



# COMMUNITY & MARKET GARDENS

## INFORMATION & AFFIDAVIT

### INTRODUCTION

The City of Santa Barbara encourages the development of both community and market gardens in all zoning districts to help build a sense of place, provide opportunities for healthy living, and reduce the community's carbon footprint. A Zoning Clearance is required to establish and operate a community garden or market garden to ensure the uses and activities are compatible with the surrounding area, particularly in residential neighborhoods.

#### WHAT IS A COMMUNITY GARDEN?

A **community garden** is the outdoor use of land for the cultivation of agricultural products grown for personal use by the gardeners, or for donations, but not for sale. Activities are limited to the cultivation of herbs, fruits, flowers, or vegetables, but may not include on-site sales. Participants in a community garden may include several individuals or households.

#### WHAT IS A MARKET GARDEN?

A **market garden** is the cultivation and retail sale of agricultural products produced on the premises. This includes the sale of food that is grown on-site but does not include the preparation of food and beverages for on-site consumption. Products may be sold directly to consumers, restaurants, stores, or other buyers, or at Farmers Markets.

### WHERE IS IT ALLOWED?

Community gardens are an allowed use in all zoning districts of the city (outside the coastal zone). A market garden is considered a commercial use and therefore requires a use permit in residential zones (Conditional Use Permit or Performance Standard Permit); however, it is an allowed use (use by right) in all other commercial, office, and manufacturing zoning districts, see Municipal Code [§30.185.130](#).

### HOW TO SUBMIT

The process to establish a community or market garden depends on the scope of work. After you submit the required forms and materials described in this submittal packet, and all fees have been paid, your project will be assigned to a planner who will inform you of any additional applications required.

All forms and applications, including all supporting plans and documents, are accepted online via our [Accela Citizen Access Portal \(ACA\)](#).



## CONDITIONS OF APPROVAL

### COMMUNITY & MARKET GARDENS

Community and market gardens must comply with the following criteria:

1. **Management.** A manager shall be designated for each garden who shall serve as liaison between gardeners, property owners, and the City.
2. **Hours.** Gardens shall only be tended between dawn and one-half hour after sunset.
3. **Accessory Buildings,** such as sheds, greenhouses, hoop houses, or similar shall comply with all standards of Section 30.140.020, Accessory Buildings. Accessory buildings may not be in the front yard. If there is no main building on-site, accessory buildings must be located a minimum of 60 feet from the front property line, or at a distance no less than 60% of the depth of the lot from the front property line, whichever is less.
4. **Equipment.** Only household garden tools and equipment, applicators and products may be used. This includes, but is not limited to, soil preparation, cultivation, planting, application of chemicals, dust control, harvesting, etc. Pull-behind equipment is prohibited.
5. **Operational Plan.** The applicant shall submit an operational plan to the Community Development Director that identifies roles, responsibilities, and contact information.
6. **Size.** The area associated with the activities of the garden is limited to one-half acre in size.
7. **Maintenance.** The operator shall be responsible for the overall maintenance of the site and shall remove weeds, debris, etc. in a timely manner. Soil amendments, composting, and waste material shall be managed and shall not attract nuisance flies or support growth of flies.
8. **Sale of Produce.** The retail sale of food, or value-added food products such as jams and jellies, may be permitted for Market Gardens only. Sales are limited to items that are grown on-site or produced from items that are grown on-site. The preparation of food and beverages for on-site consumption is not permitted.
9. **Composting.** Composting is limited to the materials generated on-site and must be used on-site. Composting shall be located outside of required setbacks and shall be screened pursuant to Section 30.15.120, Screening.
10. **Utilities.** Water supply must be sufficient to support the cultivation practices used on the site.
11. **Restrooms.** Restrooms must be connected to public utilities. Portable restrooms not permitted.
12. **Storage Requirements.** All flammables, pesticides and fertilizers shall be stored in accordance with all federal, state, and local regulations, including regulations of the California Fire Code and the Santa Barbara County Department of Health Services or successor agency. No pesticides, chemical fertilizers or other hazardous materials shall be stored outside of buildings.
13. **Animals.** The keeping of bees, raising of rabbits, chickens, and fowl, are subject to all applicable rules and regulations, including setbacks, of Santa Barbara Municipal Code Chapter 6.08, Care and Keeping of Animals, and Chapter 6.28, Bees.



## SUBMITTAL INFORMATION

### FEES

*Fees are required for Community & Market Garden applications.*



#### Fees

Payment via check, electronic check, or credit card is required before project review or processing. Once the application is submitted, City staff will follow up electronically with an invoice for the total fee amount. Fees may be paid online, mailed, faxed, or dropped off at 630 Garden Street for processing. If paying by mail or fax, a [Fee Payment Submittal Sheet](#) is required. For more information, click on [How to Pay Invoiced Fees](#).

