

WORK SESSION AGENDA

CITY COUNCIL WORK SESSION
TUESDAY
OCTOBER 8, 2013

COUNCIL CHAMBERS
211 WEST ASPEN AVENUE
6:00 P.M.

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

NOTE: One or more Councilmembers may be in attendance telephonically or by other technological means.

MAYOR NABOURS
VICE MAYOR EVANS
COUNCILMEMBER BAROTZ
COUNCILMEMBER BREWSTER

COUNCILMEMBER ORAVITS
COUNCILMEMBER OVERTON
COUNCILMEMBER WOODSON

4. Public Participation

Public Participation enables the public to address the council about items that are not on the prepared agenda. Public Participation appears on the agenda twice, at the beginning and at the end of the work session. You may speak at one or the other, but not both. Anyone wishing to comment at the meeting is asked to fill out a speaker card and submit it to the recording clerk. When the item comes up on the agenda, your name will be called. You may address the Council up to three times throughout the meeting, including comments made during Public Participation. Please limit your remarks to three minutes per item to allow everyone to have an opportunity to speak. At the discretion of the Chair, ten or more persons present at the meeting and wishing to speak may appoint a representative who may have no more than fifteen minutes to speak.

5. **Preliminary Review of Draft Agenda for the October 15, 2013, City Council Meeting.** *

**Public comment on draft agenda items may be taken under "Review of Draft Agenda Items" later in the meeting, at the discretion of the Mayor. Citizens wishing to speak on agenda items not specifically called out by the City Council for discussion under the second Review section may submit a speaker card for their items of interest to the recording clerk.*

6. Discussion on a draft Food Freedom Resolution in support of the rights of individuals and groups to grow their own food for themselves and their families.

7. Discussion regarding proposed amendments to City Code Division 8-03-002 of the Flagstaff City Code to create revised standards allowing for sidewalk cafes and sidewalk vending carts.

8. Regional Plan Discussion #6 - Ch. XII. Public Buildings, Services, Facilities and Safety; and Ch. XV. Recreation

THIS ITEM WILL NOT BE DISCUSSED PRIOR TO 7:00 P.M.

9. Review of Draft Agenda Items for the October 15, 2013, City Council Meeting.*

**Public comment on draft agenda items will be taken at this time, at the discretion of the Mayor.*

10. Public Participation

11. Informational Items To/From Mayor, Council, and City Manager, and Requests for Future Agenda Items.

12. Adjournment

CERTIFICATE OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Flagstaff City Hall on _____, at _____ a.m./p.m. in accordance with the statement filed by the City Council with the City Clerk.

Dated this _____ day of _____, 2013.

Elizabeth A. Burke, MMC, City Clerk

Memorandum

6.

CITY OF FLAGSTAFF

To: The Honorable Mayor and Council
From: Roger Eastman, Zoning Code Administrator
Date: 09/09/2013
Meeting Date: 10/08/2013



TITLE:

Discussion on a draft Food Freedom Resolution in support of the rights of individuals and groups to grow their own food for themselves and their families.

DESIRED OUTCOME:

At this work session, staff will be seeking Council direction on what amendments, if any, may need to be made to the Flagstaff City Code including the Zoning Code with regard to a draft resolution supported by the Sustainability Commission “recognizing the rights of individuals and groups to grow their own food.” Possible adoption of the Food Freedom Resolution may be scheduled for Council consideration at a future time.

INFORMATION:

At their August 14, 2013 meeting the Flagstaff Sustainability Commission discussed a draft resolution in support of the rights of individuals and groups to grow their own food for themselves and their families. This resolution was drafted by members of the Flagstaff Liberty Alliance who brought it to the Commission for their support. At this meeting the Commission recommended that the City Council should adopt this resolution, a copy of which is attached (Attachment A.).

Interest in food system issues at the local, regional and national level has been on the rise in the planning community for the past decade. Recognizing this trend in May 2007 the American Planning Association (APA) adopted a policy guide that provides seven general policies in support of community and regional food planning. A copy of the APA’s “Policy Guide on Community and Regional Food Planning” is attached (Attachment B.) as it provides useful policy ideas on this issue.

The seven general policies outlined in this policy guide are:

1. Support comprehensive food planning process at the community and regional levels;
2. Support strengthening the local and regional economy by promoting local and regional food systems;
3. Support food systems that improve the health of the region's residents;
4. Support food systems that are ecologically sustainable;
5. Support food systems that are equitable and just;
6. Support food systems that preserve and sustain diverse traditional food cultures of Native American and other ethnic minority communities;
7. Support the development of state and federal legislation to facilitate community and regional food planning discussed in general policies #1 through #6 .

ANALYSIS OF EXISTING CITY CODE PROVISIONS RELATIVE TO THE DRAFT FOOD PRODUCTION RESOLUTION

Staff has completed a comprehensive analysis of the Zoning Code (City Code Title 10) as well as other

relevant City Code Chapters to determine how the draft food production resolution is supported by existing City Code standards and regulations, or how they could be amended in support of the resolution.

City Code Title 10, Flagstaff Zoning Code:

Chapter 10-40 (Specific to Zones) establishes the zoning districts that are applied to property within the City, with specific standards for allowable uses, building form, building placement, etc. for each zone.

Section 10-40.30.030 Residential Zones. Table B. (Allowed Uses).

The descriptions of the RR and ER residential zones include the statement that these zones are “applied to areas of the City appropriate for both housing and limited agricultural uses ...”.

Community gardens	Permitted in all residential zones
Nurseries	Permitted in the RR zone with a Use Permit

Section 10-40.30.040 Commercial Zones. Table B. (Allowed Uses).

Community gardens	Permitted in all commercial zones
Farmers market	Permitted in the CC, HC, and CS zones
Food production	Permitted in the HC and CS zones with a Use Permit
Nurseries	Not specifically listed, but would be permitted under General Retail Business

Section 10-40.30.050 Industrial Zones. Table B. (Allowed Uses).

Composting facility	Permitted in LI, LI-O, HI, and HI-O zones (but not within ¼ mile of a residential use)
Food production	Permitted in the LI and LI-O zones
Nurseries	Permitted in LI, LI-O, HI, and HI-O zones

Section 10-40.30.060 Public and Open Space Zones. Table B. (Allowed Uses).

Community gardens	Permitted in the PF zone
Ranching	Permitted in the PLF zone

Section 10-40.30.070 Sustainability Features of all Non-Transect Zones.

Vegetated roof	Allowed in all zones – would allow for food production
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Section 10-40.40.030 T1 Zone Natural Standards. Table D. Allowed Uses.

Ranching	Permitted
Community gardens	Permitted

Section 10-40.40.040 T2 Zone Rural Standards. Table H. Allowed Uses.

Animal Keeping	Permitted
Nurseries	Permitted
Ranching	Permitted
Community gardens	Permitted
Greenhouses	Permitted

Section 10-40.40.050/.060 T3N.1 and T3N.2 Zones Neighborhood Standards. Table H. Allowed Uses.

Community gardens	Permitted
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Section 10-40.40.070/.080 T4N.1 and T4N.2 Zones Neighborhood Standards. Table I. Allowed Uses.

Community gardens	Permitted
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Section 10-40.40.090 T5 Zone Main Street Standards. Table I. Allowed Uses.

No permitted food production uses.

Section 10-40.40.100 T6 Zone Downtown Standards. Table I. Allowed Uses.

No permitted food production uses.

Sustainability Features of all Transect Zones.

Vegetated roof	Allowed in all transect zones – would allow for food production
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Section 10-40.60.020 Accessory Buildings and Structures.

This Section establishes specific standards and regulations applicable to accessory structures in all zones, including for green houses.

Section 10-40.60.070 Animal Keeping.

This Section establishes a cross reference to the City Code Title 6 (Police Regulations) and the City's existing animal keeping standards (Chapter 6-03, Animals). It was intended that the animal keeping provisions of the City Code would be updated sometime after adoption of the Zoning Code and moved to a new location in Title 7 (Health and Sanitation) at the same time as the amendments to the City Code regarding property and building maintenance were to be considered. So far only preliminary work on this chapter has begun (see below for a fuller description of suggested amendments to this section of the City Code).

Section 10-40.60.140 Community Garden.

This Section establishes specific standards and regulations applicable to community gardens in all zones.

Chapter 10-50 (Supplemental to Zones) establishes standards that are supplemental to the regulations of each zoning district, including for example, landscaping standards.

Section 10-50.60.050 Landscaping Standards.

Sub-section C. (Oasis Allowance) establishes standards for oasis areas within a landscape to include, for example, non-drought tolerant plants that require more water and vegetable gardens.

Paragraph 6. (Use of Edible Landscaping) specifically encourages and allows the use of edible plants in a landscape area.

Paragraph 7. (Exceptions) specifically exempts food production sites such as community gardens from the oasis allowance.

Chapter 10-80 (Definitions) provides the definitions of key terms as they are used in the Zoning Code.

Those terms with specific relevance to food production include:

Section 10-80.20.010 Definitions. "A."

Accessory Buildings and Structures

Agriculture

Agriculture, Urban

Animal Keeping

Section 10-80.20.030 Definitions. "C."

Community Garden

Composting Facility

Section 10-80.20.060 Definitions. "F."

Food Production

Section 10-80.20.080 Definitions. "G."

Greenhouse

Section 10-80.20.180 Definitions. "R."

Ranching

City Code Title 6, Police Regulations:

Chapter 6-03 (Animals) of this title establishes the standards for Keeping of Certain Animals (Section 6-03-001-0001) including provisions to address a violation of this chapter (Section 6-03-001-0002). Last amended in January 1961, this chapter of the City Code is outdated and it does not provide standards for the keeping of animals consistent with the desires and needs of many Flagstaff residents.

Over the past few months, staff from the City's Sustainable and Environmental Management Section has worked to develop a first draft of proposed revisions to this chapter. Their work is incomplete, and it provides a solid starting point for further review and refinement. For example, the proposed draft includes less restrictive standards for the keeping of certain poultry, establishes new standards for managing the number of animals permitted on a property based on a measure of animal units (a typical approach in most communities in the US today), and allows for bee keeping subject to certain standards. This code will also include the standards from former Land Development Code Section 10-03-005-0001.G (Animals) that were not included in the new Zoning Code.

Staff looks forward to discussing these proposed amendments with community stakeholders and Flagstaff residents, and presenting them to the City Council at some point in the future.

Some Preliminary Staff Observations and Conclusions:

The new Zoning Code adopted by the City Council in November 2011 removed many obstacles to local food production. Councilors and local residents proposed many of these ideas, such as allowing food production in certain commercial and industrial zones. Indeed, when the proposed local food production resolution is compared with the Zoning Code, it is noteworthy that the Code supports local food production in a variety of ways. However, as the narrative below will make clear, there are a number of additional amendments that could be considered that would support and provide additional opportunities for local food production. As noted above, amendments to the animal keeping section of the City Code are also necessary in support of greater local food production opportunities.

1. The descriptions of the RR and ER residential zones note that they allow limited agricultural uses. However, aside from standards for the keeping of horses in both of these zones (the ER zone allows one horse per 10,000 sq. ft. to a maximum of three horses per lot for the personal use of family members while the RR zone allows up to four horses for the first acre plus one horse for each additional acre) there are no other standards in the Zoning Code that would support "limited agricultural uses" or the keeping of other animals. This is an area of the code that could be amended to support and define limited agricultural uses.
2. A simple amendment to the Zoning Code could explicitly state that the cultivation of food garden for home use is permitted in all zones where residential uses are permitted. This amendment could also go further to allow for the growing of food through the use of such advanced systems as hydroponics.
3. Community gardens could be permitted in the T5 (Main Street) and T6 (Downtown) transect zones as this use is already permitted in all commercial zones, including the Commercial Services (CS) and Central Business (CB) or downtown zone.
4. Greenhouses could be permitted in the T3, T4, T5, and T6 transect zones. While they may not be located on the ground where space is often at a premium in transect zones T5 and T6, it is conceivable that they could be placed on a roof top.
5. While the Zoning Code allows vegetated roofs in all zones, a simple amendment could explicitly state that a vegetated roof may also be used for food production.
6. Farmers markets could also be permitted in the CB (Central Business) and the PF (Public Facility) zones.
7. Staff suggests that consideration may need to be given to allow a home owner who grows more food than they can consume to sell the excess food at a local farmer's market or other similar venue.

8. Attachment C. includes a few pages from the 2007 v9.2 SmartCode Module on food production. The SmartCode is a model zoning code and form-based code that may be calibrated to a local community's needs. These pages provide some ideas for how local food production may be incorporated into the Zoning Code. They also provide some ideas for composting and recycling that could be incorporated into the Zoning Code.
9. The City Code's animal keeping provisions are outdated and require refinement and amendment. For example, careful consideration needs to be given to allowing animals that are known to be kept within the City limits that the City Code does not address, such as alpacas and llamas. Also, for some years now staff has heard from many residents hoping for amendments to the City Code to provide greater opportunities for the keeping of poultry. Future code amendments may also provide a cross-reference from the Zoning Code to the City Code to define in which zones what animals may be allowed. In the coming months, and based on City Council direction, staff looks forward to presenting the Council with these needed amendments for review and eventual adoption.
10. From a technical perspective, staff suggests that it is important to address all of the possible unintended consequences from expanding the possibilities for food production and animal keeping within the City, especially on small residential lots. For example, should standards be developed that limit the size of a food garden on a standard R1 lot which is typically a minimum of 6,000 sq. ft. in area, perhaps as a percentage of lot area? Also, it may be appropriate to think about how to deal with odors and flies resulting from the delivery of manure and other organic products for use in food gardens, as well as the use of fertilizers and pesticides. While these issues are not typically a problem on lots in the Estate Residential (ER) or Rural Residential (RR) zones as lot sizes are large (minimum 1 acre), on smaller lots staff suggests that care be taken to ensure that a nuisance to adjoining property owners is not created. Similarly, the keeping of animals on small lots such as those in an R1 zone may also present nuisance issues. Consideration should also be given to whether there will be impacts to stormwater quality as a result of new animal keeping and food production standards.

A POSSIBLE PATH FORWARD

Assuming that a majority of the City Council supports a draft resolution in support of the rights of individuals and groups to grow their own food for themselves and their families, and direction is provided to staff to develop possible amendments to the City Code and Zoning Code, the path forward described below is suggested:

1. City Council adoption of a draft resolution in support of the rights of individuals and groups to grow their own food for themselves and their families.
2. Possible additional City Council work session for confirmation of direction to staff on possible amendments to the City Code and Zoning Code.
3. As no civic engagement has occurred so far aside from the Sustainability Commission meeting in August, outreach to interested citizens and stakeholders is important and necessary [INFORM, CONSULT, INVOLVE]. A meeting with the Sustainability Commission to gain their feedback and ensure their support will also be scheduled.
4. Draft possible amendments to the Zoning Code and the animal keeping provisions of the City Code.
5. Further civic engagement [INFORM, CONSULT, INVOLVE] with outreach to interested citizens and stakeholders. An additional meeting with the Sustainability Commission to gain their feedback and ensure their support will be scheduled.
6. Possible confirmation of policy direction with City Council.
7. Schedule the draft amendments to the Planning and Zoning Commission and City Council for approval.

Community Development Division staff resources are currently fully committed to the following major projects:

1. Draft amendments to the Zoning Code for Division 10-20.50 (Amendments to the Zoning Code Text and the Zoning Map) and Section 10-50.100.080.E (Flagstaff Mall and Marketplace District) which

are scheduled to the City Council for public hearing/first reading on October 15th and second reading/adoption on November 5th.

2. Flagstaff Regional Plan 2030 which is on the City Council's agenda every Tuesday from now through the end of the year and is scheduled for adoption by the Council on December 17th.
3. Major Regional Plan Amendment for the Little America project, also scheduled for City Council final review and approval on December 17th.
4. Approval of a comprehensive suite of amendments to the Zoning Code following the Code's adoption in November 2011. This includes numerous minor amendments throughout the Zoning Code as well as comprehensive amendments in Division 10-50.100 (Sign Standards). Given the City Council and staff's work load through the end of 2013, these amendments will be presented for review and adoption early in 2014.
5. Amendments to City Code Title 8 (Public Ways and Property) in Division 8-03-002 (North Downtown Business District Encroachment Policy) to provide revised standards to enable restaurants and bars to establish seating areas on public sidewalks, and new standards for vendors and other commercial uses to use public sidewalks to operate their businesses. This issue will be presented to the City Council at the October 8th work session for review and discussion, with possible adoption before the end of the year.
5. Amendments to City Code Title 4, Building Code, regarding the need to update the City's existing provisions for building and property maintenance. In a work session in early 2013, the City Council agreed that these amendments would be completed and presented to the Council for review and adoption after the amendments to the Zoning Code were completed.

CONCLUSION

The purpose of the October 8th City Council work session is to seek Council direction on what amendments, if any, may need to be made to the Flagstaff City Code including the Zoning Code with regard to a draft resolution supported by the Sustainability Commission "recognizing the rights of individuals and groups to grow their own food". Possible adoption of the Food Freedom Resolution may be scheduled for Council consideration at a future time. Completion of amendments to the City Code and Zoning Code, and possible adoption by the City Council, will be added to Task #4 above and, therefore, presented in early 2014.

Attachments: [Draft Food Freedom Resolution](#)
 [APA Policy Guide](#)
 [SmartCode Food Production](#)

A RESOLUTION RECOGNIZING THE RIGHTS OF INDIVIDUALS AND GROUPS TO GROW AND CONSUME THEIR OWN FOOD

WHEREAS, the people of the City of Flagstaff historically have maintained and enjoyed the right to raise food for themselves and their families; and

WHEREAS, family farms, sustainable agricultural practices and food processing by individuals, families and small, locally based firms offer stability to our City by enhancing the economic, environmental and social wealth of our community; and

WHEREAS, in this day and age, there are many barriers to people raising their own food and livestock, including the land required for such activities, capital costs, accessibility, time, knowledge, and skills; and

WHEREAS, as part of the right to raise food for themselves and their families, the people have and maintain the right to raise such food on their own land, subject to zoning and land use laws, and where desired, to contract with others to rent sufficient land for the growing of that food, for boarding their poultry and livestock, and for hiring services related to its care, maintenance, raising, and harvesting; and

WHEREAS, as part of that right, the people have the right to own, and where they deem it convenient to share ownership of, such agricultural activities, livestock, and other food producing animals for their own use, enjoyment, and consumption; and

WHEREAS, no local, state or federal law bars any person from raising their own food for use by themselves and their families; and

WHEREAS, in the interests of a vibrant local economy, it is important that the rights outlined above be maintained and that City officials encourage a healthy and environmentally friendly form of small scale agriculture.

