

Dear Mayor and Council Members,

The Sustainable Food Policy Board (SFPB) serves in the unique capacity of directly advising both the Austin City Council and the Travis County Commissioners' Court to improve the availability of safe, nutritious, locally and sustainably-grown food at reasonable prices for all residents, particularly those in need. We see the CodeNEXT process of the Land Development Code rewrite as an opportunity to emphasize the importance of integrating the production of and access to healthy sustainable food in rural, suburban and urban areas.

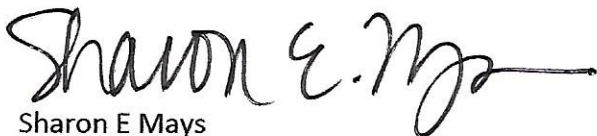
The all-volunteer Codes and Ordinances Working Group of the SFPB has spent the past several months developing recommendations for CodeNEXT that improve upon the existing code in a way that meets the needs of communities, farmers, and regulators in the interest of a healthy, safe, and sustainable food system for all of Austin.

The existing land code does not give the City adequate tools to support a secure and sustainable food system, nor does not align with the Imagine Austin goals. Imagine Austin recognizes that food is integral to municipal infrastructure and intimately associated with public health and well-being, economic growth, and community development.

We must create a connected, protected, and community-integrated food system that improves the sustainability and security of our city's current food system and ensure equitable food access for all residents in the face of Austin's growth and change. Improving our community's food system is a top priority for the SFPB, and I ask you to join us in leading conversations about this critical issue. We are your appointed advisors and are eager to work with you and your staff to keep Austin eating well and prosperous.

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Sharon E. Mays". The signature is fluid and cursive, with a long horizontal stroke extending to the right from the end of the name.

Sharon E Mays

Chair, Codes & Ordinances Working Group
Sustainable Food Policy Board

RECOMMENDATION TO CODE NEXT FROM THE SUSTAINABLE FOOD POLICY BOARD

OCTOBER 2015



Developing a Local, Sustainable, and Equitable Food System through the Rewrite of the City of Austin's Land Use Development Code.

INTRODUCTION

The food system, by which we mean all the processes and networks involved in the production, processing, distribution, consumption, and disposal of food, is complicated. Land use and zoning codes at a municipal level play only one part in this system, but can have a profound impact in how communities can produce and access food. The dominant land use models over the 20th century have been detrimental to an integrated and connected food system. On one hand, the privileging of auto-centric zoning is partially responsible for the loss of farmland due to urbanization, and on the other, the loss of reliable access to fresh produce in the urban core. We have seen this in Austin, which loses over 3,000 acres of farmland a year (Austin Food System Report, 2015). In fact, since the 1950s, the growth of Austin's incorporation has outpaced that of its population growth (Humphrey, 2010), pointing to its sprawl-oriented development. Also, five zip-codes in Austin do not have grocery stores and 18% of the population, most of whom are low income people of color, is food insecure (see Map 1).

