



MEMORANDUM

DATE: July 30, 2010

TO: Councilmember Richard Conlin
Councilmember Mike O'Brien

FROM: Stella Chao, Director, Department of Neighborhoods

CC: Amy Williams, CBO
Karl Stickel, CBO
Ethan Raup, MO
Rebecca Deehr, MO

RE: **Response to Statement of Legislative Intent: Interdepartmental Agreements on Using City Land for Urban Agriculture**

In November 2009, for the 2010 Budget process, City Council issued SLI 113-2-A-1, requesting the Department of Neighborhoods (DON) in collaboration with other departments to do the following by July 31, 2010:

1. Establish clear guidelines and procedures for developing interdepartmental agreements for using City land for urban agriculture,
2. Report back to Council on the guidelines and procedures, and
3. Identify ways to communicate this information to the public when requested.

Response—Work is in progress

Work to address this SLI is currently underway. A number of proposals currently in process will result in the development of guidelines and procedures by early 2012. These include:

1. Code Changes: Draft Land Use Code changes for urban farms and community gardens, developed by DPD, and on City Council schedule for discussion and public hearings, will provide clear guidelines for urban agriculture uses if adopted. Further work is being researched.
2. Funding Source: City departments submitted a proposal as part of the Communities Putting Prevention to Work (CPPW) RFP processes to “change policies to encourage healthy food retail (including farmers markets) locations near schools and in underserved neighborhoods, and secure municipal lands and provide tools and technical assistance to help immigrant and low-income people grow food in their communities and sell it to local food retailers”. This proposal was accepted. Over the course of the next year the lead agency, DPD, and participating agencies



of the IDT, DON, Parks, and SDOT will solicit participation from other land owning agencies, FFD, City Light and SPU to coordinate development of an application process.

3. Land Analysis: A proposal to develop a P-Patch Strategic Plan will include a land analysis component to identify municipal land suitable for various urban agricultural uses.

Municipal Land Program: Below is a draft timeline to complete the CPPW proposal for a Municipal Land Program by early 2012. DON proposes to return to Council with draft recommendations by October 31, 2011.

Draft Time Frame for Municipal Land Program

Step	July 2010	Oct 2010	Jan 2011	Apr 2011	July 2011	Oct 2011	Jan 2012	Who is Responsible
Convene working group, DPD, SDOT, DON, Parks— identify other land owning agencies (SPU, City Light, FFD)	x	x	x	x	x			Working group
Draft municipal agriculture framework and application process			x					Working group
Law Department Review				x				Law Dept
Review with community stakeholders				x				DPD/DON staff
Approval by City Department Heads					x			Dept Heads
Finalize framework & application process						x		Working group
Brief Mayor’s Office and City Council						x		DPD/DON
Identify tract of land for first use of municipal agriculture program							x	Working group

Land Analysis. To identify municipal land suitable for various urban agricultural uses, criteria will be developed. As a starting point the P-Patch Program uses criteria to assess the suitability of sites for community gardening purposes. Other urban agriculture uses will have different needs, which the land analysis will define.



Examples of Criteria to Identify Municipal Land for Urban Agriculture:

Use	Criteria
P-Patch Community Garden	Neighborhood need includes density, existing service; Level of Interest includes waiting list and presence of volunteer groups; Low Income Area; Alignment with City Policies for example; Site considerations include solar exposure, terrain, size, water availability, capacity for innovative programming, security and ambiance among others.
Production Farming	Criteria may include site considerations such as size, solar exposure, terrain or regulatory considerations like zoning or public land use restrictions
Roof top gardens	Criteria may include site considerations such as supportable weight, size, or neighborhood need considerations such as density or level of interest considerations may include presence of volunteer groups

Below is a draft time line for completion of the Land Analysis component of P-Patch strategic planning. It will identify municipal land suitable for various urban agricultural uses.

Time Frame for Land Analysis in P-Patch Strategic Plan Proposal—2010 to 2011

Step	9/1	1/1 2011	4/1	6/1	10/ 1	1/1 2012	Who is Responsible
Convene Advisory Group; identify criteria, hire consultant	x						Land owning agencies
Advisory Group review land analysis				x			Consultant



Current Agency Process for Public Use of Property and Impact

Each land-owning agency has its own process for public use of property. The following chart identifies a preliminary understanding of current processes and who is affected. Development of the municipal land program will require compilation of each agency practices in order to develop unified guidelines and procedures. This work will happen in the third and fourth quarter of 2010.

Department	Process
DON	<ul style="list-style-type: none"> • Process—Public Land: Community group brings project to P-Patch staff who assess site and community viability. Generally, community group fundraises for development; P-patch obtains use permit with city department. • Process – Private land; same as above but P-Patch staff negotiate minimum five year lease with private landowner. • Process--2008 Parks and Open Space Levy. The Levy has provided two million for community garden development and acquisition. These funds are giving staff the ability to target areas under-served by community gardens and giving staff flexibility to initiate projects rather than only respond to community initiative. • DON owns six P-Patch community gardens (one in shared ownership with P-Patch Trust). Acquisition is generally an ad hoc process with private fundraising coupled with city financial support.
Parks and Recreation	<ul style="list-style-type: none"> • Process: Working through a public involvement process, communities can apply to develop uses on parks • Impact: limited to community groups and recreational users
SDOT	<ul style="list-style-type: none"> • Process: Application for a beautification or annual permit • Impact: Community groups or individuals can apply for permits for temporary use of rights of way.
FFD	<ul style="list-style-type: none"> • Process: Market rate lease for use of property. Each request evaluated individually • Impact: In general, FFD land available for public use would be seen as a relatively short-term interim use. Long term use would be best met by transferring the property to a department with a mission that matched the public use. FFD's long-term holdings are intended to specifically relate to its mission of providing facilities for general government and public safety use.
City Light	<ul style="list-style-type: none"> • Process: Temporary Use Permit Process generally for market rate use of property • For P-Patch temporary use and no fee use is granted because of "mutual and off-setting benefits."
SPU	<ul style="list-style-type: none"> • Process: Permit Process for secondary (non municipal water system) use of property • SPU has a Standard, Connection and Administrative Charges rule that may apply.
Seattle Housing Authority (SHA)	<ul style="list-style-type: none"> • Process: Community group or agency working with Seattle Housing Authority Property would apply to on site SHA site leadership. • SHA has designed community P-Patch community gardens into its Garden community redevelopments. SHA is interested in incorporating gardening into other SHA properties.
P-Patch Trust	<ul style="list-style-type: none"> • Process: For purchase or donation. Community group or individuals would apply to P-Patch Trust to purchase property. Trust working with DON's P-Patch Program uses criteria to assess site viability and community ability to fund raise for purchase and development. • P-patch Trust owns six properties (two are shared ownership with city departments). All were acquired through a public/ private joint work.