NOW, THEREFORE, BE IT RESOLVED that the Flagstaff City Council supports, endorses, and encourages the recognition of the right and freedom of people to raise their own food, including food derived from agricultural animals, for the enjoyment of themselves and their families, either by their own investment and labor or through the assistance of others through contractual arrangements.

BE IT FURTHER RESOLVED that the Flagstaff City Council recognizes the right of people to contract with others for the production, processing and delivery of food for home consumption on terms set solely by the contracting parties and not subject to regulations designed for the public sale of such foods.

BE IT FURTHER RESOLVED that the Flagstaff City Council supports the adoption of local, state, and federal laws that support and encourage the American people to continue and expand the activities of raising food for themselves and their families.



American Planning Association

Making Great Communities Happen

Policy Guide on Community and Regional Food Planning

Adopted by the Legislative and Policy Committee, April 13, 2007

Adopted by the Chapter Delegate Assembly, April 14, 2007

Adopted by the Board of Directors, April 15, 2007

Final Policy Guide, May 11, 2007

Introduction

Food is a sustaining and enduring necessity. Yet among the basic essentials for life — air, water, shelter, and food — only food has been absent over the years as a focus of serious professional planning interest. This is a puzzling omission because, as a discipline, planning marks its distinctiveness by being comprehensive in scope and attentive to the temporal dimensions and spatial interconnections among important facets of community life.

Several reasons explain why planners have paid less attention to food issues when compared with long-standing planning topics such as economic development, transportation, the environment, and housing. Among these reasons are:

1. a view that the food system — representing the flow of products from production, through processing, distribution, consumption, and the management of wastes, and associated processes — only indirectly touches on the built environment, a principal focus of planning's interest;
2. a sense that the food system isn't broken, so why fix it; and,
3. a perception that the food system meets neither of two important conditions under which planners act — i.e., dealing with public goods like air and water; and planning for services and facilities in which the private sector is unwilling to invest, such as public transit, sewers, highways, and parks.

Yet, over the last few years, interest in food system issues is clearly on the rise in the planning community. In 2005 at the APA National Planning Conference in San Francisco, a special track of sessions on food planning subjects was held for the first time in APA's history. An unexpectedly high number of 80 planners responded to the call for papers for this track. In 2006, a follow-up track of sessions took place at the San Antonio APA conference. Special journal issues devoted entirely to food planning have included the *Journal of Planning Education and Research* (Summer 2004) and *Progressive Planning* (Winter 2004). Courses on community food planning are being offered for the first time by several graduate planning programs. Another sign of progress was a white paper on food planning prepared in late 2005 and presented to the Delegates Assembly at the 2006 APA conference. Approved subsequently by the APA Legislative and Policy Committee, the white paper became the impetus for preparing this Policy Guide, which provides a vision and suggests ways for planners to become engaged in community and regional food planning.

The following are a few converging factors that explain the heightened awareness among planners that the food system is indeed significant:

- Recognition that food system activities take up a significant amount of urban and regional land

- Awareness that planners can play a role to help reduce the rising incidence of hunger on the one hand, and obesity on the other
- Understanding that the food system represents an important part of community and regional economies
- Awareness that the food Americans eat takes a considerable amount of fossil fuel energy to produce, process, transport, and dispose of
- Understanding that farmland in metropolitan areas, and therefore the capacity to produce food for local and regional markets, is being lost at a strong pace
- Understanding that pollution of ground and surface water, caused by the overuse of chemical fertilizers and pesticides in agriculture adversely affects drinking water supplies
- Awareness that access to healthy foods in low-income areas is an increasing problem for which urban agriculture can offer an important solution
- Recognition that many benefits emerge from stronger community and regional food systems

Current planning activities already affect the food system and its links with communities and regions. For example, land use planners may use growth management strategies to preserve farm and ranch land, or recommend commercial districts where restaurants and grocery stores are located, or suggest policies to encourage community gardens and other ways of growing food in communities. Economic development planners may support the revitalization of main streets with traditional mom-and-pop grocery stores, or devise strategies to attract food processing plants to industrial zones. Transportation planners may create transit routes connecting low-income neighborhoods with supermarkets, and environmental planners may provide guidance to farmers to avoid adverse impacts on lakes and rivers. This policy guide seeks to strengthen connections between traditional planning and the emerging field of community and regional food planning. As such, two overarching goals are offered for planners:

1. Help build stronger, sustainable, and more self-reliant community and regional food systems, and,
2. Suggest ways the industrial food system may interact with communities and regions to enhance benefits such as economic vitality, public health, ecological sustainability, social equity, and cultural diversity.

This Policy Guide on community and regional food planning presents seven general policies, each divided into several specific policies. For each specific policy, a number of roles planners can play are suggested. The seven general policies are:

1. Support comprehensive food planning process at the community and regional levels;
2. Support strengthening the local and regional economy by promoting local and regional food systems;
3. Support food systems that improve the health of the region's residents;
4. Support food systems that are ecologically sustainable;
5. Support food systems that are equitable and just;
6. Support food systems that preserve and sustain diverse traditional food cultures of Native American and other ethnic minority communities;
7. Support the development of state and federal legislation to facilitate community and regional food planning discussed in general policies #1 through #6.

Findings

How planning operates to balance the need for an efficient food system with the goals of economic vitality, public health, ecological sustainability, social equity, and cultural diversity will present a formidable challenge to planners who engage in community and regional food planning, and in

planning for various community sectors such as transportation, economic development and the environment. This section covers salient facts and trends about how the food system impacts localities and regions and provides some examples of progress being made by planners.

1. General Effects of the Food System on Local and Regional Areas

Today's industrial food system is a product of significant scientific and institutional advances over the previous centuries, and generally provides an abundant and safe supply of food to most people in the country. It has paralleled developments in mass production and economies of scale in other industries and is characterized by the use of significant amounts of synthetic fertilizers and pesticides, and new shipping technologies. It contributes nearly \$1 trillion to the national economy — or more than 13 percent of the GNP — and employs 17 percent of the labor force (American Farmland Trust, 2003). Food sector jobs represent close to 15 percent of the total workforce of many communities, while retail sales from food outlets such as grocery stores and eating and drinking places can be as much as a fifth of a community's total retail sales (Pothukuchi and Kaufman, 1999).

However, the food system is not without problems for communities and regions. A clear trend in all parts of the food system is greater concentration of ownership, which means that decisions affecting communities are increasingly made by absentee business owners. For example, in 2000, the top five food retailers accounted for 43 percent of sales, up from 24 percent in 1997 (Hendrickson et al., 2001). Mergers of chain supermarkets often result in the closure of stores, thereby reducing residents' access to healthy food, and lowered tax base and employment. Another trend, vertical integration, leads to increased consolidation of different activities such as food production, processing, and distribution under the control of single entities.

Today's food system has also contributed to the increased incidence of obesity and diet-related disease; loss and erosion of diverse culinary traditions represented by First Nations and immigrant cultures; and ecological crises including extinction of species, declining aquifers, and deforestation. Government policies sometimes exacerbate these trends due to the increasing political influence of food industry giants.

While there is little doubt that the industrial food system will remain dominant, more communities and regions are acting to resolve some of these problems by developing alternative, local, and sustainable food systems. This Policy Guide offers suggestions for planners to engage in planning that both strengthens community and regional food systems and encourages the industrial food system to provide multiple benefits to local areas.

Specific trends related to the food system's impacts on localities and regions, and examples of positive actions are described below.

- **Loss of Farmland.** Although agriculture is America's dominant land use, with nearly 1 billion acres of land in agricultural use, farmland in metropolitan areas is disappearing at a rapid pace. "Urban-influenced" counties account for more than half (56 percent) the total U.S. farm production, 63 percent of dairy production, and 86 percent of fruit and vegetable production; yet these counties have annual population growth rates more than twice the national average. This rapid growth threatens our capacity to obtain fresh and local food. (American Farmland Trust, 2002).
- **Aging of Farmers.** One fourth of U.S. farmers and half of farm landlords are at least 65 years old; by comparison, about 3 percent of the U.S. labor force falls in this age group (Gale, 2002). Farmers and landlords aged 65 and over own a combined one-third of farm assets. The aging of farmers reflects the weakening of "family farm" institutions, including intergenerational transfer of farm assets. Consequences with implications for planning include the speeding up of the conversion of agricultural land and the consolidation of agricultural land into larger operations.
- **Protecting Agriculture.** Across the country communities are preparing plans to protect agriculture. A countywide plan in Marin County, California, identifies several policies to overcome challenges facing local agriculture and farmers. These include policies to protect

agricultural land from sprawl, protect productive agricultural soils, support sustainable water supplies, and enhance agricultural viability.

- **Farm Bill and Local Areas.** All Titles of the Farm Bill, including nutrition programs, commodity programs, trade, conservation, and rural development, have implications for urban and rural communities and therefore for local planning. For example, as Dallas County, Iowa, urbanizes, its county soil and water conservation district and the Natural Resources Conservation Service of the USDA now work with developers to employ land conservation measures and keep soil on construction sites (USDA Natural Resources Conservation Service, no date).

2. Food System Links with the Economy

- **Globalization of the Food System.** Increasingly, food comes from more distant sources, with serious consequences such as the loss of older local food system infrastructure, and threats to the survival of many U.S. farms. Although the U.S. rightfully prides itself as the breadbasket of the world, in 2006 for the first time, the value of food imported into the U.S. exceeded the value of food exported from the U.S. (USDA Foreign Agricultural Service, 2006). Globalization also leads to greater consumer ignorance about the sources of food. As people know less and less of where their food comes from, how it is produced and with what impacts on communities and the environment, preservation of land and the natural and built resources upon which local agriculture depends becomes more difficult.
- **Rural Decline.** Farms between 50-500 acres and 500-1,000 acres, the largest share of "working farms" and those that fall between local and commodity markets, decreased by about 7 and 11 percent respectively between 1997 and 2002, while those over 2,000 acres have gone up nearly 5 percent. This loss of "the middle" in farming threatens rural communities by making them more economically insecure and changes land stewardship practices handed down over generations. (Kirschenmann et al., no date).
- **Economic Impacts of Local Purchasing.** Robert Waldrop, a 2006 candidate for mayor of Oklahoma City, highlights the under-appreciated economic development possibilities of buying food directly from area farmers. Using USDA data and analyses, he identifies \$2.1 billion in economic activity in Central Oklahoma if Oklahoma County residents bought their eggs, poultry, meat, vegetables, flour, and milk and dairy products directly from farmers in the region.
- **A Local Food Purchasing Policy.** In 2006, the Woodbury County (Iowa) Board of Supervisors adopted a "Local Food Purchase Policy," mandating the purchase of locally grown organic food for department events at which food is served. This action has the potential of providing \$281,000 in annual food purchases to a local farmer-owned cooperative.

3. Food System Links with Health

- **Farm Policy and Health.** Federal farm policy since the 1950s has encouraged the overproduction (and therefore the driving down of prices) of a few commodities such as corn and soybeans, all with serious implications for farmers, rural and urban communities, and the health of consumers. Support for fruits and vegetables, on the other hand, has been low (Nestle, 2002). Low commodity prices have led to the heavy use by the food industry of products such as high fructose corn syrup and hydrogenated vegetable oils, which are linked with obesity and related illnesses. Processed grocery foods, frozen foods and baked goods represented over 40 percent of supermarket sales in 2000, while produce claimed only 9 percent (Schoonover and Muller, 2006).
- **Obesity.** Obesity and associated costs are a significant concern nationwide. While over 60 percent of Americans are overweight or obese, the effects of obesity are not borne equally across race and socio-economic strata, or even states and localities, thereby generating unequal burden. Similarly, many diet related diseases, such as heart disease, certain cancers, and diabetes are found to be more prevalent among minority populations. In 2000, nearly 16 percent of children and adolescents, ages 6 to 19, were classified as obese (Centers for Disease Control and Prevention, 2002.).
- **Obesity and the Built Environment.** Land use and transportation policies have been implicated in the rise of obesity through both, increased food consumption and reduced

physical activity. Research suggests lower rates of obesity and overweight in neighborhoods where supermarkets offering more healthful food choices are present (Morland et al., 2006). This access is not even however: low income and minority areas contain fewer supermarkets on average; these areas also tend to have a higher density of convenience stores offering fewer healthful choices and higher prices, and fast food outlets (Morland et al., 2002). Because these communities experience lower vehicle ownership rates, problems of access are exacerbated.

4. Food System Links with Ecological Systems

- **Energy Consumption in the Food System.** At roughly eight calories of energy to produce one typical food calorie, today's food system is both energy-intensive and inefficient. The average food item travels at least 1500 miles. According to Thomas Starrs (2005), growing, processing and delivering the food consumed by a family of four each year requires more than 930 gallons of gasoline or about the same amount used to fuel the family's cars.
- **Water Issues in Agriculture.** Sedimentation and chemical pollutants resulting from agricultural practices continue to pose serious problems for fisheries, other wildlife, water-based recreation, and household water use. The Dead Zone in the Gulf of Mexico is one of the largest such examples of depletion of oxygen caused largely by farm runoffs. In 2005, it covered nearly 5,000 acres (National Aeronautics and Space Administration, 2004). In addition, U.S. agriculture is an especially prolific consumer of surface and ground water. For example, 38 percent of irrigation water in California and 66 percent in Texas are pumped from ground water (Pimental et al., 1997).
- **Concentrated Animal Feeding Operations (CAFOs).** CAFOs are agricultural facilities that house and feed a large number of animals in a confined area for 45 days or more during any 12 month period. In 2003, CAFOs, a small percentage of the nation's 238,000 feeding operations, produced more than half the 500 million tons of manure, according to the U.S. Environmental Protection Agency (Centers for Disease Control and Prevention, no date). Health threats from such operations include chronic and acute respiratory illnesses, injuries, infections, and nuisances such as flies, and odor (Bowman et al., 2000). CAFOs are also implicated in spreading stronger strains of E. coli bacteria and environmental problems such as ground water contamination. An emerging and promising method to reduce odors and generate renewable energy from livestock manure in CAFOs is anaerobic digestion (Wilkie, 2005).
- **Loss of Biodiversity.** Across the country, native vegetation (forests, prairie, wetlands) which provides wildlife habitat and performs valuable ecosystem services such as flood control has been depleted or seriously threatened. In Illinois, for example, over 90 percent of all natural wetlands have been lost, the majority to agricultural production. According to noted ecologist Gary Nabhan, the U.S. has lost over 60 percent of all the heirloom crop varieties that were here at the time of Columbus's arrival to the New World; the other 40 percent remains below the radar of the food industry (Mangan, 2006).
- **Fisheries.** In fisheries across North America, the needs of consumers and the long-term sustainability of fishery populations have fallen out of balance due to over-fishing or habitat loss or degradation. Fish populations of haddock, Atlantic cod, red snapper, Pacific herring, Pacific halibut, salmon, and king crab have seen significant declines (American Fisheries Society, no date).
- **Food system wastes.** Wastes at each point of the food system use up local landfill capacity, or if incinerated, increase air pollution. One study showed that nearly 30 percent of all solid wastes are related to food consumption, with half of that being food packaging (University of Wisconsin Department of Urban and Regional Planning, 1997). Natural organic wastes may be a valuable input for agriculture if they can be separated from the waste stream. Such wastes can be fed to hogs, composted and reapplied to the land, or converted into renewable energy through anaerobic digesters.

5. Food System and Social Equity

- **Hunger and food insecurity.** Hunger and food insecurity are prevalent in the United States. The U.S. Department of Agriculture's Economic Research Service (2006) reports

that in 2005, 11 percent of all U.S. households were "food insecure" because of a lack of sufficient food. Black (22.4 percent) and Hispanic (17.9 percent) households experienced food insecurity at far higher rates than the national average.

- **Emergency food assistance.** In 2003-04, requests for emergency food assistance increased by about 14 percent in the 27 cities surveyed by the U.S. Conference of Mayors (2004). About 20 percent of the demand for food went unmet. Fifty-six percent of those requesting assistance represented families with children; 34 percent of adults requesting assistance were employed.
- **Food Stamps.** In 2003, 21.2 million individuals participated in the Food Stamp Program; however, this represented only 60 percent of people eligible to receive Food Stamp benefits. The average monthly food stamp benefit was \$83.77 per person (Food Research and Action Center, no date).
- **Supermarket initiative.** Research documents lower availability of grocery supermarkets in low-income areas. In Rochester, NY, planners worked with neighborhood groups to bring a Tops Supermarket to the Upper Falls area, a neighborhood that had long gone without a grocery store. As a result of their negotiations, Tops agreed to renovate three other stores in the city, thereby increasing access to a variety of affordable and healthful food choices (Pothukuchi, 2005).
- **Vacant urban land for growing food.** Inner cities have significant amounts of vacant land that, when used for vegetable gardening by low-income residents, produce multiple health, social, and economic benefits. For example, Detroit has over 60,000 publicly owned vacant parcels, and a vibrant urban agriculture movement that can make productive use of this land, if made available by public agencies that control it (Kaufman and Bailkey, 2000). The Diggable City, a Portland State University graduate planning workshop project prepared for the City of Portland, Oregon, produced a land inventory containing specific sites of publicly owned properties to assess opportunities to expand community gardens and other forms of urban agriculture. This project has educated the community on the significance of urban land as a resource for food production and food security in the inner city (Portland State University, 2005).
- **Immigrants as food sector workers.** The food system's least desirable jobs are worked by immigrants in vegetable harvests, industrial slaughterhouses, and food processing plants. According to the U.S. Farm Bureau, immigrant labor may add up to \$9 billion to the nation's \$200 billion annual agricultural output (Keller, 2006). It is estimated that of the more than 4 million agricultural workers in the U.S., at least two-thirds are immigrants, 80 percent of whom are from Mexico. Because many are undocumented, they typically receive below-minimum wages, experience substandard living conditions, and make up a large portion of the food insecure.

6. Native/Ethnic Food Cultures

- **Food issues faced by Native American communities.** Native American communities are hit particularly hard by the loss of or threats to ecologies, habitats, and native food ways that included subsistence agriculture, hunting, fishing, and gathering. As Native Americans were pushed into the dominant food system, the incidence of diet-related disease rose rapidly. Diabetes-related mortality among American Indians is over twice that of the general U.S. population (231 percent). In addition, nearly one-fourth of Native American households are food insecure because of inadequate resources with which to meet daily food needs, with one out of 12 individuals so food insecure as to be classified as hungry (Bell-Sheetter 2004).
- **Native Food Planning.** The Oneida Community Integrated Food Systems, established in 1994, started with a task force to address concerns related to poverty and health on the Oneida reservation. Through their assessment of food-related needs and assets, they developed actions to support goals related to increasing employment for Native Americans; educating community members about healthy foods and diets; and producing meats, fruits, and vegetables for both, food security and increased profits.
- **Ethnic Cuisines.** Although Mexican, Italian, and Cantonese-Chinese cuisines are the most sought after dining-out ethnic choices, newer cuisines are gaining a foothold. According to an "Ethnic Cuisines" survey by the National Restaurant Association, Hunan, Mandarin and Szechwan variations of Chinese cuisines, German, French, Greek, Cajun/Creole, Japanese

(including sushi), Asian Indian, Soul Food, Scandinavian, Caribbean and Spanish cuisines have been tried by more than 70 percent of the diners. Between 1981 and 1996, consumer awareness of Asian Indian cuisine jumped 74 percent (National Restaurant Association, 2000).