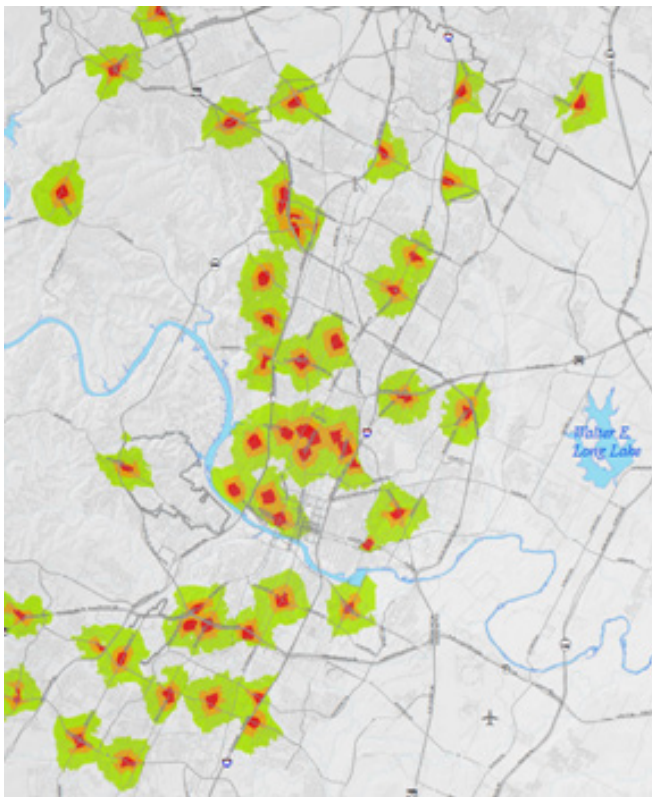
All land uses have the potential to be part of the food system if the codes and ordinances allow for it. By integrating these recommendations, communities would be enabled to set up hyper-local food systems where needed and evolve as land uses change. With the code revision process Austin can have a sustainable food system that meets the needs of residents, developers and businesses. This paper provides recommendations on how to integrate the five stages of the food system into the form-based land uses being under CodeNEXT.

The Sustainable Food Policy Board (SFPB) serves in the unique capacity of directly advising both the Austin City Council and the Travis County Commissioners' Court to improve the availability of safe, nutritious, locally and sustainably-grown food at reasonable prices for all residents, particularly those in need. The all-volunteer Codes and Ordinances Working Group of the SFPB is working together with community and board members to develop recommendations that improve upon the existing code in a way that meets the needs of communities, farmers, and regulators in the interest of a healthy, safe, and sustainable food system for all of Austin. The CodeNEXT process is a way for these recommendations to be integrated into the code revision process and ensure that all stages of Austin's food system are considered in the updated Land Development Code. To accomplish this, the revised Land Development Code must not place undue restrictions on locally grown food and must prioritize agriculture as a land use.

VISION: TO CREATE A CONNECTED, PROTECTED, COMMUNITY-INTEGRATED FOOD SYSTEM

Our goal is to improve upon the existing code in a way that meets the needs of communities, farmers, and regulators in the interest of a healthy, safe, secure, and sustainable food system for all of Austin. Under the existing code most Austin residents are affected by inadequate access to healthy food (Map 1). Imagine Austin recognizes that food is integral to municipal infrastructure and intimately associated with public health and well-being, economic growth, and community development. There are 25 food related recommendations in Imagine Austin and are included here as an appendix.

Austin is experiencing rapid growth and this trend is expected to continue for the next few decades. We must develop strategies to improve the sustainability and security of our city's current food system and ensure equitable food access for all residents in the face of this growth and change. Our strategies must be flexible enough to address current and future needs, and anticipate the integration of new technology and innovation in the future.



Map 1: 1 Mile Proximity Buffers Around Grocery stores (note: all graphics, unless stated otherwise, are from the Austin Food System Report, 2015).

