



51st Meeting of the Cass Clay Food Commission

November 13, 2024 10:30 am – 12:00 pm
Location: Fargo City Commission Chambers

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| 10:30 am | 1. Welcome <ul style="list-style-type: none">a. Approve Order & Contents of the Overall Agendab. Review & Action on Minutes from September 11, 2024
(Attachment 1) |
| 10:35 am | 2. Commission Introductions – Chair Nesemeier |
| 10:40 am | 3. Zoning for Urban Agriculture Draft Blueprint – Anna Johnson
(Attachment 2) |
| 10:55 am | 4. Farm in the Dell Presentation – Anna Sather, Executive Director |
| 11:15 am | 5. Cass Clay Food Partners Strategic Plan – Janice Tweet (Attachment 3) |
| 11:30 am | 6. Steering Committee Updates – Janice Tweet |
| 11:35 am | 7. Kudos & Community Recognition – Rory Beil (Attachment 4) |
| 11:45 am | 8. Public Comment Opportunity – Chair Nesemeier (Attachment 5) |
| 11:50 am | 9. Commission & Steering Committee Roundtable: Community Updates & Meeting Reflections – Chair Nesemeier |
| 11:55 am | 10. Future Meetings & Commission Action Steps <ul style="list-style-type: none">a. Next Steering Committee Meeting – November 18, 2024, 1:00 pm
New Steering Committee Meeting Location: Metro COG – One 2nd Street N Suite 232, Fargob. Next Action Network Newsletter – December 6, 2024c. Next Commission Meeting – January 8, 2025, 10:30 am
Fargo City Commission Chambers – 225 4th Street N, Fargod. Strategic Plan Work Plan Meeting - TBD |
| 12:00 pm | 11. Adjournment |

Cass Clay Food Commission meetings are taped and rebroadcast on cable channel TV Fargo 56 each Friday at 11:00 am. People with disabilities who plan to attend this meeting and need special accommodations should contact Angela Brumbaugh at Metro COG at 701.532.5100. Please contact us at least 48 hours before the meeting to give our staff adequate time to make arrangements. Meeting minutes are available on the Cass Clay Food Partners website at www.cassclayfoodpartners.org and Metro COG's website at www.fmmetrocog.org.

Attachment 1

**50th Meeting of the
Cass Clay Food Commission
September 11, 2024
Fargo Commission Chambers**

Members Present:

Jim Kapitan, Cass County Commission, Interim Chair
Amy Zundel, West Fargo City Commission
Paul Hankel, Horace City Council (proxy)
Dave Steichen, Dilworth City Council
John Strand, Fargo City Commission
Anna Johnson, At-Large Member
Joan Kopperud, At-Large Member
Jeffrey Miller, At-Large Member
Carin Engler, At-Large Member
Jeff York, At-Large Member

Members Absent:

Heather Nesemeier, Moorhead City Council
Paul Krabbenhoft, Clay County Commission

Others Present:

Michelle Draxten, Fargo Cass Public Health
Cheryl Stetz, Fargo Cass Public Health
Rory Beil, Clay County Public Health
Rita Ussatis, NDSU Extension
Noelle Harden, U of M Extension
Janice Tweet, Great Plains Food Bank
Nicolina Page, Great Plains Food Bank
Chani Thorne, Concordia College
Sarah Orr, Concordia College
Adam Altenburg, Fargo-Moorhead Metropolitan Council of Governments

1a. Approve Order and Contents of the Overall Agenda

A motion to approve the order and contents of the overall agenda was made by Ms. Kopperud and seconded by Ms. Johnson. The motion was voted on and unanimously approved.

1b. Review and Action on Minutes from May 8, 2024

A motion to approve the minutes for May 2024 was made by Ms. Kopperud and seconded by Mr. York. The motion was voted on and unanimously approved.

1c. Welcome to New Food Commission Members

Interim Chair Kapitan noted that Fargo City Commissioner John Strand and West Fargo City Commissioner Amy Zundel had been appointed to serve on the Food Commission.

1d. Mission of the Cass Clay Food Partners

Interim Chair Kapitan noted the mission of the Cass Clay Food Partners included as part of meeting agendas in 2024.

2. Commission Introductions

Interim Chair Kapitan led the Commission and steering committee members in a brief round of introductions.

3. Steering Committee Updates

Ms. Draxten provided an informational update to the Commission regarding the steering committee's recent activities, including its participation in the Johns Hopkins Center for a Livable Future Community of Practice that concluded in May 2024, the upcoming Cass Clay Food Partners Strategic Plan, and the formation of a new Food Action Network.

4. Cass Clay Food Partners Resource Review

Mr. Altenburg explained that in the past eight years, the Cass Clay Food Partners had developed nearly two dozen resource documents highlighting urban agriculture, food access, sustainability, and other food systems topic areas relevant to the Fargo-Moorhead area. He noted that these documents have included blueprints, which look at food systems from a land development code perspective; and issue briefs and snapshots, which provide overviews of local community issues.

Mr. Altenburg provided a brief overview of the blueprint developed for Backyard Season Extenders (2020).

5. Cornucopia Garden High Tunnel Presentation

Chani Thorne, Concordia College Garden Manager, and Sarah Orr, Concordia College Sustainability Coordinator, presented information on the Cornucopia Garden High Tunnel.

Ms. Thorne stated that Cornucopia was founded in 2009 with a goal to create a more sustainable campus and function as an educational outdoor space. She explained that the high tunnel was funded in 2014-2015 and includes a solar-thermal design to utilize solar energy and adjustable walls that provide ventilation. She noted that the season extension enables multiple crop rotations per growing season and that all produce goes to the college and local community including the Cobber Food Pantry, Heart-n-Soul Community Café, and the Dorthy Day Food Pantry in Moorhead.

6. Hunger Action Month

Janice Tweet and Nicolina Page, Partner Network Manager at the Great Plains Food Bank, provided the Commission information on Hunger Action Month, a nationwide campaign that takes place every September to raise awareness about hunger in communities across the United States.