- **Locally Sourced Ethnic Foods.** Ethnic foods are part of the \$25 billion specialty food industry, whose sales jumped 16 percent between 2002 and 2004. Farmers across the country are finding profit in this trend. For example, some Pennsylvania and Maryland farmers are growing n'goyo and gboma — West African vegetables — Thai eggplants, Jamaican Callalou, and Halal lamb products desired by Muslim residents (Paley, 2005).

7. Comprehensive Food Planning and Policy

- **Food Policy Councils.** Over 35 local and state food policy councils have been established in North America in the past 10 years. Broadly representative of groups in the local and regional food system, and affiliated with either city, county, or state governments, these institutions work to strengthen local and regional food systems, among other goals.
- **Community-based Food Projects.** USDA's Community Food Projects Competitive Grants Program, now in its 10th year, is an important source of funding for food projects that serve low income communities. Currently authorized at the level of \$5 million a year, the program has been expanded to encourage more comprehensive food planning. A Farm to Cafeteria legislation was recently enacted but no money was appropriated to implement it. Programs related to the Farmers Market Nutrition Program (Farmers Market WIC) and the Senior Farmers Market Nutrition Program are also important to local communities.

General and Specific Policies

The American Planning Association, its chapters and divisions, and planners in general can use their professional knowledge, skills, and relationships to develop community and regional food planning, and advocate for state and federal policies to support it.

The seven general policies below, accompanied by specific policies and planner roles, suggest concrete ways in which food issues may be woven into current planning activities, and more systematic, comprehensive community and regional food planning may be undertaken.

This Policy Guide links to several Policy Guides previously adopted by the APA, among them sustainability, smart growth, energy, water resources management, solid and hazardous waste management, housing, and farmland preservation. In some of these Policy Guides, elements of the food system are specifically recognized. In others, even though not mentioned, they have a place.

Some common planning themes thread through all policies and are therefore not identified separately under each general policy (unless they are especially crucial):

1. The importance of community participation in all aspects of planning;
2. The usefulness to all general policies of common planning activities in research, plan-making, plan-implementation, conflict resolution, and consensus building;
3. Recognition that all planning occurs in a political context and that political support may be garnered more easily for some issues than others;
4. The existence of tensions between and among general policies, which will require dialogue among stakeholders in particular communities and regions to resolve.

General Policy #1

The American Planning Association, its Chapters and Divisions, and planners support a comprehensive food planning process at the community and regional levels.

Specific Policy #1A. Planners support the creation of local and regional food planning mechanisms that integrate major local planning functions (such as land use, economic development, transportation, environment, parks and recreation, public safety, health and human services, and agricultural preservation).

Reason to support

Multiple and complex links exist among food system activities and between food and planning activities such as land use, transportation, and economic development planning. Community concerns about health, economic development, ecological sustainability, social equity, and cultural diversity are also intricately linked to food system issues and to each other. Achieving community-food objectives will require collaborations between groups representing diverse interests such as anti-hunger, nutrition, farming, and environmental issues; span separate government agencies; and include multiple levels of government in dialogues.

Planners could play the following roles:

1. Advocate for, and build support in communities and regions for a more comprehensive approach to food planning, such as through local and/or regional food policy councils or coalitions.
2. Undertake periodic assessments of community/regional food issues, including broad community participation, and develop recommendations for actions.
3. Integrate recommendations emerging from community and regional food planning into comprehensive plans and supporting ordinances, strategic plans, economic development plans, environmental plans, neighborhood or area plans, and plans for specific agencies such as transportation and parks and recreation.
4. Assist nonprofit agencies and public-private-nonprofit partnerships engaged in anti-hunger, nutrition, and agriculture activities by sharing data for planning, implementing, and evaluating programs.

Specific Policy #1B. Planners support the development of plans for building local food reserves and related activities to prepare for emergencies.

Reason to support

Because of the important roles planners play in recommending proposals for the future of their communities, they have the skills and knowledge to also contribute to planning for emergencies and crises — natural or man-made. Due to recent concerns of homeland security and natural disasters such as Hurricane Katrina, and potential threats associated with bioterrorism, climate change, disruptions in transportation systems, and pandemics such as the avian flu, communities around the country are undertaking emergency preparedness plans to protect the health of community residents, meet basic needs, and prepare for post-emergency operations. Maintaining food security at household, community, and regional levels during the crisis and recovering food systems in a sustainable manner soon thereafter are central goals of such preparedness.

Planners could play the following roles:

1. Assist in assessing the community and region's potential food needs during emergencies of different kinds (such as a major earthquake, hurricane, terrorist attack, or the spread of contagious disease) and the capacity of current food sources and distribution systems in the community and region.
2. Partner with appropriate public agency and private stakeholder groups to develop appropriate plans to build sufficient local and regional food reserves for emergencies, including related communications, logistics, and transportation infrastructure, and to restore food system integrity and operation after the emergency.
3. Coordinate with other agencies in the implementation of public outreach and education campaigns to inform the community about food related emergency preparedness.

General Policy #2

The American Planning Association, its Chapters and Divisions, and planners support strengthening the local and regional economy by promoting community and regional food systems.

Specific Policy #2A. Planners support integrating food system elements into urban, rural, and regional economic development plans.

Reason to support

The food sector is a significant, yet under-appreciated part of local and regional economies. The lack of awareness of the economic significance of the food sector is partly due to the sector's fragmentation and the absence of an overall food planning agency or food department in government. Incorporating food issues into economic development analyses and plans assures that the important economic contributions that the food sector makes to communities and regions are preserved and enhanced.

Planners could play the following roles:

1. Support preparation of area-wide economic development plans that incorporate food production, processing, wholesale, retail, and waste management activities as well as consideration of the impacts these activities have on the local and regional economy in terms of jobs, tax and sales revenues, and multiplier effects.
2. Support efforts to raise public awareness of the importance of the food sector to the local and regional economy.

Specific Policy #2B. Planners support developing land use planning policies, economic development programs, land taxation, and development regulations to enhance the viability of agriculture in the region (as identified in the APA Agricultural Land Preservation Policy Guide).

Reason to support

In an era of globalization of agricultural commodities, economic viability at the local and regional levels is enhanced by promoting agriculture and food processing for local consumption. In addition to economic viability, planners can help achieve other benefits by taking a comprehensive view of the multiple functions served by rural landscapes adjacent to suburban and urban population centers. They can promote profitable agricultural enterprise farms that preserve resources for future generations while providing significant public goods in the form of beautiful working landscapes, ecological stewardship, and greater awareness and appreciation of the area's agriculture among the general population.

Planners could play the following roles:

1. Conduct assessments of prime agricultural lands that will be affected by current and projected development trends.
2. Analyze factors that support or constrain the viability of agriculture in the region such as high property taxes, access to markets, high cost of capital, and land use regulations that restrict farmers' ability to earn additional income through agri-tourism or farm stands. Special attention in this category may be given to "agriculture of the middle," i.e. farms that fall in between local and commodity markets.
3. Develop or modify policies, regulations, and other tools such as agricultural land preservation zoning, purchase of development rights, transfer of development rights, and partnerships with land trusts, to protect prime agricultural land.
4. Partner with organizations that promote better understanding of farm life for urban dwellers to reduce the urban/rural divide.

Specific Policy #2C. Planners support developing appropriate land use, economic development, transportation and comprehensive planning policies and regulations to promote local and regional markets for foods produced in the region.

Reason to support

Planners can help open up more area-wide markets for farmers in the region. Expanding markets for local farmers and processors would not only help them survive economically and preserve unique regional agricultural and food traditions, but also reduce the pressures on some farmers to sell their land for urban development engendered by sprawl. Efforts to combat sprawl would benefit significantly from initiatives to enhance local markets for locally produced and processed foods.

Planners could play the following roles:

1. Develop land use and transportation plans, modify development regulations, and help prepare economic incentive programs to provide accessible and well-serviced sites and other development assistance for year round public markets, farmers' markets, small-scale processing facilities, and distribution centers for foods produced in the region.
2. Prepare comprehensive and neighborhood plans that recognize community gardens and other forms of urban agriculture, farm/garden stands, and farmers' markets as desirable civic uses in neighborhoods, and provide sufficient space, infrastructure, and inter-modal transportation access for such uses. Ensure that zoning barriers to these activities are addressed or removed.
3. Through plans, state and federal agricultural policies and funding, and development regulations, support food production for local consumption, direct marketing by farmers, agri-food tourism, and niche marketing of specialized agricultural products such as wines, cheeses, and cherries.
4. Assemble and implement business enhancement and related incentives to help public institutions such as schools, hospitals, colleges, and government agencies, and private food outlets such as grocery stores and restaurants source foods produced in the region.

Specific Policy #2D. Planners support developing food system inventories, economic and market analyses, and evaluation techniques to better understand the economic impact and future potential of local and regional agriculture, food processing, food wholesaling, food retailing and food waste management activities.

Reason to support

More accurate metrics are needed to guide community and regional food-related economic development planning in a comprehensive manner, and in a way that considers direct and indirect impacts. The censuses of agriculture and retail and wholesale trades, national surveys, and many forms of local food assessments are used to understand the relationships between the food system and the other sectors of the economy. Differing data-gathering conventions in these categories can make it difficult to measure relationships accurately. Planners can help to bring different data together and provide comprehensive analyses at community and regional levels on a variety of indicators needed to inform food-related economic development planning.

Planners could play the following roles:

1. Support studies that consider the impact on the area-wide economy of locally oriented food production and distribution activities such as farmer's markets, food co-operatives, community supported agriculture farms, local food processing facilities, community gardens, public markets, niche farming enterprises, and other locally sourced food businesses.
2. Undertake studies assessing trends in farm consolidation, including underlying factors, to inform plans to support "agriculture of the middle."
3. Contribute to the preparation of regional food resource guides that identify organizations and businesses that are involved in local and regional food production, processing, and retailing, the better to educate the public and build links between local producers and local consumers.

Specific Policy #2E. Planners support initiatives in marketing, technical, and business development assistance for small-scale and women and minority-owned farm, food-processing and food retail enterprises.

Reason to support

A vibrant local economy supports a range of enterprises run by a diverse group of owners and managers. New and transitioning small-scale farm and food enterprises can benefit from programs that provide production training, build marketing connections, teach business and financial planning, and provide other business services. Community organizations exist in many areas to provide these training and assistance programs.

Planners could play the following roles:

1. Collaborate with agricultural and related agencies and other organizations that provide training, technical assistance, and capital to small-scale businesses and businesses owned by women and minorities engaged in farming, food processing, and food retailing operations.
2. Assist efforts to help regional farmers diversify their products, and produce and market organic and other high-value products desired by consumers.
3. Support the development of community kitchens and related infrastructure, food business incubator facilities, and entrepreneurial urban agriculture projects.

General Policy #3

The American Planning Association, its Chapters and Divisions, and planners support food systems that improve the health of the region's residents.

Specific Policy #3A. Planners support and help develop policies, plans, and regulations in land use, transportation, economic development, and urban design so as to increase access to food sources that offer affordable and culturally appropriate healthful foods. especially for low income households in urban and rural areas.

Reason to support

Research suggests that households' proximity to supermarkets is correlated with positive dietary health. Planning can facilitate the availability of and convenient access to retail grocery outlets. Besides grocery stores, mom-and-pop corner stores, farmers markets, farm stands, ethnic markets, and community vegetable gardens can offer access to healthful foods at low-cost to low-income and ethnic and racial minority households. On the other hand, it should be recognized that sometimes planning decisions can have unintended negative impacts on the development, operation, or use of neighborhood-oriented grocery stores and other food sources that offer healthy, affordable foods; such decisions should be avoided.

Planners could play the following roles:

1. Encourage mixed-use neighborhood design and redevelopment to include small and mid-size grocery stores (e.g., 3,000 to 20,000 square feet), seasonal farmers markets, community-based and government nutrition programs, and open space and related infrastructure for community vegetable gardens to allow residents to grow their own food.
2. Develop area plans and design schemes in ways that encourage safe and convenient pedestrian, bike, transit connections between neighborhoods and the food sources described above.
3. Support transit programs that improve connections between low-mobility neighborhoods on the one hand, and supermarkets, community gardens, food assistance programs such as food pantries and soup kitchens, and health and social service providers on the other, with a view to reducing travel time and enhancing safe and convenient use.
4. On publicly owned lands, such as schoolyards, parks and greenways, and tax-foreclosed properties, support the development of vegetable gardens, edible landscaping, and related infrastructure, and the formation of partnerships with community-based nonprofits serving low-income residents for garden related programs.

Specific Policy #3B. Planners develop and support policies, plans, and regulations in land use, transportation, economic development, and urban design to encourage the availability of healthy

types of foods associated with reduced risk of or occurrence of obesity and poor nutrition leading to diet-related diseases like diabetes and heart disease (especially in and near schools and other predominantly youth-centered environments.)

Reason to support

Low-income, particularly African American and Hispanic, neighborhoods often have a higher density of convenience stores selling junk food, liquor stores, and fast food outlets relative to full service grocery stores that offer a variety of healthy products. This is correlated with higher rates of diet-related disease and mortality in these communities. Youth in disadvantaged neighborhoods are especially vulnerable to the disproportionate availability of such foods.

Planners could play the following roles

1. Assess and map the availability of fast food restaurants in low income neighborhoods relative to the availability of grocery stores offering healthier food options.
2. Explore the feasibility of zoning changes to limit the development of fast food outlets within a specified radius of schools (say, one-half mile) and other youth-centered facilities such as the local YMCA and YWCA and boys and girls clubs.
3. Explore the possible use of sign controls to prevent billboards that market low nutrient/high calorie foods fast foods and other negative food marketing within a specified radius of schools and other youth-centered facilities.

Specific Policy #3C. Planners support, through appropriate land use and zoning, transportation, urban design, and research tools, community-based organizations that develop demand for healthful foods, especially in low-income communities.

Reason to support

Activities to promote healthy diets have to address both the supply and demand side of healthy eating. Although supplying healthful foods tends to require greater attention to physical infrastructure and logistics of food product flows, supply and household demand are also closely linked. In neighborhoods lacking healthful options, households often adapt by depending more heavily on fast food outlets and convenience stores located there. Although planners may have few direct roles to play in increasing household demand for better quality foods, their activities in land use, transportation, and community assessment make them important partners to nutrition and health education groups.

Planners could play the following roles:

1. Undertake neighborhood studies related to the siting of health and social service facilities (that may offer food stamps and other nutrition programs) near retail grocery outlets offering nutritious foods.
2. Support the development of temporary farm stands, urban agriculture projects, and community vegetable gardens on school, park, and community center sites, and near public agency offices and nonprofit providers offering health, human and social services.
3. Promote the provision of community gardens, urban agriculture projects, and community kitchens in multifamily and low-income housing projects.
4. Assist programs that encourage youth to consume healthy foods that they are involved in producing, such as through edible schoolyards, after school gardening and snack programs, and food preparation classes.
5. Assemble and implement business-enhancement incentives to encourage partnerships between convenience stores and neighborhood-based nonprofits that encourage stores to offer healthful foods on the one hand, and educate the community to adopt healthy diets, on the other.

Specific Policy #3D. Planners support, through land use decisions, environmental monitoring, ecological mitigation, and policies related to working conditions of farm and food workers, food safety practices that ensure consumer health.

Reason to support

Recent food contamination scares related to spinach and peanut butter have revealed the possible pathways between land use patterns, agricultural operations, sanitary living and working conditions for farm workers, and food safety practices within processing plants, markets, and stores on the one hand and food safety outcomes and related human health on the other. For example, runoffs from concentrated animal operations have been found to taint spinach with strains of E coli bacteria that proved deadly when raw spinach was consumed. Similarly, the use of sub-clinical doses of antibiotics to speed up animal growth has implications for human health in the form of more powerful and antibiotic-resistant bacteria. Finally, the quality of environments and working conditions for farm and food workers, and specifically, the availability of sanitary facilities near farms, are also an important factor for food safety. A further example relates to the high speed of meat processing conveyer belts that creates a higher risk of injury to workers and of fecal material entering the meat, both of which pose significant implications for food safety.

Planners could play the following roles:

1. Support land use decisions, environmental monitoring, and ecological mitigation that prevents potential contamination of agriculture and food products through water runoffs from animal operations, provides sanitary living and working conditions for farm and food workers, and otherwise promotes food safety. In supporting these decisions, additional barriers and costs that potentially may be imposed on especially small and limited resource farmers and ranchers may need to be considered and addressed.
2. Support agricultural and food practices that affirmatively and proactively address worker health and safety in ways that also advance food safety.
3. Assess the possible food safety implications of older buildings housing food markets, grocery stores, and food processing operations, with a view to supporting goals related to food safety and business viability, and consider providing incentives to businesses to enhance food safety.

General Policy #4

The American Planning Association, its Chapters and Divisions, and planners support food systems that are ecologically sustainable.

Specific Policy #4A. Planners support the creation of community and regional food systems linking production, processing, distribution, consumption, and waste management to facilitate, to the extent possible, reliance on a region's resources to meet local food needs.

Reason to support

A core principle of sustainability involves meeting basic human needs, such as food, shelter, and water, via renewable sources as spatially proximate to their consumption as possible. Communities that rely on distant food sources are rendered vulnerable to the vagaries of market decisions, transportation infrastructure, and energy prices over which they have little control. Additional benefits to greater regional self-reliance in food include cutbacks in emissions of greenhouse gases from transporting food products; protection of local agriculture; and a greater likelihood that residents' greater connection to their region as a source of sustenance will lead them to care more about the region's resources, protect them, and balance appropriately the priorities for development versus conservation of regional agriculture.

Planners could play the following roles:

1. Encourage conservation of regional agricultural land, open space, and wilderness resources for agriculture and food systems (as identified in the APA Agricultural Land Preservation Policy Guide).
2. Support the creation of marketing networks to bring together farmers, processors, and purchasers of locally grown and produced foods.
3. Support, as relevant with the use of planning tools, the integration in food production and distribution of sustainability principles and practices, which promote clean air, water, healthy soils, and healthy habitats and ecosystems.

4. Provide incentives and special zoning provisions to integrate locally supported agriculture (e.g., community gardens, urban agriculture, small farms) into existing settlements and new areas of residential development.

Specific Policy #4B. Planners support food system activities that minimize energy use and waste, and encourage the use of local and renewable energy resources.