### PHOTOGRAPHS

*Photographs are required for Community & Market Garden applications.*



#### Site and Area Photographs

Submit current color photographs of the site, including any existing buildings, and adjacent buildings and sites. The purpose is to show neighborhood context and character. Photos must be clear and in focus with a minimum size of 4 x 6. Internet photos such as Google Maps are not acceptable because they may not show current conditions. Label each page and photo with a number, and include cardinal directions (north, east, south, west) to identify photo directions.

### PLANS & SUPPORTING MATERIALS

*See the [Landscape Plans Submittal Guide](#) for the required contents of landscape plan submittals.*



#### Landscape Plan

Provide a complete landscape plan showing the entire property boundaries. Label all streets. If lot is sloped, include the topography in 5-foot contour intervals. Show existing and proposed drainage and show any creek, watercourse, or watercourse limitation area, and the following:

- **Buildings and Structures.** Label type (fence, shed, greenhouse, etc.) and show dimensions of all existing and proposed structures. Note distance to property lines.
- **Agricultural Areas.** Label the location and type of existing and proposed agriculture areas. Agriculture areas need not be shown in detail; outline area only and indicate type.
- **Grading, Vegetation, and Trees.** Provide a grading plan showing location and amounts of cut and fill, if proposed. Note the area and species of any existing vegetation to be removed. Label all trees and indicate species, diameter at 4-feet above grade, size, and dripline.
- **Irrigation Plan.** Include sprinkler coverage, list of irrigation stations, and precipitation rates in inches per hour. Drip, trickle, or other low volume irrigation should be used unless shown to be infeasible for the crop. Agricultural operations involving an area of one-half (1/2) acre or greater will be placed on an irrigation meter. For more information, applicants should

contact the City's Water Resources Specialist at (805) 564-5369 prior to submitting this application and submit an [Application for Irrigation Meter](#).



### **Special Studies**

Provide a copy of any site-specific agricultural soil tests, arborist reports, biologist reports, or similar studies that are required, or were previously prepared, based on project description. Verify agricultural uses are not proposed on land with non-viable soils, including contaminated soils, soils with a very high erosion hazard potential, or Class VIII soils as defined by the [Natural Resources Conservation Services](#) (NRCS).



### **Operational Plan**

Provide a copy of the Operational Plan and any other relevant documents that will govern the use, maintenance, and operation of the community or market garden. At a minimum, the Operational Plan must include the following:

- **Official Name and Address.** Include the goals and philosophy of organization.
- **Membership and Fees.** Indicate eligibility requirements and membership categories. Specify if membership is open to all city residents and include a statement of non-discrimination. Provide the plot rental fees or dues and date collected. Describe the allotment process (lottery, waiting list, first-come first-served).
- **Hours of Operation.** Designate the hours and days of operation and any prohibited activities (pets, alcohol, smoking, etc.) Include any reasons for temporary closures (holidays, disturbances, maintenance).
- **Neighborhood Involvement.** Describe any efforts to engage with schools, neighborhood organizations, service providers, or other non-profit organizations to offer increased access to the garden, enrich programming opportunities, and increase resources for maintenance.
- **Garden Elements.** Describe the number and size of plots, indicate if there will be any raised beds or accessibility features. Specify the irrigation method (e.g., hose bib per plot, or drip irrigation systems). Indicate if there will be a lockable tool shed, or any shared tools, compost bins, and a bulletin/message board. Describe any common areas and maintenance (orchards, perimeter planting, children's area, meeting area).
- **Organizational Structure.** List of officers, duties, length of term, and selection process. At a minimum, each garden must have one Manager to serve as liaison between gardeners, property owners, and the City.
- **Maintenance Plan.** Describe the general standards for maintenance to be provided by the Manager and the day-to-day responsibilities of the community gardeners. Include any proposed security measures and any statements related to accountability, indemnity, and severability.
- **Insurance and Lease Agreement.** Indicate if the organization maintains Commercial General Liability insurance and provide the terms of the lease agreement with the property owner.



# COMMUNITY & MARKET GARDEN AFFIDAVIT

To establish a community garden or market garden, complete and sign this affidavit and submit it to the City of Santa Barbara Planning Division.

