

## Gainesville Neighbor Feedback on Drafted Urban Agriculture Ordinance

### Background:

1. In 2018 community members saw a need for food system policy in Gainesville, specifically regarding urban agriculture. These community members partnered with UF Law Student Associates to draft language for a Gainesville Urban Agriculture Ordinance. The students worked under the supervision of the UF Conservation Law Clinic. The goal was to draft language that would be submitted to the City Commission as proposed amendments to the City of Gainesville's Land Development Code.
2. The language was drafted by the law students during the fall 2018 semester.
3. During fall 2018 the City Commission also began to place greater attention and efforts on addressing issues of food access and food insecurity in Gainesville.
4. On February 12, 2019 staff from the City's Strategic Initiatives Department hosted a public workshop titled "Gainesville's Food System: A Community Conversation" where the public was invited to help brainstorm solutions to address issues of food inaccessibility in Gainesville.
5. At the General Policy Council meeting on March 14, 2019, staff from the City's Strategic Initiatives Department presented [agenda item 180257](#) to report the outcomes of the public workshop titled "Gainesville's Food System: A Community Conversation." A motion was passed to "Authorize staff to research and return to the Commission models for policy council; 2) City not be the lead on this initiative. Wants UF (land-grant institution) and other partners with expertise in food and agriculture to lead, and to take a regional approach to this issue with the City's support." Therefore, staff began working to convene a group of community partners engaged in the local food system who had interest in forming a food policy council. These efforts involved much community engagement and collaboration building over the next several months.
6. At the March 28, 2019 City Plan Board meeting, as well as the April 4, 2020 City Commission meeting, staff from the City's Department of Doing (now the Department of Sustainable Development) presented [agenda item 180855](#), "2019 Comprehensive Plan Evaluation and Appraisal Process and Land Development Code Update." This agenda item identified proposed amendments to the Land Development Code, one of which was the inclusion of language permitting a range of urban agriculture uses within city limits. During the April 4, 2020 meeting, the City Commission approved staff's recommendation that the City Commission would "provide feedback regarding the proposed code update list, other potential amendments, timing, and outreach and stakeholder input efforts."
7. At the June 13, 2019 General Policy Council Meeting, staff in the Department of Doing (now the Department of Sustainable Development) presented [agenda item 190035](#). This item included Urban Agriculture on the list of proposed Land Development Code amendments prioritized by the City Commission. Staff referenced the Food Policy Council (which the City Commission voted to support at the March 14, 2019 GPC meeting) as being a group of subject matter experts who could assist with moving an urban agriculture ordinance forward.
8. In June 2019 the first meeting of the grassroots Food Policy Council (renamed now as the Food System Coalition of Greater Gainesville) held its first meeting. Over the next several months of this grassroots coalition meeting, a subgroup of members interested in working on policy-related initiatives agree to work with City staff in the Department of Sustainable Development to continue working on the draft Urban Agriculture Ordinance that had been drafted by UF law students during the fall 2018.
9. From July 2019 through January 2020 the FSC policy subgroup worked with City staff to review and revise the drafted language of the proposed ordinance.
10. The revised draft was then put out to the community by the City for public feedback, the process for which is described below. Then intention of the public feedback period is to ensure community members are engaged in the policy-making processes and had a direct channel to voice their concerns and suggestions related to the

ordinance. All points of feedback were to be considered by staff, addressed via written comments back to the community members for improved transparency, and then used to modify the draft ordinance language where appropriate. Only the public feedback that was used to revise the ordinance language would then be presented to the City Plan Board for their consideration.

#### Process for collecting feedback:

1. Period open for public feedback was January 28, 2020 – February 21, 2020
2. The City created a [public feedback platform online](#) where a copy of the draft ordinance language was posted, as well as a link to the feedback questionnaire, a summary sheet outlining the benefits of urban agriculture, and a key to help make the zoning district information in the draft ordinance more easily understood.
3. Links to the online feedback platform were posted by the City on social media, the City of Gainesville's website, and the City of Gainesville e-Newsletter.
4. Feedback submitted during the open comment period (January 28, 2020 – February 21, 2020) was collected via the online questionnaire. An option for a print version of the questionnaire was also offered, with a mail-in address where feedback could be submitted. City staff also collected feedback that neighbors posted to the social media pages where the City of Gainesville marketed the link for the feedback platform.