Reason to support

The historic low cost of fossil fuel has led to the development of highly inefficient agriculture and food system practices. As petroleum prices rise, the costs to consumers increase, critically affecting low-income households' efforts to be food-secure. Excessive dependence on a fossil-fuel based economy also has significant implications for homeland security; on the other hand, promoting local and renewable energy resources can enhance security as well as the regional economy.

Planners could play the following roles:

1. Develop regional plans and policies that strengthen markets for the region's food producers so as to reduce long-distance transportation of agricultural products and processed foods.
2. Assist in conducting energy audits to assess amounts and sources of energy used in the region for the production, distribution, and consumption of food. This inventory can identify existing uses of local and sustainable energy resources as well as the potential for expansion in this area.
3. Support as relevant with planning tools, efforts to assess the capacity of regional agriculture for meeting potential energy demands versus regional food needs.
4. Assess the impact of food waste disposal on area landfills and explore possibilities related to recycling food wastes through composting and bio-fuel development.

Specific Policy #4C. Planners support efforts to assess and mitigate the negative environmental and ecological effects caused by and affecting food system activities.

Reason to support

Conventional agriculture, fisheries, and other food system activities create considerable amounts of air and water pollution, loss of topsoil, and extinction of species including those central to the cultural traditions of many ethnic groups and Native Americans. Water pollution from other sources such as mining operations and industrial discharge into waterways, etc., can also affect food systems, through, for example, increased mercury concentrations in fish, fish kills, and loss of habitat. Planners involved in environmental assessment and mitigation activities could look more closely at how food system activities create or are affected by negative environmental impacts. These environmental impacts can also have human health implications, which need special attention. Fisheries play an especially important role in subsistence and commercial food systems and need special consideration to balance human needs with the long term sustainability of the fisheries. Fisheries, like most food-ecosystem linkages described in this policy guide, need greater development in future food planning policy.

Planners could play the following roles:

1. In collaboration with other professionals, explore pathways through which the food system impacts the region's natural environment, fisheries and other wildlife habitats, and ecology, and the impacts of pollution on food systems. This analysis can inform plans to sustain ecologies including those upon which our food system depends, and to minimize harm to them.
2. Assist in assessing the sources of lake and river pollution and eutrophication, and considering ways to reduce such pollution.
3. Assist in assessing solid waste streams at different points of the community's food system (production, wholesale, retail, consumer, etc.) and considering ways to reduce, reuse, and recycle wastes.

4. Support efforts to reduce and mitigate negative air quality impacts in food system activities, including those contributed by farm activities and the long-distance transportation of food from farm to fork.
5. Support strategies to increase the adoption of water and soil conservation practices in agriculture.

General Policy #5

The American Planning Association, its Chapters and Divisions, and planners support food systems that are socially equitable and just.

Specific Policy #5A. Planners employ land use, transportation, and other planning tools to increase spatial access to programs and facilities that help reduce hunger and food insecurity for residents in impoverished urban and rural communities.

Reason to support

Hunger and food insecurity affect impoverished households in urban and rural communities across the country. Land use, transportation and other policies planners recommend, and regulations they implement, could inadvertently increase the incidence of hunger and food insecurity in low-income neighborhoods. However, planners are also uniquely positioned to help improve low-income people's access to programs and facilities that enhance food security.

Planners could play the following roles:

1. Provide data and mapping support to community and regional food assessments, including the incidence of food insecurity and location of diverse food assets.
2. Develop plans and redevelopment proposals for food insecure areas with sites and incentives for community gardens, entrepreneurial urban agriculture projects, farmers markets, neighborhood grocery stores, and food assistance programs.
3. Investigate the use of appropriate brownfield sites in low-income areas for food production.
4. Develop transportation, community development, and other plans and policies to provide convenient and safe access for low-income households to grocery stores, community gardens, and food assistance providers.
5. Encourage business district revitalization efforts to include support for convenience store sales of fresh foods.

Specific Policy #5B. In partnership with community-based organizations, planners support the creation of programs to enhance food-related economic opportunities for low-income residents.

Reason to support

Food-related enterprises are among the most common type of small business development and a way for many households to supplement income and achieve economic stability. In the past decade, community-based food projects have sprung up in some low-income urban and rural areas to provide economic opportunities for residents there. Among these are urban agriculture projects on vacant lots where some of the produce grown is sold at farmers markets and to restaurants; food business incubation in community kitchens to create value-added products like salsa and salad dressing; and assistance with opening food kiosks and catering operations. Planners can assist these efforts through land use, zoning, facility location, and support of related community development activities.

Planners could play the following roles:

1. Develop area-wide and neighborhood plans with appropriate sites for facilities (such as community kitchens) and spaces (such as for entrepreneurial community gardens) that support food-related entrepreneurial development for low-income households.

2. Assemble in partnership with other public agencies and community-based organizations, economic development programs and incentives for food-related enterprise development, job creation, and workforce development.

Specific Policy #5C. Planners encourage and support food production on the grounds of public agencies and institutions while providing employment to low income workers and distributing products to cafeterias and area food assistance sites.

Reason to support

Public institutions such as universities, schools, hospitals, and correctional facilities have public missions and often collaborate and coordinate with local public agencies related to land, infrastructure, and utility issues. They are generally located on large sites with vacant land suitable for growing food, and spend money on landscaping, grounds keeping and management. Some of this money can be put to productive use in growing food for their on-site cafeterias while also providing healthy food and employment related benefits for lower-income residents.

Planners could play the following roles:

1. Develop assessments of land on institutional properties suitable for cultivation and support food production activities on these sites.
2. Explore ways in which these institutions can be linked with community-based organizations in producing food on their sites to provide job opportunities and healthy food for school cafeterias and low-income residents — e.g., programs such as "plant-a-row" that add fresh produce to food assistance provided by Second Harvest Food Banks.
3. Provide site planning, design, and other relevant assistance to these institutions to facilitate food production and distribution.

Specific Policy #5D. Planners support resolving issues of rural poverty through land use, transportation, economic development planning and appropriate regulatory measures.

Reason to support

Many farm and food sector jobs in rural areas are characterized by poor working conditions, high rates of occupational hazards, rapid turnover, and low rates of union representation. Migrant farm workers and immigrant employees of slaughterhouse and meat packing facilities located in rural communities are most subject to these difficulties. In addition, the increasing number of farm closures can cause farmers to slip into poverty. Planners can recommend policies in land use, transportation, economic development, and social services to improve the quality of life of impoverished rural households.

Planners could play the following roles:

1. Assist the region's farm and food worker organizations in rural food and community assessment and improvement efforts.
2. Undertake assessments of possible links between farm and food workers' work conditions and planning-related decisions (e.g., distance between housing, schools, and work sites, and availability of transportation options).
3. Prepare comprehensive and rural community plans to address the spatial, social and economic needs of low-income rural residents.
4. Explore the development community policies for "fair trade" purchasing by public agencies to ensure that public expenditures in food procurement are fair and equitable to producers and communities in other countries.

General Policy #6

The American Planning Association, its Chapters and Divisions, and planners support food systems that preserve and sustain diverse traditional food cultures of Native American and other ethnic minority communities.

Specific Policy #6A. Planners support community food assessment and planning to preserve and strengthen traditional native and ethnic food cultures (e.g., fisheries in Louisiana and Alaska and desert foodscapes in New Mexico and Arizona).

Reason to support

Native American and other ethnic minority communities contribute to the nation's diversity of local food traditions which are important to the identity and economic vitality of a region, and the nutritional health of its residents. Unfortunately, recent Native American history has included forced relocations of tribes and dependence on non-native foods (including lard, refined flour, and sugar) leading to a disconnection with traditional food sources and an erosion of traditional food practices that are at the heart of native community life and rituals. The health implications of this history are significant: diabetes and diet-related illnesses are at epidemic proportions in many Native American communities. To a smaller extent, these patterns of dietary health and cultural loss are also familiar in many immigrant communities.

Planners could play the following roles:

1. Assist and support locally based efforts by Native American and other ethnic minority communities, to identify and document community and ecological assets and cultural traditions that are tied to food production, preparation, and consumption (e.g. salmon runs, wild rice and nut-gathering, agricultural fairs, and ethnic and cultural festivals).
2. Support locally based efforts to identify challenges and needs faced by members of Native American and ethnic minority groups in consuming healthful diets.
3. Support locally based efforts to prepare action plans to build on existing assets and cultural traditions that nourish Native and ethnic minority food cultures and to mitigate challenges to them.
4. Assist efforts to develop ongoing community participation mechanisms in food assessments and related planning in First Nations and in communities with a significant Native American or other minority ethnic cultures.

Specific Policy #6B. With the participation and collaboration of communities to be served, planners support the development of plans to preserve and restore the natural environment and biodiversity in the region, to revitalize traditional and ethnic food systems that depend on the regional ecology.

Reason to support

In many cases, local food systems and diets have been lost or impacted due to environmental degradation, habitat destruction or development (e.g. the Onondaga Lake whitefish, Chesapeake Bay blue crab). Restoration of indigenous and traditional food systems has been shown by research to be linked to improved health of residents and benefits to the local economy. Healthy food systems are important for all regions and must be supported in order to ensure food safety and security, sustainable development, public health and nutrition, and sound environmental management.

Planners could play the following roles:

1. Support efforts by and within Native American and other ethnic minority communities to identify and document indigenous and ethnic food systems that have been degraded or are threatened.
2. Support local efforts to restore or protect native, indigenous, or ethnic food systems.
3. Consider the impact of proposed changes in land-use and other plans on the ability of Native American and ethnic minority communities to sustain food production systems and support the coordination of planning efforts to enhance such systems in the future.

Specific Policy #6C. Planners support integrating traditional food systems and related cultural issues into community and regional planning efforts — including comprehensive and economic development plans — and other governance activities.

Reason to support

Diverse local and traditional food practices contribute to a sense of place and help achieve economic, environmental, and health goals of communities. Efforts to integrate traditional methods of food production (such as farming in Amish communities, Navajo shepherding, food gathering, and fisheries) into a multi-functional working landscape require sensitivity to a spectrum of traditions of distinct cultural groups. Additionally, they require effective communication and collaboration across groups in the region and dispute resolution mechanisms. To the extent possible, land use and economic development policies should support the right of farmers, hunters, and food gatherers to practice their occupation in accordance with their religious and cultural norms.

Planners could play the following roles:

1. Support planning that builds on and celebrates the diverse cultural, agricultural, and dietary traditions present in the region.
2. Work with tribal governments and state agencies to address land and resource management issues so as to strengthen Native American food systems including farming, hunting, gathering and fishing and nutritious diets.
3. Work collaboratively to establish mechanisms in the region to minimize and resolve conflicts between tribal governments, other local governments, and state and federal agencies and among different minority groups in communities, so as to facilitate Native and other ethnic minority communities' efforts to sustain their food systems.

General Policy #7

The American Planning Association, its Chapters and Divisions, and planners support the development of state and federal legislation that facilitates community and regional food planning, including addressing existing barriers.

Specific Policy #7A. APA, its Chapters and Divisions support developing and advocating for programs in the federal Farm Bill to facilitate community and regional food planning discussed in General Policies #1 through #6.

Reason to support

All titles of the Farm Bill affect local areas and therefore what planners can accomplish by engaging in community and regional food planning. For example, the continued availability of food stamps and farmers market nutrition program benefits is important for impoverished households as well as to the vitality of grocery stores and farmers markets. Similarly, rural development programs can help develop value-added food enterprises, renewable energy systems, land use management, and air and water quality enhancement. The Farm Bill also includes many provisions that favor, intentionally or not, larger agribusinesses over smaller farm operations in the distribution of subsidies, design of regulations, and other requirements that impose greater burden on the latter. To achieve the goals of community and regional food planning, many of these provisions will need to be re-oriented. In the end, federal (and state) support is indispensable to communities and regions' ability to plan for food under normal and emergent circumstances and further the goals of food planning identified in this Policy Guide.

APA, its Chapters, and Divisions could play the following roles:

1. Analyze how different titles of the Farm Bill affect communities and regions, pose barriers to achieving goals of community and regional food planning, and in particular, how they may affect planners' ability to implement actions recommended in General Policies #1 through #6.
2. In collaboration with other organizations advocating for policies relevant for economic development, public health, sustainable agriculture and food systems, and social justice, develop and advocate for proposals in the Farm Bill to facilitate actions described under General Policies #1 through #6.
3. Develop and disseminate timely action-guides and alerts for APA and chapter membership to build support for the legislative platform advocated by APA.

Specific Policy #7B. APA, its Chapters and Divisions support the development and advocacy of policies and programs outside of the federal Farm Bill to further General Policies #1 through #6.

Reason to support

The food system is complex and intricately linked with other systems such as health, energy, education, economy, environmental protection, and housing. Although the Farm Bill might be a first, seemingly intuitive target of policy advocacy efforts to further objectives suggested in this Policy Guide, effective community and regional food planning may also need to be supported through other federal legislation. For example, programs in the next Transportation Bill could conceivably support small farmers' needs to bring product to markets, increase transit access of urban and rural households to grocery supermarkets, and renewable and sustainable biofuel development.

Legislation related to the functions administered by the Departments of Education or Health and Social Services might help supply more fresh foods from local farms in all schools, or support the development of farmers markets in public health and social service institutions. As an advocate of good planning at the national level, APA can help to direct attention to areas of federal legislation that could support and foster community and regional food planning.

APA, its Chapters, and Divisions could play the following roles:

1. For each general policy statement in this guide, identify and research significant upcoming federal legislative opportunities, rule-making, or appropriations activities that affect that policy, and planners' ability to implement suggested actions under that policy. For example, programs in the Transportation Bill could be targeted as applying to General Policy #2 (economic vitality), #3 (health) or #5 (social equity).
2. In collaboration with other organizations, develop and advocate for proposals related to legislation, appropriations, or rule-making, to further actions described under policy statements #1 through #6.
3. Develop and disseminate timely action-guides and alerts for APA membership to build support for the proposals advocated by APA.

Specific Policy 7C. APA Chapters support the development and advocacy of state policies and programs to further General Policies #1 through #6.

Reason to support

These reasons are similar to those stated in Specific Policies #7A and #7B, but within the arena of state legislation. State policies, regulations, and programs can provide important resources or pose significant constraints to achieve objectives sought under this Policy Guide. Additionally, states have arguably a greater ability than federal agencies to design and implement policies that support community and regional food planning, such as those that discourage the conversion of productive farmland, ease regulatory burdens on small and moderate farms, and encourage the development of regional food infrastructure.

APA Chapters could play the following roles:

1. Roles similar to those in Specific Policies #7A and #7B as indicated above, but at the state level
2. Chapters could document related activities to enable the broader APA membership to draw lessons from their successes and challenges, and to inform federal policy advocacy.

Specific Policy #7D. APA Chapters support the development of and participation in state food policy councils that provide a comprehensive and systematic focus on statewide food issues and needed actions.

Reason to support

Comprehensive and systematic food planning at the state level could provide a significant impetus to General Policy #1 and others in this Policy Guide. In ways that are currently nonexistent except for a handful of states such as Connecticut, Iowa, California, and Michigan, state food policy councils provide a way for stakeholders in public, for-profit, and nonprofit sectors to come together to

discuss community and regional food concerns, share information, and recommend policies and actions to achieve goals identified in this Policy Guide.

APA Chapters could play the following roles:

1. Conduct research on existing state food policy councils and assess the feasibility of a state food policy council if currently non-existent, including its structure, decision processes, constituents, and relationship to government agencies and legislative bodies.
2. Provide maps, information, and analysis on particular planning issues linking food system and local areas to food policy councils.
3. Develop policy and programmatic recommendations related to those proposed in this Policy Guide for the consideration of and action by state food policy councils to consider.

Specific Policy #7E. APA Chapters and Divisions support the development of federal policies related to international trade, humanitarian aid, development assistance, and other categories of international involvement in ways that promote sustainable and self-reliant solutions to hunger and food insecurity experienced in other countries.

Reason to support

Across the world, populations in impoverished countries continue to experience hunger and food insecurity at high rates. Half of the global population — nearly 3 billion people — lives on less than two dollars a day, an important indicator of poverty. In an increasingly interdependent world, it is not only incumbent upon wealthier countries to act responsibly to end hunger and food insecurity across the globe, it is also important to redress the adverse impacts of agriculture trade policies on the ability of poor urban and rural households to subsist. Most of the world's farmers are small-scale farmers; they also tend to have inadequate or precarious access to food themselves. Yet foreign aid for agriculture and rural development has continued to decline over the last three decades. Solutions to hunger and poverty in impoverished countries need to include investments in agriculture, education, health, and essential public goods.

APA Chapters and Divisions could play the following roles:

- Support U.S. international policies related to trade, humanitarian assistance, economic and social development, and conflict resolution affecting impoverished countries, in ways that sustainably increase local capacity for food security and food self-reliance.
- Support U.S. policies and programs for international development that encourage investments in local agriculture, education, health, and essential public goods such as roads, clean water, and electricity.
- Support multi-national non-governmental organizations that increase community capacity in sustainable agriculture and food systems in poor countries, increase food security across the globe while promoting social justice and ecological sustainability, and create learning exchanges between grassroots groups in more and less industrialized parts of the world.
- Support U.S. humanitarian food aid in ways that minimize adverse impacts to agricultural markets in surrounding regions, and especially prevent dumping of excess U.S. agricultural product in these regions.

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These annotations are advisory only. The SmartCode itself appears only on the right side of each spread.

SUSTAINABILITY - FOOD PRODUCTION

This table shows ways of incorporating types of local food production along the Transect. Cities are increasingly allowing urban agriculture and the raising of animals for household use, to encourage lower-cost food supplies and reduction in the energy consumption for food transport. This code may be modified to require developers of infill projects to purchase vacant lots and make them available as community gardens for nearby residents.

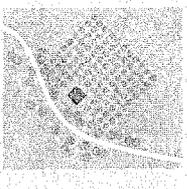
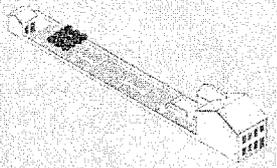
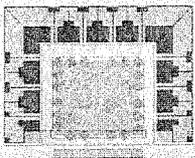
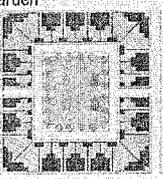
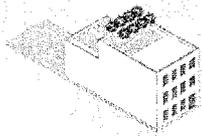
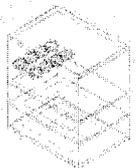
A community garden, or allotment garden, provides a locus of recreation and sociability greater than that of the private yard, being one of the so-called third places. They are also welcome by apartment-dwellers who may enjoy gardening. Allotment gardens can be large enough to hold habitable shacks as affordable surrogates for rural weekend cottages. Allotment plots are not sold, but let under municipal or private administration.

