



## Food Policy Blueprints

In 2012, the Washington State Department of Health contracted with PSRC's Regional Food Policy Council to work on a policy or systems change that would increase equitable access to healthy foods in the Puget Sound region. The Regional Food Policy Council chose to develop policy recommendations to local jurisdictions to support healthy food access and the local food economy through planning, zoning, economic development, and procurement policies.

The Regional Food Policy Council identified five initial topic areas to address with this project:

- Comprehensive Plans
- Urban Agriculture
- Farmers Markets
- Local Food Procurement
- Rural Farmland Preservation

These food policy blueprints provide recommendations for local governments interested in addressing the local food economy and food access through policy and programs. The recommendations focus on examples from the Puget Sound region to show steps some local jurisdictions have already taken.

The blueprints aim to address challenges and opportunities for local communities. Challenges include health disparities and access to healthy food, preserving agricultural resources, and ensuring resiliency in the food system during emergencies. Food system planning can create opportunities to grow the local food economy and provide other community benefits.

The intent is for these resources to grow and change over time as the Council incorporates new recommendations, policy areas or examples.

## About the Regional Food Policy Council

The Regional Food Policy Council brings together community, government, business and agricultural interests to work on integrated and sustainable policy recommendations to strengthen the regional food system. It was established in September 2010 at the Puget Sound Regional Council (PSRC). PSRC serves as the Metropolitan Planning Organization for King, Pierce, Snohomish and Kitsap counties and is focused on ensuring a thriving central Puget Sound region now and into the future through planning for transportation, growth management and economic development. The Regional Food Policy Council has a diverse membership of local jurisdictions, businesses, institutions and community organizations.

Members of the council and PSRC staff are available to provide technical assistance to jurisdictions considering any of the recommendations.

Resources and reports on various food policy topics are available online here:

<http://www.psrc.org/growth/foodpolicy/resources-topic/>

# The Blueprints

## Farmers Markets

### Background

Farmers markets serve as an important community gathering place, economic development opportunity and connection point between producers and consumers. Farmers markets sit at the intersection of many important policy issues: nutrition and health, environmental protection, food security, economic growth, and community development. While farmers markets can provide significant benefits, urban markets are often challenged by complicated, expensive permitting; lack of stable, long-term locations; and underfunding.

Both locally and nationwide, local governments have taken steps to remove barriers and improve access for farmers markets. This can include establishing a clear code definition for farmers markets, amending codes to allow farmers markets in appropriate zones, allowing markets on city-owned property, streamlining permitting, and establishing a program to sponsor farmers markets. Jurisdictions may also consider supportive steps they can take to facilitate acceptance of electronic payment and food assistance benefits at farmers markets.

### Recommendation: Streamline permitting and fees to remove barriers to establishing and maintaining a farmers market.

Several local jurisdictions have identified licensing and fee schedule improvements to streamline the permitting process for farmers markets. The cities of Gold Bar and Seattle have both considered how to support their farmers markets by streamlining or exempting markets from fees, licenses, or permits. The City of Gold Bar exempts operators at farmers markets from business licenses, while the City of Seattle completed a process in 2009 to streamline market requirements and fees. MRSC has collected other state and local approaches on their [Farmers Market](#) page.

### Local Examples: Streamlined Processes

#### Gold Bar

[5.04.040\(C\)\(10\) - Business Licenses](#)

The following shall be exempt from the licensing provisions of this chapter and are not required to comply with the licensing requirements of this chapter: Businesses operating at a "farmers" market or other city-sponsored or -approved activity so long as the activity does not occur more than one (1) time per week for more than five (5) months of each calendar year; and provided that the name, address, and telephone number is submitted to the city on a city business license application form, in advance.

#### Seattle

Streamlined fees and permitting: [Seattle Farmers Market Ordinance](#) (2009)

### Other Resources

[Zoning for Public Markets and Street Vendors](#) – APA Zoning Practice (2009)

[Establishing Land Use Protections for Farmers Markets](#) - Public Health Law and Policy (2009)

[Community Health and Food Access: The Local Government Role](#) - International City/County Management Association (2006)

[King County Farmers Market Report](#) – King County Department of Natural Resources and Parks (2010)

Topic

Background

Recommendations with examples

Resources

# Comprehensive Plan Policies

## Background

Planning for food is increasingly a topic of interest both locally and around the country. Supporting local food is important for the local rural economy, for community food security and for reducing the distance food travels from farm to table. Local governments can play a significant role in supporting local agriculture, promoting public health, improving access to healthy and affordable food, reducing environmental impacts, and diverting food waste from landfills.

Supporting the local food system with comprehensive planning can have economic, quality of life, and environmental benefits.

- Creating and sustaining farm income
- Living-wage food production, processing, and sales jobs
- Improving the economic viability of local agriculture
- More efficiently using vacant or underutilized parcels through urban agriculture
- Increasing access to healthy food choices in all neighborhoods

Regional and countywide planning also provides direction to local jurisdictions in addressing the food system. VISION 2040 is the central Puget Sound region's long-range growth management, transportation, and economic development framework. It addresses the importance of conserving agricultural land, supporting the local food economy, and building healthy communities. Each central Puget Sound county has countywide planning policies that discuss the food system in some capacity. Depending on the county, these policies look at production, food access, local food procurement, and agriculture.

The examples below focus on supporting food access and the local food economy. In other parts of the country, some jurisdictions have also chosen to address disincentives to unhealthy food in their communities. If jurisdictions choose to incorporate policies regarding "healthy" and "unhealthy" foods, they should consider defining these terms.

Resources are available to help local jurisdictions evaluate food access in their communities and potentially establish quantifiable measures to track changes. Several jurisdictions have found the Retail Food Environment Index (RFEI) to be a useful indicator of the availability of healthy and unhealthy retail. The RFEI is calculated by dividing the total number fast-food restaurants and convenience stores by the total number of supermarkets and produce vendors. More information and state-by-state maps of the Retail Food Environment Index are available [online](#).

