



## MEMORANDUM

**TO:** Yuma County Planning & Zoning Commission

**FROM:** Fernando Villegas, Senior Planner

**RE:** **Request to initiate a text amendment to the Yuma County Zoning Ordinance to amend Article II—Definitions and add a proposed new section, Section 1108.18—Community Gardens**

**DATE:** March 9, 2016

---

The Yuma County Public Health Services District prepared a Health Impact Assessment (HIA) in 2015 in partnership with the Health Promotions Division, Health in Arizona Policy Initiative, and Arizona Nutrition Network with significant inputs from the Department of Development Services and other public and community agencies for the purpose of adopting a Community Garden Ordinance for Yuma County.

Community gardens have been identified as part of a strategy for improving access to healthy food, which can reduce food insecurity and help lower the risk of several chronic diseases. As a result, in recent years a number of community-based and public health initiatives in Yuma County began encouraging and establishing community gardens. However, this has required an adjustment to the zoning regulations in several jurisdictions that did not otherwise include community gardens as a permitted land use. The City of Yuma was the first to respond, and in the fall of 2014, Yuma County Department of Development Services began work on its Community Garden Ordinance.

Additionally, the American Planning Association (APA) created an initiative called Plan4Health with the purpose of strengthening the connection between planning and public health. Plan4Health connects communities across the country, funding work at the intersection of planning and public health. Anchored by members of the APA and the American Public Health Association (APHA), Plan4Health supports creative partnerships to build sustainable, cross-sector coalitions. Coalitions work with communities to increase access to healthy food or increase opportunities for active living where residents live, work, and play. The Plan4Health project aims to build local capacity to address population health goals and promote the inclusion of health in non-traditional sectors. Coalitions made up of APA chapters, APHA affiliates, local non-profits, schools, parks and recreation departments, universities – and more. These coalitions are working to launch and to strengthen strategies for healthy planning.

In 2010, the American Planning Association, with funding from the Centers for Disease Control and Prevention, began a three-year study to assess the integration of public health into comprehensive plans and their development process. During the next 10 year update to the Yuma County Comprehensive Plan, staff intends to address health in the plan's vision, mission and engagement strategy and approach. One of the plan components will be Active Living and will include planning strategies to address Food and Nutrition. Some planning strategies to address Food and Nutrition are:

- Promote access to clean water and public drinking fountains
- Designate areas in urban as well as rural communities for agricultural use and allow community gardens within all residential neighborhoods
- Promote the availability of healthy, fresh foods in identified food deserts and food swamps

The HIA for the Community Garden Ordinance identified five health outcomes prevalent in Yuma County: Diabetes, cardiovascular disease, obesity, stress, and food security. Health Outcome is defined as follows: The health status of an individual, group or population which is attributable to a number of determining factors such as behaviors, social and community environments, health care services and genetics.

### **Key findings on the health impact of a Community Garden Ordinance**

The HIA examined the impact on health of community gardens that would be initiated by county residents as a result of a Community Garden Ordinance in Yuma County.

#### Current conditions

The following are key health outcomes and determinants that could be positively affected by the establishment of community gardens:

- 1) Yuma County has higher rates of diabetes (13.3%) than Arizona (9%).
- 2) Yuma County has higher rates of cardiovascular disease (12.9%) than Arizona (10.4%).
- 3) Yuma County has higher rates of obesity (30.2%) than Arizona (24.7%)
- 4) 22.3% of residents in Yuma County and 39.4% of children in Yuma County are food insecure.
- 5) Physical inactivity in Yuma County has been rising in recent years.

#### Projected impacts

The research literature and stakeholder expert input anticipates the following impacts of community gardens on health:

*Physical activity:* Those who participate in a community garden will increase their physical activity, which is known to reduce the risk of cardiovascular disease, obesity and stress.

*Diet and nutrition:* Those who participate in a community garden will significantly increase their consumption of fruits and vegetables and will start eating nutritious foods they were not previously eating. This is especially the case where programming is in place that provides

nutrition education and training in food preparation. Increased consumption of fruits and vegetables is associated with lower risk for obesity.

*Social capital:* Social capital results from the benefits associated with strong relationships with others and includes improved health. Those who participate in a community garden will increase their social interactions with others and will experience lower levels of stress.