Ms. Tweet and Ms. Page provided an overview of the Great Plains Food Bank, its goals, and information on several of its programs and services including the Backpack Program, Youth Summer Meals Program, Schol Pantry Program, Mobile Food Pantry, and others. They also provided service statistics from the food bank, information on local food pantries, and several updates from the community including: the recent closing of Dorthy Day West, expansion of community support services at The Arbors at McCormick and A Place for Hope, and Champions Temple, a new food bank partner that works with New Americans in accessing culturally significant foods.

7. Kudos and Community Recognition

Mr. Beil recognized Michelle Draxten for her contributions to the Cass Clay Food Partners over the past three years. He noted that Ms. Draxten has been a vital part of the local health promotion community for eight years working on childhood obesity prevention, breastfeeding support, and food insecurity and food systems. He also noted that Ms. Draxten has been the co-chair of the Cass Clay Food Partners steering committee since September 2021 and the chair of the Cass Clay Hunger Coalition advisory board.

8. Public Comment Opportunity

Interim Chair Kapitan informed the Commission that time would be allotted for public comments. He noted that members of the community may also submit comments via a comment link when Commission packets are emailed out.

No additional public comments were made.

9. Commission and Steering Committee Roundtable: Community Updates and Meeting Reflections

Interim Chair Kapitan asked for the Commission and the steering committee to share any additional updates or meeting reflections.

10. Future Meetings and Commission Action Steps

Interim Chair Kapitan stated that the next Commission meeting would be held on November 13, 2024. He also noted that the next Food Action Network monthly newsletter would be emailed on October 4 and that people could visit the Cass Clay Food Partners website to sign up to receive those.

Interim Chair Kapitan adjourned the meeting at 11:26 AM.



To: Cass Clay Food Commission
From: Anna Johnson, CAPLP
Date: November 8, 2024
Re: *Zoning for Urban Agriculture Draft Blueprint*

Since March 2015, the Cass Clay Food Partners has developed nearly two dozen resource documents highlighting urban agriculture, food access, sustainability, and other food systems topics relevant to the Fargo-Moorhead area. These documents have included blueprints, which look at food systems from a land development code perspective; and issue briefs and snapshots, which provide more of an overview of a local community issue.

Members of the CCFP have developed a new blueprint regarding zoning practices for urban agriculture. This blueprint is intended to provide additional information on zoning codes and their impact on the food system.

This draft blueprint will be reviewed at the November 2024 Food Commission meeting, with approval slated for January 2025.

All blueprints, snapshots, and issue briefs can be found at the links below:

<https://fargond.gov/city-government/departments/fargo-cass-public-health/health-promotion/cass-clay-food-partners/blueprints>

<https://www.fmmetrocog.org/resources/planning/food-commission>

Requested Action:
None.

Urban Agriculture Zoning Blueprint

This issue brief provides background information related to zoning codes and their impact on the food system. Appendices are included to demonstrate sample policy language and zoning codes that promote the local food system in other jurisdictions.

Background

Local food is a growing section of the food system and according to the United States Department of Agriculture (USDA) is defined as food produced and transported less than 400 miles, or within the same state. According to the 2020 Local Food Marketing Practices Survey conducted by the USDA, local food is a \$9 billion industry, up 3% from 2015 to 2020. North Dakota and Minnesota are in a region of seven Midwest states that contribute only 6% of the \$9 billion industry, indicating there is room for growth.¹ There are many benefits for the community, including financial incentives. Local food leads to job creation, a diversified economy, investment and community growth, dollars are kept local, and food insecurity can be impacted with proper planning.

Urban agriculture is a growing aspect of local food in cities and communities across the United States. The USDA recently developed The Office of Urban Agriculture and Innovative Production. The USDA defines urban agriculture as small-scale producers that use community farms and gardens, rooftop, indoor, and vertical farms, hydroponic, aeroponic, and aquaponic facilities to grow, process, and sell agricultural products.² The Environmental Protection Agency is another organization committed to urban agriculture, defining it as including:

- community gardens
- larger scale urban farms or orchards
- growing vegetables, fruits, herbs and spices for market
- raising chickens or livestock
- keeping bees
- growing flowers and non-food crops for landscaping and other uses³

¹United States Department of Agriculture. (2017). *2020 local food marketing practices survey*.

https://www.nass.usda.gov/Publications/AgCensus/2017/Online_Resources/Local_Food/index.php

² *Urban Agriculture* | USDA. (n.d.). Retrieved November 7, 2024, from <https://www.usda.gov/topics/urban>

³ *Urban Agriculture* | US EPA. (2024, May 2). <https://www.epa.gov/brownfields/urban-agriculture>

Zoning History

Many cities have comprehensive land-use plans that guide long-term development; zoning is a tool used to carry them out.⁴ Zoning supports cities and counties in providing practical order to city development and designates police powers.^{4,5} It designates residential neighborhoods, commercial development, industrial use, agriculture, natural resources, and more.⁵ In addition to what the land is used for, zoning indicates how the designated use can be carried out, such as specifying the size or number of buildings. Local government typically dictates zoning codes and each community's codes vary. In addition, zoning has permitted uses and conditional uses; all other uses not indicated are prohibited.⁶

Pinpointing the start of zoning can go back to colonization. An article frequently referenced by James Metzenbaum called “The History of Zoning – A Thumbnail Sketch” indicated the first zoning-type regulation was due to the many fires of settlers’ wooden houses when England declared that houses of a certain size must be stone or brick.⁷ Once the United States declared its independence, traces zoning can be seen in regulations on storage of gun powder and tenement house codes. Nuisance laws have been connected to zoning throughout history as well, with early-adopted regulations being sanitary codes. Followed by city and state building codes aiming to remove unwanted conditions. Codes aimed at reducing fire risk continued and fire zone ordinances became more common as manufacturing buildings were built within cities. These ordinances would state that buildings in the fire zone must be built of stone or brick, which led to court cases arguing loss of rights. Continuing through history, height and set back ordinances were added. New York City completed a six-year study in the early 1900s, leading to the first comprehensive zoning regulation on the use of property. *Ambler vs. Euclid*, a Supreme Court case in the 1900s, challenged zoning codes in the village of Euclid in Ohio, the first zoning case heard by the Supreme Court. The ruling upheld that reasonable zoning is within police power and the constitution.

