in these systems and they all require different water conditions and therefore stocking densities.

Who should monitor animal welfare practice?

- With regard to fish and other aquatic organisms, we are unaware of any precedent for establishing standards for welfare in culture systems. Typically the limits of these systems are established by the nature of the organisms in culture. There is a maximum stocking density and there are water quality requirements for each species cultured and these guide the aquaculture and aquaponics industries. We recommend that these natural limits be allowed to regulate the systems and that the City forgo attempting to regulate this issue, which would be incredibly difficult to accomplish.

Additional comments and suggestions

Aquaponics should be encouraged in drought-stricken Austin. Barriers to entry in the enterprise should be lowered as much as possible. Since current state rules and regulations regarding water discharge (TCEQ), types of fish permitted (TPWD), and fish farming in general (TDA) adequately govern the field of aquaponics, Austin should encourage, embrace, and enable this form of adaptive agriculture.

FOWL

prepared by Mindy Cooper

- only problem with chickens is that there are not enough
- how do you cap the # of chickens? Limit should not be arbitrary.
- 4 sf per chicken? some standard is needed for chicken welfare.
- there is a difference between hens and roosters, but no difference in raising chickens for raising vs. raising chickens for slaughter.
- there is concern that the city will tighten regulations too much.
- should be allowed to raise and slaughter in the city.
- it is important to be responsible with byproducts of slaughter.
- possible slaughter concerns: odor, waste not being disposed of properly.
- TCEQ has state enforced regulations for compost piles. Piles are permitted by TCEQ.
- a class on composting to teach good practices would be valuable
- keep record of complaints for X# of days to quantify problems?
- need clear process to handle complaints. Suggested:

- 1- Notifications sent to adjacent neighbors after problem is noted -problem must be above specified threshold and notifications sent within specified distance.
- 2- remediation by farmer
- 3- enforcement by city, followed by possible appeal from farmer.
- no cages?
- Carol Ann shared that chicken waste is concentrated at the perch during the night
- encourage roof over feed area to prevent smelly grain problems.
- it was noted that the requirement of a roof may not work for every situation.
- city food compost ordinance could cover urban farms?
- thoughts on minimums for chicken welfare: 4 sq ft + no stacked cages. access to earth below - no concrete floor. access to sun & shade. total s.f. determined by where chickens have access. size of coop does not need regulation.
- why do we care where/who farms sell to?
- code needs to be clear that sale to private customers + commercial are both okay - on site or off site.
- traffic could be a concern.
- group encouraged a thorough review of TCEQ/state regulations prior to writing city ordinance.
- is neighbor notification appropriate? (there was some concern that it was not appropriate)
- noise ordinance regulates roosters.
- should urban farm use change trigger notifications?

Rabbits

prepared by Heather Frambach

- Why rabbits?
 - Rabbits are extremely easy and very sustainable to produce. They are low-cost, low-impact (no noise, very little waste, no smell, low mortality, virtually disease-free) and reproduce so quickly. They also produce a tasty, lean product that can be sold at an affordable price (i.e. more affordable than chicken sometimes).
- Scale of production/definitions
 - should we do by absolute numbers, or by # of animals per acreage?
 - maybe consider aligning with state regulations. at the state level, chickens are defined/determined to be on par with rabbits in a production/slaughter cap (10,000 units per year, of any combo of rabbits/chickens). this allows for flexibility in production on the farm. We could also not reinvent the wheel and use the same setback requirements for rabbits as we do for chickens already.
 - what kind of scale should be allowed in a neighborhood setting? maybe we could have different production caps for each zone, or maybe the # of animals per acre limit would solve that problem.
- Neighborhood notification

- When slaughtering, maybe a neighborhood notification process should be considered. The film industry, when filming around town, has to gain the consent of 65% of residents affected by filming. Something similar could be used for animal slaughter. Jerry noted that a simple notification process exists for zoning changes and residents are notified that they can attend a public hearing to give input. The group was interested in a complaint-driven enforcement process.
- Everyone agreed that harvesting/slaughtering process needs to take place out of sight (of the street, neighbors, etc).
- Dwellings and structures
 - For animals (eg cages, etc), should be unregulated.
 - Farmers should have a clear understanding of whether they work with the commercial or residential side of the Development Assistance Center when pulling permits for other structures, such as harvesthouse.
- Who farmers sell to--"end user" or restaurant--should not be under the purview of these regulations. Need to work with Environmental Health Dept on this.
- Farmers willing to take some processes off site (composting, preparing hides, meat stuff) but not willing to take the animal off of the farm. The animal should live its entire life in one place for animal welfare purposes.

Livestock

prepared by Paula McDermott and Heather Frambach

- use existing animal welfare guidelines to determine scale for sheep, goats, and pigs (add allowances for pigs into code)
- use AWA guidelines for dwellings for shelter, commercial kitchen, or freezer storage
- ensure environmental protections that protect land and watershed
- storage of animal product: currently required to be stored in a commercial commissary, change to allow for on-site storage
- goats and sheep that are only used for milking should be permitted on less than one acre. more than one acre should be required for meat production.