For suggested implementation actions, see sections on [Urban Agriculture](#), [Farmers Markets](#), and [Local Food Procurement](#).

## **Recommendation: *Incorporate supportive policies in the comprehensive plan.***

### Land Use Element

**Goal:** Promote food security, local food production, and public health by encouraging locally-based food production, distribution, and choice through urban agriculture, community gardens, farmers markets, and food access initiatives. Establish partnerships and share resources to promote food access and production.

### Policies:

- Agriculture and community gardening
  - Work with residents to evaluate and remove barriers to food production.
  - Minimize conflict between agricultural and non-agricultural uses through maintaining a Right-to-Farm Ordinance.
  - Expand community gardening through city land, including parks and surplus property.
  - Support the development and adoption of joint-use agreements on publicly owned sites or institutional facilities to allow gardens, distribution and sales.
  - Promote inter-agency and intergovernmental cooperation and resource-sharing to expand community gardening opportunities.

- Healthy food access
  - Explore incentives or regulatory changes to encourage location of food purveyors in underserved areas.
  - Prioritize low-income areas as potential locations for community gardens, farmers markets, and food access programs.

### **Economic Development Element**

**Goal:** Support the local food economy. Seek ways to expand capacity to grow, process, distribute, and access local foods. Establish partnerships and share resources to support the local food economy.

#### **Policies:**

- Local food economy
  - Support retail sales and local food economy by encouraging locally based food production, distribution, and choice through the support of community gardens, farmers or public markets, and other small-scale, collaborative initiatives.
  - Explore economic development opportunities related to local agriculture. Assess and plan for community-supported agriculture programs, and local food processing/wholesaling/distribution facilities to connect local agriculture to markets such as retailers, restaurants, schools, hospitals, and other institutions.
  - Encourage business, programs and uses that support local food production.
- Farmers markets
  - Support farmers markets as means to encourage community-building, support local agriculture and economic development.
  - Identify potential farmers' market sites on public property, community facilities, and, where feasible, on streets using temporary street closures. Encourage new farmers markets in neighborhoods with low food access.
- Procurement
  - Explore procurement policies that favor local and regional food sourcing of healthy food in city or county services.

## **Local Examples: Healthy Des Moines Element**

The adopted [Healthy Des Moines Plan Element](#) shows how food policies have been integrated in an element focused on health and well-being.

### **12-03 POLICIES**

#### **12-03-01 Healthy Eating**

- (1) Support policy, systems, and environmental changes that result in increased access to healthy foods for the most at risk populations in the City, with an emphasis on school-age children.
- (2) Provide healthy food and beverages in City programs and facilities to promote healthy eating habits.
- (3) Support the Des Moines Food Bank, Farmers Market and other organizations that help provide food assistance to low-income residents so that all families, seniors, schools, and community-based organizations are able to access, purchase, and increase intake of fresh fruits, vegetables, and other nutritious foods.

### **12-04 STRATEGIES**

#### **12-04-01 Healthy Eating**

- (1) Adopt a Healthy Food Resolution and create a long-term action plan to ensure commitment to healthy food access beyond CPPW funding.
- (2) Evaluate, adopt and implement nutritional standards and healthy food procurement policies in City owned and operated facilities and across departments.

#### **12-04-02 Active Living**

- (1) Develop and implement a communication plan and Healthy Des Moines website with information and links about healthy eating, active living and related events.

## Local Examples: King County Comprehensive Plan

The [King County Comprehensive Plan](#) provides examples of supportive food policies that have been integrated throughout plan elements.

### Rural Legacy and Natural Resource Lands

**R-517** King County should explore ways of creating and supporting community gardens, farmers' markets, produce stands and other similar community based food growing projects to provide and improve access to healthy food for all rural residents.

**R-665** The county should develop incentives that support local food production and processing to increase food security and provide a healthy local food supply, and reduce energy use.

**R-674** King County should work with farmers and ranchers to better understand the constraints to increased food production in the county and develop programs that reduce barriers and create incentives to growing food crops and raising food-producing livestock.

**R-675** King County should prioritize its programs to help build and support a sustainable, reliable, equitable, and resilient local food system.

**R-676** King County should consider adopting procurement policies that would encourage purchases of locally grown fresh foods.

**R-677** King County should promote local food production and processing to reduce the distance that food must travel from farm to table.

**R-678** King County should collaborate with other organizations to further the development of programs that increase the ability of shoppers to use food assistance benefits and the ability of farmers to accept electronic and other forms of payment at farmers' markets and farm stands.

### Environment

**E-455** King County shall work with regional stakeholders to ensure a viable and safe organics recycling infrastructure that allows for yard, food, wood, biosolids, manure and other organic wastes to be turned into resources benefiting climate change, soil health, water quality, and maximizing landfill diversion.

### Economic Development

**ED-602f** King County will explore opportunities to support agricultural tourism and value-added program(s) related to the production of food, flowers, and wine in the county. These partnership venues should be educational and include information on the diversity of products available in the county and the importance of buying local.

**ED-603** King County should partner with other Puget Sound counties and businesses to analyze the need and possible sites for regional agricultural (including beef and poultry) and forest product processing facilities that may require regional demand to make them economically feasible. The county should also explore options and incentives to encourage entrepreneurs to invest in mobile forest and food production processing facilities that can serve the region.

**ED-604** King County will continue to partner with organizations that support programs and strategies that strengthen the interdependence and linkage between the rural and urban economies, such as the Regional Food Policy Council and Puget Sound Fresh.

