

1 [Administrative Code – Urban Agriculture Program]

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3 **Ordinance amending the San Francisco Administrative Code by adding Sections 53.1**
4 **through 53.4 to: 1) establish an Urban Agriculture Program to oversee and coordinate**
5 **all of the City's Urban Agriculture activities; and 2) adopt goals for the City related to**
6 **Urban Agriculture.**

7 NOTE: Additions are *single-underline italics Times New Roman*;
8 deletions are *strike-through italics Times New Roman*.
9 Board amendment additions are double-underlined;
10 Board amendment deletions are ~~strikethrough normal~~.

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11 Be it ordained by the People of the City and County of San Francisco:

12 Section 1. **Findings.** The Board of Supervisors finds and declares as follows:

13 1. Urban agriculture provides multiple benefits to San Franciscans. It connects City
14 residents to the broader food system, provides green space and recreation, can save public
15 agencies money, provides ecological benefits and green infrastructure, builds community, and
16 offers food access, public health, and economic development potential.

17 2. San Franciscans have consistently demonstrated a demand for more space in
18 which they can grow food. While private land offers some possibilities, public land is more
19 likely to meet the demand. Land audits have surveyed potential sites and revealed that there
20 is public land suitable for urban agriculture.

21 3. Access to land, materials, and supportive infrastructure are the top needs for people
22 and groups interested in increasing food production within the City. Land access is critical for
23 many residents living in apartments and other dense areas without access to open space for
24 growing food. Access to materials would make it easier for urban gardeners and farmers to

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1 acquire basic resources such as mulch, compost, and tools. To prosper, those growing and
2 selling produce in the City also require supportive infrastructure, such as access to water,
3 distribution channels, facilities for processing and serving food, and educational opportunities
4 for aspiring gardeners.

5 4. At least seven City agencies provide funding for urban agriculture activities. In the
6 past five years, total funding from the City has averaged approximately \$580,000 per year.
7 The lack of coordination among agencies has led to an overall decline in City resources for
8 urban agriculture activities relative to the funding level of the 1990s. Additionally, agencies
9 such as the Planning Department, Port, Library Department, and the County Agricultural
10 Commissioner support urban agriculture, though they currently do not provide funding.

11 5. The City currently lacks institutional support for urban agriculture. There is no
12 full-time staff person dedicated to this issue and no citywide cross-departmental urban
13 agriculture agenda. This lack of cohesion and accountability has created uncoordinated and
14 duplicative urban agriculture efforts thus far.

15 6. The City has taken important steps forward with the Executive Directive on Healthy
16 and Sustainable Food in 2009 and the passage of the Urban Agriculture Zoning Ordinance in
17 2011. However, much more remains to be done.

18
19 Section 2. The San Francisco Administrative Code is hereby amended by adding
20 Chapter 53, Sections 53.1 through 53.4, to read as follows:

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22 **SEC. 53.1. TITLE.**

23 *This Chapter shall be entitled "the Urban Agriculture Ordinance".*

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3 **SEC. 53.2. "URBAN AGRICULTURE" DEFINED.**

4 "Urban Agriculture" is the growing of plants and raising of animals, usually for food or
5 flowers. Urban agriculture can occur in many types of places in the City, including, but not limited to,
6 home gardens, community gardens, market gardens, demonstration gardens, gardens at institutions
7 such as schools, workplaces, and jails, urban farms, orchards, rooftops, and greenhouses.

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9 **SEC. 53.3. URBAN AGRICULTURE PROGRAM.**

10 (a) Establishment. There is hereby created an Urban Agriculture Program for the City and
11 County of San Francisco.

12 (b) Duties. The Urban Agriculture Program shall:

13 (1) Coordinate Urban Agriculture efforts with other public agencies operating in the
14 City, including, but not limited to, the Recreation and Park Department, Public Utilities Commission,
15 Department of Public Works, Department of Public Health, Department of the Environment, Planning
16 Department, Department of Building Inspection, the San Francisco Food Security Task Force, County
17 Agricultural Commissioner, Department of Real Estate, Public Library, Mayor's Office of
18 Neighborhood Services, City Administrator, Port, and Airport, and the San Francisco Unified School
19 District, City College of San Francisco, California Department of Parks and Recreation, United States
20 National Park Service Golden Gate Recreation Area, and the University of California Cooperative
21 Extension;

22 (2) Be responsible for promoting the development of comprehensive programs, policies
23 and strategies to meet the goals described in Section 53.4 and generally enhance and increase Urban
24 Agriculture in San Francisco;

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1 (3) Develop strategic partnerships with community organizations, schools, and others
2 for the purpose of advancing Urban Agriculture in San Francisco, and seek public feedback from these
3 partners in major policy decisions;

4 (4) Advocate for Urban Agriculture policies and funding at the State and Federal level;
5 **and,**

6 (5) Collect data and metrics related to Urban Agriculture and make that information
7 available to the public;

8 (6) Coordinate support among public agencies and community organizations for
9 gleaning programs that collect excess produce from gardens, urban farms, and other sources in the
10 City and distribute that produce to those in need;

11 (7) Explore how Urban Agriculture can provide job training and employment
12 opportunities for San Francisco residents;

13 (8) Consult with the County Agricultural Commissioner and Director of Public Health
14 to ensure that Urban Agriculture projects conform to applicable agricultural and public health laws
15 and regulations and do not cause or contribute to public health risks, such as soil contamination and
16 vermin infestations; and,

17 (9) Ensure that existing Urban Agriculture spaces are being utilized fully.