18% of population is food insecure*

26% of children are food insecure*

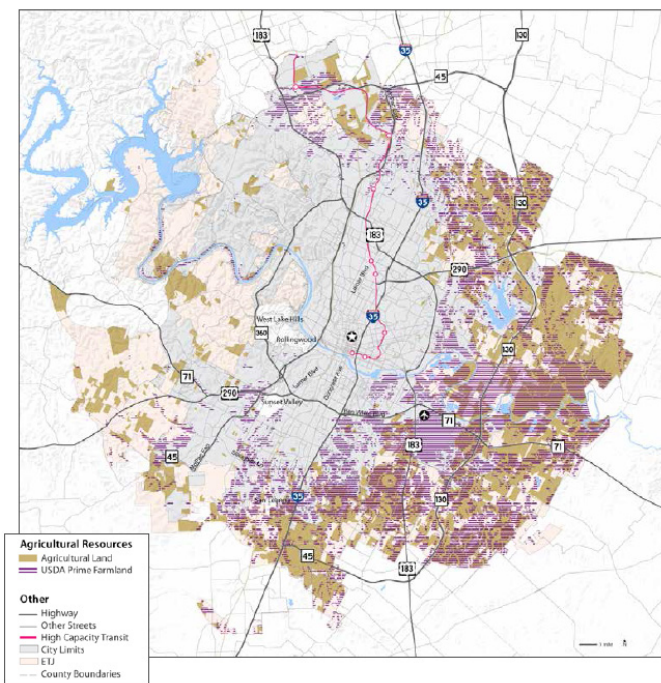
5 ZIP codes are without grocery stores

33,589 Food insecurity calls to United Way

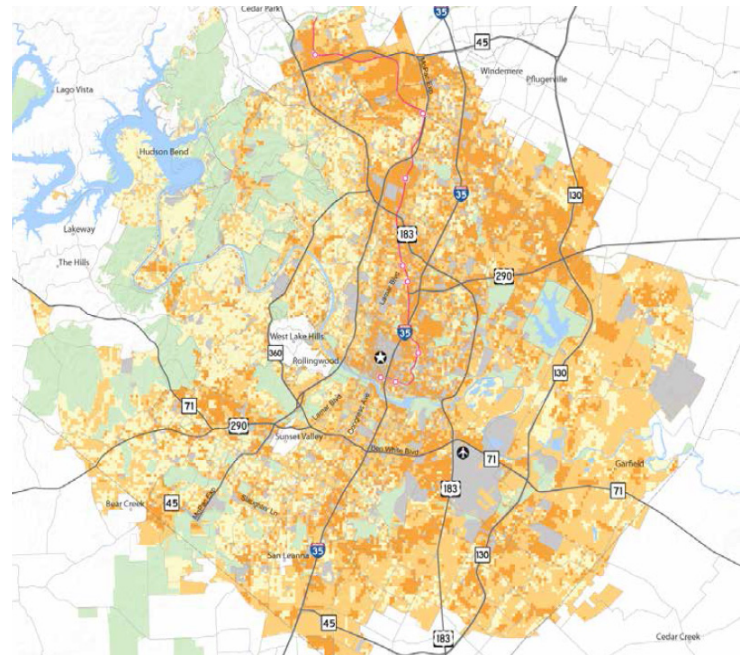
The existing code does not give the City adequate tools to support a secure and sustainable food system and does not align with Imagine Austin goals. Therefore, we would like to emphasize the importance of integrating the production of and access to healthy sustainable food in rural, suburban and urban areas. Embedding components of food security into the code revision process will enable communities and the city to implement stages of the food system where and when they are needed. We appreciate the chance to provide our feedback and look forward to being involved with the CodeNEXT process of the Land Development Code rewrite.

STANDARDS: AGRICULTURAL AND PRIME FARMLAND

The current Land Development Code lacks protection/consideration of prime agricultural land and existing efforts are not connected. Food is generally considered local if it comes from within a 150 miles, but if something like the Memorial Day floods of 2015 occurs, Austin can be cut off from much of its food supply. Couple that with many residents living more than 1 mile from a grocery store and one can realize just how insecure our food system is. The current amount of agriculture/farmland (Map 2) is highly susceptible to change (Map 3) and must be protected.