#### Process for reviewing feedback and making changes:

1. During March – July, City staff in the Department of Sustainable Development reviewed all public feedback that was submitted. Staff wrote initial responses to the points of feedback, indicating how the feedback would be incorporated into a revised version of the ordinance, as well as provided a clear explanation of why certain points of feedback could not be incorporated. However, there were several points submitted as public feedback which the City lacked the subject matter expertise to respond to without input from subject matter experts. Therefore, City staff sought advisement from the FSC's policy subgroup before providing a response and making revisions to the draft ordinance language.
2. City staff scheduled a meeting with FSC members in late August to review all the public feedback submitted. The group discussed how the feedback should be incorporated to best serve the needs of the community and be most supportive of urban agriculture in the City. Responses to the points of public feedback not yet addressed by the City during their initial review were recorded to provide the community members with an explanation of how their feedback was incorporated into the revised ordinance language.
3. City staff used this discussion with the FSC members to make final edits to the draft ordinance language. Due to the revisions made to the language in the draft ordinance, it should be noted that the line numbers referenced by neighbors in this feedback document do not directly correspond to the line numbers in the revised draft.
4. The revised version of the draft ordinance will be presented to the City Plan Board on September 24, 2020.

## Feedback neighbors provided on specific items within drafted ordinance:

Neighbor #	Page #:	Line # range:	Neighbor's Specific Feedback:	City Staff Response:
1	4	83-84	For recommended irrigation include "(micro-irrigation, drip or rain barrels)"	<a href="#">We have added "rain catchment" to the examples of recommended irrigation methods.</a>
1	3	71-72	This item addresses raising fowl. I think another item should address raising honey bees. Similar to fowl, there are state guidelines on the number and location of beehives permitted. I think beekeeping should be added to the ordinance. (I am a beekeeper with hives in my backyard.)	<a href="#">There was some discussion surrounding beekeeping. We are pre-empted by state law regarding beekeeping.</a>
1	5	120	Regarding not growing plants prohibited by the State of FL. I would suggest adding "or listed on the IFAS invasive species plants list." There are some species that are invasive that do not meet state criteria, but are still harmful to our local urban garden/forest.	<a href="#">Thank you for this feedback. State statute 581.083 does pre-empt the City's ability to regulate invasive species, however we have added language recommending that individuals not grow plants listed on the UF/IFAS Invasive Species Plant list.</a>
2	1	11	The City of Gainesville allows citizens to own and keep up to 10 chickens. However, it has NO infrastructure in place to enforce this code. My neighbor had 10 chickens that he allowed to roam freely throughout the neighborhood. When I called the City to complain, I was told to contact Animal Control. Animal Control told me to contact the Sheriff, who told me to contact GPD. Even after speaking directly with the City Manager's office, nothing changed. NOBODY wanted to take responsibility for this problem that the City created. The nuisance only stopped when the neighbor took his chickens and moved away. The City cannot allow this ordinance to stand if it doesn't intend to manage it.	<a href="#">The City regrets that you had this experience in reporting the issue of roaming chickens. For future reference it is the City's Code Enforcement division that handles any issue of violation to the Land Development Code, as would be the case in the situation referenced. Should this violation occur in the future, you may contact Code Enforcement at (352) 334-5030.</a>

Neighbor #	Page #:	Line # range:	Neighbor's Specific Feedback:	City Staff Response:
11	4	96	What counts as acceptable here seems vague. Why aren't tires when used as planters ok? Why not sinks?	<a href="#">The purpose of this line was to mitigate the keeping of materials that would collect standing water and thus offer breeding ground for mosquitos. We have modified the language to better reflect the intention of mitigating mosquitos rather than restricting "garden art" or other aesthetic materials that do not pose risk for standing water collection. We instead reference existing language in the Land Development Code that regulates standing water. We have removed the term "garden art" and other specific items (such as tires, appliances, etc.) previously listed in the draft Urban Agriculture Ordinance.</a>
14	5	117-118	Please include that pesticides, etc must not infringe on neighboring land (ie, a pesticide like ROUND-UP may not be sprayed on ones property and drift onto another's property)	<a href="#">This point is well taken, as we know drift can be a serious concern. However, issues relating to drift are covered under Chapter 487 of Florida Statutes, Rules 5E-9.023 and 5E-9.024, of Florida Administrative Code.</a>
17	3	75	This is a broad statement. I recommend defining buffer and buffer distance.	<a href="#">The code currently requires a 9 foot buffer when residential abuts a property with an agricultural use. We can reference that section of the code.</a>
20	4	104-105	States operational standard of majority of items being sold must be produced onsite. Will this be determined by type or quantity of items, or by revenue? If the garden is growing cucumbers and the harvest is small, could another offsite vegetable be sold at larger quantity?	<a href="#">The purpose of this line is to permit the retailing of items grown on urban agricultural sites where previously zoning regulations would not have allowed such retailing. This line gives growers' permission to sell items they have grown directly to consumers without needing to take those items to another location, such as a farmer's market. We have modified the terminology to reflect that the majority of the items being sold "should" – instead of "must" - be produced onsite.</a>