## Other Resources

[Food Access Policy and Planning Guide](#) – University of Washington Northwest Center for Livable Communities (2011)

[Integrating Food Policy in Comprehensive Planning: Resources for the City of Seattle](#) – Puget Sound Regional Council (2012)

[Planning to Eat? Innovative Local Government Plans & Policies to Build Healthy Food Systems in the United States](#) - SUNY – Buffalo (2011)

[Planning for Food Access and Community-Based Food Systems: A National Scan and Evaluation of Local Comprehensive and Sustainability Plans](#) – American Planning Association (2012)

# Urban Agriculture

## Background

Urban agriculture can play an important role in increasing food security, building community, and improving the environment. Local governments occupy a key role in ensuring that cultivation, processing, and sales of locally produced food occurs in appropriate locations with few barriers. Urban agriculture activities include home gardening in front and backyards, planting strips and roofs; keeping livestock, beekeeping, larger urban farms, private and public community gardens, production and sale of value added products like jams and pickles, and on-site sales of locally produced food.

Codes and development regulations are ways for local governments to enable urban agriculture activities. Jurisdictions can ensure that codes permit urban agriculture in appropriate zones. Streamlining permitting processes can help entrepreneurs enter the market. Beyond permitting food production and sales, jurisdictions can adopt plans or strategies to increase access, education, and support for urban agriculture programs. Several central Puget Sound jurisdictions have adopted language in resolutions, codes, and plans to ensure opportunities to grow food in most zones.

For example, jurisdictions have developed policies and code language to:

- Support urban agriculture through plans, programs, administrative actions and development regulations.
- Encourage business, programs and uses that support local food production.
- Encourage alternative growing options, like roof gardens and edible landscaping.

**Recommendation: *Define/clarify urban agricultural land uses and activities in city code. Develop implementation strategies to increase urban agriculture.***

## Municipal Code Audit

**Goal:** To identify barriers to urban agricultural activities and develop policies that can be built upon to encourage urban agriculture.

**Action:** Jurisdictions will first need to understand the location and types of urban agricultural activities currently allowed. Then, desired activities, including their scale and permitted locations, can be examined. Different agricultural activities may require amending definitions, land use codes, zones, and site requirements in zoning and development regulations. For example, jurisdictions have identified and developed policies and code language that address:

- Zones suitable for urban agriculture and community gardens
- Where gardening is allowed on private property (e.g., planting strips, front yards)
- Accessory structures (hoop houses, cold frames, tool sheds)
- Roof treatments
- Vertical/Indoor farms
- Bonuses for including gardening space or edible landscaping in development projects
- Animals allowed
- Pest management
- Onsite sales of produce/products
- Licensing for offsite sales
- Community kitchens
- Incorporating gardens/fruit trees in landscaping guidelines
- Targets for community garden access
- Composting and waste
- Water use and reuse for agricultural purposes

A code audit could focus on urban agriculture holistically, or a targeted subject, e.g., community gardens. In either case, the audit and subsequent code changes should be mindful of the sustainability of implementing a policy, particularly in view of tenure and maintenance of property that will be farmed or gardened. Involving external groups with dedicated interests in urban agriculture, such as conservation districts, can help both the audit and reviewing proposed code changes.



## Model Land Use Code for Urban Agriculture

**Goal:** To incorporate policies increasing urban agriculture in city code.

**Action:** After policy areas to improve are identified, code amendments can be drafted to address these issues. Model codes can provide modifiable examples. Language may be inserted into the zoning code, other land use regulations, or elsewhere in the city/county code.

### Local examples: Municipal code audit

#### King County

King County has taken a proactive approach to revising its code to ensure the preservation and sustainability of agriculture. This process has been iterative and very collaborative, with many groups, including members of the county agriculture commission, the King Conservation District, farmers in the community, and state and national regulators. The county's work emphasizes the importance of working with both internal and external groups for feedback and input. In 2009, as a part of the creation of the King County FARMS Report, a regulatory review team was formed to review and identify agriculturally friendly regulations.

Code revisions have occurred in several waves. The county began by revising allowed uses in agricultural zones, with an eye towards ensuring economic sustainability and viability of farming. After making these changes, the county became aware that flood and environmental regulations still prevented some of these uses from occurring, and worked to revise these regulations.

These review activities and code amendments are underlined by policies in the King County strategic and comprehensive plans. They explicitly state goals of preserving and sustaining agriculture.

#### Tacoma

The City of Tacoma adopted a revised urban forestry element in its comprehensive plan in 2010. Since then, they have been revising their city code to ensure that the plan may be implemented. Tacoma's experience also underlines the role that review groups can play in a code audit. Tacoma recently amended its code regarding poultry husbandry. The change was brought about after a member of the Sustainable Tacoma Committee identified that the animal code discouraged residents from keeping poultry by requiring a 50-foot setback for chicken coops and imposing criminal penalties for offenders. The City examined other jurisdictions' codes regarding chickens and worked with code enforcement to draft new rules. The revised code was presented to the community for feedback and passed in 2012.

A community petition prompted the City of Tacoma to allow raised bed gardening in planting strips on a permit basis. The code was revised simply to allow this and to remove the annual fee for occupying the right of way.