Zoning codes have often led to inequities throughout history. James Metzenbaum recognized that zoning codes often are changed without public hearing or notice, which

⁴ ZONING FOR URBAN AGRICULTURE | *Healthy Food Policy Project*. (2024, March).

<https://healthyfoodpolicyproject.org/key-issues/zoning-for-urban-agriculture>

⁵ *What You Need to Know About Zoning Codes Millman Land*. (2024, March 20).

<https://millmanland.com/knowledge/zoning-codes/>

⁶ Haines, A. L. (2018). What does zoning have to do with local food systems? *Journal of Agriculture, Food Systems, and Community Development*, 8(B), 175–190. <https://doi.org/10.5304/jafscd.2018.08B.007>

⁷ Metzenbaum, J. (1957). The History of Zoning--A Thumbnail Sketch. *Case Western Reserve Law Review*, 9(1). <https://scholarlycommons.law.case.edu/caselrev/vol9/iss1/6>

can lead to injustices.⁷ Following the end of slavery, county zoning officials, alongside lenders and real estate professionals, used zoning to segregate neighborhoods, which created an imbalance of opportunity. Zoning can also be connected to the suburban sprawl of car-dependent, single-family households, furthering racial inequities.⁶

Zoning and the Food System

According to Feldstein of the Maine Law Review, “everything that happens with our food system involves land use in some way.”⁸ Zoning controls the use of the land, therefore impacting the food that can be produced, processed, sold, distributed, and accessed on that land. Table 1 indicates areas of the food system that zoning codes impact.

Table 1: Zoning codes and the food system

Food System Element	Activity Permitted or Restricted by Zoning
Production	<ul style="list-style-type: none"> ● Agriculture – animal husbandry ● Agriculture – cultivation ● Community Garden ● Urban Farms ● Farming on Vacant Lots ● Front-Yard Gardening ● Season Extenders, including Greenhouses ● Hydroponics, Aquaculture, Aquaponics ● Keeping of Chickens ● Keeping of Goats ● Keeping of Honeybees ● Market Gardens
Processing	<ul style="list-style-type: none"> ● Bakery (wholesale) ● Bottling Plant ● Brewery ● Distillery ● Winery
Retail	<ul style="list-style-type: none"> ● Farmers Markets ● Food and Related Goods Sales ● Direct-to-Consumer Sales ● CSA Drop Sites ● Farm Stands ● Free-Standing Vending Cart

⁸ Feldstein, L. (2013). *Zoning and land use controls: beyond agriculture*. Maine Law Review, 65(2). <https://digitalcommons.maine.edu/mlr/vol65/iss2/7>

	<ul style="list-style-type: none"> • Mobile Grocery store • Outdoor Cooking Operation • Outdoor Eating Area of a Food or Beverage Establishment • Food Trucks and Push Carts
Waste	<ul style="list-style-type: none"> • Composting

Zoning creates a spectrum of impacts on local food systems. Haines, stated that “zoning is one of many local policy tools and a recognized way to support or hinder the local food system.”⁶ There are opportunities for zoning to positively impact sustainability, access to nutritious foods, and protection of farmland.⁶ One example of the impacts to nutritious foods includes the zoning that impacts food-based retail. This may designate locations where small grocers or farmstands can set up; these are often limited in residential areas where the largest number of consumers are located. Other aspects of the food system that zoning impacts are gardening and fruit trees, keeping of bees, animals such as poultry and goats, hydroponics, greenhouses, and urban farm incubators. Besides using zoning to promote local and urban agriculture, zoning could also be used to limit areas of the food system, such as fast-food restaurants in residential areas.

Zoning is ubiquitous across the food system and provides an area where policy can impact the ability to create a sustainable, thriving, and inclusive food system for all. However, the complexity of the zoning code can benefit developers whose responsibility it is to know and understand the codes rather than individuals in the community.⁶ The volume of local governments can further explain zoning complexity; in a sample of Wisconsin communities evaluating zoning, a seven-county area selected for the study contained 211 local governments.⁶ Education about local zoning codes and how to change them can increase the Fargo Moorhead communities’ equitable access to nutritious food by creating an environment where residents can easily grow, purchase, and distribute food locally.

Zoning in Urban Agriculture

Zoning is directly linked to the conversation on urban agriculture as many zoning codes exist that limit agricultural activity within cities. The following sections detail ways communities can increase consumer ability to grow, process, and distribute their food locally.⁴

Define Agricultural Terms

Clearly defining terms supports knowledge of what is allowed, such as support structures for a garden, and prevents fear of misinterpreting the code. Austin, Texas has a

robust agricultural definition section in the zoning code. Chapter 25-2-7 of the 2024 code defines the following terms, with the full code noted in Appendix A:

- Animal production
- Aquaponic system
- Community garden
- Crop production
- Horticulture
- Support housing
- Urban farm
- Market garden
- Indoor crop production

Clarify Zones Permitting Urban Agriculture

Providing clarity on what agricultural uses are permitted or conditionally permitted in each district can increase consumer ability and confidence to grow, process, and distribute local food. Another method to specify use is through implementation of an overlay zone for urban agriculture. While creating clarity in zones, consider barriers imposed on urban farmers, such as extensive permits, which can create confusion and deter under-resourced individuals. Boston, Massachusetts uses a chart in chapter 89-4 of their 2024 code to clearly specify what zones allow ground-level urban farms. See Appendix B for a rendering of the chart.

Allow On-Site Sales

Writing permissibility of on-site sales into zoning codes can promote local access to nutritious foods and decrease barriers for urban producers. Jurisdictions looking to add on-site sale language may consider the type or amount of sales to allow, restrictions on sales, or if a permit will be required.

Portland, Oregon has language regarding on-site sales in chapter 33.237 on food production and distribution. The stated purpose of this chapter is to increase access to affordable, nutritious food for all in the community in an appropriate manner for an urban neighborhood. The code describes sales for market and community gardens and the language is included in Appendix C.

