

Dig In 2013: Zoning in Wake County & Models

Presented by Shivaugn Rayl, Carolina Farm Stewardship Association

I. Introductions

II. Introduction to Planning & Zoning Processes

a. Planning: what will our city need in the future?

1. authority for P&Z: protect the health, safety & welfare of the public
2. vision for the future: basis for land use regulations
3. manage competing interests: handle neighborly conflicts by municipal regulation or by law suits
4. reports to the Local Governing Board (City Council)
5. Raleigh Planning & Development: Unified Development Ordinance, Raleigh Comprehensive Plan, Zoning Maps. Coordinates with region through Capital Area Metropolitan Planning Commission.

b. Zoning: what goes where?

1. A series of labels assigned to regulate use, density, and placement of structures on a parcel
2. original intent: prevent fire hazards & threats to public health and safety
3. For each zone there are general uses, limited uses, conditional uses and a process to get approval for anything beyond a general use. Limited and conditional uses must be compliant with the comprehensive plan, compatible with surrounding properties, and the benefit to the general public is usually considered. Decisions on zoning are reviewed by the Board of Adjustment, then planning commission and ultimately decided by the city council, and there is always an appeal process.

c. Local Examples

1. Raleigh's revised UDO provides a city liaison to handle community garden-related issues and in zones R-10, community gardens in **vacant** lots reclassified as a limited use, which will not require public notices or hearings, but will require approval of the use.
2. Athens Drive Community Garden use-variance request will be heard on Monday at 1 pm before the Board of Adjustment.
3. Chicken ordinances: Durham (10-permitted, with coop specifications) v. Raleigh (4, as pets)

III. Best Practices to Support Urban Agriculture & Community Gardening

- a. Definitions in Code
- b. Permissible Uses (General uses or allowed uses)
- c. Uses of Public Land (e.g., farmers market, community gardens)
- d. Minimal or subsidized fees for applications, permits, and licenses
- e. Urban agriculture tax credits or agriculture renaissance zones
- f. Municipal staff educated and assigned to urban ag & C.G. issues
- g. Permissive accessory uses (e.g., hoop houses, cold frames, beehives)
- h. meaningful engagement from community groups in revisions to the CP, UDO, and Zone maps—a networked group of food system stakeholders
- i. planning for food systems across all municipal departments (e.g., community health, housing, parks & rec, development)
- j. evaluate how policies inhibit or support food access
- k. there is no exact formula for success!

IV. Q&A/Discussion

V. Resources

City of Raleigh Department of Planning & Development

<http://www.raleighnc.gov/business/content/Departments/Articles/PlanningandDevelopment.html>

Urban Agriculture: A Sixteen City Survey of Urban Agriculture Practices across the Country. Goldstein, M. et. al. Turner Environmental Law Clinic. 2011. Available online at

<http://georgiaorganics.org/wp-content/themes/GeorgiaOrganics/Downloads/SiteMoveOver/urbanagreport.pdf>

Planning for Food Access & Community-based Food Systems: A National Scan and Evaluation of Local Comprehensive and Sustainability Plans. Hodgson, K. American Planning Association. 2012. Available online at

<http://www.planning.org/research/foodaccess/pdf/foodaccessreport.pdf>