Green roofs are also opportunities for food production, even as they mitigate carbon emissions and reduce storm water runoff. They may be incentivized by giving developers bonuses for installing them.

As tree preservation and planting regulations are introduced, fruit trees may be included and designated for local food production.

Municipality

Sustainability - Food Production. This table shows ways of incorporating types of food production along the Transect.

	T1	T2	T3	T4	T5	T6	SD	Specific
Farm 		•					•	
Agricultural Plots 		•	•				•	
Vegetable Garden 		•	•	•				
Urban Farm 			•	•	•			
Community Garden 			•	•	•	•		
Green Roof - Extensive - Semi Intensive - Intensive 		•	•	•	•	•	•	
Vertical Farm 					•	•	•	

These annotations are advisory only. The SmartCode itself appears only on the right side of each spread.

**SUSTAINABILITY -
COMPOSTING AND RECYCLING**

This table may be locally calibrated and incorporated into Table 12 Specific Function and Use. Some of these facilities may be marked on a Regulating Plan as "Required" for certain locations, or a provision may be added to Article 3 that a T-zone or portion of a T-zone shall have one or more such facilities within it, the precise location to be approved by Warrant or Variance.

The goal is to manage resources such that they are reused and recycled without waste, so that waste does not have to be "managed" and so that economically viable resources are recaptured or created from the waste stream. Planning the location of facilities according to the Transect helps ensure that some are located close to the homes and businesses they serve, and others that may be obtrusive in urban T-zones are located in T2 or Special Districts as appropriate.

Sustainability goals may be added to the Intent section of the SmartCode. Here is an example to indicate goals associated with the Composting and Recycling Table.

1.3.1 The Region

i. That development should not contribute to waste and pollution and therefore should be designed for reuse, recycling, and composting.

1.3.2. The Community

j. That Civic, institutional, and Commercial activities contribute to the economic and environmental well-being of the entire community.

k. That resource recovery parks should be planned and reserved in coordination with the Transect.

l. That reuse, recycling and composting operations are accessible and convenient and considered an integral part of the local economy.

Municipality

	T1	T2	T3	T4	T5	T6	SD
On-Site Organics Processing		▪					▪
Self-Drop Collection Systems		▪					
Optional/Competitive Collection		▪	▪				
Mandatory Curbside Collection				▪	▪	▪	▪
Centralized Composting Systems							▪
Smaller Regional Composting		▪	▪				
On-Site Processing		▪	▪				▪
Re-Use Centers		▪	▪	▪	▪	▪	▪
Recycling Processing Centers		▪	▪	▪	▪	▪	▪
Once-Used Materials Storage		▪	▪				▪
Transfer Stations		▪	▪	▪	▪	▪	▪
Disposal Facilities	Prohibited Across The Transect						

Memorandum

7.

CITY OF FLAGSTAFF



To: The Honorable Mayor and Council
From: Roger Eastman, Zoning Code Administrator
Date: 10/02/2013
Meeting Date: 10/08/2013

TITLE:

Discussion regarding proposed amendments to City Code Division 8-03-002 of the Flagstaff City Code to create revised standards allowing for sidewalk cafes and sidewalk vending carts.

DESIRED OUTCOME:

At this work session, staff will introduce a *draft and incomplete* ordinance that amends Division 8-03-002 of the Flagstaff City Code to provide updated standards and procedures to permit sidewalk cafes and commercial encroachments by sidewalk vending carts within City rights-of-way. Staff is seeking Council direction on this draft ordinance to ensure that the proposed amendments are in accord with Council policy.

INFORMATION:

BACKGROUND

Sometime in the early 1970's the City Council adopted the North Downtown Business District Encroachment Policy as Division 8-03-002 of the Flagstaff City Code. This ordinance, which was updated in 1996 and 1997, established standards and procedures for the review and approval of commercial encroachments (including sidewalk cafes and peddlers) as well as for permitted encroachments by certain structures (including, for example, overhead encroachments, excavations, and basement access) and encroachments by other activities and objects such as construction, bicycle racks, newspaper vending machines, etc.

Division 8-03-002 was specifically written to allow sidewalk cafes and sidewalk vending carts only in downtown Flagstaff, and hence no such encroachments may be permitted in other areas of the City, including the Southside. Many existing Southside businesses have been frustrated because of their inability to establish sidewalk cafes in public right-of-way.

Until late-2007, this Division was administered and enforced by two Programs within the Community Development Division. Code Compliance Program staff was assigned to administer encroachment permits for sidewalk cafes while Private Engineering Program staff reviewed permits for encroachments for construction (driveways and utilities), peddlers, and trash dumpster placement associated with construction. In early-2008 the review and administration of all encroachment permits were consolidated under the purview of the Private Engineering Program staff, a practice that is current today. Some examples of sidewalk cafes already permitted in the downtown area are listed below with photographs of these permitted encroachments included in Attachment A.

- Cuvee's 928 (Heritage Square)
- Monsoon (Heritage Square)
- Collins (Corner of Route 66 and Leroux Street)
- San Felipe's Cantina (Leroux Street)
- Maloney's Tavern (Corner of Leroux Street and Aspen Avenue)

- Mountain Oasis International Restaurant (Aspen Avenue)

City staff has been working on permitting issues associated with allowing outdoor dining areas on a portion of Heritage Square for Cuvee's 928 and Monsoon since 2006. As Heritage Square is not public property *per se* – it is owned by the Hopi Tribe and administered and maintained by the City of Flagstaff for public use – after some negotiation lease agreements were eventually signed between these business owners and the City in 2011 for each requested encroachment. These lease agreements required the restaurants to reimburse the City for the use of the Heritage Square property. This created an unfairness issue because while Cuvee's 928 and Monsoon were required to pay for the use of public property for their sidewalk cafés, there is no mechanism in place established in Division 8-03-002 or elsewhere in the City Code for other sidewalk cafes to have to compensate the City for the use of public property.

Following Council discussion of this issue some months ago, staff from the City Attorney's office and the Community Development Division began to develop preliminary amendments to the code. The draft ordinance incorporates ideas for simplifying and clarifying an approach for the review and issuance of permits for sidewalk cafes and sidewalk vending carts in most commercial zones within the City. This *draft is still unfinished*, and additional work will be completed following a discussion with the Council to ensure that from a policy perspective, staff is on the right track. The Council work session will also provide an opportunity for interested property owners and business owners to share their ideas and perspectives on the proposed ordinance amendments.

OVERVIEW OF DRAFT ORDINANCE – AMENDMENTS TO DIVISION 8-03-002, SIDEWALK CAFES AND COMMERCIAL ENCROACHMENTS

Staff has completed *preliminary* amendments to Division 8-03-002 of the Flagstaff City Code, (see Attachment B). Currently this Division is called “North Downtown Business District Encroachment Policy.” It provides standards and procedures for the review and approval of commercial encroachments (including sidewalk cafes and peddlers) as well as for permitted encroachments by structures (for example, overhead encroachments, excavations, and basement access) and encroachments by other objects (dumpsters placed within the right-of-way associated with construction, bicycle racks, newspaper vending machines, etc.).

The revised Division 8-03-002 is now tentatively renamed “Sidewalk Cafes and Sidewalk Vending Carts”. As the header on the top of the first page of the ordinance states, this draft is incomplete as revisions have only been prepared for the two areas that staff was directed to address, namely sidewalk cafes and sidewalk vending carts. Once consensus has been reached on sidewalk cafes and sidewalk vending carts, the remaining sections for which minimal or no amendments are needed with regard to other encroachments (e.g. bicycle racks and structural elements) will be included for final review and adoption by the Council. At this time the name of the division may change to reflect the permitting of all encroachments into public right-of-way.

An Overview of the Draft Amendments to Division 8-03-002, Sidewalk Cafes and Sidewalk Vending Carts with Staff Comments and Observations

As mentioned previously, while the attached draft ordinance is incomplete (Attachment B.), it does provide sufficient detail for an informative discussion with the Council on the need for, and extent of, proposed revisions to existing Division 8-03-002. This draft is based on some of the provisions in Division 8-03-002 which have been kept, as well as ideas from a variety of other cities, including Portland OR, Seattle WA, Salt Lake City UT, Minneapolis MN, and Redwood City CA. In the narrative below, staff will describe the principal sections and provisions of the proposed draft ordinance, and the issues that may require Council policy discussion and direction to staff. The current version of Division 8-03-002 (North Downtown Business District Encroachment Policy) is attached as Attachment C.

1. Reorganization of the draft. Staff suggests that the current draft ordinance will be reorganized so that, for example, the definitions and appeals sections will be consolidated and certain sections will be rearranged so that the document is more logically organized. The definitions will also be arranged alphabetically.

2. Illustrations. The final version of the ordinance will include illustrations to make it easier to understand key terms, such as “area of operation” and “clear pedestrian zone.”
3. Applicability. The proposed standards apply to all commercial zones in the City except for the Suburban Commercial (SC) Zone. This is an important difference from the current standards which apply to the Downtown area only which is designated as the Commercial Business (CB) Zone. The proposed ordinance, therefore, would allow business owners in the Southside neighborhood or elsewhere in the City to apply for a sidewalk encroachment permit.
4. Types of encroachments. The draft ordinance provides standards for two specific types of encroachments, namely sidewalk cafes and sidewalk vending carts (conducting a business on City sidewalks unlawful without a permit). Permits for these encroachments will be administered by Comprehensive Planning and Code Administration Program staff. Staff from the Private Engineering Program will continue to manage “small permits;” i.e., work by public and private utilities in the right-of-way, driveway construction, and trash dumpsters placed in the right-of-way when there is no room on a property for them during construction. These standards will be carried forward from the current code into the revised draft ordinance.
5. Application fee and permit fee. The draft ordinance contemplates that all applications for sidewalk cafes and sidewalk vending carts will be required to pay an “application fee” to cover the administrative costs of accepting, reviewing and issuing a permit by staff, as well as a “permit fee” to compensate the City for use of public sidewalks for commercial purposes. The need for this latter fee (which perhaps should be more correctly called a “lease rate”) arose when it was realized that sidewalk cafes located on Heritage Square were required to pay a license fee for the use of this public space, whereas all other restaurants that had established seating areas on the sidewalks elsewhere in downtown were not required to pay such a fee. Staff will be completing a preliminary appraisal and analysis to determine the amount of this fee and to ensure that it is fair and equitable. There are two possible approaches for establishing this fee/lease rate amount; firstly, a separate fee for the Central Business District could be established (i.e., that area bounded by Columbus Avenue/Switzer Canyon Drive to the north, Butler Avenue to the south, Park Street to the west, and Elden Street to the east) with a different fee to be applied to the remainder of the City, or secondly, a single aggregated fee that would apply citywide could be determined.

Either way, staff recommends that an appropriate and equitable fee to be paid for the use of City public property by a sidewalk café and a sidewalk vendor is appropriate.

6. Maintenance. For at least the past 5 years, the City Public Works Division has not provided routine cleaning services for downtown Flagstaff sidewalks. Staff proposes, therefore, that it should be the responsibility of the permit holder who has been issued a permit for a sidewalk cafe or sidewalk vending cart to keep the sidewalk area clean and maintained free of litter, grease, and other stains. In addition, staff suggests that consideration should be given to requiring an annual maintenance deposit from proprietors of sidewalk cafes or sidewalk vendors which could be used for cleaning and maintenance of the area used.
7. Permitting requirements and conditions of permits. The draft ordinance establishes that a permit is required for the use of public sidewalks for sidewalk cafes and sidewalk vending carts. It also establishes minimum submittal requirements and procedures for review. After further review of some other city’s codes, additional refinements to the text in this section may be included in the final ordinance, and staff suggests that the draft ordinance be reorganized so that all standards relevant to a permit and its review are located together. For example the standards for denial, revocation, or suspension of permits could be moved closer to or within a separate permitting section.
8. Denial, revocation or suspension of permits. This section provides a procedure and standards for

the denial, revocation or suspension of permits for sidewalk cafes and sidewalk vending carts.

9. Location rules. Sidewalk cafes permitted under the current Division have been successful over the past years that staff has administered sidewalk café encroachment permits. Not only do the sidewalk cafés add to the ambiance and character of downtown Flagstaff, the standards in place have ensured that the encroachments do not constrict the sidewalk such that it is difficult for pedestrians to use them, especially those individuals who are mobility impaired. The draft Division is written based on lessons learned through the application of the current Division as well as best practices from other American cities that also permit sidewalk cafes and sidewalk vending carts. The new code more clearly prescribes standards for minimum sidewalk width and a clear pedestrian zone relative to a defined area of operation for a sidewalk cafés. Allowances are also provided for pinch points around elements such as poles or posts supporting signs. The final ordinance will include diagrams to clearly illustrate these terms.
10. Standards for barriers defining sidewalk cafes. Arizona liquor laws require that barriers are installed to define an area in which alcohol is served. For this reason, almost all of the current sidewalk cafes permitted in the downtown area have installed some form of barrier to identify the outdoor seating area. There are no minimum standards in the current code or the revised draft code regarding the design and placement of barriers. Staff suggests, therefore, that the final ordinance should include standards that for example, require them to be (1) compatible with the building (for example, the Zoning Code addresses a number of elements like materials, color, details, etc.); (2) compatible with the district in which they are located; (3) be made of permanent architectural materials; and, (4) not permanently attached to the building. Staff has discussed an idea that within the downtown and other historic districts, all permits for sidewalk cafes where barriers are required would be reviewed by the Historic Preservation Officer to ensure consistency with Heritage Preservation Standards.

Staff also suggests that where no alcohol is served, and where there is no active food service to tables located on a sidewalk (Macy's Coffee Shop on South Beaver Street is an example), no barriers should be required (see the photograph on the last page of Attachment A.).

11. Liability and insurance. Typical provisions for public liability and property damages insurance are included in the draft ordinance. Further discussions with the City's risk management staff are needed to ensure that all issues are appropriately addressed in this section, especially with regard to the consumption of alcohol within the area of operation of the sidewalk café.
12. Sidewalk vending carts. The location and permitting regulations for sidewalk vending carts are slightly different to those for sidewalk cafés. They include, for example, specific location standards for vending carts including separation requirements, maximum area and height requirements, requirements for approvals from the Fire Marshall and County Health Department, as well as standards for what goods or products may be sold. In addition, similar permitting, insurance, and processing standards to those established for sidewalk cafés are included. As written the draft ordinance only establishes a separation standard for food vendors from restaurants. It is suggested that a similar separation standard be included for all vendors.

Consideration should also be given to requiring review by the Historic Preservation Officer of permit applications for sidewalk vending carts as described in #10 above.

13. Extension of a business onto the sidewalk. One aspect of encroachments onto a sidewalk that is not yet considered in the proposed draft ordinance is that of a business other than a sidewalk café that uses the sidewalk to display merchandise. In the downtown area there are a number of businesses that routinely place a clothes rack, book case, or other display outside of their store on the sidewalk. This is an issue that warrants further discussion with the Council; e.g., should a business be able to encroach onto a public sidewalk for the purposes of advertising goods for sale, and if so, under what circumstances and standards, and what permit fee, if any, should be paid?

Attachment C

Attachment D

**Attachment A:
Photographs of Some Permitted Sidewalk Cafes in Downtown Flagstaff**



Cuvee's 928



Monsoon's



Collins



Maloney's &
San Felipe
Cantina



Mountain Oasis International
Restaurant



Macy's Coffee
Shop

This draft covers only the two areas Of Division 8-03-002 that staff was directed to address: sidewalk cafes and vendors. Those sections that do not need to be redrafted, primarily encroachments related to objects placed in the right-of-way such as bicycle racks and structural elements, will be added to the present ordinance in substantially the same form once consensus has been reached regarding sidewalk cafes and sidewalk vending carts

ORDINANCE NO. 2013-

AN ORDINANCE OF THE CITY COUNCIL OF FLAGSTAFF, ARIZONA, AMENDING TITLE 8 OF THE FLAGSTAFF MUNICIPAL CODE BY DELETING DIVISION 8-03-002, NORTH DOWNTOWN BUSINESS DISTRICT ENCROACHMENT POLICY, AND REPLACING IT IN ITS ENTIRETY WITH A NEW DIVISION 8-03-002, SIDEWALK CAFES AND SIDEWALK VENDING CARTS; AND

WHEREAS,

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

DIVISION 8-03-002, SIDEWALK CAFES AND SIDEWALK VENDING CARTS

SECTION 8-03-002-0001 PERMIT REQUIRED FOR SIDEWALK CAFE

Operating a sidewalk café on City sidewalks is unlawful without a permit. No person shall conduct a business as herein defined without first obtaining a permit from the City's Community Development Division and paying the appropriate fee to the City of Flagstaff. It shall be unlawful for any person to operate a sidewalk café on any sidewalk within the City of Flagstaff except as provided by this Division.

SECTION 8-03-002-0002 DEFINITIONS

A. Area of Operation. Area of operation means the area of the sidewalk established by the Director within which a business is allowed to operate a sidewalk café.

- B. Commercial Zone. Commercial zone means abutting property which is zoned Central Business (CB), Highway Commercial (HC), Commercial Service (CS), and Community Commercial (CC) of the City of Flagstaff Zoning Code, or any other zone which may be created as a successor zone to such existing commercial zones.
- C. Director. Means the City of Flagstaff Planning Director or his or her designee.
- D. Clear Pedestrian Zone. The clear pedestrian zone is the area reserved for travel. No sidewalk café operations are allowed in this area and the area must meet Federal, State and local accessibility standards and be free of hazards.
- E. Operate a sidewalk café. Operate a sidewalk café means serving food or beverages from an adjacent café or restaurant to patrons seated at tables located within the sidewalk area adjacent to the café or restaurant.
- F. Permittee. Permittee means the individual who applied for the sidewalk café permit and to whom the permit is issued. The permittee bears the ultimate responsibility for the operation of the sidewalk café.
- G. Sidewalk. Sidewalk means that portion of the street between the curb lines of the roadway and the adjacent property lines intended for use by pedestrians.
- H. (Is a definition for "restaurant" needed?)

SECTION 8-03-002-0003 APPLICATION FEE AND PERMIT FEE

Fees for operating a sidewalk café are established by (Council and may be reviewed where?). Each application for a sidewalk café permit shall be accompanied by an application fee. The application fee is nonrefundable and additional to the permit fee. The permit fee shall be collected prior to issuance of the permit. (Need a better explanation of the difference between an application fee (covers the cost of reviewing an application) and a permit fee (for reimbursement for use of City public right-of-way for business purposes))

SECTION 8-03-002-0004 PERMIT APPLICATION

Application for a permit to operate a sidewalk café shall be made to the Director at the City of Flagstaff Community Development Division counter, in a form approved by the Director. Such application shall include, but not be limited to, the following information:

- A. Name and address of the applicant.
- B. A signed statement that the permittee shall hold harmless the City of Flagstaff as further stipulated in Section 8-03-002-0006.
- C. A drawing showing the width of the applicant's café or restaurant facing the sidewalk indicating the area requested to be used, location of doorways; the width of the sidewalk (distance from curb back to building face); locations of tree wells, bus shelters, sidewalk benches, signs, trash receptacles, driveways or curb cuts, or any other semi-permanent or permanent sidewalk obstructions.