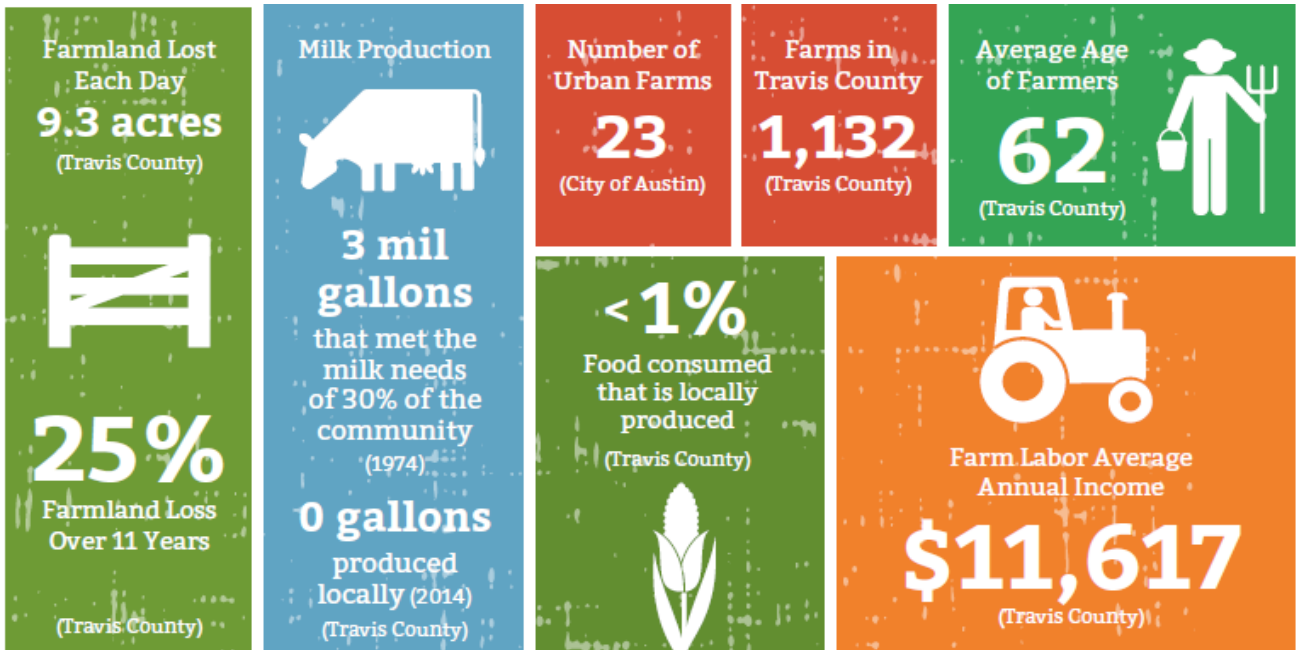


Map 2: Purple/Brown indicate Agriculture and Farmland (Chapter 4, pg. 153 of Imagine Austin).



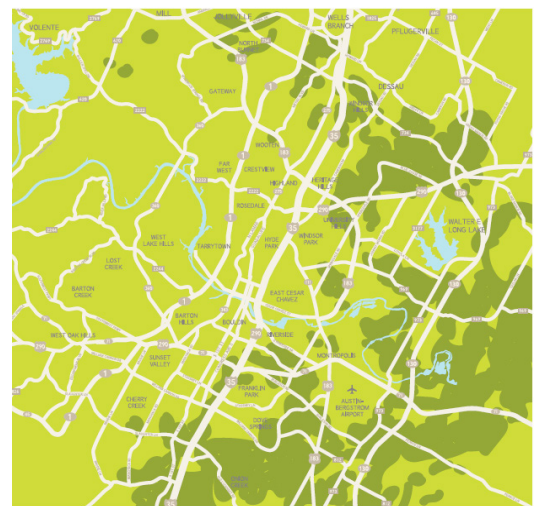
Map 3: Dark orange areas most susceptible to change (Chapter 2, pg. 39 of Imagine Austin)

STANDARDS: FOOD COMPONENTS OF IMAGINE AUSTIN



The core principals underlying the recommendation to consider Austin’s food system in the new Land Development Code are that food systems need to be: Protected, Connected and Community-integrated. This will allow for current and future communities to protect land and resources necessary to access healthy sustainable food, connect food related efforts/resources/infrastructure to other community efforts throughout the city and integrate to maintain compatibility with neighborhood concerns.

There is still land available for local food production in Austin (Map 4). By integrating local food production/distribution, communities and individuals can be connected through their participation in Austin’s sustainable food system.