Allow Small-Animal Husbandry

Animal husbandry provides urban farmers and residents with local and affordable animal products such as milk, eggs, fish, and honey. Zoning codes that address urban

animal husbandry typically specify the number and type of animals, space required, and additional regulations to decrease nuisance issues. Cleveland, Ohio zoning code provides sample language for animal husbandry in chapter 347.02, noted in Appendix D. Additional details can be found in the code on regulations regarding sanitation, noise, slaughtering, licensing, and enforcement.

Allow Noncommercial Production

Zoning often limits where food can be grown. Adding language into zoning codes that increases where food can be grown allows urban growers to take advantage of areas such as front yards, boulevards, or public lands with a community garden. Local jurisdictions should consider the barriers presented in current zoning regulations and decide if the barrier is necessary, such as permitting.

Side and rear gardening on residential lots in Fairfax County, Virginia is permitted without size or location restrictions. In 2019, language about front-yard gardening was added to the code stating, “Gardening not to exceed a maximum area of 100 square feet and located no closer than 15 feet to any front lot line or street line.”

<https://www.fairfaxcounty.gov/planning-development/zoning/front-yard-gardens>

Allow Accessory Structures

Accessory structures are frequently needed to support urban agriculture. Accessory structures needed for urban agriculture may include sheds, hoopouses, greenhouses, farm stands, composting bins, and fencing. Chapter 1422 in Cincinnati, Ohio’s zoning code (see Appendix E) encompasses all aspects of urban agriculture, including clear definitions of the following agricultural structures:

- Permanent agricultural structures
- Animal keeping structures
- Agricultural structures in non-residential districts
- Agricultural structures in residential districts
- Agricultural structures on lots containing no principal structure or dwelling in residential districts
- Temporary agricultural structures

Promote Equity and Access

With historical roots in impacting marginalized populations, equity should be kept at the forefront of zoning code conversations and changes. This could be done through a simple community input process or by including equity as a goal in zoning changes. To

promote access, Washington DC utilizes property tax decreases in an identified Urban Agriculture Incentive zone.

Vacant lot use is another method to promote equity and access. Pittsburgh, Pennsylvania promotes equity and access through their work with vacant lot use. To promote access, they have created an Adopt-A-Lot program and a Vacant Lot Toolkit.⁹ The Adopt-A-Lot program provides a process for residents to access city owned vacant lots for food, flower, or rain gardens. The Vacant Lot Toolkit provides guidance for those wishing to participate in the Adopt-A-Lot program. Cleveland, Ohio has developed the Urban Agriculture Innovation Zone using vacant lots in low-income, urban areas. The Urban Agriculture Innovation Zone is an initiative supported by Ohio State Extension, the City of Cleveland, and other local organizations. The 26.5-acre area that various urban farms occupy aims to decrease local food waste through a composting program, increase access to food, reduce energy costs, improve health, and promote economic development.

Resources

If you have questions, please contact the Cass Clay Food Partners through their [Facebook page](#) or via their [online comment form](#).

A Guidebook for Reducing Local Regulatory Barriers in Zoning:

<https://store.extension.iastate.edu/product/Municipal-Zoning-for-Local-Foods-in-Iowa-A-Guidebook-for-Reducing-Local-Regulatory-Barriers-to-Local-Foods>

Zoning for Urban Agriculture:

<https://healthyfoodpolicyproject.org/key-issues/zoning-for-urban-agriculture>

Front Yard Gardening:

<https://sustainablecitycode.org/brief/front-yard-gardening-in-residential-districts/>

Vacant Lot Toolkit and Adopt-A-Lot Program:

<https://www.pittsburghpa.gov/Business-Development/Planning/Planning-Programs/Adopt-A-Lot/Vacant-Lot-Toolkit>

⁹ Cleveland, Ohio: *Urban Agriculture Innovation Zone* | UREx Sustainability Research Network. (2018, November 7). <https://sustainability-innovation.asu.edu/urbanresilience/2018/11/cleveland-ohio-urban-agriculture-innovation-zone/>

Appendix A: Defining Agricultural Terms

Austin, Texas

§ 25-2-7 - AGRICULTURAL USES DESCRIBED

- (A) Agricultural uses include the on-site production of plant and animal products by agricultural methods.
- (B) Agricultural use classifications are described as follows:
 - (1) ANIMAL PRODUCTION use is the use of a site for the raising of animals or production of animal products including eggs and dairy products, on an agricultural or commercial basis. This use includes grazing, ranching, dairy farming, and poultry farming.
 - (2) AQUAPONIC SYSTEM is the symbiotic cultivation of fish and plants in a recirculation system.
 - (3) COMMUNITY GARDEN use is the use of a site for growing or harvesting food crops or ornamental crops on an agricultural basis, by a group of individuals for personal or group use, consumption or donation.
 - (4) CROP PRODUCTION use is the use of a site for the raising and harvesting of tree crops, row crops, or field crops on an agricultural or commercial basis, including packing and processing.
 - (5) HORTICULTURE use is the use of a site for the growing of horticultural or flora cultural specialties, including flowers, shrubs, and trees intended for ornamental or landscaping purposes, but excluding retail sales. This use includes wholesale plant nurseries and greenhouses.
 - (6) SUPPORT HOUSING use is the use of a site for living accommodations by agricultural employees or their families.
 - (7) URBAN FARM use is the use of a site that can consist of multiple contiguous parcels that is at least one acre in size cultivated primarily for the sustainable production of agricultural products to be sold for profit and may provide agricultural education activities. Agricultural education activities include volunteer programs, farm tours, youth programs and farming classes.
 - (8) MARKET GARDEN use is the use of a site that is less than one acre in size cultivated primarily for the sustainable production of agricultural products to be sold for profit and may provide agricultural education activities. Agricultural education activities include volunteer programs, farm tours, youth programs and farming classes.

- (9) INDOOR CROP PRODUCTION use is the use of a site for the raising and harvesting indoors of tree crops, row crops, or field crops on an agricultural or commercial basis, including packing and processing.

https://library.municode.com/tx/austin/codes/code_of_ordinances?nodeId=TIT25LADE_C H25-2ZO SUBCHAPTER AZOUSDIMADIDE ART1ZOUS S25-2-7AGUSDE

Appendix B: Clarifying Zones Permitting Urban Agriculture

Boston, Massachusetts

§ 89-4. - Urban Farm, Ground Level.