URBAN FARMS PUBLIC SESSION #2

Site Requirements, Wholesaling, and Labor

Site Requirements

prepared by Mindy Cooper

Topic: Number of Units allowed on an urban farm

What are your thoughts concerning the # of dwelling units that should be allowable on an urban farm?

- We believe that structures that support farm activities & the survival of a farm should be allowed. For example, a dwelling dedicated to a bed & breakfast function would have an educational component. A bed & breakfast could provide a way to get the public more engaged with the vision and purpose of an urban farm. We support this type of activity on an urban farm. We also believe that this use could provide critical supplemental income to help an urban farm be a viable way of life.
- We acknowledge that other structures (such as event space structures, offices, etc) are also desirable for farmers and may help generate supplemental income.
- Based on the above, we feel that farm survival depends upon the ability for the urban farm to have additional structures.
- Our opinion is that the underlying zoning of the property should be the minimum number of dwellings allowed. We feel that for zones SF-1 & SF-2 where the # of dwellings is limited to 1, the city should consider allowing urban farms on these zones to have up to 2 dwellings for the reasons stated above.
- It was noted that unique live/work situations like co-housing (multiple families farming an urban farm) could be possible in a MF zoned urban farm.
- In general, we feel that an urban farm should not be penalized by restricting the number of dwellings to less than what is allowed by the underlying property zoning.

Topic: Auxilliary structures

What are your thoughts concerning auxilliary structures on an urban farm?

- We feel that auxiliary structures should be allowed. However, it was noted that current code only allows auxiliary structures on lots with a dwelling. There was some debate within the group regarding allowing auxiliary structures on vacant lots.
- A question that came out of this topic was whether or not an urban farm designation is only applicable on a property where the owner resides. For example, Urban Patchwork is an urban farm that is a network of farms, and some are on vacant lots. Currently they are not allowed to put any auxiliary structures on their lots but feel that they should be able to, in order to support the farm functions. This brought up the debate as to whether or not this style of farming fits the mission of the "urban farm" designation (ie, do the benefits of the urban farm designation fit the needs of a network of small farms? Benefits include selling at one's residence, having paid employees at your personal residence, and being allowed to erect a sign at your personal residence - it appears that

a few of these benefits may not fit the community farm model but are specifically tailored to a residential farm). There was no resolution within the group to determine an answer to this question.

Topic: Urban Farm size

What are your thoughts concerning a maximum or minimum acreage for an urban farm?

- We agree that no maximum should be in place, that the real estate market will self-limit the size of an urban farm.
- There was some debate on how small an urban farm could be. Some felt that productive urban farms can (and do) exist on as little as 1/4 acre while others were skeptical that it was possible to be highly productive on less than an acre.
- Some members of the group were concerned about hobby farmers taking advantage of urban farm advantages including tax breaks that are necessary for career farmers who are 100% dependent upon the farm for their income.

Additional Comments & Suggestions

Our discussion regarding site requirements exposed concerns & debate regarding how small an urban farm can or should be. There is no question that a garden can exist on a small scale - the challenge is in determining when the line between garden & farm is crossed. Is it as soon as an item is sold? Or is the threshold determined by a volume or profit margin that is reached? Can an urban farm be located on multiple parcels, or does all of the produce sold from the urban farm have to be grown on land contained on the property with the urban farm use? Must an urban farm have a dwelling occupied by the primary farmer? And lastly - would the benefits of the urban farm use designation benefit a community-style farm, or is the Urban Patchworks model unique and deserving of it's own set of guidelines to follow? These are all unresolved questions that will need to be addressed in our recommendations.

Farm Stands, Wholesaling, and Labor (Commerce A)

Prepared by Paola Aguillon-Brashear

Farm Stands

- *Should the current twice-per-week maximum farm stand model currently used by urban farmers in Austin be adopted into code?*

It was deduced that the size of an urban farm would not call for a daily farm stand as the production may not be sufficient to justify such investment in time from a farmer or its agents. It was also mentioned that the conditions and operations of a farmstand should be left for the farmer to decide and not the city.

- *Should there be a minimum acreage for having an on-site farm stand? Should farms smaller than [1 acre] be allowed to sell only off-site at farmers markets and other outlets to avoid a traffic nuisance?*

- what other kinds of ways can we mitigate parking/traffic nuisance?
- Austin's home business regulations provide an example of traffic mitigation by limiting the number of vehicle trips that can be made to and from the business.

Possible nuisance from traffic or parking was not a concern from anyone in the group. The size of the farm, however small, led to an evaluation of very little traffic compared to some other regular activities on a residential streets, for example, band practices, home businesses involving several students, etc...

- *Is there some kind of compatibility assessment that we could do to see if a farm is in an area where it would have very low impact, or should we just have one blanket set of regulations for all farmers?*

There was no concerns brought up that suggested the size of the farm be taken into consideration.

ADA compliance was mentioned in passing. Would a farmstand fall under residential compliance or commercial compliance for ADA? Is that something we need to look into?