Neighbor #	Page #:	Line # range:	Neighbor's Specific Feedback:	City Staff Response:
20	3	73	This states a special use permit is required for gardens over 5 acres in size, yet market garden definition states limit is one acre so how will a market garden 1-5 acres be reviewed?	<a href="#">The review will be administrative and will not require board review as long as the zoning is not single family. If a market garden (which at maximum can be 1 acre in size) or a market farm (which can be between 1 - 5 acres in size) is to be located within a single family zone, a special use permit will always be required and is subject to board review.</a>
20	1	10-15	Should the definition of Subsistence garden include any size threshold (5 acres)? Or will Sec. 30-5.28A.7 apply to all gardens so over 5 acres even if no threshold is noted it will require a special use permit?	<a href="#">30-5.28A.7 will apply to all gardens.</a>
20	5	113	Should there be any limit to number of employees or will parking code ensure sufficient off street space?	<a href="#">We can't place limits on the number of employees. The number of parking spaces required for a project or site is sometimes based on the building size or the number of employees and also based on the use of the site.</a>
28	3	75	The size of the buffers matters and should be codified, especially with tight quartered residential zoning. A 50m buffer, for example, would severely restrict what gardening is possible.	<a href="#">The code currently requires a 9 foot buffer when residential abuts a property with an agricultural use. We can reference that section of the code.</a>
28	5	119	Operation between sunrise and sunset becomes difficult during the summer where it's easier to work in the wee hours abutting dawn and dusk. Maybe permitting work with tighter noise constraints before and after dawn?	<a href="#">We have amended the language to say: <b>9. Operations that generate noise or traffic shall be limited to the hours between sunrise and sunset.</b></a>

Neighbor #	Page #:	Line # range:	Neighbor's Specific Feedback:	City Staff Response:
28	4	83-84	<p>These tight controls create barriers to entry to community gardens that have haphazard arrangements of infrastructure, as well as home gardening whose owners may not have money to buy drip or use something besides a hose. Maybe codify some other water-saving techniques in?</p>	<p><u>The use of the word 'should' vs. 'shall' does not initiate any regulatory requirement for the installation of an irrigation system. This recommendation only applies if an individual chooses to install an irrigation system, which again is not required. We can modify the language to say: <b>4. Any proposed irrigation should use water conservation techniques (such as micro-irrigation, drip, and rain catchment) and follow all other applicable laws.</b></u></p>

Neighbor #	Page #:	Line # range:	Neighbor's Specific Feedback:	City Staff Response:
31	5	117-118	<p>The Orange Creek Basin and Santa Fe BMAPs identify agriculture as a source of nutrients. Both BMAPs also identify that agricultural operations are required to implement appropriate best management practices (BMPs) with assistance from the Florida Department of Agriculture and Consumer Services (FDACS) by a Notice of Intent (NOI). As an FYI – the requirement is being handled as “voluntary” and a lot of effort made to assist farmers.</p> <p>The proposed code does have a paragraph regarding nutrients under Section C paragraph 8. “8. Pesticide, Herbicide and Fertilizer products shall be applied and publicly noticed in accordance with the label and with state, federal, and local regulations.” It could be viewed that this might be inclusive of the BMAP and its requirements, however, it currently doesn’t include how to handle animal waste. In addition, a lot of people, even City staff aren’t part of the BMAP stakeholder process and may not be aware that agriculture is specifically identified. They also may not be aware of the help provided by FDACS. Maybe a line could be added such as the below:</p> <p>“8. Pesticide, Herbicide and Fertilizer products shall be applied and publicly noticed in accordance with the label and with state, federal, and local regulations. Additional nutrient management regulations addressing fertilizer usage and animal waste management are outlined by the Florida Department of Environmental Protection’s adopted Basin Management Action Plans (BMAPs) for the regional area surrounding the City of Gainesville and Alachua County.”</p>	<p><a href="#">Thank you for the recommendation of added language. We have included your suggestion in the revised ordinance language being proposed in order to provide additional information. Your language does not implicate any additional regulations by the City, but is purely informational.</a></p>

