**Portions of Baltimore City’s Zoning Code Related to Food Production**

Find more information on the Zoning Code, including the full text, here: <https://planning.baltimorecity.gov/zoning-code-quick-guide>

**DEFINITIONS**

**(h)** **Community-managed open-space garden.**

* In general.
* “Community-managed open-space garden” means an open-space area that:
	+ is maintained by more than 1 household; and
	+ is used for traditional community-garden activities of planting, cultivating, harvesting, maintaining, and distributing fruits, flowers, vegetables, or ornamental plants.
* Inclusions.
* “Community-managed open-space garden” includes:
	+ accessory sheds, gazebos, and pergolas;
	+ temporary greenhouses and similar structures to extend the growing season; and
	+ the provision of space for related open-air recreation, active or passive, but not including playground equipment.

**(i)** **Community-managed open-space farm.**

* In general.
* “Community-managed open-space farm” means an open-space area that:
	+ is maintained by more than 1 household; and
	+ in addition to the uses permitted in a community-managed open-space garden, is used for 1 or more of the following:
		- the keeping of livestock and animals;
		- temporary farm stands, but no more than 1 per lot; and
		- the receipt and free redistribution of organic waste material for composting.
* Inclusions.
* “Community-managed open-space farm” includes on-site storage, including storage for farmstands.

**(h) Urban agriculture.**

* In general.
* “Urban agriculture” means the cultivation, processing, and marketing of food, with a primary emphasis on operating as a business enterprise.
* Inclusions.
	+ “Urban agriculture” includes:
		- animal husbandry;
		- aquaculture;
		- agro-forestry;
		- vineyards and wineries; and
		- horticulture.
	+ “Urban agriculture” might involve the use of:
		- intensive production methods;
		- structures for extended growing seasons;
		- on-site sale of produce; and
		- composting

**USE STANDARDS**

**§ 14-307. Community-managed open-space gardens and farms.**

* Open-space gardens and farms – Plants for human consumption.
* For any community-managed open-space garden or farm use that involves the cultivation of plants for human consumption, measures must be taken to test and, if necessary, remediate the soil in accordance with guidelines adopted by the Department of Planning.
* Open-space gardens and farms – Structures.
	+ Except as provided in this subsection, permanent structures are prohibited.
	+ Temporary greenhouses are permitted to extend the growing season.
	+ Accessory structures, such as sheds, gazebos, and pergolas, are also permitted.
* Open-space farms – Farmstands.
	+ On a community-managed open-space farm, temporary farmstands for the display and sale of agricultural products grown at the site are permitted.
	+ These farmstands must be removed from the premises or stored inside a structure on the premises during that time of the year when the open space is not open for public use.
	+ Only 1 farmstand is permitted per lot.
* Open-space farms – Composting.
* Composting on-site of a community-managed open-space farm is allowed as an accessory use, subject to the following conditions:
	+ any compost pile must be located at least 3 feet away from any lot line;
	+ composting areas and structures must be maintained in a way that protects adjacent properties from nuisance odors and the attraction of rodents or other pests; and
	+ organic waste material for composting may be accepted from outside sources and either used on site or distributed at no cost, but may not be sold.
* Open-space farms – Livestock and animals.
* The keeping of livestock and animals must adhere to all applicable regulations of the Baltimore City Health Department and the Maryland Department of Agriculture.

**§ 14-339. Urban agriculture.**

* Management plan for certain activities.
* Urban agriculture uses that involve any of the following activities must prepare a management plan, subject to approval by the Director of Planning, that addresses how the activities will be managed to mitigate impacts on surrounding land uses and natural systems:
	+ Animal husbandry, including chicken coops, apiaries and aquaculture. The keeping of livestock must adhere to all Baltimore City Health Department and Maryland Department of Agriculture regulations.
	+ Processing of food produced on site.
	+ Spreading of manure, sludge, or other nutrient-rich fertilizers.
	+ Spraying of agricultural chemicals, including fertilizers, fungicides, and pesticides.
	+ Use of heavy equipment such as tractors.
* Greenhouses, etc.
	+ Greenhouses (permanent or temporary) used to extend the growing season are permitted.
	+ There is no limit on the number or square footage on these structures.
* Plants for human consumption.
* For any urban agriculture use that involves the cultivation of plants for human consumption, measures must be taken to test and, if necessary, remediate the soil in accordance with guidelines adopted by the Department of Planning.
* Permanent accessory structures.
	+ Permanent accessory structures are limited to:
* tool sheds;
* shade pavilions;
* barns;
* toilet facilities;
* planting preparation houses; and
* post-harvest processing facilities.
	+ All structures must be set back at least 5 feet from any lot line.
	+ No structure may exceed 25 feet in height, except for structures designed to capture wind energy.
* Combined area of accessory structures.
	+ The combined area of all structures is limited to 25% of the lot area.
	+ For multiple adjoining lots that are under common ownership and used as communitymanaged open space, the limit for the combined area of structures is applied over the entire site rather than each individual lot. The limit for the combined area of structures for the individual lots may not exceed that of the underlying zoning district.
* Farmstands.
	+ Farmstands for the display and sale of agricultural products are permitted.
	+ Farmstands must be removed from the premises or stored inside a structure on the premises during that time of the year when the facility is not open for public use.
* Composting.
* Composting on-site is allowed as an accessory use, subject to the following conditions:
	+ any compost pile must be located at least 3 feet away from any lot line;
	+ composting areas and structures must be maintained in a way that protects adjacent properties from nuisance odors and the attraction of rodents or other pests; and
	+ organic waste material for composting may be accepted from outside sources and either used on site or distributed at no cost, but may not be sold.

**SITE PLAN REVIEW MANUAL**

§ 4-203. Applicability.

Site plan review is required for the following types of development applications:

…

(8) urban agriculture or community-managed open-space farm

**ZONING VERIFICATIONS**

§ 5-902. Procedure.

(a) In general

…

(3) A community-managed open-space garden or farm need only pay the fee and submit an application for verification as a single lot, as long as the lots constituting that use are contiguous.

**USE TABLES**

Community-Managed Open Space Gardens are a permitted use in all zoning districts, and Community-Managed Open Space Farms and Urban Agriculture are a conditional use in all zoning districts, with the exception of industrial zones, which are as follows:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **OIC** | **BSC** | **I-MU** | **I-1** | **I-2** | **MI** |
| CMOS-G | P | P | P |  |  |  |
| CMOS-F | C | C | C |  |  |  |
| UA | P | P | P | P |  |  |

OIC = Office-Industrial Campus

BSC = Bio-Science Campus

I-MU = Industrial Mixed-Use

I-1 = Light Industrial

I-2 = General Industrial

MI = Maritime Industrial

P = Permitted

C = Conditional

Squares which are blank means the use is not allowed in those districts