APPLICATION TYPE: ☐ Community Garden ☐ Market Garden

## PROPERTY & ORGANIZATION INFORMATION

Project/Garden Address:

Assessor Parcel Number (APN):

Official Name of Organization:

Address of Organization:

- a. I am the Manager of a community or market garden located at the above listed address. I have read the Community and Market Garden Ordinance (SBMC§ 30.185.130) and agree to operate in accordance with the standards and criteria of the Santa Barbara Municipal Code. I understand that failure to operate within the criteria will be cause for enforcement.
- b. I understand that by signing this acknowledgement form, I am agreeing to serve as liaison between gardeners, property owners, and the city. If at any time, the organization selects a new Manager or Garden Coordinator, updated contact information will be provided to the city.
- c. I further understand that submittal of this affidavit does not constitute the city’s endorsement of the organization, nor does it grant permission to operate at any place prohibited by the city’s Zoning Ordinances or in conflict with any other federal, state, or local regulation.
- d. I have designed the irrigation system in compliance with the best available knowledge regarding water needs for the crop I am growing so that water use will be minimized to the extent feasible.
- e. **I certify under penalty of perjury as defined by the laws of the State of California that the foregoing is true and correct.**

### Garden Manager:

\_\_\_\_\_  
Manager’s Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Manager’s Name (printed)

\_\_\_\_\_  
Contact (email or phone)

cc: Street File

# CITY’S DETERMINATION

If this sheet includes a **Planning Authorization stamp**, the Community Development Department of the City of Santa Barbara certifies that this development meets the Municipal Code requirements for a ☐ **Community Garden** / ☐ **Market Garden**.

**CERTIFIED BY:**

City authorization stamp goes here

**NOTE:** Within 5 days of this determination, the Community Development Department will forward a copy of this determination along with the project plans to the Water Supply Management Division in the City Public Works Department; Attention: Water Resources Specialist.

## TEN TIPS TO STARTING A COMMUNITY GARDEN

1. **ORGANIZE A MEETING OF INTERESTED PEOPLE.** Determine whether a garden is really needed and wanted, what kind it should be (vegetable, flower, both, organic?), whom it will involve and who benefits. Invite neighbors, tenants, community organizations, gardening and horticultural societies, building superintendents (if it is at an apartment building) — anyone who is likely to be interested.
2. **FORM A PLANNING COMMITTEE.** This group can be comprised of people who feel committed to the creation of the garden and have the time to devote to it, at least at this initial stage. Choose a well-organized person as garden coordinator. Form additional committees to tackle specific tasks, e.g., funding and resource development, youth activities, construction, and communication.
3. **IDENTIFY ALL YOUR RESOURCES.** Do a community asset assessment. What skills and resources already exist in the community that can aid in the garden's creation? Contact city planners about possible sites, as well as horticultural societies and other local sources of information and assistance. Look within your community for people with experience in landscaping and gardening.
4. **APPROACH A SPONSOR.** Some gardens "self-support" through membership dues, but for many, a sponsor is essential for donations of tools, seeds, or money, for example. Churches, schools, private businesses or parks and recreation departments are all possible supporters. One garden raised money by selling "square inches" at \$5 each to hundreds of sponsors.
5. **CHOOSE A SITE.** Consider the amount of daily sunshine (vegetables need at least six hours a day), availability of water, and soil testing for possible pollutants. Find out who owns the land. Can the gardeners get a lease agreement for at least three years? Will public liability insurance be necessary?
6. **PREPARE AND DEVELOP THE SITE.** In most cases, the land will need considerable preparation for planting. Organize volunteer work crews to clean it, gather materials and decide on the design.
7. **ORGANIZE THE GARDEN.** Members must decide how many plots are available and how they will be assigned. Allow space for storing tools, making compost and don't forget the pathways between plots! Plant flowers or shrubs around the garden's edges to promote good will with non-gardening neighbors, passersby, and municipal authorities.
8. **PLAN FOR CHILDREN.** Consider creating a special garden just for kids — including them is essential. Children are not as interested in the size of the harvest but rather in the process of gardening. A separate area set aside for them allows them to explore the garden at their own speed.
9. **DETERMINE RULES AND PUT THEM IN WRITING.** The gardeners themselves devise the best ground rules. We are more willing to comply with rules that we have had a hand in creating. Ground rules help gardeners to know what is expected of them. Think of it as a code of behavior. Some examples of issues that are best dealt with by agreed upon rules are: if your group charges dues, how will the money be used? How are plots assigned? Will gardeners share tools, meet regularly, maintenance?
10. **HELP MEMBERS KEEP IN TOUCH WITH EACH OTHER.** Good communication ensures a strong community garden with active participation by all. Some ways to do this are: form a telephone tree, create an email list; install a rainproof bulletin board in the garden; have regular celebrations. Community gardens are all about creating and strengthening communities.

**CREDIT:** American Community Gardening Association