Neighbor #	Page #:	Line # range:	Neighbor's Specific Feedback:	City Staff Response:
32	4	96-97	<p>Is there a reason for these items listed as prohibited in particular? And what would constitute "other similar items'. If there is concern with mosquitoes and trash, that makes total sense and I would suggest the language be shifted to something more general to reflect that. Which speaking of, I have not seen a lot of research but I know there has been issues and concerns with some hydroponic systems and mosquitoes and might be something we may want to consider. Is there existing code language around mosquito habits that may cover this that could be included instead of the current particular prohibitions?"</p>	<p><a href="#">The purpose of this line was to mitigate the keeping of materials that would collect standing water and thus offer breeding ground for mosquitos. We have modified the language to better reflect the intention of mitigating mosquitos rather than restricting "garden art" or other aesthetic materials that do not pose risk for standing water collection. We instead reference existing language in the Land Development Code that regulates standing water. We have removed the term "garden art" and other specific items (such as tires, appliances, etc.) previously listed in the draft Urban Agriculture Ordinance.</a></p>
32	4	104-105	<p>Majority by what measure? Value? Poundage?</p>	<p><a href="#">We have modified the terminology to reflect that the majority of the items being sold "should" – instead of "must" - be produced onsite.</a></p>

Things that neighbors voice they generally liked about the draft ordinance:

Participant #	In general, what do you LIKE about the draft Urban Agriculture Ordinance being proposed for Gainesville?	City Staff Response
1	I appreciate the city addressing local food production through this ordinance. Thank you.	<a href="#">You are welcome. Thank YOU for the support</a>
3	I think that this topic, mostly on the subsistence side is crucial for the city going forward. The ability to operate one owns plot for agriculture will not only help the community but the environment as well.	<a href="#">Thank you, we see it having multiple benefits for our community</a>
4	I think it is an excellent opportunity for Gainesville	<a href="#">Thanks, so do we</a>
5	Nothing. I don't like people regulating things only to benefit big wigs and hurt the little guy growing food for their family.	<a href="#">That is not the intention of this ordinance, but rather to offer more opportunities for small scale urban agriculture to exist within City of Gainesville limits</a>
7	Everything	<a href="#">Wonderful, thanks!</a>
8	I actually hear a lot of interest from co-workers and friends about having little vegetable gardens and chicken coops. Reading that Gainesville supports this kind of thing is nice.	<a href="#">Glad we can be supportive</a>
9	Makes sense to grow your own food	<a href="#">Sure does!</a>
10	That it will create a more welcoming environment for those wanting to grow their own food or supplement their income with a small garden/farm.	<a href="#">We hope so</a>
11	i think it's important to have something like this document	<a href="#">Thanks, we do too</a>
12	It's a good idea to have standards.	<a href="#">We agree</a>
13	That it could reduce external barriers for subsistence urban farms for ex from HOAs.	<a href="#">We like it when we can reduce barriers for our neighbors</a>
15	Allows open/vacant lots/land to be put to use.	<a href="#">Thanks for taking the time to recognize this benefit</a>
16	Creates an official standard for allowing and guiding urban agriculture. The fact that it is being adopted is a great thing for our community.	<a href="#">We think so too. Thanks for the support</a>
18	The opportunity for Urban Agriculture provides many citizens with access to more healthy food.	<a href="#">That would be a great outcome</a>
19	That we have one	<a href="#">We agree</a>
20	City support for urban agriculture	<a href="#">We strive to support our community</a>
21	I appreciate the initiative to allow residents of Gainesville a chance to get closer to where their food is coming from and to be involved in the process of growing it. It is a fulfilling activity to grow in the garden and utilize permaculture concepts to give back to the environment (enriching soil and creating in many cases more windbreak or pollinator friendly plants) while providing community good.	<a href="#">We agree. Supporting our local food system is important</a>

