

D#68 FOOD SYSTEMS/SUSTAINABILITY

General Description

The purpose of this docket item was to comprehensively review City Code to ensure the City allows and encourages opportunities for residents to easily access food, especially fresh fruits and vegetables. There has been an emphasis on food access for many communities throughout the United States. The U.S. Department of Agriculture has identified a significant portion of Renton as being a food desert. They define a food desert as “*low-income census tract where a substantial number or share of residents has low access to a supermarket or large grocery store*”. As shown on Attachment A, the core of Renton is identified as being a food desert. There are other agencies that use the term food desert, but with a different income threshold and/or where food can be obtained. For example, the USDA does not consider farmers markets in their access evaluations. There are several other concepts that are similar to food deserts such as food security, food access, and food systems. Some of these concepts have slightly different considerations, such as food access including the principle that people should have access to culturally acceptable food. For the purpose of this review, staff evaluated the Code to identify ways to increase the number of locations and ways that residents can access food.

These issues are also closely related to sustainability and a growing effort to improve the environmental and physical health of local communities. Many people are increasingly concerned about the distance their food travels to get to their local grocery store and the impact that has on water quality, air quality, etc. Much of the concern is about emissions from the trucks and boats used to transport the produce, but also about the pesticides and other treatments applied to crops. There are many recommended amendments that are anticipated to work towards improving access to food while simultaneously improving the sustainability of the food available in the City.

Impact Analysis

Effect on rate of growth, development, and conversion of land as envisioned in the Plan

Not applicable. There are no anticipated effects on the rate of growth, development, and the conversion of land created by the proposed changes. Although some land such as yards may be converted to grow vegetables, it would remain pervious and not contribute to the conversion of land to an impervious surface.

Effect on the City’s capacity to provide adequate public facilities

Not applicable. There are no anticipated effects on the City's capacity to provide adequate public facilities created by the proposed changes.

Effect on the rate of population and employment growth

Not applicable. There are no anticipated effects on the rate of population and employment growth created by the proposed changes.

Whether Plan objectives are being met as specified or remain valid and desirable

The Comprehensive Plan seeks to promote new residential development and neighborhoods that are “visually attractive, safe, and healthy environments in which to live”. These docket amendments help to ensure that Renton is a healthy environment in which to live.

Effect on general land values or housing costs

Not applicable. There are no anticipated effects on general land values or housing costs created by the proposed changes.

Whether capital improvements or expenditures are being made or completed as expected

Not applicable.

Consistency with GMA, the Plan, and Countywide Planning Policies

The proposed changes have no bearing on growth management. They are consistent with the Comprehensive Plan and Countywide Planning Policies.

Effect on critical areas and natural resource lands

The effects of this proposal are anticipated to have no impact on critical areas and natural resource lands.

Effect on other considerations

There are no other items under consideration that are impacted by this docket item.

Background

The recommendations encompassed in this docket item are grouped together in three sections: animals and bees, agriculture, and grocery stores.

Animals and Bees

Current code allows residents to keep up to three small animals (rabbits, chickens, ducks, geese, pigeons, etc.) on lots that are at least 6,000 square feet in size. This lot size is larger than the minimum lot size required by Code for the R-8 zone. There are many homes in Renton that have been built to this R-8 standard, or were built in King County with comparable lot sizes. A significant amount of the parcels in the City are zoned R-8. This means that there are many Renton residents who are not currently allowed to keep small animals. Staff recommends amending the minimum lot size required to keep small animals to be the same as the minimum lot size in the R-8 zone, 4,500 square feet. Additionally, staff recommends lowering the amount of additional lot size required to keep additional small animals from 2,000 square feet to 1,000 square feet. These amendments would allow many more people to keep egg laying animals and provide their own source of protein.

The Additional Animals Permit has been a successful way for the City to provide flexibility for residents who wish to keep more animals than what is allowed outright. Residents demonstrate that their site and the conditions under which the animals are kept is adequate to ensure the animal’s health and safety, as well as not having negative impacts on surrounding

property owners, and are then issued the Permit. However, the Code requires that residents have at least the minimum lot size to apply for the Permit. Staff recommends striking this requirement and allowing residents to apply for the Permit regardless of their lot size. This would provide even greater flexibility in the Code and provide an opportunity for residents who wish to keep animals on lots that do not meet the minimum lot sizes to possibly keep the animals they wish to keep.