Wholesaling

- *Should wholesale commerce (selling of produce to restaurants and stores) be permitted to take place both on- and off-site?*

The feedback from several professionals involved in the operations of an existing farm suggested that truck size vehicles is not the norm for the pick-up of products at the farm. The size of the urban farm as it is now naturally determines the volume of production and therefore how much products can be purchased at any given time. It naturally influences the size of the transportation used to pick up the products from the farm, even at a wholesale level, not needed anything bigger than a pick-up truck.

Labor

- *City occupancy requirements: 6 unrelated people maximum are allowed to live on a site.*
 - Should we preserve this standard for employees who live on site or further restrict it? (We can't exceed it)
 - What about for employees who don't live on site? What kinds of requirements or restrictions should we have, if any?

- Home business regulations provides for restrictions on employment

There was a desire for the farm to be able to hire as much help as needed to function. There is a lot of confusion about the numeric requirement in place at the moment compared to how many hours are used by each employee.

The issue of volunteers, members and apprentice was also considered and it's recommended that these be not considered employees and would be allowed to fit the operational needs of a farm at any given time of the year.

TOPIC: Third-party products, Agritourism, and Farm Stays (Commerce B)

Should we regulate the re-sale of third-party meat and produce? Should we set restrictions on where third-party products can come from (from Texas, from a 250 mile radius, etc)? Alignment with TFER to govern third-party meat? Should we use state restrictions on selling to guide our own? Annual permit with surprise inspections, not a per-even inspection?

- Participants: Third-Party sales are the only way that some farmers (especially small farmers) can sell their product. Currently small farmers (under 1 acre) are not even allowed to be an urban farm, and it's not practical for them to have their own farm stand.
- J. Rust: The Health and Human Services dept may have an issue with foods that are coming from other places and not from on-site. Suggests that all products sold, whether from on or off-site, should be restricted to agricultural products, to stop possibility of someone selling screwdrivers from front yard.
- Participants: Can off-site (third-party) products come from the same farm (ie if the same farmer owns the off-site farm)?
- J. Rust: Under the current code, no. That would still be considered a third-party product, even if both farms are owned by the same farmer. Under the current code only on-site products may be sold.
- Participants: Should we have the same rules for third-party products as exist for farmers' markets? Farmers' markets have very stringent rules, so it might be difficult.
- J. Rust: Recommend that some portion of the total products sold at a farm stand be allowed from off-site, so that the whole stand is not "imported" products, but at least remains mostly from on-site (suggests a 75% on-site, 25% third-party split). This could be measured in sales revenue or volume (not sure how, though). The size of the urban farm is a natural limitation on how much can be grown and sold, and by most sales restricted to on-site products, this limitation will remain in place.
- Participants: How to determine who could participate in third-party sales? Some kind of radius or qualifiers, would likely be left up to individual farmers with farm stands.

Summary: Three main issues with third-party products:

- Health and safety – products need a proven method to show are safe
- Type of products sold – should remain only agricultural
- Volume of products sold – by stipulating that bulk of sales must come from products raised on-site, the overall size of farm stand remains proportional to size of farm and less likely to overwhelm neighborhood

Short-term rental, long-term rental, bed and breakfast?

- Little discussion on this issue, but both staff and participants agreed that two dwellings per farm should be a-okay, unless otherwise restricted by the base zoning district.

URBAN FARMS PUBLIC SESSION #3

BYPRODUCTS, ENVIRONMENTAL HEALTH, SUSTAINABILITY

These remarks are summaries of the public session held regarding waste management, composting, water and soil quality, water conservation, and public health concerns for the City of Austin's urban farm code. The meeting was held at Fiesta Gardens from 5pm-7pm on 5/15/13.

Topic: Waste Management & Composting

Prepared by Paola Aguillon-Brashear

Definition of terms

- It is recommended that "composting" be defined and included in "agricultural product" and therefore could be sold by the farmer.
- It was also recommended that farmers be allowed to collect composting materials from their neighbors.

Scale

- There was no limit mentioned on the practice of composting but rather a consciousness that a balance must be honored to create a favorable outcome.

This conversation was spurred by the following discussion questions

*What does **sustainable waste management** look like on an urban farm? What is appropriate?*

- The ideal practice on a farm, but also as suggested on residences, should be a close circle requiring as little waste disposal away from the site as possible and the reuse of as much material as possible already on site.
- The composting of animal parts was found to be more sustainable, and less of a nuisance, than to be disposed of in the city trash. A balanced compost doesn't smell and would be an offset from the volume of trash generated in the city.

*What should be done with **organic plant waste** on an urban farm? Should **animal raising waste** be dealt with differently? Is **composting** appropriate for either type of waste?*

- Vegetable composting is seen as a natural partner for vegetable production as it brings nutrients to the plants facilitating a higher nutritional values in the products. It is seen as a very sustainable and beneficial practice. It is widely accepted as a practice and didn't raise any concern.
- The composting of animal parts is highly recommended as well as an obvious part of the Sustainable Plan for Austin. That type of composting does raise two main concerns: smell and pest control. Although any form of composting can develop an unpleasant smell and attract rodent, the composting of animal parts is more demanding to achieve perfect balance. Pest control can be an issue that composters would have to be aware of.
- Animal raising and composting of animal parts is supported by the whole group. The composting of animal parts can be a source of added nutrients to the animals benefiting their health and the quality of the harvest. Composting of animal waste can also be used on site to benefit the production of vegetables.
- The concerns didn't outweigh the strong desire for composting to be integrated, not only on urban farms, but everywhere in the city.