Participant #	In general, what do you LIKE about the draft Urban Agriculture Ordinance being proposed for Gainesville?	City Staff Response
22	Division 1: Section A and allowable uses for land. Section C, except for 11	<a href="#">Thanks for the feedback. We actually modified Section C.11 in the revised draft based on feedback we received, so thank you for taking the time to share your thoughts with us</a>
23	The fact that it is being put into place to allow and protect urban farmers.	<a href="#">Thank you for your support</a>
24	That it is not law now.	<a href="#">Thank you for voicing your perspective. We hope the revised version better meets your needs.</a>
25	Nothing.	<a href="#">Thank you for voicing your perspective. We hope the revised version better meets your needs.</a>
26	I like that it promotes subsistence gardens and provides a framework for people to sell their produce.	<a href="#">Thank you for your support</a>
27	I like that the UAO codifies urban agriculture activities into the list of uses catalogued by zoning laws, whereas before it was handled rather vaguely. I do like that subsistence gardening is widely allowed in all zones.	<a href="#">We are glad that the added clarification will be helpful to the community.</a>

## General concerns neighbors voiced about the draft ordinance:

Participant #	In general, what CONCERNS do you have about the draft Urban Agriculture Ordinance being proposed for Gainesville?	City Staff Response
3	I am concerned that some ding ding might oppose it because like chickens are loud or something asinine like that.	<a href="#">We recognize that everyone is entitled to having concerns. We hope that the revisions made through public feedback process will help the language of the ordinance better reflect the needs of our community at large.</a>
4	That neighbors will complain about noise, or gardens not being lawns	<a href="#">We recognize that everyone is entitled to having concerns. We hope that the revisions made through public feedback process will help the language of the ordinance better reflect the needs of our community at large.</a>
5	The entire idea is concerning and calls for drastic measures by the people	<a href="#">We recognize that everyone is entitled to having concerns. We hope that the revisions made through public feedback process will help the language of the ordinance better reflect the needs of our community at large.</a>
8	<p>This is perhaps not at all what you intended to read through this questionnaire, but hopefully this is still a good platform to express this concern. I'm doubtful that what you proposed is the most efficient way to support local food economy.</p> <p>Farmers' Markets have very few livestock/fruit/vegetable vendors, and even fewer local restaurants feature products from them. It's probably not fair to generalize the root of these issues, but I will anyway: cost. Restaurant owners have seemed to learn and/or make the judgment that customers do not value the cost of local produce enough to justify higher prices. Opposite side of the same coin: most local farmers haven't been able to generate large enough accounts to grow in a way that creates any economy of scale, either through restaurant partners or through a robust "retail"/CSA program.</p> <p>I don't think clearing barriers to entry for small home farmers will solve that issue. I think government-supported financial incentives would.</p>	<a href="#">Thank you for your feedback. This Urban Agriculture Ordinance being proposed is certainly not an end-all be-all solution to our local food system issues, however it is one way we are able to make a positive impact. The City of Gainesville is concerned with improving our local food system and works with several community partner organizations who have made this their mission. We would encourage you to get involved in some of these conversations, if you are not already.</a>
9	Limit vertical growth	<a href="#">Sorry, but we were not sure what this concern was referring to.</a>

Participant #	In general, what CONCERNS do you have about the draft Urban Agriculture Ordinance being proposed for Gainesville?	City Staff Response
10	There is vague language about keeping fowl- that it "may" be approved. I think this should be outlined more specifically. What would entail a denial of keeping fowl beyond the regulation?	<a href="#">The city currently allows 10 hens per single family residence along with standards in the Land Development Code Sec. 30-5.36.</a>
10	I am concerned that not all urban farms will be able to secure equipment out of sight from the right of way. The point of urban farming (for some individuals) is to save money. However, the construction of a facility to house tools and equipment may not be affordable. I think this rule should be decided on a case-by-case basis or have more detailed requirements for what counts as "equipment" which must be secured out of site. For example, if someone rents a tilling machine for a few days, would they have to secure a facility to store it in? Or would there be an exemption for shorter periods of time?	<a href="#">This is standard across all zoning districts that do not allow outdoor storage-primarily residential. Short term use of equipment would not trigger the requirement for storage.</a>
11	Why are there no ordinances about animals? Chickens, etc. why is there no language about enforcement?	<a href="#">The city currently allows 10 hens per single family residence along with standards in the Land Development Code Sec. 30-5.36</a>
12	Enforcement. And how mosquito spraying may affect pollination and hives. And I don't see female goats allowed.	<a href="#">We recognize the concern that mosquito spraying may cause to pollination and bee hives. You can contact the City's Public Works Department, Mosquito Control division for more information about mitigating issues related to spraying.</a> <a href="#">Regarding the keeping of female goats, Land Development Code does not permit livestock within city limits.</a>
13	That this will lead to permitting, regulatory visits, fines and general infringement on the right to garden on your own land.	<a href="#">This ordinance aims to increase permissions and legitimacy for urban agricultural practices within City limits, not add further restriction unnecessarily.</a>
15	Roosters, too noisy.	<a href="#">City statutes do not permit the keeping of roosters.</a>
16	Animals, upkeep, organization of the land and who is responsible.	<a href="#">The designated manager of the property is responsible for the upkeep, and if there is an issue City Code Enforcement will be responsible for addressing that issue.</a>