Also, staff recommends making several changes to the Code sections related to beekeeping. Currently, the Code requires residents to have at least one acre in lot size to keep bees and there are few specifications about how bees are to be kept. There has been an increased interest in keeping bees both from a food production aspect and from a concern about bee colony collapse disorder (see Attachment B for more information). It is recommended that the code be amended to allow up to three hives on lots that are at least 7,500 square feet, and allow one additional hive per 10,000 square feet. As indicated on Attachment C, the 7,500 square feet minimum lot size is comparable to other local jurisdictions.

The specifications for the keeping of bees are recommended to include the following requirements:

- to locate hives in rear yards, side yards, or on rooftops
- to be located at least 25 feet from lot lines and with the entrance facing away from the nearest property line
- each hive may only contain one swarm
- hives shall be maintained to avoid overpopulation
- a fresh water source located at least 10 feet away shall be provided
- hives must be registered with the State.

Also, staff recommends providing conditions where a resident could keep hives on lots smaller than 7,500 square feet. Those conditions are either: the hives are located at least eight feet above or below the grade of abutting properties, or hives are kept behind a minimum six foot tall fence or solid hedge that runs parallel to any property line within 25 feet of a hive.

Agriculture

Agriculture is defined in Renton Code as, the *"Use of land for growing crops for sale or consumption. This use includes the necessary accessory uses for packing, treating, or storing the produce provided that the operation of the accessory use is clearly incidental to the agricultural activity. This definition includes but is not limited to produce farms and Christmas tree farms. This definition excludes nurseries and animal husbandry."* Staff recommends amending this definition to include sales of products grown on-site as one of the accessory uses and vineyards to the examples of included specified uses. Currently, Agriculture is only allowed in the RC and R-1 zones. Staff recommends allowing Agriculture in all residential zones, specifically R-4, R-8, R-10, R-14, RMH (Residential Manufactured Homes), and RMF (Residential Multi-Family). Further, it is recommended that Agriculture be permitted outright in these zones if the use is less than 4,000 square feet in size and as an Administrative Conditional Use if it is larger.

Additionally, staff recommends amending standards for Agriculture to include the following:

- Mechanical equipment shall be limited to the type designed for household use
- No more than two motor vehicles, each with a gross vehicle weight of 10,000 pounds or less, may be used for agricultural operations
- No structures other than allowed in RMC 4-2-110B Accessory Structures are permitted
- Hours of sale are limited to between 7:00am and 7:00pm, every day of the week
- One permanent identification sign may be used, provided it is no larger than 3 x 2 feet in size
- One a-frame sign may be used, but must be removed every day after 12:00am (midnight) and may be set up again after 5:00am.

Home Agriculture

Staff reviewed the Code and conferred with Code Compliance regarding the use of front yards, side yards, and planting strips for the growing of vegetables. It was determined that the Code as it currently is allows this. Therefore, there are no recommended amendments regarding the growing of vegetables in front yards, side yards, or planting strips.

The sale of produce by those who grow produce is allowed to occur without obtaining a license by State law. RCW 36.71.090 states, *"It shall be lawful for any farmer, gardener, or other person, without license, to sell, deliver, or peddle any fruits, vegetables, berries, eggs, or any farm produce or edibles raised, gathered, produced, or manufactured by such person and no city or town shall pass or enforce any ordinance prohibiting the sale by or requiring license from the producers and manufacturers of farm produce and edibles as defined in this sections"*. So, no business license will be required for those who wish to sell produce. However, where sales occur and the conditions under which produce is sold can be regulated by local governments.