Zoning	Use Regulations: Urban Farm, Ground Level		
	Small (less than 10,000 sf)	Medium (10,000 sf – 1 acre)	Large (greater than 1 acre)
Residential i.e., 1F, 2F, MFR)	Allowed	Allowed	Conditional Use
Commercial (i.e., L, LC, NS, B, CC, EDA)	Allowed	Allowed	Conditional Use
Industrial (i.e., I, M, LI)	Allowed	Allowed	Allowed
Institutional (i.e., IS, NI, CF)	Allowed	Allowed	Conditional Use

https://library.municode.com/ma/boston/codes/redevelopment_authority?nodeId=ART89URAG

Appendix C: On-Site Sales

Portland, Oregon

§ 33.237

Market Gardens	<p>On-site sales.</p> <ul style="list-style-type: none"> a. Nonresidential zones. In nonresidential zones, on-site sales are a Retail Sales And Service Use; and the following regulations apply: <ul style="list-style-type: none"> (1) Exterior display is allowed; and (2) Only food and value-added products made from produce grown on site, such as jams and pickles, may be sold b. Residential zones. In residential zones, on-site sales are allowed as accessory to the Agriculture use, and the following regulations apply: <ul style="list-style-type: none"> (1) Exterior display is allowed; (2) Only food and value-added products made from produce grown on site, such as jams and pickles, may be sold; (3) Sales are allowed only between 7 AM and 9 PM; and (4) Sales are allowed up to 70 days in each calendar year. Off-site sales. <p>Off-site sales are not limited by the regulations of this Chapter.</p>
Community Gardens	<p>Sales of produce from a Community Garden may occur for no more than three consecutive days on two different occasions during a calendar year. Sales must occur on-site.</p>
Food Membership Distribution	<p>Residential zones. The regulations of this subsection apply to sites in residential zones that are not in Institutional use.</p> <ul style="list-style-type: none"> 1. The maximum number of members who may come to the site to pick up items delivered on one delivery day, and the number of delivery days that are allowed in a calendar year are specified in Table 237-2. If a site fits into more than one cell, the more restrictive requirement applies. 2. The operator of a site must select a maximum number of delivery days and maximum number of members who may come to the site, and is responsible for compliance with the regulations that apply to the combination of delivery days and maximum number of members who may come to the site. This may require limiting the number of members who may participate in each order, or moving some deliveries to other locations. 3. Members may pick up items at the site only between 7 AM and 9 PM. 4. Truck deliveries are allowed between 8 AM and 5 PM. 5. Exterior activities, except delivery and pick up, may not occur in the area between the primary building and any street lot line.

	<p>Institutional uses on sites in residential, CI1 and IR zones. The regulations of this subsection apply to sites in residential, CI1 and IR zones that are in Institutional use.</p> <ol style="list-style-type: none">1. Sites that have at least three parking spaces reserved specifically for members picking up their food are subject to Paragraphs B.3 and B.4.2. Sites that do not have at least three parking spaces reserved specifically for members picking up their food are subject to Paragraphs B.1 through B.4.
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Additional details, including information on community notification and required meetings can be found in the code.

<https://www.portland.gov/code/33>

Appendix D: Animal Husbandry

Cleveland, Ohio

§ 347.02 Restrictions on the Keeping of Farm Animals and Bees

<p>Chickens, Ducks, Rabbits, and Similar Animals</p>	<p>(1) In Residential Districts. In Residential Districts, the following regulations shall apply:</p> <p>A. Number. No more than one (1) such animal shall be kept on a parcel of land for each eight hundred (800) square feet of parcel or lot area. For a standard residential lot of four thousand eight hundred (4,800) square feet, this regulation would permit no more than a total of six (6) such animals.</p> <p>B. Setbacks. The coops or cages housing such animals may not be located in front yard or side street yard areas and shall not be located within five (5) feet of a side yard line nor within eighteen (18) inches of a rear yard line, except where the rear lot line forms the side lot line or front lot line of an abutting property, in which case the setback from such rear lot line shall be five (5) feet. No animals shall be kept in required front yard or side street yard areas.</p> <p>C. Prohibitions. No roosters, geese or turkeys may be kept in a Residential District except on a parcel that is at least one (1) acre in area and only if the coop or cage housing the bird(s) is at least one hundred (100) feet from all property lines. For parcels greater than one (1) acre in area, one (1) additional such bird may be kept for each twenty-four thousand (24,000) square feet in excess of one (1) acre. No predatory birds may be kept on any property under the regulations of this section.</p> <p>D. Coops and Cages. All animals shall be provided with a covered, predator-proof coop or cage or other shelter that is thoroughly ventilated, designed to be easily accessed and cleaned, and of sufficient size to permit free movement of the animals exclusive of areas used for storage of materials or vehicles. The total area of all coops or cages on a lot shall not be greater than thirty-two (32) square feet for up to six (6) animals. Coops and cages, singly or in combination, shall not exceed fifteen (15) feet in height.</p> <p>E. Enclosures and Fences. Chickens and other birds shall have access to an outdoor enclosure adequately fenced or otherwise bounded to contain the birds on the property and to prevent access by dogs and other predators and providing at least ten (10) square feet of area for each bird.</p> <p>(2) In Non-Residential Districts. In zoning districts other than Residential Districts, all regulations applicable in Residential Districts shall apply except that the number of such animals shall be limited to one (1) animals for each four hundred (400) square feet of lot area.</p>
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<p>Goats, Pigs, Sheep, and Similar Animals</p>	<p>(1) In Residential Districts. In Residential Districts, no goats, pigs, sheep or similar farm animals shall be kept on a parcel of land less than twenty-four thousand (24,000) square feet in area. For a parcel that is at least twenty-four thousand (24,000) square feet in area, a maximum of two (2) such animals may be kept on the property, with one (1) additional animal permitted for each additional two thousand four hundred (2,400) square feet of area. Stables or other enclosures for such animals shall not be permitted in front yards or in side street yards and shall be set back at least forty (40) feet from any street and from any property other than a property located in an Industrial District and shall be set back at least one hundred (100) feet from a dwelling on another parcel or from the permitted placement of a dwelling on an adjoining vacant parcel.</p> <p>(2) In Non-Residential Districts. In zoning districts other than Residential Districts, no goats, pigs, sheep or similar farm animals shall be kept on a parcel of land less than fourteen thousand four hundred (14,400) square feet in area. For a parcel that is at least fourteen thousand four hundred (14,400) square feet in area, a maximum of two (2) such animals may be kept on the property, with one (1) additional animal permitted for each additional one thousand two hundred (1,200) square feet of area. Stables or other enclosures for such animals shall be set back at least forty (40) feet from any street and from any property other than a property located in an Industrial District and shall be set back at least one hundred (100) feet from a dwelling on another parcel or from the permitted placement of a dwelling on an adjoining vacant parcel.</p> <p>(3) Prohibitions. No horses, cows, alpacas, llamas or similar animals shall be kept on a property except in areas specifically designated for the keeping of such animals.</p>
<p>Bees</p>	<p>(1) In Residential Districts. In Residential Districts, the following regulations shall apply:</p> <p>A. Number. No more than one (1) beehive shall be kept for each two thousand four hundred (2,400) square feet of lot area, and no beehive shall be kept on a lot less than two thousand four hundred (2,400) square feet in area.</p> <p>B. Location and Setbacks. No beehive shall be kept closer than five (5) feet to any lot line and ten (10) feet to a dwelling or the permitted placement of a dwelling on another parcel, and no beehive shall be kept in a required front yard or side street yard. The front of any beehive shall face away from the property line of the Residential property closest to the beehive.</p> <p>C. Fences and Shrubs. A solid fence or dense hedge, known as a “flyway barrier,” at least six (6) feet in height shall be placed along the side of the beehive that contains the entrance to the hive, and shall be</p>