### Local examples: Land use code and supporting policies

#### Tacoma Comprehensive Plan Policies – [Urban Forest Policy Element](#)

Create an urban agriculture program. Encourage and assist partners to support and/or create urban agriculture programs and policies. Work with partners to establish a model community garden program, including strategies to increase quantity, quality, security, land use, mitigate soil contamination and address other issues that affect community gardens.	Urban Forest Policy Element. UF-UA-1
Implement an education and outreach program to increase the awareness of the benefits of locally and sustainably grown food. Encourage the use of integrated pest management, sustainable water usage, and natural and organic methods to produce food.	Urban Forest Policy Element. UF-UA-2
Encourage the use of native and/or regionally produced edible plants or seeds for use in urban agriculture. Educate citizens about the selection and care of plants in a manner that does not threaten the health of the urban forest ecosystem.	Urban Forest Policy Element. UF-UA-4



Adopt zoning regulations that establish community gardens as a permitted or conditional use in appropriate locations.	Urban Forest Policy Element. UF-UA-7
Encourage new affordable housing units to contain designated yard or other shared space for residents to garden.	Urban Forest Policy Element. UF-UA-8
Encourage development in Mixed-Use Centers, Downtown, and commercial areas to incorporate green roofs, edible landscaping, and the use of existing roof space for community gardening. Community garden space should count towards open space requirements.	Urban Forest Policy Element. UF-UA-9

### Tacoma Municipal Code – Keeping of Poultry

[Tacoma Municipal Code](#) - 5.30.010 Keeping – Prohibited places.

A. No more than 6 adult poultry and 6 pigeons are allowed per parcel provided that if a person has more than 6 adult poultry or 6 pigeons as of September 10, 2012, he/she may keep those excess poultry or pigeons until July 1, 2015, at which time he/she must comply with the maximum limit allowed; provided further that an owner may have up to 10 adult poultry and 10 pigeons if they obtain written consent from all owners of all residences, dwellings, hotels, apartment houses, or rooming

houses owned by others within 50 feet of where the adult poultry or pigeons are kept, and file such consent with the City Clerk.

One additional adult poultry or pigeon is allowed for each 5,000 square feet of lot area in excess of 10,000 square feet.

B. Pursuant to TMC 17.02.041, it is a violation for any person to own, possess, or harbor a rooster within the City limits.

C. Animal enclosures such as a cage or coop shall be set back a minimum of 12 feet from the nearest portion of any residence, dwelling, hotel, apartment house or rooming house. Animal enclosures must be located behind the front wall of the main building on a lot, and shall not be located in the required side yard setback area of the main building as described in TMC 13.06.100.F.5. Animal enclosures larger than 200 square feet must obtain a building permit.

D. The keeping of poultry and pigeons that do not meet these standards is hereby declared to be a public nuisance; provided that this chapter shall not apply in areas in which abattoirs or stockyards are permitted by appropriate ordinances.

(Ord. 28085 Ex. A; passed Aug. 28, 2012: Ord. 22212 § 17; passed Sept. 30, 1980: Ord. 16586 § 1; passed Jun. 14, 1960)

### Tacoma Municipal Code – Removal of right of way occupancy fees for gardening

[Tacoma Municipal Code](#) - 9.08.075 Fees.

The City Council hereby authorizes the fees for street occupancy permits set forth in the schedule below, and all previously adopted fee schedules are hereby rescinded, except that the existing fee schedule for Shoreline Districts shall remain in effect until superseded by an alternative use fee as referenced in Section 2 below. Application and renewal fees are established commensurate with the costs of administration involved in the issuance and continuance of the permits. **Application and renewal fees do not apply for garden activities.** Use fees are established for commercial uses of the street rights-of-way, and are payable in addition to the application and renewal fees. Sidewalk cafes are recognized as a special street occupancy that promotes desirable street life that can have favorable economic impact by encouraging visitation to City business districts and result in patronage of its businesses. Since sidewalk cafes are encouraged, street occupancy permit fees for sidewalk cafes are given favorable consideration.

### Seattle Municipal Code – Urban Agriculture

[Summary of Seattle Code Changes](#) enacted in 2010

[Ordinance 123378](#) contains and authorizes the 2010 code changes

**Recommendation: *Identify land available and used for urban agriculture.***

#### Land inventory

**Goal:** To inventory land currently used and/or potentially available for urban agriculture, including community gardens.

**Action:** Inventorying and identifying land suitable for urban agriculture can be performed with varying levels of technical skill. This assessment will provide a baseline for measuring progress toward urban agriculture goals.

- Identify land in urban agriculture use with property records, maps, GIS, and community-based information.
- Identify land where urban agricultural activity could occur (by zoning right, land that meets land use code/zoning criteria).
- Perform a suitability analysis of vacant, publicly owned, and/or park land that could be dedicated to urban agriculture, considering characteristics such as area, water access, slope, shade, soil quality, proximity to underserved neighborhoods, proximity to community gardens or other urban farms/gardens.

## Local examples: Inventories of land

### Seattle

As a part of Seattle’s Local Food Action Initiative Resolution, passed in 2008, the Department of Neighborhoods was tasked to create an inventory of publicly owned land that has community garden potential. The report, [Growing Green](#), listed in the other resources section below, represents an attempt to analyze publicly owned land in Seattle for suitability as P-Patch gardens.

## Other Resources

[Urban Agriculture Code Audit: Milwaukee, WI](#) – City of Milwaukee (2012)

[Seeding the City: Land Use Policies to Promote Urban Agriculture](#) – ChangeLab Solutions (2011)

[Growing Urban Agriculture: Equitable Strategies and Policies for Improving Access to Healthy Food and Revitalizing Communities](#) – PolicyLink (2012)

[Urban Agriculture: A Sixteen City Survey of Urban Agriculture Practices Across the Country](#) – Turner Environmental Law Clinic (2011)

[Growing Green: An Inventory of Public Lands Suitable for Community Gardening in Seattle, Washington](#) – Horst (2008).

[Plotting P-Patch Potential](#) – Bertulfo et. al. (2009).

[Green Roofs](#) research by the University of Washington Green Futures Lab.

# Farmers Markets

## Background

A farmers market can serve as an important community gathering place, economic development opportunity and connection point between producers and consumers. Farmers markets sit at the intersection of many policy issues: nutrition and health, environmental protection, food security, economic growth, farmland preservation, and community development. Farmers markets are critical to the sustainability of small-scale, diversified farm businesses and build linkages between agricultural communities and urban and suburban residents. While farmers markets can provide significant benefits, urban markets are often challenged by complicated, expensive permitting, lack of stable, long-term locations, and underfunding.