Map 4: Potential Food Production Areas - dark green (Austin Food System Report).

In all form-based zones agricultural land uses must be considered or addressed in the new codes and ordinances. The value of agricultural uses may be recognized through various mechanisms, such as, but is not limited to:

Incentivize

for the preservation of food producing land/space and options for converting existing industrial/warehouse land uses to food production.

Define

farmland included for clarity and guidance

Identify

the many various methods of agricultural production (e.g. aquaponics, rooftop gardening, greenhouses, hydroponic vertical gardens, etc).

Encourage

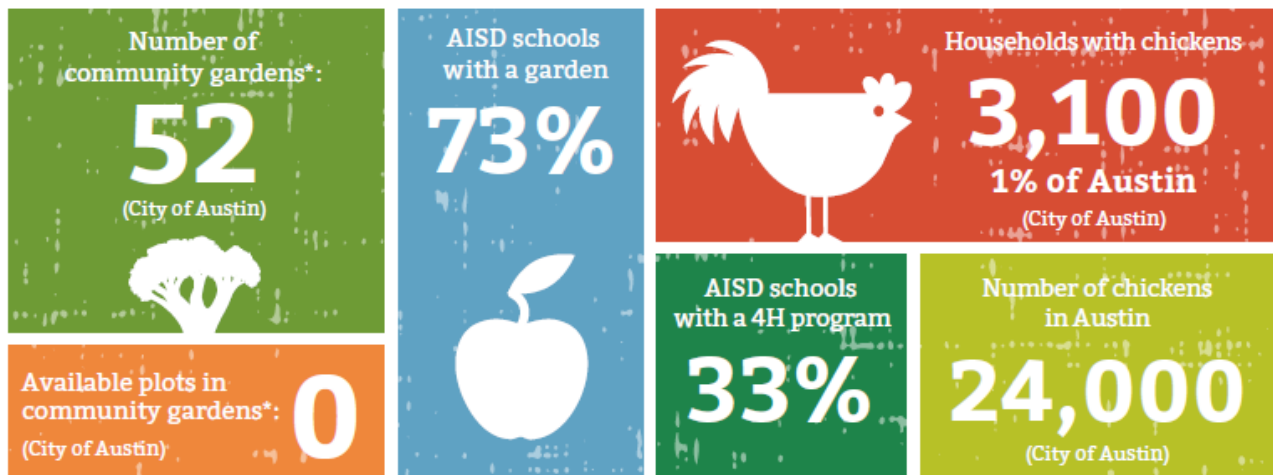
density-appropriate farming activities.

Scale

agricultural uses to each transect.

Include

- in protective language as Austin grows and the transect boundaries shift to fit future needs and keep the food system connected and integrated.
- requirements for grocery stores in new subdivisions that do not have appropriate access to food.



PROCESS / PROCEDURE

HOW THE CODE SHOULD BE IMPLEMENTED:

Strive to maintain and enhance the viability of Austin’s agricultural economy and related resources.

Maintain the integrity of highly productive agricultural lands throughout the City and coordinate efforts with Travis County, by minimizing the intrusion of non-agricultural uses into such areas.

Encourage development patterns that will allow the continuation of agricultural land use throughout the City.

Promote local and community agricultural businesses related to ranching, livestock production and farming.

Promote a healthy agricultural community by supporting efforts to strengthen the agricultural economic base.

Limit variances and Require developers to contribute to a farmland bank within City limits.

RECOMMENDATIONS:

Include, for each of the four transects (urban core, urban, suburban, and rural), language that recognizes the value of agricultural uses and encourages density-appropriate farming activities. Identify best-fit and develop Food Production Districts where farms that produce food are permanently preserved.

Institutionalize community garden property so it is considered the best and highest use

Streamline the Urban Farm Ordinance so business can easily receive their permits at no-cost. Eliminate the Certificate of Compliance.