*How might different waste management systems, including compost, affect **nearby neighbors** of urban farms?*

- The proper management of composting doesn't subject neighbors to any nuisance that are not already covered by the city or TCEQ. Productive composting would actually increase the quality of the environment by returning nutrients to the land. It can lower the volume of trash generated by the neighborhood and offer lower costs of waste management by reducing the size of residential bins.
- The collecting of vegetable and animal scraps and redistribution of compost amongst neighbors would also enhance the quality of the soil and gardens.
- There is an ongoing awareness that a positive relationship with neighbors is vital to urban farmers and residents in general. It has been recommended that educational material about composting be made available to potential farms and residents to better understand the positive outcome to composting compared to letting vegetables and animal parts go to the landfill.
- It's also recommended to have material available to residents about "How To" make your own compost but not to regulate how a compost should be assembled or managed.
- The issue of esthetic was brought up as composting can be found unsightly by some neighbors. Esthetic is already regulated by neighborhood associations.
- The location, smell and guidelines for composting are already widely covered by TCEQ rules.
- Regulating smell can be challenging and subjective. It is recommended that regulations be quantifiable on the base of a certain number of complaints against unpleasant smell and not on a subjective evaluation of the foulness of the smell.

*What are the potential benefits and/or negative impacts of on-site waste management systems on **public health**?*

- The main concerns were about smell and pests/rodents.
- Composting is highly recommended and encouraged by the group as a crucial process to raise the quality of the soil and the products grown in it as well as for animal raising. The lowering of the volume of waste is the other greatest motivation with impact on landfill use, gas usage, air quality, traffic, etc.
- Composting was evaluated as a resource, not waste disposal. Composting was supported by the group as a vital part of a sustainable way of life for the city. Composting reduces the volume of trash being taken to the landfill therefore reducing emission from vehicles transporting waste. Composting also offers a source of added nutrients to the land and animals living on site increasing the quality of the environment as a whole and the food produced on site.
- A balanced compost will not smell and appropriate measures can be taken to avoid issues with pests and rodents.

*Should **larger** farms have different waste management requirements than **smaller** farms?*

- The volume of the compost was not viewed as a concern as the success of composting is about balance.

Topic: Water Conservation (Jack & Jessi)

Prepared by Morgan Whitney

Key theme: incentives instead of requirements in code

- Best Practices should be promoted/ resources could be accessed through COA --Water use should be in line with COA water Conservation

Sustainable water use management

- Goal: No water leaves your property
- Examples: Berms, swales, build health of soil
- Since Urban Farm function is food production related, water restrictions should not be applied (ex. Monday Wednesday Friday watering should not apply)
- A city Rebate program could incentivize smart use of water conservation for food production.

Requirements vs. Incentives

- Incentives/encouragement rather than requirements

Water Practices

- Shouldn't be required but incentivized

This conversation was spurred by the following discussion questions:

- What does **sustainable water use management** look like on an urban farm? What is appropriate (e.g. rainwater catchment systems, mulching, basins/swales)?
- Should there be **requirements** for urban farms to practice specific water conservation techniques in the Urban Farm Code? If so, should these requirements be different for farms doing **vegetable production vs. animal raising**?
- What standards should be put in place regarding water conservation in **aquaponics** systems?
- Should **larger** farms have different water conservation requirements than **smaller** farms?
- Should urban farms be required to engage in certain types of **watering practices**?

Topic: Water & Soil Quality

Prepared by Kate Vickery

Currently, the Urban Farm Code says, "the use of a fertilizer other than an organic fertilizer is prohibited. If manure is used as a fertilizer, it must be composted." Much of the break out group discussion centered around whether or not particular farming practice standards should be included in code, and if so, what language should be used. Comments from the discussion include:

- The word 'organic' is an appropriate catch-all; chemicals are always harsher than organic farm inputs
- There is a key difference between little 'o' organic and big "O" organic.
- Possible alternatives to 'organic' could be: organic methods or organic practices (in regards to farm operations generally), or non-toxic, non-synthetic, natural (in regards to pesticides and fertilizer inputs)
 - "natural" includes substances like rotenone and pyrethrum, which are very dangerous, even though they are natural products.
- Pesticides and fertilizers should both be included in code, as they cover the entirety of inputs (pesticides include herbicide, fungicide, etc)
- Key question lies in the interpretation of these terms and the ability of the COA to enforce these standards as part of zoning regulations.

