Preface

“Urban agriculture needs to be recognized as an important and increasingly central phenomenon of urbanization.”

—United Nations Food and Agriculture Organization

Urban agriculture is sprouting up across the United States. From our largest cities including New York and Chicago to smaller urban areas such as Fayetteville, Arkansas; from the arid southwest to the water-rich Pacific Northwest; from our oldest cities such as Boston to newly developed communities that intentionally include agrarianism from the outset, urban agriculture is flourishing. Approximately one-third of farms in the United States are located in metropolitan areas.¹ The number of farmers’ markets in the United States has increased 76 percent from 2008 to 2014, largely driven by the surge in urban agriculture.² The increase in popularity in urban agriculture can be attributed to increased interest in a variety of economic, social, environmental, and health issues and goals, including building communities, investing in our local economies, increasing food security and access to affordable, healthy food, lowering and offsetting greenhouse gas emissions, increasing exercise, and reconnecting to nature, generally, and our food sources, specifically. So what is this phenomenon of “urban agriculture” exactly?

“Urban agriculture” refers to a broad range of agricultural practices that take place in and at the fringes of urban areas, including not only a wide variety of plant cultivation, but also animal husbandry and the processing and marketing of the products of those endeavors.

Urban agriculture includes greenbelts around cities, farming at the city’s edge, vegetable plots in community gardens, and food production in thousands of vacant inner-city lots. Further, urban agriculture comprises fish farms, farm animals at public housing sites, municipal compost facilities, schoolyard greenhouses, restaurant-supported salad gardens, backyard orchards, rooftop gardens and beehives, window box gardens, and much more. Urban farming includes horticulture, aquaculture, arboriculture, and poultry and animal husbandry.³

Due to its location, urban agriculture often competes for resources with other services and activities that serve—or once served—urban populations. As a consequence, urban agriculture cannot be considered in isolation, nor can a one-model-fits-all approach be adopted. Instead, as is examined in more detail in this book, urban agriculture must be viewed within each municipality’s own characteristics, problems, and goals. Moreover, even though urban agriculture is a worldwide phenomenon, this book focuses on urban agriculture in the United States. Its purpose is to provide a resource for local government officials, lawyers, and planners who are considering the role of urban agriculture in their communities, as well as those individuals and organizations engaged in or contemplating urban farming or community gardening.

The chapters included here, authored by experts in various facets of urban agriculture and related subjects, are divided into five parts, although the reader will quickly discern that many issues and concepts are interconnected or overlapping and, thus, some chapters could easily have been placed in more than one section.

Part 1, “Context for Urban Agriculture: Background and Basic Principles,” discusses the historical, cultural, and policy contexts within which urban agriculture has developed in the United States and is currently flourishing. It also provides an overview of various forms, models, and scales of urban agriculture and policy tools that can be used to promote urban agriculture—many of which are discussed in more detail in other chapters. These tools can be used to facilitate the success of urban agriculture and its utility for addressing other urban issues.

Part 2, “Government Regulation of Urban Agriculture,” explores the legal and regulatory framework in which urban agriculture operates and analyzes typical regulatory issues faced by local governments managing urban agricultural activities. This section begins with an analysis of the roles played by states as well as local governments in regulating urban agriculture, and when state or local regulations may be preempted. The section next describes the comprehensive planning process and the development of zoning and other land use ordinances that specifically contemplate the presence of urban agriculture as an integral component of urban life. This section also explores efforts undertaken in some jurisdictions to develop laws and ordinances that are better tailored to the types of agriculture that are practiced in the heart of an urban area, or at its fringes, including specifically the regulation of micro-livestock.

Part 3, “Legal Rights and Responsibilities,” analyzes the law of nuisance in the urban agriculture context and the implications of applying laws intended for more rural agricultural practices to urban farms and gardens. This section also addresses important considerations related to environmental and tax laws that arise in the context of urban agriculture, both as potential obstacles and—in some instances—as tools for facilitating urban farms or gardens.

Part 4, “Urban Agriculture as a Tool to Address Economic, Social, and Natural Resource Issues,” focuses on the use of urban agriculture as a strategy for addressing problems faced by many American urban areas, including lack of access to fresh, 

---

4. See Urban & Peri-Urban Agriculture, UN Food & Agric. Org. (paper presented to the U.N. Comm. on Agric. Jan. 25–26, 1999), http://www.fao.org/unafo/bodies/coag/coag15/x0076e.htm (defining urban agriculture as “agriculture practices within and around cities which compete for resources (land, water, energy, and labor) that could also serve other purposes to satisfy the requirements of the urban population”).
healthy foods and an abundance of deteriorating, vacant properties. It also discusses strategies for facilitating the distribution and marketing of the products of urban agriculture.

Part 5 of this book, “Case Studies: Urban Agriculture in Action,” analyzes the experiences of specific urban areas with urban agriculture. Recognizing that each metropolitan area is unique and, therefore, will necessarily need to customize its approach to urban agriculture to fit each municipality’s own context and goals, these examples provide perspectives on various approaches to the multifaceted world of urban agriculture—including those that have been successful, those that have not, and those that cannot yet be fully evaluated. While the bulk of this book addresses urban agriculture within the context of existing cities—including issues associated with retrofitting an “unfamiliar” use to existing urban plans, laws, and activities—the final case study describes a different model. It discusses the development of new communities in which farming and gardening are intentionally incorporated as an essential component at the outset.

While this book covers a wide range of subjects related to urban agriculture, we acknowledge that there are aspects of urban agriculture that are not addressed or, even if touched upon, are not fully analyzed here. We hope, however, that the information, perspectives, and examples provided in this book will serve as a valuable resource for those considering urban agriculture in their communities. For those seeking information on a subject not addressed in depth in this volume—or who wish to delve more deeply into the subject of urban agriculture—we have included a list of additional resources following Chapter 17. Although not exhaustive, these resources provide a wealth of information about urban agriculture both in the United States and internationally.

As editors, our hope is that this book provides those interested in effectively promoting or regulating urban agriculture with a useful assessment of the economic, social, and environmental benefits of urban agriculture, an overview of the legal and regulatory issues that typically arise, and examples of solutions for effectively addressing such challenges in order to maximize the benefits of this growing cultural and economic movement. For those merely looking to better understand the scope, import, or implications of the modern urban agricultural movement currently taking root throughout the United States, perhaps this book will plant a seed.