18 (c) Strategic Plan. By December 31, 2012, the Mayor and the City Administrator, in
19 consultation with relevant City departments and community stakeholders, shall develop a strategic plan
20 for the Urban Agriculture Program to carry out its duties and to meet the City's stated Urban
21 Agriculture goals, as contained in Sections 53.3 and 53.4. The strategic plan shall contain baseline
22 data on Urban Agriculture in San Francisco, including, but not limited to, an accounting of all City
23 funding and resources, a list of all local Urban Agriculture programs, a count of all active and inactive
24 sites and site coordinators, a count of waiting lists, and a needs assessment of resident, organization,

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1 and business needs. The strategic plan shall also include a projected budget for the Urban Agriculture
2 Program and identify potential sources of funding. The Mayor and the City Administrator shall submit
3 the strategic plan to the Board of Supervisors for its approval by resolution, and make the plan
4 available to the general public, by December 31, 2012. The strategic plan may set new target dates for
5 the City to reach the Urban Agriculture Goals set in Section 53.4, and those new dates shall be deemed
6 ratified by the Board's approval of the strategic plan.

7 (d) **External Evaluation.** By December 31, 2012, the Mayor and the City Administrator shall
8 evaluate which City agency or non-profit organization receiving City funds should permanently
9 manage the coordination of Urban Agriculture activities and house the Urban Agriculture Program.
10 The evaluation shall examine fiscal capacity to secure reasonable funding as well as programmatic
11 capacity to implement the Strategic Plan. The Mayor and the City Administrator shall submit the
12 results of this evaluation and their recommendation to the Board of Supervisors and make the
13 evaluation and recommendation available to the public.

14 (e) **Annual Report.** By January 1, 2014 and every year thereafter, the Urban Agriculture
15 Program shall provide a report to the Mayor and Board of Supervisors summarizing key Urban
16 Agriculture achievements, challenges, and indicators from the previous year, including an official
17 accounting of all City funding for Urban Agriculture and an inventory of local resources and programs
18 relevant to Urban Agriculture in San Francisco. These annual reports shall also provide data on
19 progress the City made in the prior year towards meeting each of the Urban Agriculture Program's
20 goals, as contained in Section 53.4.

21 (f) It shall be City policy that for Fiscal Year 2012-13, the City shall ensure that there is at
22 least one full-time staff person assigned to support coordination of Urban Agriculture programs among
23 City agencies and community stakeholders.

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1 **SEC. 53.4. URBAN AGRICULTURE GOALS.**

2 The City hereby adopts the following goals related to Urban Agriculture:

3 (1) To complete and publish, by January 1, 2013, an audit of City-owned buildings with
4 rooftops potentially suitable for both commercial and non-commercial Urban Agriculture;

5 (2) To develop, by January 1, 2013, incentives for property owners to allow temporary Urban
6 Agriculture projects, particularly on vacant and blighted property awaiting development;

7 (3) To develop, by January 1, 2013, a streamlined application process for Urban Agriculture
8 projects on public land, with clear evaluation guidelines that are consistent across agencies;

9 (4) To create, by July 1, 2013, a “one-stop shop” for Urban Agriculture that would provide
10 information, programming, and technical assistance to all San Francisco residents, businesses, and
11 organizations wishing to engage in Urban Agriculture;

12 (5) To develop new Urban Agriculture projects on public land where residents demonstrate
13 desire for the projects, with at least 10 new locations for Urban Agriculture completed by January 1,
14 2014;

15 (6) To open garden resource centers in neighborhoods across the City, either at existing or new
16 sites, that provide residents with resources such as compost, seeds, and tools, with at least 5 completed
17 by January 1, 2014; and,

18 (7) To develop sufficient Urban Agriculture resources such that by January 1, 2014, San
19 Francisco residents seeking a community garden plot have to wait no more than a year for access to a
20 plot.

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22 **Section 3. Effective Date.** This ordinance shall become effective 30 days from the
23 date of passage.

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1 Section 4. This section is uncodified. In enacting this Ordinance, the Board intends to
2 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,
3 punctuation, charts, diagrams, or any other constituent part of the Administrative Code that
4 are explicitly shown in this legislation as additions, deletions, Board amendment additions,
5 and Board amendment deletions in accordance with the "Note" that appears under the official
6 title of the legislation.

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9 APPROVED AS TO FORM:
10 DENNIS J. HERRERA, City Attorney

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12 By: _____
13 THOMAS J. OWEN
14 Deputy City Attorney

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