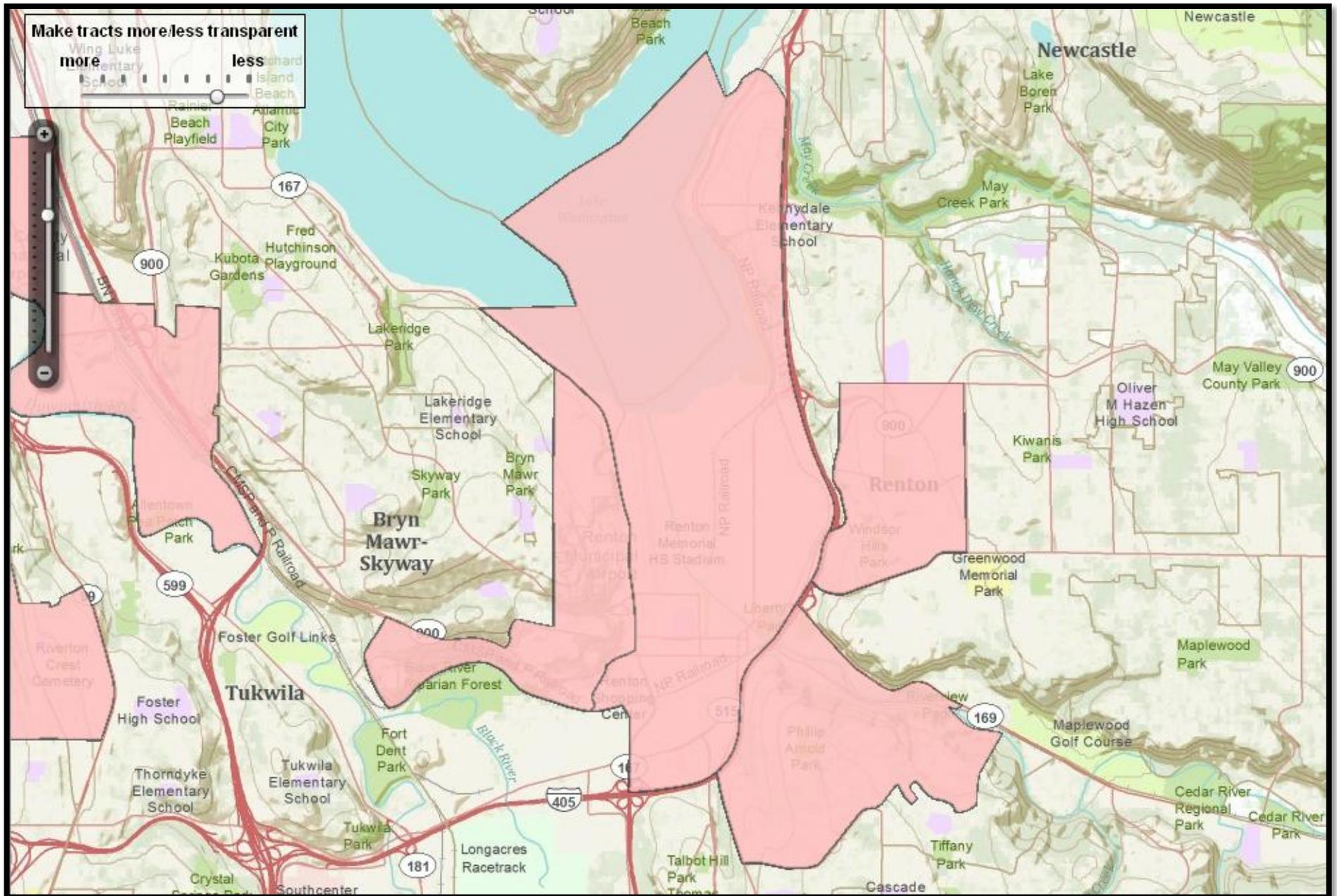
In an effort to provide increased opportunities for residents to purchase fresh produce in their community, Staff recommends that the Code be amended to allow residents to sell produce grown on their property at their property with the following conditions:

- Produce must be grown on-site and may not be a value-added product
- Hours of sale are limited to between 7:00am and 7:00pm, every day of the week
- No structures other than allowed in RMC 4-2-110B Accessory Structures are permitted
- One permanent identification sign may be used, provided it is no larger than 3 x 2 feet in size
- One a-frame sign may be used, but must be removed every day after 12:00am (midnight) and may be set up again after 5:00am.
- Any tables, chairs, stands, etc., located in the front or side yards must be removed every day after 12:00am (midnight) and may be set up again after 5:00am.

