

Ordinance 982

An Ordinance Allowing Community and Market Gardens

The Maplewood City Council approves the following changes to the Maplewood Code of Ordinances:

Section 1. This section creates a new ordinance to allow for community and market gardens of one acre or less as a permitted use and over one acre as a conditional use in all zoning districts.

Chapter 18, Article V, Division 9 (Community and Market Gardens)

Sec. 18-610. – Definitions.

A Community and Market Garden are cultivated spaces typically gardened and managed by one or more persons – either on undeveloped lots or on leased lands for private consumption or retail sale.

Sec. 18-611. Community and Market Gardens Under One Acre in Size.

- (a) Allowed in any zoning district with the following standards:
- (1) Maintain a 5-foot setback to all property lines.
 - (2) On-site sales shall be limited only to products grown on the site with the following requirements:
 - 1) Sales shall be limited to no more than thirty (30) calendar days a year.
 - 2) Sales shall only take place between the hours of 7am – 7pm.
 - 3) Sales shall not take place on the public sidewalk or boulevard.
 - (3) Soil tests showing that lead levels are less than one hundred parts per million (100ppm), or raised planting beds with soil barriers and clean, imported soil will be required.
 - (4) Community or market garden accessory structures are allowed including greenhouses and hoop houses. A building permit is required for structures larger than 200 square feet in area.
 - (5) Subject to minimum property maintenance standards as outlined in Maplewood City ordinances.
 - (6) Abide by noise regulations as outlined in Maplewood City ordinances.
 - (7) Be conducted in a manner that controls odor, dust, erosion, lighting, and noise and is in compliance with City standards so as not to create a nuisance.

- (8) Any tools, equipment, and material shall be stored and concealed within an enclosed, secure structure.
- (b) When a community or market garden has been discontinued:
 - (1) The property shall be restored with native plantings; or at a minimum grass and ground cover to control erosion, dust, and mud.
 - (2) All structures accessory to the community or market garden shall be removed.

Sec. 18-612. Community or Market Gardens Over One Acre in Size.

Allowed with a conditional use permit pursuant to 44-1092.

Section 2. This section amends the Maplewood Zoning Code to add a definition for community and market gardens.

Chapter 44 (Zoning), Article I (In General)

Sec. 44-6. Definitions.

Community and Market Garden are cultivated spaces typically gardened and managed by one or more persons – either on undeveloped lots or on leased lands for private consumption or retail sale.

Section 3. This section amends the Maplewood Zoning Code to allow for community and market gardens over one acre with a conditional use permit in any zoning district.

Sec. 44-1092. – Conditional uses.

The city council may issue conditional use permits for the following uses in any zoning district in which they are not specifically prohibited:

- (8) Community and Market Gardens Over One Acre in Size

The Maplewood City Council approved this ordinance June 11, 2018.