- Does 'organic' refer to seeds? There are many interpretations of this (including a controversy at the Festival Beach CG regarding whether organic refers to seeds, including GMO).
- Should code include restricts on seed types at all? Do GMO seeds count as non-organic herbicide?
- Maybe there should be a strict ban on all pesticides and fertilizers
- USDA Organic rules may be sufficient to encapsulate all of what we want to limit on our urban farms, but may be problematic to require farms to comply with those regulations
- No one indicated interest in requiring urban farms to become certified organic
- Boggy Creek, which is certified organic, is required to have a 25-foot buffer between the edge of farm fields and neighboring property line, primarily to protect the organic farming practices from being contaminated by neighbor chemical usage or runoff.
- Could be better to refer to existing regulations regarding chemical usage (the Integrated Pest Management for the City or watershed protection regs regarding setbacks/uses within buffer areas, e.g.). The problem with this approach is that code would need to be updated as any regulations that external standards are changed. Administratively cumbersome
- Participant noted that the code should be as self-contained as possible in order to create reasonable enforcement standards.
- "organic method" isn't clearly defined in current code, so no standards by which to enforce
- TDA tests for Organic compliance in Texas
- Should the type of practices even be prescribed in code at all? Doing so would make standards for farms stronger than standards for residential yards.
- Look to Barton Springs Zone code for examples of code regarding turn limitations, non-degradation standards, etc.
- COA is NOT equipped to evaluate 'organic methods' in any way
- Big picture is that urban farming should be about lowering toxicity in soil and water
- Should being an urban farm require compliance with an IPM?
- Could limit regulations to be within creek buffers only. New watershed protection zoning ordinance would allow farms to located 50% closer to creek centerlines than the buffer allows other development (e.g. a 200 foot buffer would allow ag to located within 100 feet of the creek)
- If organic methods are not required per code, consumer choice will regulate farms. Consumers can choose not to patronize farms that do not practice organic methods = peer pressure compliance.
- All of the current urban farms in Austin are doing very sustainable and organic methods.
- Need to plan for the next wave of new farms – how many will there be given how quickly Austin is growing, causing a decreasing supply of available land? Check Austin growth plan to consider how increasing density will affect possible growth of farmland.
- Standards should be clearly stated in code.
- Suggested language, "The use of non-organic farming practices such as synthetic fertilizers and pesticides is absolutely prohibited."
- Should the standards be stricter for the Drinking Water Protection Zone?
- Should not be any runoff from urban farms that know what they are doing anyway; goal is to keep water on the property.
- Question raised about whether Organic certification standards include language regarding animal raising
- "organic methods" need to be defined clearly – what is means in terms of methods used by farms.

- This is fundamentally about what defines an urban farm. What is most important?
- Current code is too restrictive
- Should leave code very open ended
- Urban farms are often surrounded by 'toxic land' of non-farms – code should protect farms
- Need to survey existing farms to have a list of farming practices we want to see encouraged in new farms
- Need to allow a complaint-driven regulation process where a neighbor's complaint would generate an inspection by COA → mediation → case-by-case resolution of the problem

This conversation was spurred by the following discussion questions:

- Currently, the Urban Farm Code says, "the use of a fertilizer other than an organic fertilizer is prohibited. If manure is used as a fertilizer, it must be composted." What limits (if any) should be placed on the types of fertilizers, pesticides, and other chemicals used in urban farming practices? Is the word "organic" useful in this regulation?
- What should be done to mitigate runoff into urban creeks and streams from urban farm operations (e.g. buffers of various sizes)? Should different standards be in place for farms that do vegetable production vs. those that raise animals?
- What types of practices should be encouraged on urban farms in order to control soil erosion?
- Should there be different standards for fertilizers and pesticide use on urban farms located in the Drinking Water Protection Zone vs. Desired Development Zone? Larger farms vs. smaller farms?
- What are the potential benefits and/or negative impacts of different types of fertilizers and pesticide use on public health?

GAIN- Guadalupe Association for an Improved Neighborhood

1111 East 8th Street - Austin, Texas 78702

Ph 512-479-6275

May 7, 2013

Re: Urban Farm Ordinance

To Whom It May Concern:


The Guadalupe Association for an Improved Neighborhood, GAIN, met on Saturday April 27, 2013 and voted unanimously to support efforts to have various departments, boards and commissions of our city conduct a thorough review of the impact of the Urban Farm Ordinance on single-family neighborhoods. The membership of GAIN believes attention should be placed on whether some activities related to urban farms meet compatibility standards, whether existing in code or implied by common sense, and if the more commercial elements of urban farming are incompatible with the zoning of the property and with surrounding single-family uses.

GAIN supports small urban farms, especially when they replace vacant and underutilized property. However, when urban farms slaughter animals on a regular basis, or become a frequent tour destination, or a place for weddings, parties and concerts, they may no longer be an appropriate, acceptable use on land zoned for single-family use in single-family neighborhoods.

GAIN believes land that is zoned for single-family housing should be developed with housing. Whereas urban farms offer a pleasant and productive interim use, when they become lucrative commercial enterprises, they undermine the intent of the zoning and the reasonable expectations of the surrounding single-family property owners.

For these reasons, the city should conduct a through review of the Urban Farm Ordinance.