Grocery Stores

Grocery stores are considered retail sales in Renton's zoning use table. They are allowed in all commercial and industrial zones, as well as within the RMF and R-4 zones. In the R-14 zone,

they are allowed as an Administrative Conditional use with size limitations. The size limitations are not stated and need to be. Staff recommends setting the size limit at a maximum of 5,000 square feet. The CN zone also includes a condition that the size be limited, but there is no stated maximum size. It is recommended to also be set at a maximum of 5,000 square feet. The footnote associated with this condition limits the types of retail sales that are allowed in the CN zone. Retail sales are limited to flowers/plants and floral supplies, mini-marts, crafts, gift shops, and specialty markets. Staff recommends adding grocery stores to this list of allowed retail sales.



What's That Buzz?

Beekeepers hoping for change that will legalize their hives

By Josephine Johnson

The Journal – Humboldt County, California

(Sept. 15, 2011) Lacking a loud dog and without any trace of feral felines, that last thing Roy Mathews ever expected at his door one morning was a visit from Eureka City animal control. But just after 10 a.m. on a blue-skied June day, an animal control officer paid a visit to Matthews's home in Henderson Center. Matthews keeps bees — or rather, kept bees. Though no one had approached him or his wife, apparently, someone in the neighborhood was less than pleased with the bees and filed a complaint against Matthews and his plucky pollinators. Since current Eureka municipal code does not allow beekeeping within city limits, Matthews had to move his hive.

"I asked if it could wait until after dark when the bees are in," he recalls. "Moving them at night would have saved a lot of bees." Bees are diurnal, going from flower to flower by day, pollinating hundreds of plants, especially fruit trees, in the process. Then at night honey bees return to their hive, which would make evening the best and most bee-friendly time for moving a colony. The officer was adamant, though, and insisted the bees be moved immediately.

By afternoon, Matthews' hive was relocated to a friend's property on Union Street, outside Eureka city limits. Over the next three days to his horror, yet as he expected, he swept nearly 1,000 dead Italian honey bees from his back deck — the industrious ones that were gone when the hive was moved. They returned to discover their home was no more. Without a hive, a home that protects them from the elements and maintains their social structure, bees cannot survive.

As soon as he moved the bees, Matthews reported what happened to Kathy Lee, president of the 70-member Humboldt County Beekeepers Association, which seeks to educate the public about bees and beekeeping. Lee is familiar with Eureka and Arcata beekeeping laws and thinks they're out-dated. "In the 1950s and 1960s many cities passed ordinances banning livestock and animal husbandry in residential areas as a way to keep nature out," says Lee. The Eureka ordinance is no exception. Passed in 1959 when folks were keen on getting off the farm and into the suburbs, the code states that bees cannot be kept within 200 feet of any human-occupied structure. Given that an average city residential lot in Eureka and Arcata is 6,000 square feet, (imagine a rectangle 60 feet by 100 feet), this currently negates any legal beekeeping within Eureka. And in Arcata, beekeeping is not allowed at all in the residential areas where most beekeepers and would-be beekeepers live. Lee and the beekeeping group want that to change, and they are asking both cities to come up with something more inclusive for bees and their admirers.

Garrett Brinton teaches beekeeping courses through Humboldt State's Extended Education office, and he knows first-hand that the hobby is captivating Humboldt residents. "In 2009 I taught 45 beginners," says Brinton, "and in 2011, I had 65 in the beginner class. I've also started teaching a new series of beginner and advanced beekeeping classes in southern Humboldt." He believes more and more Humboldt County residents are catching that sweet honey bee buzz and want to learn how to cultivate and care for their own hives. "When I started teaching a few years ago, most people in the class were older, retired and male, but now there's a wider representation of ages and gender," says Brinton. Beekeeping, apparently, isn't just for grandpa anymore. And many new beekeepers live in residential areas still governed by 50-year-old city ordinances — so technically, they're breaking the law.