Require all new multi-family housing developments to create a ‘food access plan’ documenting how new residents will be able to easily access healthy fresh affordable food.

Create specific land development code for farmers markets, eliminate fees for permits, permanently prioritize this use. Invest in permanent infrastructure at all farmers markets.

Four transects were selected to highlight: Rural, Suburban, Urban and Urban Core. These transects are represented as form-based zones (Table 1) in CodeNEXT. Stages of the food system (Table 2) were discussed and recommendations have been made for them in each transect.

TRANSECT	FORM-BASED ZONE
Rural	Rural/Natural Zone (T1, T2)
Suburban	Sub-urban Zone (T3)
Urban	General Urban/Urban Center Zone (T4, T5)
Urban Core	Core Zone (T5)

Table 1 - Highlighted transects and Form-based Zone represented

STAGES ADDRESSED	FORM-BASED ZONE
Production	Growing of food (e.g. farming, gardening)
Processing	Post production handling of food to prepare for consumption
Distribution	Transportation of food to retailers or end-users
Consumption	Access, restaurants, retail sales
Food Waste Recovery	Recovering food, composting

Table 2 - Food system stages and descriptions

WHAT WE WANT

(DESIRABLE USES)

DESIRABLE USES IN THE URBAN CORE TRANSECT

Production

- Remove right of way restrictions to allow for edible landscapes
- Reduce FAR for greenhouses
- Provide allowances for rooftop agriculture/gardens, vertical farming, indoor farming, aquaculture

Processing

Distribution

- Designate space for bicycle/non-motorized vehicle food distribution
- Clustering of distribution locations to increase efficiency

Consumption

- Incentivize local food retail by attaching it to a density bonus program
- Ensure that mixed-use development includes food retail

Food Waste Recovery

- Community composting infrastructure

DESIRABLE USES IN THE URBAN TRANSECT

Production

- All food production (rooftop gardens, market gardens, community gardens, school gardens, indoor farming, aquaculture, vertical farming, edible right-of-way plants, food forests, urban farms) should be permitted use.
- Utilize community gardens in new housing developments

Processing

- Commercial kitchens
- Support food manufacturing and animal processing facility

Distribution

- Designate space for a combination of bicycle/non-motorized vehicle local food distribution

Consumption

Consumption

- Wholesale farmers markets, farm stands, Permanent farmers markets with subsidized infrastructure, food hubs corner markets, community farms stands
- Neighborhood food-buying Coops

Food Waste Recovery

- Community composting system

DESIRABLE USES IN THE SUBURBAN TRANSECT

Production

- Prioritize preservation of prime farm land
- Establish limits on sub-dividing farm land
- Utilize community gardens in new housing developments
- Allow for conversion of underutilized industrial sites/strip-malls into urban farms
- All food production (rooftop gardens, market gardens, community gardens, school gardens, indoor farming, aquaculture, vertical farming, edible right-of-way plants, food forests, urban farms) should be permitted use

Processing

- Commercial kitchens, food manufacturing and animal processing facility – utilize for job creation

Distribution

- Incentivize food hubs

Consumption

- Incentivize full-service grocery stores in low-income communities
- Require access to healthy food in all new developments

Food Waste Recovery

- Community composting system (locations for pick-up of OG materials, locations for compost piles on right-of-ways/ public property)
- Siting of bulk composting facilities

DESIRABLE USES IN THE RURAL TRANSECT

Production

- Prioritize preservation of prime farm land
- Establish limits on sub-dividing farm land
- Allow all food community gardens, school gardens, aquaculture sustainable diverse production operations prioritizing water conserving practices

Processing

- Food manufacturing and animal processing facility – utilize for job creation

Distribution

- Support diverse models

Consumption

- Require access to healthy food in all new developments

Food Waste Recovery

- Community composting system (locations for pick-up of OG materials, locations for compost piles on right-of-ways/ public property)
- Bulk composting facilities

WHAT WE HAVE

(EXISTING COA CODES & ORDINANCES)

§25-2-864 Market Gardens

§14-7-1 Documentation Requirements for Garden Permit Application (Community Gardens)

§14-7-41 Administration of Community Gardens

§14-11-1 Right of Way

§25-4-3 Temporary Exemption from Platting Requirements

§25-2 Zoning Chart/Permitted Use: shows that urban farms and community gardens are allowed across all zones.

