

CITY OF SOMERVILLE
ORDINANCE NO. _____
IN THE BOARD OF ALDERMEN: _____

AN ORDINANCE AMENDING THE SOMERVILLE ZONING ORDINANCE TO ENCOURAGE URBAN AGRICULTURE IN SOMERVILLE ADDING DEFINITIONS, AND AMENDING THE TABLE OF USES AND THE FOOTNOTES TO THE TABLE OF USES TO ALLOW FARMS AS ACCESSORY RESIDENTIAL USES, AND TO ALLOW COMMUNITY GARDENS, COMMUNITY FARMS AND FARMING ON MUNICIPAL LAND.

WHEREAS, the City of Somerville is committed to increasing access to fresh, wholesome foods for all residents; and,

WHEREAS, as a national leaders in innovative government practice, Shape Up Somerville and its local partners have established a wide and increasing variety of programs and initiatives for access to fresh food; and,

WHEREAS, national policies are encouraging home gardeners to produce their own food; and,

WHEREAS, there is local interest in additional community gardens, community farms and small commercial farms; and,

WHEREAS, growing local food eliminates both the need for fossil fuels in transporting food and the use of destructive chemicals that are a part of large scale food production operations; and,

WHEREAS, urban agriculture at a residential scale provides a valuable supplement to a family food budget; and,

WHEREAS, urban agriculture at a community scale provides an invaluable opportunity for students to learn about nutrition and where food comes from; and,

WHEREAS, new technologies for growing food, including indoor growing technologies such as aquaponics and hydroponics are the basis for new agricultural opportunities, partnerships and research; now,

THEREFORE, be it adopted by the Board of Aldermen, in session assembled, that the below listed sections of the Somerville Zoning Ordinance are hereby amended as identified.

Urban Agriculture Zoning Amendment
Submitted 4/12/12

1. Article 2: Definitions are hereby added to as follows (additions are underlined):

Aquaponics: The cultivation of fish and plants together in a constructed, re-circulating ecosystem utilizing natural bacterial cycles to convert fish wastes to plant nutrients.

Community Farm/Greenhouse: Farm or greenhouse operated by a non-profit agency

Community Garden: Gardens operated by the City of Somerville or a non-profit organization that do not include the growing and sale of farm products and do not include the keeping of hens or honey bees.

Farm: The cultivation and tillage of the soil, the production, cultivation, growing and harvesting of any agricultural, aquacultural, floricultural or horticultural commodities, the keeping and raising of hens and/or honey bees, including preparations for commercial use and/or sale. Farming shall include aquaponic and hydroponic farms.

Farm, yard: A farm on a residential yard.

Farm, roof: A farm on a roof of a principal or accessory structure.

Greenhouse: A structure, primarily of transparent material, in which temperature and humidity can be controlled for the cultivation or protection of plants or other agricultural products.

Hens: Female chickens.

Hydroponic: The cultivation of plants in nutrient solution rather than soil.

Urban Agriculture Zoning Amendment
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3. Article 7: Permitted Uses, Section 7.12. Footnotes to table of permitted uses, is hereby added to as follows (additions are underlined):

(20) Hens shall be subject to the following rules: 1) Hens may be kept per 7.11.4.k on residential properties only; 2) ownership, care and control of the hens shall be responsibility of a resident of the dwelling on the lot; 3) a maximum of 6 hens may be kept on a lot, although Health regulations may further limit the number and/or manner of keeping of hens on lots; 4) no roosters may be kept on lots in Somerville; 5) henhouses are subject to applicable accessory structure setback requirements and, 6) Hens and henhouses are not permitted in front yards or in side yards that abut streets.

(21) Honey bees shall be subject to the following rules: 1) Honey bees may be kept per 7.11.4.k on residential properties only; 2) ownership, care and control of the honey bees shall be responsibility of a resident of the dwelling on the lot; 3) a maximum of 2 colonies may be kept on a lot, although Health regulations may further limit the number and/or manner of keeping of honey bees on lots; 4) structures for honey bees are subject to applicable accessory structure setback requirements, and 5) Honey bees and beekeeping materials are not permitted in front yards or in side yards that abut streets.

(22) Yard farms shall be subject to the following rules: 1) Yard farms may be kept per 7.11.4.k on residential properties only; 2) ownership, care and control of the farm shall be responsibility of a resident of the dwelling on the lot; 3) Land devoted to agricultural use shall be well-maintained, regularly cleared of debris and free of excessively tall weeds and grass; 4) Yard farms may include greenhouses as accessory residential structures, subject to applicable setbacks, and 5) Accessory structures to an agricultural use shall also be well maintained.

(23) Roof farms shall be subject to the following rules: 1) Roof farms may be kept per 7.11.4.k on residential properties only; 2) ownership, care and control of the farm shall be responsibility of a resident of the dwelling on the lot.

(24) Farming, including but not limited to hydroponic and aquaponic farming, is permitted on municipal land, in municipal buildings, on roofs of municipal buildings and/or in greenhouses on municipal land, subject to applicable accessory structure setback regulations. Products from such farms may be sold off-site, or sold on-site subject to the provisions of footnote #25.

(25) On-site sale of products from these uses are allowed subject to the following provisions: 1) Sales of produce shall be permitted between the hours of 8:00am and 6:00pm, May 1 – Oct. 31 of each year; 2) Sales shall be permitted not more than three (3) days per week; 3) Sales shall be permitted no more than twenty-five (25) days per year; 4) No sales display or structure shall be located on public sidewalk, street or block vehicle and pedestrian flow; 5) Sales display, structure, and signage must be stored out of site while not in use; 6) Signage shall be limited to one (1) sign and not exceed 64 square inches; and, 7) Proof of annual soil testing must be posted during all sales.

(26) Farms and Greenhouses shall be subject to any applicable rules and regulations established by the Health Department of the City of Somerville.