Sincerely,


H. Michael Guajardo, President
Guadalupe Association for an Improved Neighborhood





heather frambach <h.nietoframbach@gmail.com>

note from a friend who asked me to pass it along

Dorsey and Susan <hausbaraustin@gmail.com>

Wed, May 15, 2013 at 12:51 PM

Reply-To: hausbaraustin@gmail.com

To: heather frambach <h.nietoframbach@gmail.com>, Katherine Nicely <katherine.nicely@gmail.com>, Paula McDermott <mcskog@swbell.net>

Wish I could make the meeting. If a statement can be placed in the record please place this for me. In North Carolina with the future. My grand children. Thank you Sue Sue and Dorsey for taking On this fight. I know it must be so frustrating but your knowledge and passion will prevail. Love you both- Carolyn

The chronic diseases that now kill most of us (coronary heart disease, diabetes, stroke, and cancer) can be traced to the industrialization of our food. The rise of highly processed food and refined grains, the use of chemicals to raise plants and animals, the superabundance of cheap calories... and the narrowing of the human diet to a tiny handful of staple crops, notably corn, wheat, and soy.

- Michael Pollan

The city of Austin can work towards dismantling the broken system that dominates today. We can work to endow the human being with their former power to know what real food looks like, where to find it, and even how to call it up out of the ground themselves. This can be done with cooperation and responsibility. Keeping the earth safe, allowing an ecosystem that helps man, insects and treats animals with love and dignity. Urban farms help everyone. Understanding the life cycle, seeing that what we eat can come from people who not only respect life but love all living things can only make our world, my world, my life better. Susan and Dorsey have already impacted my life. I have learned so much about organic farming from the gardens to the animals. Knowing that what I eat is good for me, helps fight against environmental poisons and even helps eliminate environmental poisons that are not only killing humans but are killing our earth. I want my grandchildren to love and respect all life and Urban Farms are the living schools where they can go, learn about how to protect our earth, grow healthy foods to keep our bodies healthy, and how to treat our animals whether they are pets or our next meal with love and respect. Thanks to all the Urban Farmers who are the modern pioneers.

--

HausBar Farms
512-577-4731

Frambach, Heather

From: heather frambach <h.nietoframbach@gmail.com>
Sent: Friday, May 17, 2013 4:57 PM
To: Frambach, Heather
Subject: Fwd: dGovalle/Johnston Terrace Neighborhood Contact Team Recommendations for Urban Farm Ordinance Re write

----- Forwarded message -----

From: Daniel Llanes <dllanesrb@earthlink.net>
Date: Fri, May 17, 2013 at 4:48 PM
Subject: dGovalle/Johnston Terrace Neighborhood Contact Team Recommendations for Urban Farm Ordinance Re write
To: Katherine Nicely <katherine.nicely@gmail.com>, heather frambach <h.nietoframbach@gmail.com>
Cc: Susana Almanza <poder.austin@gmail.com>

Hi Katherine and Heather,

Once again I want to thank you all for coming to listen to our Review Committee in regards to the re write of the Urban Farm Ordinance. Here is a list of the recommendations from our meeting. Please accept these on behalf of the Review Committee for the Govalle/Johnston Terrace Neighborhood Planning area.

thanks again,

Daniel Llanes
Coordinator, Review Committee
Govalle/Johnston Terrace Neighborhood Plan
.....

Recomendatons:

1. No slaughtering, commercial or otherwise, of animals within the City limits.
2. No farms on Single Family or residential zoning.
3. Farms must provide on site parking for all activities.
4. Grandfather Boggy Creek, Springdale, Rainlily and Hausbar farms in regards to occupancy permits and single family land status.
5. Applications for Urban Farm status must go through the Neighborhood Plan amendment process.
6. Minimum size requirement should be greater than 1 acre, perhaps 2 acre minimum.

7. Define Urban Farm uses, especially accessory income generating uses. Insure that these extra uses do not exceed intended "farm use", particularly in regards to parking and crowd control.



Kate Vickery <kate.vickery@gmail.com>

Fwd: TCEQ Composting Regs., Water Quality Control and Manure

Katherine Nicely <katherine.nicely@gmail.com>

Mon, Jun 3, 2013 at 9:27 AM

To: "urban-farm_code-coordination@googlegroups.com" <urban-farm_code-coordination@googlegroups.com>

Some information regarding TCEQ regulation as talked about in our last session.

Katherine

----- Forwarded message -----

From: **Michael Hanan** <Michael@sustainablefoodcenter.org>

Date: Wed, May 15, 2013 at 12:01 PM

Subject: TCEQ Composting Regs., Water Quality Control and Manure

To: Katherine Nicely <katherine.nicely@gmail.com>, "paolaaguillonbrashear@gmail.com"

<paolaaguillonbrashear@gmail.com>, "cliff.kaplan@gmail.com" <cliff.kaplan@gmail.com>,

"h.nietooframbach@gmail.com" <h.nietooframbach@gmail.com>, "Matt.Hollon@austintexas.gov"

<Matt.Hollon@austintexas.gov>

Hello everyone,

TCEQ COMPOSTING REGULATIONS-

Here is a link to a really nice put together page that explains TCEQ regulations and exemptions around composting and mulching:

http://www.tceq.texas.gov/permitting/waste_permits/msw_permits/MSW_amlregulatedcomposting.html

Through my reading it seems that almost every function you'd expect to find on an urban farm (composting vegetables, manure, and carcasses) will be exempt from permitting, registration, and notification requirements under Section 332.3(d). However, exempt operations must comply with Texas Water Code, Chapter 26 (relating to Water Quality Control) and must prevent the creation of nuisance conditions as defined in Section 330.2 and as defined by the Texas Health and Safety Code, Chapters 341 and 382 (relating to Minimum Standards of Sanitation and Health Protection Measures; and Clean Air Act), the Texas Water Code, Chapter 26 (relating to Water Quality Control), Section 101.4 (relating to Nuisance).