Participant #	In general, what CONCERNS do you have about the draft Urban Agriculture Ordinance being proposed for Gainesville?	City Staff Response
18	I wonder how present gardens within the city will be affected.	<a href="#">This ordinance will not restrict present gardens, but rather provide legitimacy for the gardens on private property that currently exist.</a>
20	If planning/zoning review will be required to establish a subsistence or market garden or market farm please ensure any fee requirements will not be a deterrent to persons wanting to establish these local food production sites. Will the fees be different based on the scale of the garden? Could gardens allowed by right have the fee waived?	<a href="#">Fees would only be applied if there is a request to change the zoning of the site. There are no associated planning fees if the garden is allowed by right within the zoning district.</a>
21	<p>I am concerned with the use or encouraged use of old tire beds for gardening which can heat up in the Florida sun, leach chemicals from their polymer chain photodegradation and cause burns and offgassing which are inadvertent and unintended yet severe consequences to humans who may harvest the food from the tire beds and outdoor animals or wildlife that may be resting inside the tires.</p> <p>We can instead recommend far better alternatives for garden structures and container gardens! I am a part of the Student Compost Cooperative and I am happy to talk through those solutions with a representative and with all other residents involved concerned in this ordinance.</p>	<a href="#">Language has been removed regarding specific materials and "garden art".</a>
22	Division 1: Sections B and D. I think whoever wrote these has never actually had a large garden or small farm. Most of these are excessively restrictive and unnecessary, and will lead to punitive fines. Section C:11. There are many sites that would make excellent market farm sites that do not have bathroom facilities and building them would be cost prohibitive. I hope that using area businesses or residences will be actually allowed.	<a href="#">Per the language in the proposed ordinance, as long as the manager of the market garden and/or market farm can demonstrate reasonable access to bathroom facilities (whether that be a nearby business or other type of facility) there would no issue. We are not suggesting that a bathroom facility need to be built on-site, as long as there is reasonable access to a nearby bathroom facility.</a>
23	"Irrigation system should use water conservation techniques (such as micro-irrigation or drip) and follow all other applicable laws." - Maybe change the wording to urban farmers are encouraged? It seems vague to say "should" in an ordinance. Do you require a specific type of irrigation or not? I would err on not so as you don't start managing every detail.	<a href="#">Requiring a specific type of irrigation would be too restrictive and would differ on the type and size of the garden.</a>