*Food security:* Those who participate in a community garden will enjoy significant food cost savings and will therefore increase their food security. Food insecurity has a significant impact on health, especially that of children, who are sick more often and experience growth impairment, slowed cognitive development, lower school achievement and behavioral problems.

*Potential negative impacts:* Those who participate in a community garden may increase their exposure to toxins from pesticides or soil contaminants, food-borne illness, heat-related illness and strain injuries. All of these, however, can be mitigated through regulatory measures and appropriate training and education, most of which is already in place.

The purpose of this text amendment is to implement the recommendations in the HIA for the Community Gardens Ordinance. The proposed text amendment is to add language to the Zoning Ordinance to add the following definitions to Section 202.00: Community Garden, Garden Plot, and Compost. Additionally staff is proposing to add a new section, Section 1108.18—Community Gardens, for the purpose of establishing minimum development standards and operational requirements.

---

The following are the proposed changes to the Zoning Ordinance. Staff is not proposing deleting any text with this proposal.

## **202.00 – Definitions**

**Community Garden:** A private or public facility for the cultivation of fruits, vegetables, flowers and ornamental plants by more than one person.

**Garden Plot:** Allocated gardening spaces for cultivating vegetables, fruits, and ornamentals.

**Compost:** Decayed organic material used as a plant fertilizer.

## **1108.18 -- Community Gardens**

**A. General.** Community gardens shall consist of land used for the cultivation of fruits, vegetables, plants, flowers or herbs by multiple users. The land shall be served by a water supply sufficient to support the cultivation practices used on the site.

**B. Community gardens are allowed in all zoning districts subject to the following regulations:**

**1. Operating Rules:**

- a. Community gardens shall have a set of operating rules addressing the governance structure of the garden, hours of operation, maintenance, and security requirements and responsibilities.
- b. A garden coordinator shall be designated to perform the coordinating role for the management of the community gardens. The garden coordinator shall be responsible for assigning garden plots in a fair and impartial manner according to the operating rules established for that garden. The name and telephone number of the garden coordinator and a copy of the operating rules shall be kept on file with the Department of Development Services.
- c. It is recommended that community gardens grow fruits and vegetables that are organically produced, using no synthetic fertilizers or pesticides. The United States Department of Agriculture (USDA) and the United States Environmental Protection Agency (EPA) governs the use of pesticides.

**2. Drainage:**

- a. The site shall be designed and maintained to prevent water from irrigation, storm water and/or other activities and/or fertilizer from draining onto adjacent property or right of way.
- b. The site shall be designed and maintained to prevent the ponding of water that could contribute to the breeding of mosquitos.

**3. On-Site Activities:**

- a. There shall be no retail sales on site, except for produce grown on the site. If retail sales negatively impact residential zoning districts, retail sales shall not be allowed.
- b. No building or structures shall be permitted on the site, with the exception of sheds for storage, greenhouses and small amenities.
- c. Sheds for storage of tools shall be limited in size to 120 square feet in compliance with setbacks for accessory structures.
- d. Greenhouses, limited in size to 120 square feet and designed in compliance with setbacks for accessory structures, consisting of buildings made of glass, plastic or fiberglass in which plants are cultivated.
- e. Small amenities such as benches, bike racks, raised/accessible planting beds, compost or waste bins, picnic tables, seasonal farm stands, fences, garden art, rain barrels, and children's play areas are allowed.

- f. The combined area of all structures shall not exceed 15 percent of the community garden site area.
  - g. Composting material shall be only those materials generated onsite or contributed by active members of the community garden. Containers shall be located a minimum of 3' from property line. Containers shall be covered to reduce odor.
- 4. Fences and Security:**  
Fences and security lighting for community gardens are optional. Fences and security lighting shall meet the requirements for the zoning district.
- 5. Parking:**  
No off street parking required unless retail sales of on-site grown produce are allowed. Parking for community gardens shall meet the requirements of Section 902.00 -- Number of Parking Spaces Required.
- 6. Maintenance required:**  
Property shall be maintained free of high grass, weeds or other debris. Trash and debris shall be in compliance with Section 1108.05--Maintenance of Yards and Open Space.
- 7. Abandoned or unproductive community gardens:**  
If a community garden is left in an unproductive state for longer than a period of twelve months, the garden coordinator or other individual(s) responsible for the community garden shall remove all plants, weeds, and structures.