Both locally and nationwide, local governments have taken steps to remove barriers for farmers markets. These include establishing a clear code definition for farmers markets, amending codes to allow farmers markets in appropriate zones, allowing markets on city-owned property, streamlining permitting, and establishing a program to sponsor farmers markets. Jurisdictions may also consider additional steps, such as facilitating acceptance of electronic payment and food assistance benefits, outreach and access to markets, and options for stable, year-round infrastructure.

**Recommendation: *Streamline permitting and fees to remove barriers to establishing and maintaining a farmers market.***

Several local jurisdictions have identified licensing and fee schedule improvements to streamline the permitting process for farmers markets. Several cities in the region have supported farmers markets by streamlining or exempting markets from fees, licenses, or permits. The City of Gold Bar exempts operators at farmers markets from business licenses, while Seattle also exempts direct-market farmers from requiring a city business license and has streamlined market permits and fees. Municipal Research and Service Center has collected other state and local approaches on their [Farmers Market](#) page.

## Local examples: Streamlined processes

### Gold Bar

#### [5.04.040\(C\)\(10\) - Business Licenses](#)

The following shall be exempt from the licensing provisions of this chapter and are not required to comply with the licensing requirements of this chapter: Businesses operating at a "farmers" market or other city-sponsored or -approved activity so long as the activity does not occur more than one (1) time per week for more than five (5) months of each calendar year; and provided that the name, address, and telephone number is submitted to the city on a city business license application form, in advance.

### Seattle

Streamlined fees and permitting: [Seattle Farmers Market Ordinance](#) (2009)

**Recommendation: *Identify allowable locations for farmers markets to operate. Consider permitting markets to operate on city-owned property.***

Several local jurisdictions have clarified where farmers markets are permitted to operate and have reduced administrative barriers for temporary use of public land to host a farmers market. In addition to sponsoring markets, Steilacoom, Renton, Kirkland, Auburn, Issaquah, Snoqualmie, and North Bend provide space for farmers markets on city land. Identifying feasible locations accessible to patrons and market vendors can be an important step forward that benefits both neighborhoods and markets.

Beyond allowing use of city-owned property, jurisdictions can develop clear guidance on how markets can locate on public land and start in your community. Clarity on how to establish a farmers market on public land can make it easier to launch. For example, the USDA and GSA developed a report in 2009 addressing how to [locate farmers markets on federal property](#).

## Local examples: Farmers markets on public land

### Seattle

Seattle facilitated location of farmers markets on city property with clear process and procedures. See [Seattle Administrative Rules Regarding Use of Public Land](#) (2009)

### Renton & Steilacoom

Renton and Steilacoom both host farmers market on city-owned property. Steilacoom has established a clear [process and guidelines](#) to maintain a stable and well-run market.

## Recommendation: *Define farmers markets.*

Some jurisdictions define what constitutes a “farmers market” to clearly differentiate these markets from fairs, festivals, flea markets, events with temporary vendors, and other businesses that may use the term “farmers market” or appear synonymous to the public. By defining a farmers market, jurisdictions can target policies and programs aimed at farmers markets more precisely and reduce confusion.

Common components of a farmers market definition:

- The primary purpose of farmers markets is to connect local growers directly to consumers. Establishing a minimum number of farmers needed on market day/season or a minimum proportion of sales from producers are two ways of establishing a vendor mix that emphasizes farmers over resellers, crafters, and prepared foods.
- Markets are generally a temporary use, where vendors break down and set up each market day.
- Markets operate periodically (typically one or two days a week), generally for a defined season, although there are a growing number of year-round farmers markets as well.

Washington State Farmers Market Association’s (WSFMA) [Roots Guidelines](#) define vendor categories and list what items are not allowable for sale at member markets. The Roots Guidelines don’t define “local” but do require all products at member markets to be grown/raised/produced in Washington State or bordering counties in Oregon and Idaho. In 2014, the WSFMA represented 112 farmers markets throughout the state.

## Local examples: Defining farmers markets

### Snohomish County

Snohomish County defines farmers markets under their county code as a basis for identifying allowable locations and other relevant development regulations. The following definition for a farmers market is used by the county: “A farmers’ market is defined as a site or facility owned or operated by a farmers’ cooperative or similar arrangement for the growers and producers of agricultural products to display and sell agricultural products.” (SCC 30.91F.184) [Farmers Market AG Bulletin #9](#) (2010)

### Seattle

The City of Seattle provides a detailed definition of farmers markets in Attachment A of [Farmers Markets Permitting Process](#) (2009). Seattle’s administrative definition of a farmers market requires at least 70% of the market’s vendors to be Washington State farms and businesses selling fresh farm products, value-added farm foods, dried flowers and crafted farm products, and processed and prepared foods. This definition is used as criteria for participation in farmers market program that streamlines permitting and allows use of right of way.

## **Recommendation: *Take action to support viability of farmers markets.***

In 2013, the Regional Food Policy Council convened a subcommittee to consider obstacles and solutions to farmers market viability in urban areas. The project identified several strategies that local governments can employ to support farmers market operations. More information can be found in the [Farmers Market Sustainability - Obstacles and Strategies](#). Here are some additional strategies local governments could take to ensure that farmers' markets can sustainably operate in your community:

**Communication and coordination between markets and city departments.** Given the unique role of farmers markets, communication between relevant county or municipal departments and market managers is vital to serving markets. Regular meetings, as well as establishing clear points of contact, can help build relationships and communication to support markets.