SECTION 8-03-002-0005 LOCATION RULES AND REVIEW

- A. The sidewalk café area shall be within a Commercial Zone;
- B. The use of the approved area of operation for a sidewalk café must be compatible with the public interest in use of the sidewalk areas as public rights-of-way. In making such determination the Director shall consider the width of the sidewalk, the proximity and location of existing street furniture, including, but not limited to, signposts, lamp posts, parking meters, bus shelters, benches, phone booths, street trees and newsstands, as well as, the presence of bus stops, truck loading zones, taxi stands or hotel zones to determine whether the proposed use would result in pedestrian or street congestion.
- C. A sidewalk café shall only be allowed where the sidewalk is at least 8 feet wide. Café operations will be allowed only within the area of operation, which shall be established by the Director.

The following table shows the minimum width of the clear pedestrian zone for a given sidewalk width. The width of the clear pedestrian zone shall be measured from the back

of the curb to the outer edge of the barrier delimiting the boundary of the sidewalk café.

Sidewalk Width	Clear Pedestrian Zone Minimum Width
Greater than or equal to 8' 0" and less than or equal to 10' 0"	5' 6"
Greater than 10' 0" and less than 15' 0"	6' 0"
Greater than or equal to 15' 0"	8' 0"

D. Sidewalk width is determined by the Director's field measurements.

E. Adjustments may be made at the discretion of the Director when field measurements conflict with City records.

F. As a tool to allow compliance in areas with space conflicts a sidewalk café may be allowed pinch points that are less than the required clear pedestrian zone minimum width. At a pinch point, the clear pedestrian zone minimum width may be reduced by 6 inches for a length of no more than 2 feet. Pinch points must be at least 4 feet from adjacent pinch points. Pinch points may be used at the discretion of the Director.

G. Except as allowed in Subsection D, above, the clear pedestrian zone shall be free of all obstructions, permanent and temporary. This includes objects such as posts, signs, street lights, fire hydrants, bicycle racks, bicycles utilizing bicycle racks, vegetation, trees, tree-wells, planters, literature and news racks, parking meters, bus shelters, benches, tables, chairs, umbrellas, heaters, and waste receptacles.

H. Obstructions controlled by the café or property owner that extend into/over the clear pedestrian zone shall be at least 8 feet above the sidewalk surface within the clear pedestrian zone.

I. To ensure compliance with the Americans with Disabilities Act, there shall be a continuous passage at least 4 feet in width with a maximum 2 percent pavement cross slope within the clear pedestrian zone.

J. The approved area of operation shall be established by the Director. Where alcohol is served within a sidewalk café, at all times during the hours of operation of the sidewalk café a barrier or physical separator that can easily be lifted and moved immediately without the assistance of tools shall surround the area of operation. (Possibly add language regarding materials and the design of the barrier, and the need for Heritage Preservation Officer review.)

SECTION 8-03-002-0006 LIABILITY AND INSURANCE

A signed statement that the permittee shall hold harmless the City of Flagstaff, its officers and employees, and shall indemnify the City of Flagstaff, its officers and employees for any claims for damages to property or injury to persons which may be occasioned by any activity carried on under the terms of the permit. Permittee shall furnish and maintain such public liability and property damages insurance as will protect the permittee and City from all claims for damage to property or bodily injury, including death, which may arise from operations under the permit or in connection therewith. Such insurance shall provide coverage of not less than \$1,000,000 (one million dollars). Such insurance shall be without prejudice to coverage otherwise existing therein, and shall name as additional insured the City of Flagstaff, its officers and employees, the property owner, and shall further provide that the policy shall not terminate or be canceled prior to the expiration of the permit without 30 days written notice to the City of Flagstaff. (Add additional language regarding liquor liability?)

SECTION 8-03-002-0007 FORM AND CONDITIONS OF PERMITS

The permit issued shall be in a form deemed suitable by the Director. In addition to naming the name of the business and other information deemed appropriate by the Director, the permit shall contain the following conditions:

- A. Each permit issued shall terminate December 31st of the year in which issued.
- B. The permit issued shall be personal to the permittee only and is not transferable in any manner.
- C. An indemnity provision indemnifying and releasing the City of Flagstaff, its agents, employees and elected

officials from any and all liability against any and all claims, actions and suits of any type whatsoever.

D. The permit may be suspended by the Director for a period of up to seventy-two (72) hours during a "community event," or other high profile or governmental event, or during construction.

E. The permit is specifically limited to the approved area of operation.

F. The permittee shall use positive action to assure that its use of the sidewalk in no way interferes with or embarrasses sidewalk users or limits their free and unobstructed passage.

G. The sidewalk and all things placed thereon shall at all times be maintained in a clean and attractive condition. Trash containers may be provided for use by the sidewalk café patrons.

H. The permit shall be posted in a conspicuous place near the main entrance visible from the sidewalk at all times.

I. All furniture and equipment used in the operation of a sidewalk café shall be removed from the right-of-way within a period of 10 days when not available for use by patron's. Removal of furniture and equipment may be required, on a case by case basis, outside of the business' hours of operation if determined necessary for safety or other reasons including, but not limited to, capital improvement projects, routing maintenance or emergency repairs, at the discretion of the City Engineer. The Flagstaff Police Department or other City departments may provide recommendations for the consideration by the Director.

J. The permittee shall notify the Director of any changes to the contact information provided in the City /Responsible Party Agreement. (This needs to be defined)

K. Outdoor cooking shall be prohibited.

SECTION 8-03-002-0008 DENIAL, REVOCATION OR SUSPENSION OF PERMIT

A. The Director may deny, revoke, or suspend the permit for any sidewalk cafe authorized in the City of Flagstaff if it is found:

1. That the provisions of this Division have been violated.
2. The permittee does not have insurance which is correct and effective in the minimum amount prescribed in Section 8-03-002-0006.

B. Upon denial or revocation, the Director shall give notice of such action to the responsible party and permittee in writing stating the action which has been taken and the reason therefor. The action shall be effective upon giving such notice to the permittee. Any denial or revocation may be appealed to the Director by filing within 10 days.

SECTION 8-03-002-0009 APPEAL

Any permittee aggrieved by a determination of the Director may appeal that determination to the City Manager. Notwithstanding any other provisions of this Code, there shall be a non-refundable fee of \$250 for any appeal pursuant to this subsection. Such fee must accompany any such appeal and no such appeal shall be considered filed or received until such fee is paid in full.

SECTION 8-03-002-0010 CONDUCTING A SIDEWALK VENDING CART BUSINESS ON CITY SIDEWALKS UNLAWFUL WITHOUT PERMIT

No person shall conduct a business as herein defined without first obtaining a permit from the City's Development Division and paying the appropriate application and permit fees to the City of Flagstaff. Fees for conducting such a business are established by (Council and may be reviewed where?). Each application for a sidewalk vending cart business permit shall be accompanied by an application fee. The application fee is nonrefundable and additional to the permit fee. The permit fee shall be collected prior to issuance of the permit. (Need a better explanation of the difference between an application fee (covers the cost of reviewing an application) and a permit fee (for reimbursement for use of City public right-of-way for business purposes))

SECTION 8-03-002-0011 DEFINITIONS

- A. Conduct Business. Conduct Business means the act of selling or attempting to sell services, or edible or

nonedible items for immediate delivery from a sidewalk vending cart.

- B. Sidewalk. Sidewalk means that portion of the street between the curb lines of the roadway and the adjacent property lines intended for use by pedestrians.
- C. Commercial Zone. Commercial zone means abutting property which is zoned Central Business (CB), Highway Commercial (HC), Commercial Service (CS), and Community Commercial (CC) of the City of Flagstaff Zoning Code, or any other zone which may be created as a successor zone to such existing commercial zones.
- D. Permittee. Permittee means the individual who applied for the sidewalk café permit and to whom the permit is issued. The permittee bears the ultimate responsibility for the operation of the sidewalk café.
- E. Permit Operating Area. Permitting operating area means the sidewalk from the midpoint of one block face to the midpoint of an adjacent block face.
- F. Community Events. Community events mean an event specifically approved by an individual permit granting use of street within a specifically defined area for a period of time.
- G. Vending Cart. (Complete - e.g. would not include a stand-alone book case)

SECTION 8-03-002-0012 ITEMS FOR SALE

The Director shall maintain a list of items and services which are either approved or prohibited for sale from sidewalk vending carts. Any item or service not on the list may be considered for approval based on the following criteria:

- A. All items or services must:
 - 1. Be vended from a regulation size vending cart, see Section 8-03-002-0020(A);
 - 2. Not lead to or cause congestion or blocking of pedestrian traffic on the sidewalk;
 - 3. Involve a short transaction period to complete the sale or render the service;
 - 4. Not cause undue noise or offensive odors;
 - 5. Be easily carried by pedestrians.

Requests to have an item or service considered for approval shall be submitted in writing to the Director who shall determine whether the item or service conforms to the above criteria. If the item or service conforms to the above criteria, it shall be listed as approved for sale by sidewalk vendors. The decision of the Director, if adverse to the party making the request, may be appealed pursuant to Section 8-03-002-0021.

SECTION 8-03-002-0013 APPLICATION FOR PERMIT

An application for a permit to conduct business in a vending cart on a sidewalk shall be made to the Director at the City of Flagstaff Community Development Division counter, in a form approved by the Director. Such application shall include but not be limited to the following information:

- A. Name and address of the applicant;
- B. The expiration of applicant's City business license;
- C. Type of items sold or services rendered. Individual applications shall be accepted for one type of product or service only;
- D. A valid copy of all necessary permits required by State or local health officials;
- E. A signed statement that the permittee shall hold harmless the City of Flagstaff, its officers and employees, and shall indemnify the City of Flagstaff, its officers and employees for any claims for damages to property or injury to persons which may be occasioned by any activity carried on under the terms of the permit. Permittee shall furnish and maintain such public liability and property damages insurance as will protect permittee and City of Flagstaff from all claims for damage to property or bodily injury, including death, which may arise from operations under the permit or in connection therewith. Such insurance shall provide coverage of not less than \$1,000,000 (one million dollars). Such insurance shall be without prejudice to coverage otherwise existing therein, and shall name as additional insured the City of Flagstaff, its officers and employees, the property owner, and shall further provide that the policy shall not terminate or be canceled prior to the completion

of the contract without 30 days written notice to the City of Flagstaff.

- F. Means to be used in conducting business including but not limited to a description of any vending cart, to be used for transport or to display approved items or sales.
- G. The proposed location for conducting business and the written consent of the property owner(s) adjacent to the permit operating area, along with a signed statement that permittee shall hold harmless the adjacent property owner(s) for any claims for damage to property or injury to persons which may be occasioned by any activity carried on or under the permit. This consent and hold harmless statement must be submitted on a form deemed appropriate by the Director. No application shall apply to more than one location. No application will be accepted for a permit operating area within which a current permit has been issued or an application is pending.
- H. No food vendor application will be accepted for a permit operating area where a restaurant, with direct access to the sidewalk, is adjacent or within 100 feet on the same block. Distance is measured from the property line of the restaurant to the nearest part of the permit operating area. Alleys and public ways are included in this measurement. This requirement may be waived if the application is submitted with the written consent of the proprietor of the restaurant. This consent must be submitted on a form deemed appropriate by the Director.
- I. (Possibly include a requirement for a menu for food vendors to ensure that food offered is not changed)

SECTION 8-03-002-0014 LOCATION REVIEW

Upon receipt of an application for a permit the Director shall review the proposed permit operating area to determine if the said area is suitable for sidewalk vending. In making this determination, the Director shall consider the following criteria:

- A. The permit operating area shall be within a Commercial Zone;

B. The use of the permit operating area for sidewalk vending must be compatible with the public interest in use of the sidewalk areas as public rights-of-way. In making such determination the Director shall consider the width of the sidewalk, the proximity and location of existing street furniture, including, but not limited to, signposts, lamp posts, parking meters, bus shelters, benches, phone booths, street trees and newsstands, as well as, the presence of bus stops, truck loading zones, taxi stands or hotel zones to determine whether the proposed use would result in pedestrian or street congestion.

The Director shall inform the applicant whether the proposed permit operating area is suitable or unsuitable. In the event the applicant is dissatisfied with the Director's decision regarding a certain application, he/she may appeal the decision pursuant to Section 8-03-002-0021.

SECTION 8-03-002-0015 FIRE MARSHALL INSPECTION

Prior to the issuance of any permit, the Fire Marshall shall inspect and approve any vending cart to assure the conformance of any heating or cooking apparatus with the provisions of the City of Flagstaff Fire Code.

SECTION 8-03-002-0016 APPLICATION TIME LIMIT

The applicant must complete all reviews, inspections and have presented all required documents to the Director within sixty (60) days from date of location approval. Failure to meet this requirement shall result in cancellation of the application and forfeiture of the application fee. The Director may extend this time limit, upon written request and a finding of reasonable need.

SECTION 8-03-002-0017 FORM AND CONDITIONS OF PERMITS

The permit shall be issued in a form deemed suitable by the Director. In addition to naming the permittee and other information deemed appropriate by the Director, the permit shall contain the following conditions:

- A. Each permit will expire at midnight, December 31st of the year issued;

- B. The permit issued shall be personal to the permittee only and is not transferable in any manner;
- C. The permit is valid only when used at the permit operating area designated on the permit. The permit operating area may be changed by submitting a new application and an additional application fee;
- D. The permit is valid for one vending cart only;
- E. The location within the permit operating area may be changed, either temporarily or permanently, by written notice of the Director;
- F. The permittee party shall use positive action to assure that its use of the sidewalk in no way interferes with or embarrasses sidewalk users or limits their free and unobstructed passage.
- G. The permit is subject to further restrictions as set forth in this Division;
- H. The permit as it applies to a given permit operating area may be suspended for a period of up to seventy-two (72) hours during a special event or other high profile or governmental event, or during construction.

SECTION 8-03-002-0018 RENEWAL OF PERMITS

Application for renewal of permits shall be received from January 1st through March 31st. Application shall be on a form deemed suitable to the Director, accompanied by appropriate fees. Applications received after (*) 31st shall be processed as new applications. The Director shall review each application to determine that:

- A. Any required consent has not been withdrawn;
- B. The application has a currently effective insurance policy in the amount provided in Section 8-03-002-0013(E);
- C. All required permits are current;
- D. The cart size is in conformance with Section 8-03-002-0019. If the Director finds that the application meets all the above requirements, a new permit shall be issued.

SECTION 8-03-002-0019 RESTRICTIONS

- A. Any person conducting business on the sidewalks of the City of Flagstaff with a valid permit issued under this Division may display/sell items or services upon any vending cart, under or subject to the following conditions:
1. The operating area shall not exceed twenty-four (24) square feet of sidewalk which shall include the area of the vending cart, and, when externally located, the operator and trash receptacle.
 2. The length of the vending cart shall not exceed six (6) feet.
 3. The height of the vending cart, excluding canopies, umbrellas, or transparent enclosures, shall not exceed five (5) feet.
- B. No person may conduct business on a sidewalk in any of the following places:
1. Within the curb return radius except that the Director may waive this restriction in writing for any location upon finding that construction of extra-width sidewalks makes such use consistent with the standards established in Section 8-03-002-0014;
 2. Within ten (10) feet of any disabled parking space, or access ramp.
- C. The sidewalk and all things placed thereon shall at all times be maintained in a clean and attractive condition. All persons conducting business on a sidewalk must pick up any paper, cardboard, wood or plastic containers, wrappers or any litter in any form which is deposited by any person on the sidewalk or street within twenty-five (25) feet of the place of conducting business. Each person conducting business on a public sidewalk under the provisions of this Division shall carry a suitable container for placement of such litter by customers or other persons.
- D. All persons conducting business on a sidewalk shall obey any lawful order of a police officer to move to a different permitted location to avoid congestion or obstruction of the sidewalk, or remove his/her vending cart entirely from the sidewalk, if necessary to avoid

such congestion or obstruction.

- E. No person shall conduct business as defined herein at a location other than that designated on his/her permit.
- F. No permittee shall make any loud or unreasonable noise of any kind by vocalization or otherwise for the purpose of advertising or attracting attention to his/her wares. (Perhaps include no amplification too?)
- G. All advertising and other signage is limited to the name of the vendor or a listing of items sold and their price(s) in lettering no larger than two (2) inches in height.
- H. No permitted vending cart shall be left unattended on a sidewalk nor remain on the sidewalk between the hours of two (2) a.m. and six (6) a.m.
- I. No permittee shall conduct business in violation of the provision of any permit providing for a special community event.
- J. The permittee shall notify the Director of any changes to the contact information provided in the City /Responsible Party Agreement. (This needs to be defined)

SECTION 8-03-002-0020 DENIAL, REVOCATION, OR SUSPENSION OF PERMIT

- A. The Director may revoke or suspend the permit, or deny either the issuance or renewal thereof, or any person to conduct business on the sidewalks of the City of Flagstaff based on the following findings:
 1. That such person has violated or failed to meet and of the provisions of this Division;
 2. That the cart operation has become detrimental to surrounding businesses and/or the public, due either to appearance or condition of the cart;
 3. Any required permit has been suspended, revoked or cancelled;
 4. The permittee does not have a currently effective insurance policy in the minimum amount provided in Section 8-03-002-0013.

B. Upon denial, suspension or revocation, the Director shall give notice of such action to the permit holder or applicant, as the case may be, in writing stating the action of the Director has taken and the reasons therefore. If the action of the Director is a revocation based on Subsections A.3 or A.4 of this Section, the action shall be effective upon giving such notice to the permittee, otherwise such notice shall contain the further provision that it shall become final and effective within ten (10) days. Any revocation, suspension or denial may be appealed to the City Manager by filing a written notice of Appeal with the Director within ten (10) days of receipt of notification.

SECTION 8-03-002-0021 APPEAL

SECTION 8-03-002-0022 PENALTY FOR VIOLATION

SECTION 8-03-002-0023 VIOLATION, SUMMARY ABATEMENT

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this _____ day of _____, 2013

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

Ordinance - Revised Sidewalk Cafe2013Oct2_toCC.docx

DIVISION 8-03-002
NORTH DOWNTOWN BUSINESS DISTRICT ENCROACHMENT POLICY

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(Ord. 1922, 12/17/96)

8-03-002-0002 PURPOSE:

The purpose of this Encroachment Ordinance is:

A. To create a vibrant, historic district that will include not only privately owned retail buildings but also public spaces that are creatively used as both thoroughfares and as public space for commerce and artistic endeavors.