Participant #	In general, what CONCERNS do you have about the draft Urban Agriculture Ordinance being proposed for Gainesville?	City Staff Response
23	<p>“Operation shall be limited to the hours between sunrise and sunset.”            - Why is this included? As long as urban gardens and farms are operating within noise and nuisance codes, and any other city regulations, hours should not be limited to between sunrise and sunset. Farmers and many business owners frequently work outside of sunrise to sunset.</p>	<p><a href="#">We have amended the language to say: <b>9. Operations that generate noise or traffic shall be limited to the hours between sunrise and sunset.</b></a></p>
24	EVERYTHING!	<p><a href="#">We recognize that everyone is entitled to having concerns. We hope that the revisions made through public feedback process will help the language of the ordinance better reflect the needs of our community at large.</a></p>
25	It's unneeded and intrusive.	<p><a href="#">We recognize that everyone is entitled to having concerns. We hope that the revisions made through public feedback process will help the language of the ordinance better reflect the needs of our community at large.</a></p>
26	I worry that providing bathrooms may be onerous.	<p><a href="#">Per the language in the proposed ordinance, as long as the manager of the market garden and/or market farm can demonstrate reasonable access to bathroom facilities (whether that be a nearby business or other type of facility) there would no issue. We are not suggesting that a bathroom facility need to be built on-site, as long as there is reasonable access to a nearby bathroom facility.</a></p>
27	Some of the specifics of allowed zones I want to contest. For example, the fact that market gardens are allowed only by special permit in RSF 1-4 creates a hurdle for additional income for these families. Similarly with urban zonings, special use permitting creates hurdles for creative mixed uses such as rooftop gardens and green roofs	<p><a href="#">The special use permit is required when the market garden is the primary use on the site.</a></p>
28	Does this affect or will it carry over to personal home gardens or is this only for the urban? I just want to make sure these rules will not infringe upon personal home gardens and land...my property is my property and rules...also, how will this be safe in regards to herbicides and pesticides? Will it be organic? Who makes the decision on what would be used... people who work hard at being organic would not want the possibility to affect yards and garden around these designated areas. It is concerning	<p><a href="#">This is not meant to address home gardens. It will not impact home gardens</a></p>

Participant #	In general, what CONCERNS do you have about the draft Urban Agriculture Ordinance being proposed for Gainesville?	City Staff Response
29	I'm all for gardens throughout the City. Let's keep in mind the health issues associated with some livestock, especially fowl, and noise from other livestock.	<a href="#">Fowl are allowed in limited numbers (10 per household).</a> <a href="#">Livestock are not allowed.</a>
30	Do you mean for the Urban Ag. Ordinance to apply to home gardens - you said you took that category out but it looks like it was just grouped in with subsistence gardens?	<a href="#">We are pre-empted by state law and it is not our intent to regulate home gardens. We removed the language from the draft all together and did not group with subsistence gardens.</a>
33 (sent via email)	How is this Urban Ag Ordinance making urban agriculture easier in Gainesville? I have read through it and it seems to limit urban ag more than facilitate it, with layers of regulations (enforceable by criminal prosecution no less) and limitations where none were there before. This is very concerning to me. Gainesville Policy should not be promulgated at UF than pushed on citizens. It should arise organically out of NEED. It should solve a problem experienced by citizens. Passing policy should not be a goal unto itself. Can someone please tell me how this document fulfills the mission statement of the Food System Coalition's policy group and how all of these new limitations and regulations will help urban ag?	<a href="#">This draft ordinance came per the request of community members and has been echoed as an objective of the City Commission to improve our local food system.</a>
33 (sent via email)	I wonder why this came from the UF Conservation Clinic and not the Agriculture department.	<a href="#">The UF Law Conservation students had the ability to research Urban Agriculture Ordinances in other cities to find examples that could be useful in developing policy appropriate for the context of our community in Gainesville.</a>
33 (sent via email)	I agree with any provision in this ordinance that removes current restrictions on urban ag and i disagree with any that further restricts it. I asked for instances where urban ag has been limited by lack of this ordinance. I am still waiting for this evidence in support of the need for this regulation on citizen's rights to grow their own food in our city.	<a href="#">We recognize that everyone is entitled to having concerns. We hope that the revisions made through public feedback process will help the language of the ordinance better reflect the needs of our community at large.</a>

## General questions neighbors voiced about the draft ordinance:

Participant #	In general, what QUESTIONS do you have about the draft Urban Agriculture Ordinance being proposed for Gainesville?	City Staff Response
3	More questions as the bill progresses, but right now I am content that the topic is being approached.	<a href="#">Feel free to reach out to the City if you do find you have additional questions moving forward.</a>
5	Why regulate something you know nothing about? Something that has not been hurting anyone?	<a href="#">We recognize that everyone is entitled to having concerns. We hope that the revisions made through public feedback process will help the language of the ordinance better reflect the needs of our community at large.</a>
7	Great idea	<a href="#">Thanks for your support</a>
10	When would this take effect?	<a href="#">The ordinance will require a recommendation from the City Plan Board. Once the Board has taken action on the proposed ordinance the City Commission will decide on whether to approve, approve with changes, or to deny the proposal. Once the proposal is approved it will be in effect immediately.</a>
12	Why aren't female goats allowed?	<a href="#">The City's Code of ordinances does not allow livestock. Unfortunately, I am not sure why the city does not allow female goats in particular.</a>
15	There are several packing houses in LaCrosse, Santa Fe, and other small Alachua County towns, that are just a few miles away. Have you considered asking the packers/farmers for their culled items? Items such as cucumbers or bell peppers that may have a blemish that causes it to be culled out and not packed. That food could be purchased for little or NOTHING. Also, promote and encourage local farmers markets in more areas such as downtown.	<a href="#">The City is interested in supporting our local food system through various initiatives. This suggestion is one that we will certainly consider as we work beyond this draft ordinance to continue improving our local food system.</a>
18	How will this ordinance affect HOA regulations?	<a href="#">This proposed ordinance will not impact HOA regulations.</a>
18	Will small animals, ex. rabbits and chickens, be included in this ordinance?	<a href="#">The city currently allows 10 hens per single family residence along with standards in the Land Development Code Sec. 30-5.36.</a>