**Support a range of market sizes.** A large weekly farmers market may not be financially viable in all communities. Smaller markets, featuring fewer than 10 vendors, can help fulfill goals of community food access while providing more flexibility in siting and operations. Given the limited profitability of very small markets, appropriately scaled fees and permitting processes are important for allowing small markets to successfully locate.

**Provide financial support or sponsorship of markets.** Some jurisdictions, like the City of Seattle, have provided financial support in order to help build organizational capacity of independent farmers market organizations. Several jurisdictions and public entities like the Port of Tacoma have sponsored local markets as well.

**On market day, prep market sites.** For markets sited on public land, like parks and streets, several jurisdictions assist markets by clearing the space or enforcing parking restrictions before market set-up.

**Plan for existing and new markets in development of property in prime market locations.** Farmers markets hosted in areas with strong development markets are at risk of displacement from redevelopment. Jurisdictions could encourage developer agreements that plan to accommodate existing markets.

**Develop long-range strategy for market siting to identify what role the jurisdiction or agency wants to play.** Many farmers markets are operated by private non-profit organizations, but jurisdictions often interact with markets on permitting assistance, helping to secure locations, sponsoring markets or siting farmers markets. Developing a strategy in conjunction with farmers markets operators that considers long-term locations and facilities can help use city resources wisely.

**Support farmers market food assistance programs.** Some jurisdictions have launched programs that increase or match food assistance benefits used to purchase fresh food at farmers markets. These programs have been effective in both serving low-income customers and encouraging shopping at farmers markets. [Fresh Bucks](#), [Health Bucks](#), [Double Up Food Bucks](#), and [Market Bucks](#) are a few examples. Funding for such programs has come from a variety of sources, including city and county-managed funds.

**Partner on permanent space for markets.** Numerous cities across the country have partnered with farmers markets on providing permanent pavilion space. Jurisdictions can benefit from having markets as an anchor lease holder for an investment in a park pavilion. Markets benefit from the assurance of a permanent location with appropriate facilities. [Olympia](#) and [Bellingham](#) both provide examples of this kind of long-term arrangement. The [City of Carnation](#) also partnered with Sno-Valley Tilth to create a park pavilion space for its farmers market.

## Other Resources

[Zoning for Public Markets and Street Vendors](#) – APA Zoning Practice (2009)

[Establishing Land Use Protections for Farmers Markets](#) - Public Health Law and Policy (2009)

[Community Health and Food Access: The Local Government Role](#) - International City/County Management Association (2006)

[King County Farmers Market Report](#) – King County Department of Natural Resources and Parks (2010)

[Farmers Markets, Public Markets](#) – Municipal Research and Services Center of Washington

[Farmers Markets and Low-Income Communities](#) – Project for Public Spaces

# Local Food Procurement Policies

## Background

Encouraging government and other institutions to purchase locally grown food can strengthen the local food system. It establishes new institutional markets for local producers, maximizes the freshness and quality of food served by these agencies, and can support improvements to local food infrastructure, such as distribution and processing facilities.

Supporting the local food economy can also have important economic, quality of life, and environmental benefits. Benefits include preserving farmland and training the next generation of farmers. Living-wage jobs develop through food production, processing, and sales. New markets of institutional food service providers are created.

Because approximately 50% of food is consumed away from home<sup>1</sup>, institutions that provide meals, snacks, vending and beverage choices can have a role in improving diets. Offering more fruits and vegetables leads to an increase in the choice and consumption of these foods. It ensures that people have access to a diet that helps them meet the [Dietary Guidelines for Americans](#). Beyond providing additional food choices, institutional bulk food purchases provide an opportunity over time to impact our food system as a whole. Organizations that might adopt healthy and local food procurement policies include local governments, school districts, colleges and universities, restaurant and food service organizations, hospitals, correctional facilities, youth providers, and private businesses.

State governments, school districts, and private business have adopted locally grown food purchasing policies or practices in recent years. There are few examples of local governments who have passed these policies, making this a real opportunity for leadership in Washington state. By establishing such practices, organizations can use their food purchasing power to support the local food economy, offer healthier options for their customers, and in the long run, improve the environment.

A number of resources are available on other institutional purchasing of local food, specifically Farm to School. For information on Farm to School programs, please visit the [WSDA Farm to School Toolkit](#).

**Recommendation: *Support institutional procurement policies that encourage purchases of locally grown food products.***

**Goal:** Promote public health, local food production, and the environment by establishing policies and practices that support local food procurement by government agencies and private businesses.

**Elements that can be included in a local food procurement policy:**

- Percent food purchased within a specific geographic area
- Diet-related health concerns
- Supporting area farmers
- Environmental Protection
- Food quality and safety

**Strategy: *Target percentage of local food purchases.***

Under a target percentage policy or law, a certain percentage of all food purchases must be from local sources.

Voluntary efforts to increase local procurement are also an option. An organization could pass a resolution or other statement expressing its support for increased local procurement or could launch a 10% campaign encouraging organizations to buy 10% of their food from local sources.

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<sup>1</sup> [USDA - Economic Research Service](#)



## Policy examples: Target local percentages

[Illinois' Local Food, Farms, Jobs Act of 2009](#) set a goal that all state institutions purchase at least 20% of their food from local sources by 2020.

North Carolina State University's [The 10% Campaign](#) provides an example of encouraging organizations to buy 10% of their food from local sources.

## Strategy: *Mandated percent price preference.*

A law that mandates percent price preference requires locally-produced food to be purchased when the cost of the food is within a certain percentage of the price of similar from a conventional source.

## Policy examples: Price preference

### Alaska

Any state entity or school district receiving state money must purchase its agricultural products from farms within the state as long as the in-state product costs no more than 7% above similar out-of-state products and the in-state product is of the same quality ([ALASKA STAT. ANN. § 36.15.050\(a\)](#)).