	<p>located within five (5) feet of the hive and shall extend at least two (2) feet on either side of the hive. No such flyway barrier shall be required if all beehives are located at least twenty-five (25) feet from all property lines and for beehives that are located on porches or balconies at least ten (10) feet above grade, except if such porch or balcony is located less than five (5) feet from a property line.</p> <p>D. Water Supply. A supply of fresh water shall be maintained in a location readily accessible to all bee colonies on the site throughout the day to prevent bees from congregating at neighboring swimming pools or other sources of water on nearby properties.</p> <p>E. Prohibitions. No Africanized bees may be kept on a property under the regulations of this section.</p> <p>(2) In Non-Residential Districts. In zoning districts other than Residential Districts, all regulations applicable in Residential Districts shall apply except that the number of beehives shall be limited to one (1) for each one thousand (1,000) square feet of lot area.</p>
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https://codelibrary.amlegal.com/codes/cleveland/latest/cleveland_oh/0-0-0-14557

Appendix E: Agricultural Structures

Cincinnati, Ohio

§ 1422-05. - Development Regulations

Agricultural Structures must be located, developed and operated in compliance with the following:

- (1) Permanent Agricultural Structures. Permanent Agricultural Structures exceeding 200 square feet require a building permit
- (2) Animal Keeping Structures. Agricultural Structures, including fences and walls, used for animal keeping must comply with both the requirements established below and per Schedule 1422-05.
- (3) Agricultural Structures in Non-Residential Districts. In non-residential zoning districts, Agricultural Structures not used for Animal Keeping are subject to the principal and accessory structure standards of the zoning district.
- (4) Agricultural Structures in Residential Districts. In residential zoning districts, Agricultural Structures not used for Animal Keeping are subject to the standards of §1421-01, "Accessory Residential Structures," and §1421-05, "Accessory Structures on Corner Lots."
- (5) Agricultural Structures on Lots Containing No Principal Structure or Dwelling in Residential Districts.
 - (i) Required Rear Yard Location. In residential districts, where a parcel contains no dwelling or principal structure, Agricultural Structures must be located to the rear of the line determined by rear yard averaging of the adjoining parcels principal structures.
- (6) Temporary Agricultural Structures. Temporary structures, particularly greenhouse and membrane structures, shall be regulated as identified below.
 - (i) Temporary Agricultural Structures less than four (4) ft. in height, and of minimum structural character; the maximum area requirement is no greater than the minimum yard setback requirements.
 - (ii) Temporary Agricultural Structures greater than four (4) ft. in height, shall be regulated as follows:

(A) Structures shall comply with Chapter 3103 of the Ohio Basic Building Code and are limited to 400 sq. ft. in area with 12 ft. spacing between structures.

(B) Structures meeting any of the following requirements, shall submit for appropriate building permits: Structures greater than 400 sq. ft. in area; Structures proposed to remain for greater 180 days.

https://library.municode.com/oh/cincinnati/codes/code_of_ordinances?nodeId=TIXIZOCO_CI_CH1422URAGHOANKE



To: Cass Clay Food Commission
From: Janice Tweet, Great Plains Food Bank
Date: November 8, 2024
Re: *Cass Clay Food Partners Strategic Plan*

Since May 2024, members of the Cass Clay Food Commission, the steering committee, and the new Food Action Network have been working to develop the Cass Clay Food Partners Strategic Plan. The new strategic plan aims to identify priorities and goals for the CCFP, how best to accomplish them, responsible parties, progress monitoring, and a timeline to measure success. Three overarching strategic priorities identified in the plan include connections and governance, communication and education, and policies and practices. The strategic plan also includes a revised mission, vision, and new values to better reflect the current and future work of the CCFP.

Requested Action:
Approve the Cass Clay Food Partners Strategic Plan.



Who We Are: The Cass Clay Food Partners (Food Partners) is a food policy council comprised of key organizations and food system experts working to ensure the delivery of the mission, vision and values. There are three arms that comprise the Food Partners: Steering Committee, Food Commission, and Action Network. Contribution from individuals representing each arm of the Food Partners was instrumental in the development of the strategic plan, where three, arm-specific strategic priorities were identified.

Mission

Fostering a sustainable, thriving, and inclusive food system for all.