B. To ensure that the public ways in the North Downtown Business District are kept free from obstructions, nuisances, or unreasonable encroachments which destroy, in whole or in part, or materially impair, their use as public thoroughfares.

C. To provide for the safety of pedestrian and other human interaction on sidewalks, and for the orderly control of merchants, including peddlers using the sidewalk area. (Ord. 1922, 12/17/96)

8-03-002-0003 GLOSSARY:

A. WORD USAGE

In the interpretation of this Encroachment Ordinance, except when the context clearly requires otherwise: words used or defined in one tense or form shall include other tenses and derivative forms, words in the singular number shall include the plural number, and words in the plural number shall include the singular number; and the masculine gender shall include the feminine, and vice-versa.

B. DEFINITIONS

When used in this Encroachment Ordinance, each of the following terms shall have the meaning given as follows:

Abutting Owner. The owner of real property abutting a public right of way.

Access. A means of vehicular or pedestrian approach or entry to or exit from property, from a street, highway or public sidewalk.

Adjacent. Next to; contiguous, but not necessarily touching or abutting.

Alley. A recorded public way affording a secondary means of vehicular access to abutting property and not intended for general traffic circulation.

American with Disabilities Act. The federal American with Disabilities Act of 1990, Public Law No.101-336, 104 Stat. 327, appearing generally at 42 U.S.C. §§12101 et seq.

Building. A structure built, maintained, or intended to be used for the shelter or enclosure of persons, animals, or property of any kind. The term is inclusive of any part thereof. Where independent units with separate entrances are divided by party walls, each unit is a building.

City. The City of Flagstaff, Arizona.

City Code. The code of City ordinances compiled, consolidated and arranged in accordance with Article VII, Section 15 of the Council-Manager Charter of Flagstaff, as the same may be amended from time to time.

City Standards. The design, performance, and construction standards and specifications on file with the City Clerk.

Community Development Director. The City's Director of Community Development.

Council. The City Council of the City of Flagstaff.

Curb Face, or Face of the Curb. The side of the curb facing and closest to the street.

Development Review Board or DRB. The Development Review Board of the City, being a technical review committee authorized and established by the Council for the purpose of review and recommendations of subdivision and minor land divisions applications and other development plans, which is composed of the heads of the following City divisions or sections or their duly authorized representatives: Engineering, Building Inspection, and Planning Section, Public Works, Utilities and Fire Department.

Encroachment. An intrusion into or invasion of the public right of way, diminishing its width or area, but without closing it to public travel.

Marquee. A permanent roofed structure projecting over the entrance to a building, which is attached to and supported by the building.

North Downtown Business District. The area bounded by the right of way centerline of Humphreys Street (U.S. Route 180) on the West, Cherry Avenue on the North, Verde Street on the East, and Route 66 on the South.

Obstruct. To block; to interpose obstacles; to render impassable; to fill with barriers or impediments, as to obstruct a road or way.

Peddler (Stationary or Mobile). Any person who sells in the public right of way any type of service or tangible personal property, including but not limited to food and drink, from, at or adjacent to a portable stand, pushcart or other vehicle in which such tangible personal property is carried.

A Stationary Peddler is one who performs his/her peddling activity at a single permitted location.

A Mobile Peddler is one who is continuously moving along the sidewalk, momentarily stopping to display or sell his/her wares to pedestrian customers.

Permanent. Continuing or enduring in the same state, status, place or the like, without fundamental or marked change; fixed or intended to be fixed.

Permit. A written warrant, license or other instrument issued by the City, granting permission or authority to engage in specified conduct not forbidden by law, but not allowed without such permission or authority.

Public Nuisance. An act, condition, occupation or structure that has one or more of the following effects or characteristics: it disturbs or interferes with the lawful use of property by the public, or a limited but indefinite part thereof; it is dangerous to public health or offensive to community moral standards; or it unlawfully obstructs the public in the lawful use of public property or the public right of way.

Public Right of Way or Public Way. Public land that has been set aside for the purpose of vehicular and/or pedestrian travel by the public, or other public use, such as utilities, including subsurface, surface and air rights.

Restaurant or Cafe. An establishment whose principal business is the sale of food and/or beverage to customers in a ready-to-consume state, which food and beverage are generally consumed within the restaurant building.

Sidewalk. That portion of a public street or highway designed for the use of pedestrians.

Storekeeper. Any retail business establishment or person engaged in a retail business in or from a building or other real property owned or leased for such purpose.

Street. Any existing public street, alley, avenue, boulevard, road, lane, parkway, place, bridge, viaduct or easement primarily intended for public vehicular or pedestrian access, or a street shown on a plat duly filed and recorded in the County Recorder's Office. A street includes all land within the street right of way whether improved or unimproved, and includes such improvements as pavement, shoulders, curbs, gutters, sidewalks, parking space, bridges, and viaducts.

Structure. Anything constructed or erected in a fixed location on the ground or which is attached to something having a fixed location on the ground, including a fence, satellite dish, or free-standing wall.

Subsurface. That which is below the surface (natural or graded) of the street or sidewalk.

Temporary. Lasting for a short, brief or designated time only, existing or continuing for a limited time.

Utilities. Businesses, installations, services or facilities, engaged in regularly supplying the public with some commodity or service which is of public consequence and need, such as electricity, gas, water, transportation or telephone service. (Ord. 1922, 12/17/96)

8-03-002-0004 GENERAL PRINCIPLES:

A. The right of the public to use public ways in a lawful manner is paramount. The public ways shall be kept free from private obstructions, nuisances, or unreasonable encroachments which destroy, in whole or in part, or unreasonably impair their use as public thoroughfares.

B. The primary purpose of the downtown sidewalks and other public open spaces is to provide for the circulation of pedestrians, access to private property and delivery of goods, and for human interaction and other pedestrian-oriented activities and amenities.

C. There is no legal or inalienable right for any person to use public ways for the purpose of private business or gain.

D. No trader, merchant, storekeeper or vendor shall display or keep goods on or in the public way, or display or keep goods or otherwise conduct business in such a manner as to cause other motor vehicles to frequently stop in order to purchase, load or unload such goods. No claim that any of the foregoing conduct is necessary for the conduct of business will constitute a defense to an enforcement action under this Ordinance.

E. Except as otherwise explicitly provided herein, the creation, conduct, maintenance or continuation of any encroachment of the public right of way by any private party without a valid permit for such encroachment shall be unlawful.

F. No encroachment permit hereunder shall be intended to grant any title to any public way or any part thereof.

G. The obstruction of any public way by any private party without an encroachment permit from the City constitutes a public nuisance, (regardless of the question of the comparative benefit to the public) and, upon notification from the City, such obstruction shall be promptly removed from the public right of way.

H. Notwithstanding the regulation of any activity or structure under any other provision of the City Code (e.g., Uniform Building Code, Land Development Code), no encroachment of the public right of way shall be permitted without an encroachment permit, except as may otherwise be provided herein.

I. All structures permitted hereunder shall comply in all respects with the requirements of all other applicable laws, rules, regulations and ordinances.

J. It is neither the City's policy nor its responsibility to provide a good location or guarantee a profit for an entrepreneur who wishes to use public right of way to conduct private business.

K. No permit will be issued for any encroachment that materially and unduly interferes with the right of the public to use the right of way.

L. This encroachment ordinance shall apply to all private activities, whether conducted for the purpose of business or gain or otherwise; this ordinance does not apply to the activities or structures of the City, the Arizona Department of Transportation, any duly franchised or licensed public utility, any public utility holding a permit or franchise from the State of Arizona, or any other enterprise of similar nature in being of general public concern (such as cable television providers), who have a duly executed license from the City to use the public right of way.

M. In keeping with the primary purpose of the sidewalk for pedestrian traffic, and of the street for vehicular transportation, no automobile, truck or other motor vehicle or facsimile thereof may be located upon the sidewalk (except as may be permitted in conjunction with a special event under Section 8-03-002-0005.E hereof or as otherwise specifically allowed herein), nor shall any commercial activity (other than taxis, busses, tour busses and similar transportation services) be conducted in the street. (Ord. 1922, 12/17/96)

8-03-002-0005 PERMITTED ENCROACHMENTS:

A. GENERAL. The City may, but shall not be required to, issue permits allowing encroachment of the public right of way, on the following conditions:

1. All permitted encroachments of the sidewalk shall maintain a minimum sidewalk width of 5 feet (1.52 meters).

2. The permittee shall:

a. agree to indemnify the City and its officials, employees, agents, successors and assigns, and hold them, and each of them, harmless for and from any and all losses, claims, demands, causes of action, suits, and damages, in law or in equity, of whatever kind and nature whatsoever, present or contingent, known or unknown, in any way arising from, relating to or connected with the permittee's activities undertaken pursuant to the encroachment permit;

b. agree to protect and restore all property, both public and private, damaged as a result of the permittee's activities thereunder; and

c. obtain and maintain a policy of commercial general liability insurance that shall meet or exceed the following requirements in respect to each activity specified:

(1) OBSTACLES OR PRODUCTS SOLD IN THE RIGHT OF WAY: One Hundred Thousand Dollars (\$100,000.00).

(2) FOOD, CONSUMABLES AND COSMETICS SOLD IN THE RIGHT OF WAY: Three Hundred Thousand Dollars (\$300,000.00).

(3) ALCOHOL SOLD IN THE RIGHT OF WAY: Liquor Liability of one million dollars (\$1,000,000.00) naming the City as an additional insured. The applicant shall provide the City with two (2) copies of a Certificate of Insurance evidencing the specified policy prior to the issuance of any encroachment permit.

3. Other than permitted encroachments by structures, any space or encroachment for which a permit is issued hereunder shall be used only by the applicant or such other persons listed in the permit application, and only for the purpose described in the permit, and shall be transferable. Other than permitted encroachments by structures the sale or other transfer of more than fifty percent (50%) of any business or entity that holds an encroachment permit will be considered a transfer of such permit and shall render such permit void.

4. Abandonment of an encroachment for which a permit is issued shall render such permit void. With the exception of potted plants as specified in Section 8-03-002-0005.C.3, a permittee may be deemed to have abandoned a permitted encroachment if the permittee does not use the space for which the permit is issued for the permitted use at any time for a period of two consecutive weeks, except for such time(s) that emergency, inclement weather or other circumstances beyond the permittee's control shall render such use impracticable, and the permittee notifies the City of such impracticability within two (2) weeks of the onset of such circumstance (which notice will be waived if rendered impracticable by the same circumstance). (Ord. 1952, 09/02/97)

5. Any encroachment permit may be temporarily suspended when construction or repair of the street, sidewalk, utilities, or building or other structure in the immediate vicinity would create a hazard for the permittee or his/her patrons, or if the operation of the business under the permit would interfere with the safe and expeditious completion of such construction or repair. In such cases, the City may allow the permittee to use another space, if appropriate, for the duration of the suspension or the remaining time specified by the permit, whichever is shorter.

6. Existing or previously issued permits will generally take precedence over subsequently issued permits; all permits shall therefore be subject to and limited by all previously issued permits, unless otherwise expressly provided.

7. The provisions of and this Section 8-03-002-0005.A shall, except as otherwise expressly provided, apply to all permitted encroachments, in addition to any and all other requirements of this Ordinance specific to any such encroachment.

8. Other than permitted encroachments by structures, an encroachment permit may be revoked for any reason, including but not limited to: health, safety, or improvement projects such as Beautification Commission sponsored plans or Historical Preservation Commission sponsored projects.

B. PERMITTED ENCROACHMENTS BY STRUCTURES. The City may issue permits for certain fixed continuing minor encroachments of public ways, or fixed encroachments indefinite as to time or duration, such as awnings, signs, balconies, bay windows, cornices, columns, pillars, shutters, roofs, show windows, ornamental projections, wires across streets, marquees, coal chutes, basement access or porticoes, upon the following conditions:

1. **Overhead Encroachments.** All awnings, signs, balconies, bay windows, cornices, shutters, roofs, show windows, ornamental projections, wires across streets, marquees, porticoes constructed or maintained over or across the public right-of-way shall be securely and safely attached to and supported by the structure to which it is attached, and shall extend no closer than two (2) feet (0.61 meters) to a vertical line drawn from the face of the curb. The lowest part of any awning or other such overhead encroachment shall be no closer than eight (8) feet (2.44 meters) from the sidewalk surface.

2. **Excavations and Other Subsurface Encroachments.** The City may issue permits for excavations and other subsurface encroachments subject to the need for installation and maintenance of utilities.

3. **Columns, Coal Chutes or Basement Access.** In the event that the Flagstaff Historic Preservation Commission has created a design review or similar district including some or part of the North Downtown Business District, then all columns, pillars, coal chutes, basement access or similar structures within the jurisdiction of such district must, in addition to meeting all other requirements of this Ordinance, be reviewed and approved by the Historic Preservation Commission or other similar districts.

C. OTHER ENCROACHMENTS FOR THE PLACEMENT OF OBJECTS OR FOR CONSTRUCTION OR REPAIR. Subject to the general requirements of Section 8-03-002-0005.A hereof, the City may issue permits for temporary encroachments of the public way, when, in the City's sole discretion, such encroachment may enhance the ambience of the downtown area or may be reasonably necessary for an abutting owner's transaction of business or conduct of exterior repairs to its building, including but not limited to the following:

1. Construction Encroaching into Public Ways. Temporary obstructions and encroachments on public ways in connection with the erection and repair of buildings and other structures may be permitted, provided that such obstructions or encroachment does not interfere unreasonably with the rights of adjacent property owners.

2. Bicycle Parking Racks. Bicycle parking racks shall be placed so the rack and the bicycles parked at the rack conform to the location and clearance requirements of Section 8-03-002-0005.A.

3. Potted Plants. All plants, trees, shrubs, and flowers shall be placed in containers that are aesthetically compatible with the downtown area. Said containers shall be constructed in such a manner that no soil, fertilizer or other deleterious material shall leak, leach or spill onto the public sidewalk. In the interest of pedestrian safety and to accommodate snow removal operations, potted plants shall be removed from the sidewalk area no later than October 31st and placed no earlier than May 1st of each year.

4. Newspaper Vending Machines. Notwithstanding anything to the contrary contained herein, an encroachment permit shall not be required for newspaper vending machines. Such vending machines shall nonetheless be placed in a manner to allow for the safe and unrestricted use of the sidewalk by the public and shall be placed a minimum of two (2) feet (0.61 meters) from the face of curb. Any regulation or restriction on the placement of newspaper vending machines shall be location-specific and shall apply to all such machines equally.

5. Mailboxes. Notwithstanding anything to the contrary contained herein, an encroachment permit shall not be required for mail receptacles owned by the U.S. Postal Service.

D. COMMERCIAL ENCROACHMENTS. Although the downtown area is generally congested and its open spaces appear to be fully utilized, there are certain locations on the public sidewalks where temporary commercial activities, if sufficiently minor, properly managed and appropriately contained, might not conflict with the sidewalk's primary purposes, but would rather contribute to the overall ambiance of the downtown sidewalks as pedestrian activity areas. The City may therefore allow temporary commercial use of available public spaces, to the extent that they do not conflict with the free movement of traffic or create a hazard to the public, and to the extent that these uses complement the general nature of the downtown area and enhance the pedestrian nature of the sidewalks as areas of human activity and interaction. The commercial encroachments for which permits may be issued shall be as set forth in this section, subject to the conditions set forth below.

1. General Requirements. In addition to the requirements of Section 8-03-002-0005.A hereof, all commercial encroachments included in this Section 0005.D shall be subject to the following requirements:

- a. No furniture, fixture or appurtenance shall block the visibility of any traffic control device or sign.
- b. Each permittee will be responsible for keeping the area of the activity neat and clean, and for cleaning the area encompassed by the permit and the adjacent gutter at the end of each day's use. This includes sweeping and picking up any refuse or trash within the area and any refuse or trash generated within the area which may have blown away into the surrounding area, and washing the sidewalk if there have been spills. Sufficient trash receptacles in or near the area of activity shall be provided by the permittee, as well as arrangements for trash pickup.
- c. No permittee shall conduct sales or other business with occupants of vehicles or other traffic on the street, nor shall the operation of the permitted business interfere with the smooth flow of traffic on the street.
- d. No permittee shall use any public address system, amplified music or sound system in connection with the permitted right of way encroachment.
- e. When not in use, or at the latest by the close of each business day, all equipment, furniture and other appurtenances shall be removed entirely from the public right of way.

2. Sidewalk Cafes. Recognizing that sidewalk cafes may animate the downtown environment and complement retail and cultural activities in the North Downtown Business District, the City may issue permits for sidewalk cafes encroaching into the public right of way. where there is adequate room and the conditions of this Ordinance may be fulfilled. In addition to those requirements set forth elsewhere, restaurants may be issued permits for such encroachments under the following circumstances and conditions:

- a. All services to support sidewalk cafes shall be supplied from within the building. As such use is considered an extension of an existing business, which presumably has permanent signing, no additional advertising or signs of any sort shall be allowed in the permitted encroachment area.

b. Pedestrian walkways shall not be split. The use area shall extend laterally no further than the building frontage of the business with which it is associated (including the outdoor seating area of any restaurant or cafe not located within the public right of way).

c. The permittee shall demarcate the permitted use area with a portable barrier, of a size and type compatible with the decor of the surrounding area, which creates a clear and continuous division between the use area and the public portion of the sidewalk.

d. The permittee shall maintain at all times a clear passage, conforming to the requirements of Section 8-03-002-0005.A.1, adjacent to the permitted use area, between the public circulation portion of the sidewalk and every public access doorway into the adjacent building.

e. Permitted sidewalk cafes shall not obstruct sidewalk pedestrian traffic or create public health and safety hazards and shall leave a minimum clear distance of 5 feet (1.52 meters) of sidewalk pedestrian area in all places. All walkways within the confines of a sidewalk cafe shall be level with the public sidewalk and accessible for the physically disabled. Smoking within the confines of a sidewalk cafe permitted under this section is prohibited. Permits for sidewalk cafe encroachments shall be issued for no more than an eight (8) month period. Applications for sidewalk cafe encroachments shall be submitted no more than six (6) months and no less than thirty (30) days prior to the time for which such permit is requested, unless special circumstances require otherwise (but in no event more than one (1) year nor less than fourteen (14) days prior to such time). (Ord. 1952, 09/02/97; Ord. 2005-16, 08/02/2005)

3. Peddlers.

a. General: A peddler's portable stand, cart or other vehicle shall be completely self contained in a single unit, including trash receptacle, fuel, water and waste containers; when in operation, such cart shall be positioned on the curb side of the sidewalk, facing the pedestrian traffic, a minimum of two (2) feet (0.61 meters) from the back of the curb and five (5) feet (1.52 meters) from the property line. No such peddler's cart or vehicle shall be motorized or self propelled, except as may be necessary for the aid or convenience of a physically impaired peddler; nor shall any peddler's cart, stand or other vehicle be greater than 5.5 feet (1.68 meters) in width and 11 feet (3.35 meters) in length. No free standing or supplemental signs or other advertising shall be permitted other than such sign as is on or affixed to the cart, stand, etc. (Ord. 1952, 09/02/97)

b. Consent: As a condition to obtaining an encroachment permit hereunder, a peddler shall demonstrate the consent of: all directly competing businesses within one hundred forty-five (145) feet (44.2 meters) of such peddler's proposed operation; and eighty percent (80%) of all businesses and owners of real property within one hundred forty-five (145) feet (44.2 meters) of such peddler's proposed operation. Such consent may be demonstrated in each case by: a written consent signed by such person; or a failure to respond, within twenty-one (21) days of mailing, to a letter requesting such consent, sent to such person by certified mail, return receipt requested, on which the City Engineer (211 W. Aspen Ave., Flagstaff, AZ 86001) is designated in the return address and in which the addressee is directed to respond directly to the City Engineer All such mailings, if any, shall be performed by, and at the sole cost and expense of, the peddler-applicant. In order for a failure to respond within the required time period to be considered a consent, the letter must state, in at least 12-point bold capital letters, the following:

FAILURE TO RESPOND TO THIS LETTER WITHIN 21 DAYS OF THE POSTMARK DATE WILL BE CONSIDERED A CONSENT.