### Massachusetts

Their law requires all state agencies purchasing agricultural products (defined to include processed foods and seafood) to prefer products grown in the state or end products made using products grown in the state. When given the choice between Massachusetts-produced products and those from out of state, state agencies are required to buy the local products as long as they are not more than 10% more expensive than the out of state choices. ([MASS. GEN. LAWS ch. 7, § 23B\(a and c\)](#)).

## Strategy: *Discretionary geographic price preference or general geographic preference.*

States can specify that state agencies have discretion to spend more on local products over out-of-state products using a discretionary geographic preference law. States are not required to purchase local, but can do so, even if the cost of the local product is higher.

## Policy example: Geographic preference

Using a local food procurement statute, [Montana](#) gave broad discretion to state institutions (including agencies, schools, prisons, universities, hospitals, etc.) to purchase Montana-produced food directly from farmers and other producers rather than going through the state's standard procurement procedures.

## Strategy: *Comprehensive plan policies to promote local food procurement*

Local food procurement can be reinforced through goals and policies in the comprehensive plan. The 2012 King County Countywide Planning Policies included a new policy statement regarding institutional procurement of local food; jurisdictions in King County in particular should consider how to address this new policy.

## Policy example: Comprehensive plan policies

[King County Countywide Planning Policies](#): Support institutional procurement policies that encourage purchases of locally grown food products. (Development Patterns chapter, DP-60)

[King County](#): King County should consider adopting procurement policies that would encourage purchases of locally grown fresh foods. (Comprehensive Plan, Rural Element, R-676)

[Bremerton](#): Encourage local and regional purchasing of consumer goods by the City and private sector. (Comprehensive Plan, Environment Element, Sustainability, E1D)

## Policy example: Other approaches to purchasing local food

[The New York City Food Purchasing Guidelines](#) address a number of strategies to procure local food including geographic and price preference. In addition to those policy elements, they also include other ways to assure local procurement.

Their policy language is as follows:

*Under Subsection (8)(a) of GML §103, the purchasing agency may also mandate that a particular product, e.g., apples, come from New York State, thereby limiting competition to bidders that can supply such products, rather than similar products sourced from other locations. Under Subsection (8)(a) of GML §103, the purchasing agency may purchase the types of products included on the NYSDA [New York State Department of Agriculture List] list, using solicitations that seek bidders for multiple “classes” of goods. Using this procedure, bidders can be invited to submit offers to provide either a bundle of goods that includes New York State food products (e.g., with a requirement for 30% of the class as such New York State food products) and/or a bundle of goods with no sourcing restrictions. Upon reviewing the bids received, DCAS may then decide to award a contract to either the low bidder in the first “class,” or the low bidder in the second “class.” In addition to the above-described bid solicitation terms that specifically prefer New York State food products, purchasing agencies may use the new “best value” provisions of GML §103 to craft solicitations that consider the freshness and perishability of the food being purchased, such as the number of days from harvest to delivery.*

## Other Resources

[A Guide to Developing a Sustainable Food Purchasing Policy](#) - Food Alliance

[A School’s Guide to Purchasing Washington-Grown Food](#) – Washington State Department of Agriculture

[Local Food for Local Government – Considerations in Giving Preference to Locally Grown Food](#) –Public Health Law & Policy

[Improving the Food Environment Through Nutrition Standards: A Guide for Government Procurement](#) - Centers for Disease Control and Prevention

[Health and Sustainability Guidelines for Federal Concessions and Vending Operations](#) - Centers for Disease Control and Prevention

[Good Laws, Good Food: Putting State Food Policy to Work for our Communities](#) - Harvard Law School Food Law and Policy Clinic

[Healthy and Sustainable Food for San Francisco](#) – City and County of San Francisco

[New York City Food Purchasing Guidelines](#) – New York City Office of Contract Services

[Portland State University - Local Food Purchasing](#) – Portland State University

[Mother Earth Farm](#) – Emergency Food Network (example of direct sourcing for institutional use)

# Rural Farmland Preservation

## Background

Preserving rural farmland is crucial to the success of existing and future farms. Farmland preservation also results in economic development and environmental benefits beyond the value of production. Local governments use a variety of strategies to protect farmland. These include requiring large lot sizes in agricultural zones and ensuring that all viable farmland is within these zones. They can also offer tax relief authorized under existing statutes and participate in the purchase or transfer of development rights.

Local governments also recognize the value of integrating economic and business activities around existing agricultural production. Farms require strong support infrastructure and distribution networks in order to remain economically viable. Fostering scale-appropriate processing and distribution channels will also help ensure a healthy agricultural sector.

Conservation funding can also support farmland preservation. Land trusts that include farmland in private conservation agreements can help preserve farmland by virtue of tax advantages associated with such agreements. Creative application of conservation funding by local jurisdictions will afford further opportunities to enhance the scope of farmland protection.

Please see the [Farmers Market](#) and [Local Food Procurement](#) blueprints for more information about some direct marketing opportunities to support local agriculture.

**Recommendation: *Review zoning and land use regulations to ensure farmland is protected for long-term agricultural use and is sufficient to support local food, forage and fiber production.***

Each county and many municipalities in the region promote some type of agricultural land preservation. In some instances, the intent of preservation is directly related to the benefits of supporting agriculture, while in others, support is based on synergies with other goals, such as environmental protection.

County governments can preserve agricultural land through zoning. Agricultural lands of long-term commercial significance are required to be designated and zoned appropriately per the Growth Management Act ([RCW 36.70a](#)). In addition to this requirement, land suited to or used for agriculture may be preserved with additional zones protective of this use. To do this, counties should identify all lands suitable for agricultural production, both within and outside agricultural zones, and evaluate whether minimum lot sizes and allowable uses are sufficient to promote agricultural uses. To discourage low-density rural sprawl, consider minimum lot sizes of at least 20 acres and tight restrictions on residential and commercial uses not related to agriculture. Other appropriate measures include expanding agricultural zones and using agricultural districts to protect farmable land outside current agricultural zones.