Vision

Our Vision for the Cass and Clay food system includes:

- Thriving farms and food business,
- Diverse food cultures,
- Access to foods that nourish the body, mind, and spirit,
- Flourishing ecosystems.

Values

These values are at the core of our mission. They inform our decisions, actions, and partnerships as we build a nourishing food system for all.

- Foster access
- Cultivate resilience
- Improves community health

Historical Pillars

Since 2015, we have worked to promote various aspects of the local food system. Our work is grounded in:

• **Urban Agriculture**

Purpose: Influence policy and positive development for use of public space to support local food systems and production.

• **Food Infrastructure**

Purpose: Facilitating the use of and expanding the supply of local foods amongst producers, consumers, and institutions throughout the food supply chain.

• **Outreach and Education**

Purpose: Improve the knowledge and promotion of production, purchase, preparation, and preservation of local foods.

• **Economic Development**

Purpose: Supporting entrepreneurship, providing a business roadmap for start-up and expansion of Cass and Clay County food producers and processors, and measuring established outcomes.

• **Food Access**

Purpose: Increasing ease of availability, affordability, and access to safe, nutritious, and affordable foods to all Cass and Clay County residents.

Our Foundational Practices

We lead in this work by:

- Facilitating connections between the community, elected officials, organizations, and resources to address shared goals and community needs effectively.
- Maintaining clear communication through meetings, policy briefs, and discussions involving key stakeholders.
- Nurturing positive working relationships within the Cass Clay Food Partners coordinating regular meetings, and providing valuable resources to diverse communities.
- Educating on local issues, sharing best practices, creating food system blueprints, and promoting community engagement through various initiatives.
- Spotlighting effective practices, fostering expansive networks, and advocating for food system resilience in decision-making processes.

We will implement procedures and processes, giving oversight and direction in our efforts to achieve our mission and vision, living out our values through this work.

Goal 1:

The Cass Clay Food Partners steering committee will strengthen governance of the Cass Clay Food Partners including the connectivity of the three arms of the Food Partners.

Strategies:

- Establish by-laws to include decision making process; participation expectations; attendance expectations; job/role descriptions; and term limits for at-large members.
- Develop an onboarding process for incoming members of the Food Commission, including at-large members, Action Network, and Steering Committee.
- Conduct an annual review of the Strategic Plan at the December Steering Committee.

Progress Monitoring:

- Establishment of formal materials for onboarding processes.
- Measure touch points/collaborations between at least 2 arms of the Cass Clay Food Partners.
- Review the Strategic Plan annually, likely in December, as shown in meeting minutes & Strategic Plan update at every Food Commission meeting.
- Creation of annual report/snapshot highlighting progress (2 pages with information on Cass Clay Food Partners on one side and annual progress on the other).

Goal 2:

The Cass Clay Food Partners steering committee will strengthen and diversify Cass Clay Food Partners' representation.

Strategies:

- Explore executive leadership models exercised by other food policy councils.
- Review member representation on the Food Commission, Steering Committee and Action Network to ensure diversification across each group, including representation from a variety of food system-related sectors.

Progress Monitoring:

- Research other food policy council leadership models.
- Expand Membership Grid to include Commission, At-large, and Action Network members.

Goal 3:

The Cass Clay Food Partners steering committee will enhance fiscal responsibility and sustainability.

Strategies:

- Explore opportunities for funding on an ongoing basis.
- Investigate potential for annual financial contribution from each jurisdiction representing the Food Commission.

Progress Monitoring:

- Number of funding opportunities identified.
- The number of conversations had with jurisdictions specifically regarding financial contributions.

Strategic Priority II: Communication – Education

We will build trust and credibility across the community through outreach and education, increasing the awareness of the Cass Clay Food Partners and elevating food systems issues and initiatives. Our audience includes food systems stakeholders and organizations, community members with interest in food systems, and elected officials, local government staff, and decision-makers.

Goal 1:

The Cass Clay Food Action Network (CCFAN) will expand the presence and reach of the Cass Clay Food Partners in the community.

Strategies:

- Email a monthly newsletter to CCFAN members.
- Create, post and share social media content to the Cass Clay Food Partners Facebook page.
- Participate in and/or host 3 community events/year, which can include tabling, providing resources, recruiting members, etc.
- Distribute information/educational resources.

Progress Monitoring:

- Number of newsletters sent.
- Number of opened newsletters clicks on specific newsletter links, additional subscribers to CCFAN listserv.
- Total number of subscribers to CCFAN listserv from a variety of outlets (goal to double subscribers from beginning of 2025).
- Number of impressions, engagements, and followers on Facebook (goal to double number of followers from the beginning of 2025).

Goal 2:

The Cass Clay Food Action Network will enhance the Cass Clay Food Partners' resource library.

Strategies:

- Update existing handouts and informational materials.
- Create materials specific to each jurisdiction communicating ordinances (e.g., backyard chicken rack card for City of Fargo residents).
- Create schedule/cadence for policy blueprints and resources to be reviewed and updated.

Progress Monitoring:

- Number of handouts and resources updated.
- Number of newly created resources.
- Schedule that documents the process and timing for which resources will be updated.

Goal 3:

The Cass Clay Food Action Network will increase community member participation in the Cass Clay Food Partners by enhancing confidence and knowledge in food systems.

Strategies:

- Create educational resources on how constituents contact elected officials to discuss an issue.
- Provide community-based opportunities through CCFAN events for community members to connect with Food Commissioner(s) from their jurisdiction.
- Promote the opportunity for community members to provide public comments at Food Commission meetings.

Progress Monitoring:

- Track dissemination of resources and any feedback provided.
- Number of people attending Food Commission meetings.
- Number of public comments per Food Commission meeting.

Strategic Priority III: Policies -- Practices

We will create food policies and practices with specific guidelines for implementation that foster access, cultivate resilience, and improve community health in Cass and Clay Counties.

Goal 1:

The Cass Clay Food Partners will ensure that the policy blueprints are clear, usable guidelines that promote current policies and practices in support of an inclusive food system in the Cass Clay communities.