Members of the Humboldt County Beekeepers Association consider these ordinances antiquated, especially given the state of honey bee populations nationally and worldwide. According to a 2010 United Nations Environment Programme report, the number of U.S. honey-producing bee colonies peaked in 1950 at 5.5 million and has been steadily declining. As of 2010 an estimated 2.5 million honey bee colonies remain in the United States, representing a more than 45 percent decrease in honey bees since 1950. Between the perils that bees face globally and the restrictive laws locally, the Humboldt beekeeping group was already primed for change when Eureka City Councilwoman Marian Brady got in touch, after being alarmed by a deep rumbling in her compost pile. It was a mass of bees, and the beekeeping group helped Brady identify them and come up with a strategy. Turns out they were bumblebees, not honey bees. They were pollinating Brady's apple tree and she decided to leave them alone. In turn, Lee and other bee fans asked Brady for help getting the city's attention.

In August, Brady introduced to the council the notion of changing the existing law to allow beekeeping within Eureka. The council asked the city manager and city attorney to research the issue. They will be looking at sample laws from Denver, Minneapolis, New York City, Salt Lake City, Seattle and other cities that have recently updated laws to allow for urban beekeeping. For example, New York beekeepers must register with the city and notify neighbors of the intent to keep bees. In Salt Lake, a hive must be maintained 15 feet away from property lines and public access points; while in Seattle hives must be kept 25 feet away from property lines unless the hive is elevated eight feet above the ground. Work on the proposed Eureka ordinance is expected to gear up after the new city attorney arrives on Nov. 1.

Arcata City Councilman Shane Brinton has also picked up on the buzz and plans to bring the issue before the Arcata City Council in October. Brinton has been reading new urban beekeeping laws for hints on what could work in Arcata.

It's likely that some residents could be a little nervous about neighborhood beekeeping. In big cities that recently loosened restrictions, residents worried that their neighbors' bees might not respect fence lines, and could become a stinging nuisance in their own backyards. And some people are just scared of bees. Longtime Eureka resident Katherine Camili, who recently left to attend college in the Bay Area, says she would have been frightened of nearby beekeeping. Even so, she says, "Bees are important and I do think that residents should be allowed to keep bees in the city. I would just steer clear of them and hope that I would be aware of what residents were keeping bee hives."

When the issue comes before both city councils, members of the Humboldt County Beekeepers Association will be there, highlighting the important role of honey bees as pollinators, especially as their numbers plummet worldwide. They are crucial, says group president Lee, to "help create a healthy urban ecosystem."

Jurisdiction	Maximum Hives	Lot Size	Other
Bellevue	4	less than 15,000 sq ft	
	15	15,000 - 35,000 sq ft	
	25	greater than 35,000 sq ft	
Bellingham	none	none	Must be located no closer than 50' from nearest property line
Issaquah	2	6,000 - 10,000 sq ft	Minimum lot size 6,000 sq ft
	4	10,001 - 20,000 sq ft	
	10	20,001 - 43,560 sq ft	
	20	1 - 1.5 acres	
	25	1.5 - 5 acres	
	40	5.1 - 10 acres	
Federal Way	2	less than 20,000 sq ft	Minimum lot size 15,000 sq ft
	5	20,000 - 60,000 sq ft	
	15	greater than 60,000 sq ft	
Kent	4	less than 10,000 sq ft	
King County	50	less than 5 acres	
Kirkland	2	less than 15,000 sq ft	Minimum lot size 7,200 sq ft
	5	15,000 - 35,000 sq ft	
	15	greater than 35,000 sq ft	
Lake Forest Park	4	greater than 10,000 sq ft	Minimum lot size 10,000 sq ft
	+1	per 2,500 sq ft additional	
Renton (current)	none	greater than 1 acre	Minimum lot size 1 acre
Renton (proposed)	3	greater than 7,500 sq ft	Minimum lot size 7,500 sq ft
	+1	per 10,000 sq ft additional	
Seattle	4	less than 10,000 sq ft	
Shoreline	4	less than 20,000 sq ft	
Redmond	2	4,000 - 12,000 sq ft	Based on zoning (highest density zone allowed in R-6)
	4	12,001 - 35,000 sq ft	