There are additional requirements for exempt operations, however I suspect that with small scale composting operations that are not engaging in trade or commercial exchange of compostable materials or compost, that these can probably be foregone. These additional actions are listed under the "Exempt Composting and Mulching Operations" section in the link posted above and in Sections 328.4 and 328.5. Also, under Section 332.8 exempt composting facilities must meet certain air quality requirements. These, too seem to apply exclusively to industrial scale.

The takeaway, for me, is that there seems to be sufficient regulation at the State level to legally protect community members against potential problems relating to nuisance, air quality, water quality, and public health that might stem from composting operations. As such, I recommend that we refer to those existing regulations and refrain from adding an additional layer of regulation at the City level.

WATER QUALITY CONTROL AND MANURE-

Matt, this is mostly for you - here are some officially published links with information about protecting streams from animal manure with vegetative buffers, etc.:

<http://ohiolinc.osu.edu/acx-fact/0708.html>

<http://www.iowadnr.gov/portals/idnr/uploads/afo/sepdstb4.pdf> (these are for high density livestock operations and thus the setback suggestions are probably higher than needed for the reality of an urban farm)

<http://www.mass.gov/dcp/water/drinking/manure.pdf>

[http://info.sos.state.tx.us/pls/pub/readtac\\$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=30&pt=1&ch=321&rl=40](http://info.sos.state.tx.us/pls/pub/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=30&pt=1&ch=321&rl=40) (The State of Texas requires a 100 ft. vegetative buffer for Concentrated Animal Feeding Operations - again much denser production of manure than will be allowable in an urban farm setting. This number should be able to go down for low density production that will be allowed on urban farms.)

It seems that we could require a reasonably sized vegetative buffer for all livestock being kept on urban farms (perhaps 25 ft.). This could also be applied to composting facilities.

Ok, well please share any thoughts y'all have. Best of luck at the Public Session tonight and I'll see you all Tuesday!

Michael Hanan

Market Manager, Sustainable Food Center

c. 214.995.7388

www.sustainablefoodcenter.org

Katherine Avelos Nicely LEED Green Assoc

Urban Planner/Asoc. AIA/Food Policy Advocate

Sustainable Food Policy Board Member - City of Austin

Graduate Teaching Assistant | University of Texas - School of Architecture

B.Arch. | Pontificia Universidad Católica del Ecuador - Quito

MsCRP | University of Texas - Austin

915.355.5651



People Organized in Defense of Earth and her Resources

June 6, 2013

Paula McDermott, Chair
And Sustainable Food Policy Board Members

Dear Sustainable Food Policy Board Members:

PODER (People Organized in Defense of Earth & her Resources) makes the following recommendations to the revision of the City of Austin's Urban Farm Ordinance:

1. No urban farms in single family zoned land.
2. Applications for urban farms must go through the zoning process as conditional use and reviewed by Neighborhood Plan Contact Team/Neighborhood Planning Team process.
3. Set limits on amount of chickens/fowls and other animals that will be allowed on urban farms.
4. The slaughtering of chickens should only be allowed for personal use.
5. Urban Farms should provide on site parking for their business use.
6. Minimum size requirements should be 2 acres.
7. A clear definition Urban Farm uses.
8. A clear definition of desired development zone.
9. Should the present owners of the Urban Farms in East Austin, cease to operate, the Single Family zoned land should revert to single family zoning uses.

Sincerely,

Janie Rangel

Janie Rangel, Board Chair

Xc: Heather Frambach
Austin City Council Members

PODER P.O. Box 6237 Austin, TX 78762 512/428-6990 email: poder.austin@gmail.com



Katherine Nicely <katherine.nicely@gmail.com>

Public Session #2 Process and Code Coordination

The Homegrown Revival <thehomegrownrevival@gmail.com>

Mon, Apr 29, 2013 at 6:44 PM

To: heather.frambach@austintexas.gov, katherine.nicely@gmail.com

Heather and Katherine -

Thanks so much for holding these discussions and furthering the civic engagement for real issues.

Below are some thoughts from Sonya and I that we would like to share.

1. Site Requirements - what kinds of requirements should urban farms meet to be in harmony with different types of zones (single-family, multi-family, commercial, etc)?

We believe there should be no zoning restrictions for urban farms. If urban farms are already SF3 and can be anywhere in the city, we believe they should be able to continue to start, thrive and build anywhere in Austin. We all know that it will be difficult to do this outside of East Austin because the soil is less than desirable in south, west and even northerly parts of the city.