Land in cities may also be suitable or currently used for temporary or permanent food production. City governments can identify this property and ensure that food production is a permitted use. Soil remediation may be of greater concern in cities; public health issues of food produced on brownfield or potentially contaminated sites should be considered.

## Local examples: Farmland preservation

### King County

King County devotes a chapter of its county code to agricultural and open space land. This chapter includes priority areas and agricultural districts for land acquisition and conservation. See [Title 26 Agriculture and Open Space Lands](#). Lot size and development standards for agricultural and rural area land are addressed in [Title 21A.04](#).

## **Bainbridge Island**

Bainbridge Island has a long history of agricultural production and has included goals and policies to protect and promote agricultural uses in its comprehensive plan and development regulations. In 2006, American Farmland Trust and Cascade Harvest Coalition completed a report for the city with recommendations on long-term management and support of agricultural uses on the island. The recommendations in [the report](#) may be useful to other cities or towns interested in preserving some agricultural uses.

## **Recommendation: *Purchase or transfer development rights to protect agricultural land.***

Purchase of development rights (PDR) programs allow local governments to buy the development rights from threatened resource lands. This voluntary, incentive-based approach fairly compensates willing landowners while ensuring agricultural potential in perpetuity. All cities and counties may consider the appropriation of funds from discretionary sources, including the Conservation Futures Tax or Real Estate Excise Tax for conservation ([RCW 82.46.070](#)), for programs that purchase development rights from farmland.

Transfer of development rights (TDR) programs are set up between urban and rural lands and create a market-based solution for protecting farmland. Instead of a government purchasing and holding the development rights of farmland, the development rights are purchased by a private developer for use as a density bonus or upzone in an urban development project. In cooperation with cities, county governments establish criteria and processes that prioritize farmlands as the source for development rights and quantify these development rights. City governments identify receiving sites for transferred development rights and prioritize rights from farmlands for initial trading activity. To strengthen use of the program, city governments may consider requiring transfer of development rights for all zoning and development actions that increase density.

## **Local examples: Transfer of Development Rights**

### **Pierce County**

Pierce County prioritizes agricultural and farmland for sending areas within their [Transfer of Development Rights Program](#). Pierce County has used County Conservation Futures and grant funds to acquire development rights for its TDR bank. In 2012, the county completed its first transaction to transfer development rights to an urban area when it signed a conservation easement for the Reise Farm site. The county acquisition of the development rights reduced the development value of the property, allowing PCC Farmland Trust to buy the property at an affordable price. In fall 2012, Pierce County signed an interlocal agreement with the City of Tacoma to transfer 369 development rights to the city.

### **Seattle**

Under the [Landscape Conservation and Local Infrastructure Program](#), Seattle has proposed including both South Lake Union and downtown as TDR receiving areas. Under the program, a portion of incentive zoning would be gained through the purchase of regional TDR credits. In exchange, the city would use a portion of future county property tax revenue from new development in the area to fund local infrastructure improvements.

## **Recommendation: *Promote current use taxation programs for farmers.***

Counties offer current use taxation programs that tax agricultural properties at their present use instead of their highest and best use. Land must meet specific size and use criteria. While these programs are already in place, not all properties eligible for the programs take advantage of their benefits and protections. Fine tuning current use taxation programs and actively promoting them to landowners could increase the amount of farmland protected.

## Local examples: Current Use Taxation

### Pierce County

Like other current use taxation programs, Pierce County's [Farm & Agriculture Tax Program](#) incentivizes voluntary conservation of active farm and agricultural land. To qualify for the program, property owners must have income generated from the farm and a farm plan.

## Recommendation: *Provide Economic Development and Regulatory Assistance to Agricultural Business Enterprises*

### Processing and Marketing

While agricultural zoning can protect farmland, it may restrict commercial activities that make farming economically feasible. Jurisdictions should review zoning to ensure that compatible on-site processing and sales are permitted and that physical structures to support processing and direct marketing of farm products are allowed.

### Environmental regulations

Achieving a harmonious balance between environmental regulation and agricultural enterprise is a challenge. Jurisdictions can ensure that permitting essential for environmental purposes does not place an undue financial or procedural burden on farmers. Common agricultural practices that require permits include ditch maintenance and storage of agricultural products. While the issues are complicated, clear advice and regulatory assistance to farmers can add predictability to agricultural business.

## Local examples: Economic Development and Regulatory Assistance

### Snohomish County

The [Focus on Farming program](#) is a hub of economic development and assistance information for farmers in Snohomish County. [Plain language guides](#) demystify the processes of permitting and regulation and a dedicated agricultural planner are available to assist farmers on regulatory issues.

## Other Resources

[Losing Ground: Farmland Protection in the Puget Sound Region](#) – American Farmland Trust (2011)

[Future of Farming](#) – Washington State Department of Agriculture (2009)

[WA State Farmland Preservation Indicators](#) – WA Conservation Commission Office of Farmland Preservation (2009)

[Ag Sustainability Report: A Community Vision for Sustainable Agriculture in Snohomish County](#) – Snohomish Co. (2007)

[FARMS Report: Future of Agriculture Realizing Meaningful Solutions](#) – King County (2009)

[Kitsap County Strategic Agricultural Plan and Inventory](#) – Kitsap County (2011)

[Preserving Farmland and Farmers: Pierce County Agriculture Strategic Plan](#) – Pierce County (2006)

[Regional Transfer of Development Rights in Puget Sound](#) – Regional TDR Alliance (2013)

[Direct Marketing Support for Puget Sound Area Producers](#) – [presentation]

[Marin Agricultural Land Trust](#)

[Washington State Land Trusts](#) – Land Trust Alliance