§ 10-3-97 Certified Farmers Market Vendors, Permit required

WHAT WE COULD HAVE

(EXAMPLES)

Production

1. **Protecting Farmland.** Urban Growth Boundaries are illegal under Texas state law, but there are other mechanisms. For example, the Exclusive Farm Use designation found in Portland, OR can be applied to land zoned agricultural to protect it from other uses.
2. **Protecting Community Gardens.** Seattle's P-Patch Program is an example of the city providing permanent support to community gardens by providing long term leases. Cleveland's Urban Garden Overlay is also an example of providing specific and clear language and policy that protects Community Gardens.

Connection: Removal of Regulatory Barriers

1. **Permitted Uses.** Austin is somewhat at the forefront by allowing by-right urban agriculture and community gardens across all zoning categories.
2. **Madison, WI:** Easing restrictions on the placement of farmer's markets.

Connection: Incentivizing Food Access and Production

1. **Density Bonuses.** New York City's FRESH program incentivizes grocery stores in underserved areas by offering greater floor area to developers that provide food retail within their developments.
2. **Gardens in Real Estate.** Marin County, CA incentivizes community gardens in all new real estate development projects.

Community-Oriented

1. **Traditional Neighborhood Development.** Developed by the University of Wisconsin Extension System, the TND calls for a mix of residential, commercial, civic, and open-space areas, and for residents to be within one-quarter walking distance from food retail.

IMAGINE AUSTIN AND THE FOOD SYSTEM

1. Production

E P18: develop Sustainable food system through all sectors

S A9: make healthy and local foods accessible by removing barriers and providing incentives for establishment of gardens, farms, neighborhood groceries, farmers markets, farm stands

S A10: link farmers, distributors, markets. create programs and partnerships

2. Processing and Distribution

CE P13: incent, develop, expand market for local/sustainable food

CE A13: expand existing and facilitate new distribution avenues

S A13: Remove regulatory barriers and provide incentives for local food production

LUT P29: develop accessible community gathering spaces: plazas, parks, farmers' markets, sidewalks, streets

3. Access and Consumption

S P6: promote availability and educate the community about healthy food choices- ed programs

S P7: provide broad access to fresh foods- FMs, coops, stores, gardens, healthy restaurants

CE A14: identify and map food deserts and provide incentives for full-service grocery stores and farmers markets

S A11: develop partnerships w/ stakeholders

S A12: Reduce obesity thru local initiatives- schools, universities, hospitals, nursing homes

S A50: develop nutrition programs

S A51: work w/ schools for school gardens

4. Preserving Land for Growing Food

LUT P23: integrate citywide green infrastructure- trails, parks, greenways, farms

CE P1: Permanently preserve green spaces of enviro and ag value

CE P3: expand the city's green infrastructure

CE P5: expand regional programs for conservation easements and open space for aquifer protection, habitat protection, ag land

LUT A36: Incent appropriately-scaled green infrastructure in new development projects,

CE A11: protect farmland- transferable development rights, farmland trusts, farmland mitigation, conservation easements

CE A12: support local farmers by removing regulatory barriers, small business support, public campaigns

CFS A38: promote innovative water usage

5. Waste Management

E P18: Develop an sustainable food system across sectors

S A10: linking sectors of food system

Codes for Building Blocks= LUT (land use and trans); HN (housing/neighborhood); E (econ); CE (conservation/enviro); CFS (city facilities); S (society); C (creativity)

Works Cited

Humphrey, D. C. (2010) "Austin, Texas." Handbook of Texas Online, s.v.