What we should encourage is farms to engage their neighbors, maybe even hire their neighbors in possible (for larger ones). For new 'urban farms' we believe that setting site requirements (size, animal restrictions, produce restrictions) limit the growth of urban farms.

2. Commerce - what kinds of things should farmers be able to sell from their farm and how often?

We believe farmers should be able to sell whatever they grow on their land. The model set by Boggy Creek and Springdale Farm of a twice a week farm stand really benefits access. We understand that added traffic and 'commerce' provides a 'nuisance' to neighbors. What is important is we stay away from 'commercial traffic' of big trucks, loading vans, etc and concentrate on how the farmers can make income on their hard work and produce. Therefore twice a week farm stands, the ability to deliver whatever produce or protein that is grown on that property is key for us.

We also believe that if we encourage the city to build/operate a distribution center - or encourage places such as Rosewood Market, in.gredients, and new places to continually purchase these products, the farmers can expect an income. The economic impact study recommended two paths recently - that of a distribution center/every day market or even encouraging neighborhood markets. we should encourage both, as they allow for less 'commerce' traffic at the urban farms.

3. Labor - how many employees should urban farms have, can they live on site, and other questions.

Labor is one of the key aspects of how a successful urban farm can run. The employees at Boggy Creek have worked there for over a decade - one for 16 years from our last conversation with Carol Ann. Springdale kept their landscaping employees by starting a garden, that flourished into a present farm. Farms should be encouraged to hire people living near them.

We believe farmers will be better suited to answer this question, but most of these 5 acre tracts have 3-7 employees full or part time employees. We see no cause to change this.

In our humble opinion, we believe it would be beneficial to have employees live on the property - less cost for them, more savings, ability to travel less and promote sustainable lifestyles.

We understand that building more structures on properties increase the need for permits, zoning - (single to

multiple family zoned property) but we should be careful to not zone a farm a certain way where this last part is hindered in its growth.

If they are not capable of living on site, we believe we should find some way to encourage farmers to help their employees (health plans, food, etc) Again, this last point is something the farmers are way more knowledgeable than we.

Best, and Thanks again for all you do.

David and Sonya

The Homegrown Revival
www.thehomegrownrevival
twitter feed - @hgrevival

Food is life, The Revival is a movement.

Frambach, Heather

From: The Homegrown Revival <thehomegrownrevival@gmail.com>
Sent: Wednesday, May 15, 2013 12:54 PM
To: Frambach, Heather; Katherine Nicely
Subject: Meeting 3 for Urban Farm Ordinance update

Heather and Katherine,

Thanks again for all your work.

Please see below for input for tonight's meeting. Sonya and I will be unable to attend. We hope to answer all questions, but the list is rather ambiguous, so we are giving it our best shot.

We are firm believers that the city should not make it more strict for urban farms to operate. The city should follow state and federal laws and accept the urban farms as operating entities and encourage their existence.

Byproducts, Environmental Health and Sustainability

Byproducts -

We believe a farm should be able to sell any type of product that is made on a farm. - Honey, jams, etc.

With the passage of certain laws in the Texas House/Senate (hopefully) farms should be able to sell items such as Confituras, dairy items, and anything that is USDA certified protein - chickens, longhorn, buffalo, bison, beef, lamb, pork.

The city should NOT make it more strict to sell items the USDA or FDA finds to be certified. The farms have been selling these items and should be able to continue to sell these items.

As for items that may be not consumable - pelts, dried skins, furs, etc - those should have a designation, but we would not know where to begin. Farms, ranches, and such used to sell such items and people sell such items on the sides of roads, so it's always going to happen. We would recommend that the majority percentage of sells come from consumables - fruits, vegetables and proteins.

Byproducts - composting.

Composting is what gives farm life - the soil and the plants need it. Farmers should be able to compost anything on their property as it pertains to compostable materials so they can continue to build their biomass and healthy soil. We would recommend not having composting near drainage ditches and not within 50 feet of neighboring houses.

Composting as it deals with animal remains.

We would recommend coming up with a limit on what is compostable as it pertains to animal remains.

They should be in containment bins, therefore not able to seep into city water supply or underground.

The debate is between being sustainable (doing it on property with black soldier flies, or doing it offsite and having to transport). If the city can provide a way to transport, and to have property for compost - DO IT!. If the city cannot provide transport and property, then limits should be set on how many animal remains to compost in a given time. These should also be done outside of the 50 foot from neighboring houses and recommended compost bins for containers.

Environmental Health - We would recommend not putting anything hazardous near water streams, run offs, street runs offs or other avenues that would allow farms waste to go outside of property.

Sustainability -

We may need to get away from the organic label as it costs money and all the farms are currently practicing organic methods, but may or may not have organic status.

The farms should be given sustainable status by the city if they meet certain criteria:

No pesticides, chemicals or hazardous materials are used on their property for plants, proteins or even regular trees/grass.

If the farms practice organic farming, they should be given sustainable status by the city.

The city should follow state and federal laws when it comes to this, they should not make it more strict.