Participant #	In general, what QUESTIONS do you have about the draft Urban Agriculture Ordinance being proposed for Gainesville?	City Staff Response
18	Will permits be needed for gardens, trucks, etc.?	<a href="#">Permits are only required when there is proposed construction of a building or structure. The code currently regulates commercial trucks using residential streets.</a>
20	Re: Operational Std. about Special Events (page 3 lines 109-110) will any temporary use permit be required to ensure traffic/parking concerns are solved?	<a href="#">The review process for special events requires that traffic flow and control, auto and pedestrian safety, and the effect on surrounding uses be addressed.</a>
21	What is proposed for expanding awareness and education on urban agriculture programs going forth?	<a href="#">At this time, the City offers the community garden program through our Parks, Recreation and Cultural Affairs Department. The City often looks for opportunities to provide educational programs, but nothing is currently planned specific to urban agriculture. However the City is happy to continue building partnerships with neighbors and organizations that can help raise awareness of the benefits of urban agriculture and share information about the urban agriculture ordinance.</a>

Participant #	In general, what QUESTIONS do you have about the draft Urban Agriculture Ordinance being proposed for Gainesville?	City Staff Response
21	Is the city involved with locally grown food cooperatives and can those be more readily advertised to the more resource insecure, or homeless, in our community at large? Can we extend every effort to make sure this new ordinance can do as much good as possible for as many residents as possible (and can we pilot to a representative sample of the entire Gainesville community)?	<p><a href="#">The city participates in community-based initiatives such as the Food System Coalition and Alachua County Healthy Communities Group which, in part, seek to raise awareness of initiatives focused on improving our local food system. The City continues to develop programs that aim to connect Gainesville neighbors with resource providers in our area, several of which offer food assistance services and/or improved access to locally grown food. The City will continue to leverage these partnership and tools to support efforts to improve our local food system and increase neighbors' access to diverse food options. Please sign up for GNV News and designGNV to stay on top of the most current offerings.</a></p>
22	How can you both remove dead plant debris and compost it appropriately?	<p><a href="#">Thank you for this question. We have modified the language in the draft ordinance.</a></p>
23	Why are you setting hours of operation between sunrise and sunset? This is very limiting and not in line with how the rest of the city operates.	<p><a href="#">We have amended the language to say: <b>9. Operations that generate noise or traffic shall be limited to the hours between sunrise and sunset.</b></a></p>
25	Who is behind it? UF?	<p><a href="#">This draft ordinance came per the request of community members and has been echoed as an objective of the City Commission to improve our local food system</a></p>
26	How quickly can it be implemented?	<p><a href="#">The ordinance will require a recommendation from the City Plan Board. Once the Board has taken action on the proposed ordinance the City Commission will decide on whether to approve, approve with changes, or to deny the proposal. Once the proposal is approved it will be in effect immediately.</a></p>

Participant #	In general, what QUESTIONS do you have about the draft Urban Agriculture Ordinance being proposed for Gainesville?	City Staff Response
33	<p>Why was it rushed through the Food Systems Coalition against that groups mission statement, against objections, with so many questions unanswered and with such confusing language. Why did those pushing it (whoever they were - no one seems to want to take responsibility for it and with good reason) not come up with a clear concise synopsis of what rights would be gained and which ones lost for each garden category.</p>	<p><a href="#">We recognize that everyone is entitled to having concerns. We hope that the revisions made through public feedback process will help the language of the ordinance better reflect the needs of our community at large.</a></p>