



Overview of San Francisco's Urban Agriculture Zoning Ordinance

San Francisco recently passed new rules regarding the locations and operations of gardens in the City. The Planning Code changes went into effect May 2011^a. The law changes two things: 1) it clarifies where gardens of different types are allowed in the city, and 2) it allows gardeners to sell the produce grown from their gardens both on-site and off-site. Details about the new land-use categories and the rules of the ordinance are below. More information, including the text of the law, can be found at the SFUAA's website: www.sfuaa.org.

Home gardens: Home gardens, where food and/or horticultural products are grown solely for personal consumption, are not regulated by this ordinance and have no new rules.

New Categories and Rules for Gardens in San Francisco

Neighborhood Agriculture: gardens less than 1 acre in size

- Permitted in all zoning districts of the city

Large-Scale Urban Agriculture: gardens 1 acre or greater in size

- Permitted in Commercial; Industrial; and Production, Distribution, and Repair districts
- Only permitted with Conditional Use Authorization in all other zoning districts of the city

For both "Neighborhood Agriculture" and "Large Scale Agriculture" the following physical and operational standards must be followed:

- (1) Compost areas must be setback at least 3 feet from dwelling units and decks;
- (2) If the farmed area is enclosed by fencing, the fencing must be: (A) wood fencing, (B) ornamental fencing as defined by Planning Code Section [102.32](#), or (C) chain-link or woven wire fencing if over half of the fence area that borders a public right-of-way will be covered by plant material or other vegetative screening within three (3) years of the fence installation;
- (3) Use of mechanized farm equipment is generally prohibited in residential districts; provided, however, that during the initial preparation of the land heavy equipment may be used to prepare the land for agriculture use. Landscaping equipment designed for household use shall be permitted;
- (4) Farm equipment shall be enclosed or otherwise screened from sight;
- (5) Sale of food and/or horticultural products from the use may occur between the hours of 6 a.m. and 8 p.m.;

^a Specifically, the new rules were added by ordinance [66-11](#), File No. 101537, approved by the Board of Supervisors on April 20, 2011, and effective May 20, 2011. See also: [San Francisco Planning Code Section 102.35](#) for the core text of the new rules.

- (6) In all districts, sales, pick-ups, and donations of fresh food and horticultural products grown on-site are permitted. In every district *except* "Residential Districts", value-added products, where the primary ingredients are grown and produced on-site, are permitted.

Additionally, the Public Utilities Commission requires new gardens greater than 1,000 square feet to comply with existing water-efficiency regulations and submit information to the PUC regarding intended water use.

Permits from the Planning Department

Existing gardens:

- Existing gardens that already have permits do not need to apply for new permits unless they want to change their operations to take advantage of the new law.

For new gardens or gardens seeking an updated permit:

- Gardens that are “accessory uses” on a site (meaning generally that they are not the main use of a site, such as a backyard garden or a rooftop garden) do not require permits from the Planning Department. The rules must be followed, but no new permit is required.
- Gardens that are “principal uses” on a site (meaning generally that they are the main use of a site, such as a community garden, market garden, or urban farm) require a change-of-use permit from the Planning Department. This includes an application and fee of approximately \$350 and can be obtained from the Planning Department’s Planning Information Center.

Other permits

This factsheet focuses on the recent changes to the Planning Code and the rules and permits for gardens that are overseen by the Planning Department. If you plan to sell produce grown in your garden, you may also need business licenses, health permits, and/or agricultural permits, depending on your plans.