Strategies:

- Assess the topics in the current blueprints to determine which areas of the food system are supported and identify where there may be gaps.
- Create new blueprints in the identified gaps within the food system.
- Identify local communities where blueprints have been implemented and then note the implementation in specific blueprints, and/or create a community snapshot.
- Read and revise policy and practice blueprints. Review the current blueprints, and any additional recently developed blueprints, to ensure the content reflects equity and best practices for today's food system.

Progress Monitoring:

- Document blueprints, including what part of the food system they relate to, date of creation, and date of review.
- Matrix of which blueprints have been adopted, amended, and implemented by which jurisdiction(s).

Goal 2:

The Cass Clay Food Partners will optimize access to and education of the policy and practice blueprints to help build a nourishing food system for all.

Strategies:

- The Cass Clay Food Partners will present at a minimum of two city commission/council meetings per year to educate elected officials on the policy blueprints.
- The Cass Clay Food Partners will support each jurisdiction in identifying at least one food system-related policy to begin implementing.
- Encourage Food Commissioners to share at least one food system-related highlight from their community at each Food Commission meeting, which will be added as an agenda item.

Progress Monitoring:

- Number of meetings with each jurisdiction.
- Food commissioner engagement - share outs/jurisdiction highlights.
- Number of policies/ordinances adopted and/or implemented.
- Number of residents participating in programs that have been implemented.

Strategic Priority I: Connections – Governance

Goal 1: Strengthen governance of the CCFP including the connectivity of the three arms.

Strategy	Activities	Person Responsible	Timeline
Establish bylaws			
Develop an onboarding process			
Conduct annual review of strategic plan			

Goal 2: Strengthen and diversify CCFP representation.

Strategy	Activities	Person Responsible	Timeline
Explore executive leadership models			
Expand membership grid			

Goal 3: Enhance fiscal responsibility and sustainability.

Strategy	Activities	Person Responsible	Timeline
Explore funding opportunities			
Investigate annual financial contribution from each jurisdiction			

Strategic Priority II: Communication – Education

Goal 1: Expand the presence and reach of the CCFP in the community.

Strategy	Activities	Person Responsible	Timeline
Distribute monthly newsletters			
Share content on Facebook			
Participate in and/or host 3 community events per year			
Distribute resources			

Goal 2: Enhance the CCFP resource library.

Strategy	Activities	Person Responsible	Timeline
Update informational materials			
Create materials specific to each jurisdiction			
Create schedule for policy blueprint and resource review			

Goal 3: Increase community member participation in the CCFP by enhancing confidence and knowledge in food systems.

Strategy	Activities	Person Responsible	Timeline
Create educational resources on engaging with elected officials			
Provide opportunities for community engagement with elected officials			
Promote public comment section of food commission meetings			

Strategic Priority III: Policies – Practices

Goal 1: Ensure that the policy blueprints are clear, usable guidelines that promote current policies and practices in support of an inclusive food system in the Cass Clay communities.

Strategy	Activities	Person Responsible	Timeline
Assess issues covered and gaps in policy blueprint topics			
Create policy blueprints on identified topic gaps			
Identify in which jurisdictions blueprints have been implemented			
Revise policy blueprints			

Goal 2: Optimize access to and education of the policy and practice blueprints to help build a nourishing food system for all.

Strategy	Activities	Person Responsible	Timeline
Present at city commission/council meetings			
Support jurisdictions in identifying food system-related issue to begin implementing			
Encourage food commissioners to share food system-related highlight during commission meetings			



To: Cass Clay Food Commission
From: Rory Beil, Clay County Public Health
Date: November 8, 2024
Re: *Kudos and Community Recognition*

Since May 2022, the Cass Clay Food Commission has highlighted individuals and organizations for their work in the Fargo-Moorhead metropolitan area and the broader community. This includes awards and recognitions as well as state and local initiatives that support food systems and the values of the Commission.

In November 2024, the Steering Committee would like to recognize the following:

1. Cass Clay Hunger Coalition Hosts 7th Annual Hunger and Health Summit
The Cass Clay Hunger Coalition (CCHC) represents over 30 agencies working collaboratively to support equitable access to food and end hunger in the region. The CCHC works closely with a diverse network of hunger fighters working within schools, nutrition programs, businesses, healthcare partners, charitable feeding programs, community-led organizations, and other non-profits. The coalition also works to promote existing food resources and identify gaps in services, and its School Meal Repack Program reduces food waste by working with schools to repackage and distribute surplus meals to students and families in the community.

On October 17, nearly 100 people participated in CCHC's 7th Annual Hunger and Health Summit. This year's theme was Nourish and Flourish: Addressing Hunger and Health Together, and the event featured sessions from industry leaders on the social determinants of health, harm reduction, hunger on college campuses, and nutrition and public health.

2. Folkways Celebrates 10th Anniversary Season of the Red River Market
Folkways, a community-building and placemaking nonprofit, established the Red River Market in the spring of 2015. The market was established in part because of the lack of a centrally located, accessible space to access locally grown food and the lack of a shared public space in the FM community. Since its inception 10 years ago, the market has grown from 800 to 8,000 weekly attendees from early July to the end of October.

The Red River Market strives to support local farms and new and emerging food businesses, increase access to fresh, locally-grown produce, and create a sense of place where all are welcome. This year's market included over 80 local vendors selling: produce, meat, eggs, bakery, pantry items, household goods, and art. Market vendors accept SNAP/EBT for eligible items and participants receive up to \$15 in matching funds weekly. The market also partners with MATBUS to provide free bus rides to and from the market.

Requested Action:
None.



To: Cass Clay Food Commission
From: Heather Nesemeier, Chair
Date: November 6, 2024
Re: *Public Comment Opportunity*

The public comment opportunity is an open forum for the public to provide comments about specific items on this meeting's agenda, as well as any other issues that may pertain to food systems policies or programs. Members of the public may also submit comments online through the comment form link sent out with the meeting's agenda and packet. People may sign up to receive notices about the Cass Clay Food Commission at <http://fmmetrocog.org/get-involved>.

Comments to the Cass Clay Food Commission will be limited to two minutes per individual or at the discretion of the Commission Chair.

Requested Action:
None