Any falsification of a consent required or obtained hereunder shall subject a permit obtained thereby to revocation by the City without further notice.

c. Permit fee: Prior to, and as a condition of, the issuance of a peddler's encroachment permit hereunder, the applicant shall pay to the City such fee as shall be periodically set by the City Manager for the use of the right of way, which may include but not be limited to the City's costs of maintenance and replacement of the right of way surface and related streetscape furniture and facilities, and any additional costs incurred as a result of the applicant's intended use of the right of way, for the following year; said fee may be adjusted annually in accordance with changes in such costs and other factors included in its determination. As a further condition to the maintenance of each peddler's encroachment permit hereunder, the permittee/peddler shall pay to the City the then-current annual fee as aforesaid, on or before each anniversary of the issuance of his or her permit. Any permit with respect to which the aforesaid annual fee has not been paid by thirty (30) days following an anniversary thereof shall be subject to revocation by the City without further notice.

d. Permit applications: Applications for peddlers' encroachments shall be submitted no more than ninety (90) days and no less than thirty (30) days prior to the time for which such permit is requested, unless special circumstances require otherwise (but in no event more than six (6) months nor less than fourteen (14) days prior to such time). In the event

that the City shall receive more than one completed application for a peddler's location (with all of the information required by Section 0006.C hereof and the consents required by subparagraph "b" of this paragraph 3) before a permit therefor has been issued, and if such location is not subject to an automatic renewal of an existing permit under subparagraph "e" below, the City shall forthwith notify each applicant by mail and request of each the submission of a sealed proposal for the use of such location by a date certain not less than fifteen (15) days from the date of said notice. Each such applicant wishing to do so shall, by the date set forth in such notice, submit to the City Engineer a sealed proposal setting forth an amount that the applicant proposes to pay for such permit, in addition to and not in lieu of the annual permit fee described in subparagraph "c" above. On the date specified, each proposal shall be opened and the permit for said location awarded to the responsible applicant whose proposal is most advantageous to the City, with due regard to both the nature of the proposed activity and the payment proposed. A permit for encroachment by a peddler shall be issued for a period of no more than three (3) years.

e. Permit renewal: Any peddler encroachment permit issued pursuant to this section may, subject to all of the provisions of this Ordinance, be automatically renewed, provided that (i) the permittee has, during the permitted period, complied with all of the provisions of the City Code, including but not limited to this Division [8-03-002](#) (Downtown Encroachment Policy), Division [3-05-004](#) (Sales Tax Ordinance), and Chapter [3-03](#) (Peddlers Ordinance), (ii) the permittee submits, no more than six (6) months nor less than fourteen (14) days prior to expiration of the permit, a written request for such renewal, including any changes to the information included with his/her original permit application (pursuant to Section 0006 hereof) or last renewal since the time of such application or renewal, and (iii) no such permit may be renewed more than two (2) times following its initial term, without a new application and all other requirements that may apply to new applications generally. (Ord. 1952, 09/02/97)

f. Stationary peddlers: The City shall determine the number and location of suitable sites for stationary peddlers within the North Downtown Business District in consultation with the Downtown Area Redevelopment Advisory Committee ("DARAC"), taking into consideration public demand, the number and situation of other peddlers and other encroaching uses, and such other factors as they may deem relevant. For a period of one (1) year following the effective date of this ordinance, no more than five (5) stationary peddlers shall be permitted in the North Downtown Business District; thereafter, the City,

in consultation with DARAC (or successor organization), may set maximum limits on the number of stationary peddlers permitted in the North Downtown Business District.

g. Mobile peddlers: In addition to the general requirements for Peddlers, a mobile peddler shall move along the sidewalk maintaining approximately five (5) feet (1.52 meters) of sidewalk for pedestrians between the peddler and the property line (face of building or back of sidewalk). No mobile peddler shall remain in one location more than fifteen (15) minutes in any one location during a sixty (60) consecutive minute period of time. Each relocation shall be fifty (50) feet (15.24 meters) or greater from the previous location.

4. Ineligible Commercial Encroachments. Not all potential commercial uses will be permitted. Examples of encroaching uses that will not be permitted include: (1) Those that would significantly increase the congestion on the sidewalks and impede the free flow of pedestrian traffic; (2) uses that would present a potential hazard for those using the public way (vehicular as well as pedestrian); (3) uses that are incompatible with the pedestrian-oriented nature of the downtown sidewalks; and (4) uses that create excessive noise, air pollution or other effects which cannot be contained within the permitted space.

5. Not applicable to special events. The requirements of this Section 8-03-002-0005.D shall not apply to special events within the meaning of Section 8-03-002-0005.E following.

6. No Sales in Street. No sales or other commercial activity shall be permitted in the street other than taxicabs, busses, and similar transportation services.

E. SPECIAL EVENTS. A wide variety of activities may be permitted on a one-time or annual basis. These may be as diverse as area wide sidewalk sales, musical or theatrical events or parades. Because of the variety of possible activities involved, the requirements for each must be considered on an individual basis, with due consideration for the City's policies and goals for the downtown public areas and the general requirements described above. The activities involved in a permitted special event may, with sufficient justification, be allowed at locations other than those spaces defined with respect to the permitted encroachments described elsewhere in this Ordinance. Sidewalk sales along North San Francisco Street and North Beaver Street will not be allowed, unless parking is prohibited between the sidewalk swellings along the side of the street where the sidewalk sale is being conducted or that said streets are completely closed to vehicular traffic and approved detours are provided.

All street closures and associated detours shall be coordinated with the City's Engineering Section. All cost associated with the establishing, maintaining and removal of traffic control devices shall be the sole responsibility of the encroachment permittee. (Ord. 1922, 12/17/96)

8-03-002-0006 PERMIT REQUIREMENTS AND PROCESS:

A. GENERAL. Each applicant for a permit shall provide sufficient information to assure the City that the proposed encroachment will conform to the intent of this encroachment ordinance. Each applicant shall provide a map of suitable scale, showing a description and dimensions of the proposed encroachment, with sufficient detail for the City to determine its impact on the right of way and adjacent properties. The application shall also include: the proposed dates of the beginning and end of the period of use and the days/dates and the times of day of use within this period; the applicant's name, mailing address, and work and home telephone numbers; and the names and telephone numbers of all persons who will be conducting activities at the site.

B. PERMIT FEES.

1. Except as may be otherwise expressly provided herein, there shall be no fees charged for the application and processing of encroachment permits. (Ord. 1952, 09/02/97)

2. In consideration of their use of the public right of way and the increased costs of maintenance and replacement of the surface thereof as a result of such activities, peddlers using the public right of way shall pay an annual permit fee determined by, and in accordance with, the provisions of Section 0005.D.3 hereof. (Ord. 1952, 09/02/97)

3. A recorded document fee will be charged for encroachments by structures. Said fee shall be the amount charged by the Coconino County Recorder's office at the time the permit is recorded.

C. PARTICULAR SUBMISSIONS. As part of its permit application, each applicant shall, in addition to the foregoing, provide copies or other proof of the following:

1. Applicable City and state sales tax and business licenses.

2. The Certificate(s) of Insurance and indemnification described in Section 8-03-002-0005.A.2.c hereof.

3. All applicable Health Department approvals that may be required for preparation and serving of food.

4. All other safety related approvals that may be required for the proposed activities.

D. PERMIT PROCESS. Permit applications shall be reviewed and granted by the following process:

1. Permits for encroachments by structures shall require DRB review, which may set additional conditions, as it deems appropriate, before approving the issuance of a permit. Once approved by DRB, and assuming the fulfillment of any further conditions it may have set, the City's Engineering Section will prepare and issue the encroachment permit.

2. All permits shall be signed by the permittee and his/her signature acknowledged. All permits will become effective when countersigned by the City Engineer or his designee. The City shall record all permits for encroachment by structures in the land records of the Coconino County Recorder. All other permits will be filed in the City's Engineering Section.

3. For all encroachments other than encroachments by structures (for which DRB approval is required under Paragraph 1 hereof), the City Engineer or his designee, shall evaluate all permit applications and issue all permits hereunder.

E. APPEALS.

1. Any permit applicant aggrieved by a decision relating to issuance or denial of a permit hereunder may, within twenty-one (21) calendar days of such decision, file a written application with the City Engineer for review of the decision by the City Council.

2. The City Council will hear any such appeals within two (2) regularly scheduled meetings, and either affirm, reverse, or modify the decision regarding such permit application. (Ord 1922, 12/17/96)

(Ord. No. 1952, Amended, 09/02/97)

8-03-002-0007 EXISTING ENCROACHMENTS:

A. Any structural encroachment that either:

1. Was constructed in good faith pursuant to a building permit and/or encroachment permit validly issued by the City prior to the effective date of this Ordinance; or

2. Verifiably existed prior to June 13, 1972; shall be considered permitted hereunder and shall not be subject to the requirements of this Ordinance.

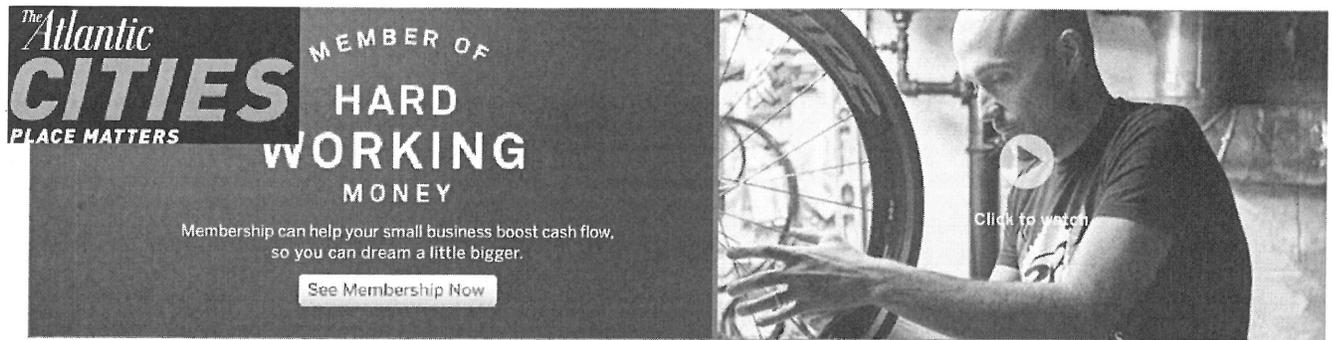
B. All existing encroachments that have not been previously approved by the City are subject to removal, unless an appropriate encroachment permit is issued therefor upon a submitted and sufficient application within sixty (60) calendar days from the enactment of this Ordinance. The City makes no representation or guarantee that any permit for an existing encroachment will be granted; each will be considered in accordance with the conditions and policies set forth herein.

C. A new encroachment permit will be required for the replacement, expansion or reconstruction of any existing permitted encroachment. (Ord. 1922, 12/17/96)

**8-03-002-0008 CONFORMITY WITH OTHER ORDINANCES AND PROVISIONS OF THE
CITY CODE:**

A. This Encroachment Ordinance shall in no way excuse or alleviate the requirements and conditions of any other codes, ordinances, laws, rules or regulations.

B. In the event that any part of this Ordinance shall conflict with any other ordinance or other part of the City Code of the City of Flagstaff in effect at the time of enactment of this Ordinance, then this Ordinance shall prevail, but only to the extent of such conflict. (Ord. 1922, 12/17/96)

Attachment D.


The Atlantic CITIES
PLACE MATTERS

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URBAN WONK

The Official Guide to Tactical Urbanism

NATE BERG MAR 02, 2012 10 COMMENTS



Guerrilla gardening. Pavement-to-parks. Open streets. These are all urban interventions of a sort – quick, often temporary, cheap projects that aim to make a small part of a city more lively or enjoyable. These types of projects have grown in popularity in recent years, and they even have a new name: tactical urbanism, as in tactics used to improve the urban environment. These tactics tend to be replicable across cities, and in certain instances have become worldwide phenomena.

A newly updated guidebook seeks to spread these good ideas and to give more people the know-how to bring them about in their own communities.

Tactical Urbanism 2: Short-Term Action, Long Term Change [PDF] was created and offered for free download by the Street Plans Collaborative, an urban planning, design and advocacy firm. Mike Lydon is one of the firm's principals and lead author of the guidebook. He says that despite its fancy, academic-sounding name, tactical urbanism is not particularly exotic or extraordinary.

"Really, tactical urbanism is how most cities are built. Especially in developing nations," Lydon says. "It's step-by-step, piece-by-piece."

These small-scale interventions are characterized by their community-focus and realistic goals. Maybe the most widespread of these tactics is the annual Park(ing) Day, in which parking spaces are turned into temporary park spaces.

The first iteration of the guidebook was released free online in the spring of 2011, and quickly hit the 10,000 download limit of the web service hosting it. Since then, Lydon and his colleagues found new ways of sharing the document, and also found new projects worth mentioning. "The point of the first one was 'Hey, look: here's all these cool things that are related to this longer-term change that's happening.' It was very appropriate with the way economy was," says Lydon. "In this second volume,

we've decided to go deeper into the history of the movement, creating a continuum of different types of interventions."

The first edition includes 12 tactics like the aforementioned guerrilla gardening and open streets projects. The new edition includes an additional 12, including intersection repair, ad-busting and depaving – a Portland-born volunteer project to improve storm water treatment by removing unneeded driveways and concrete ground cover.

"We're noticing more and more of these tactics that are popping up and leading to longer term change, so we wanted to keep that conversation going," Lydon says.

Of course, not every tactic is a world changer.

"When you're yarn-bombing something, it's a really cool and interesting piece of public art and it can have some social and political commentary that goes along with it, but the intent generally is not to create a longer term physical change," Lydon says. "Most of the things that we include in the guide generally are aiming at doing something larger. They're not just for the sake of doing it. And of course in a lot of ways, to make that work, you need to have whatever you're doing to become sanctioned or supported, either with funding or with being allowed by the municipality."

And this is a key element of the guidebook: making things work. The goal is not to simply do a cool project that will get cleaned up by the city or thrown away, but to make something – even something temporary – that will change how a place works and is perceived. And once that change has been made, to figure out how it can be made again or made permanent.

The tactics in the guide are those that have gone through this process. They've had enough iterations in sometimes very different places to know what works and how to maneuver through the realities of municipal governance to make something stick.

"For every one of these tactics that's in here, you probably have several failed versions," says Lydon. "But when you hit a nerve at the right time with the right group of people and you have enough people watching, you can really help transition these things into larger initiatives."

And though many of these projects can and have worked in cities across the country (and world), Lydon cautions that not every project is right for every place. What's needed and wanted in one neighborhood can be wildly different from what would work or be accepted in another. Knowing and responding to locals needs is paramount.

"When it comes down to it, you've got to figure out what these projects can mean, and how you can do them yourself or with your government or with your neighbors," Lydon says.

If the community is where you start, a good second step could be within the pages of this guidebook.

Photo credit: Flickr/bradleyjohnson

Keywords: Temporary Urbanism, Tactical Urbanism



Nate Berg is a freelance reporter and a former staff writer for The Atlantic Cities. He lives in Los Angeles. All posts

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Portland's Street Seats program expands to allow more restaurants to place seating platforms in parking spaces

comments

Print (http://blog.oregonlive.com/portland_impact/print.html?entry=/2013/04/portlands_street_seats_program.html)
(<http://connect.oregonlive.com/user/npdxrebecca/index.html>) By Rebecca Koffman, Special to The Oregonian (<http://connect.oregonlive.com/user/npdxrebecca/posts.html>)
on April 05, 2013 at 1:00 PM, updated April 05, 2013 at 1:08 PM



View full size (http://media.oregonlive.com/portland_impact/photo/street-seats.jpg-67447c3ba1e7b19e.jpg)

Renae Douglas and Jeremy Bell chose the Street Seats platform outside the Mississippi Pizza Pub on a recent afternoon because they wanted to enjoy the weather and because, he said, it's better for people watching.

Rebecca Koffman, Special to The Oregonian

Portlanders will soon be able to eat, drink and relax in parking lanes on some streets throughout the city as restaurants and nonprofits convert parking spaces to dining areas or mini-parks.

Street Seats

(<http://www.portlandoregon.gov/transportation/59158>)

is a Portland Bureau of Transportation program that allows restaurants and other groups to convert on-street parking spaces to seating areas on sidewalk-high platforms with tables, chairs and other amenities.

Three restaurants participated in the pilot program last year

(http://www.oregonlive.com/portland/index.ssf/2012/09/pilot_program_perr)

After evaluating the program and getting mostly positive feedback from community members and business owners, the Bureau of Transportation will run a revised and much-expanded version of the program this year.

So far, about 32 organizations from all over the city have expressed interest in participating in the 2013 program, says Gabe Graff, operations and safety manager for the Bureau of Transportation's Active Transportation division. Applications are due by May 1.

Street Seats are only allowed on slower traffic streets, must have a physical barrier along the street side, cannot be on a corner or a steep slope, cannot block fire hydrants or stormwater facilities and cannot be in areas where the parking lane is used as a travel lane at rush hour.

The seats will allow more people to socialize and dine outside, which appeals to Portlanders all over the city.

This year, after receiving a memo from the Downtown Retail Council citing parking and traffic concerns, the city has decided not to allow any Street Seats platforms in the downtown core: from Burnside Street to Harrison Street between Second and Tenth Avenues, Graff says .

Unlike last year, when the program was aimed only at restaurants, the city will now be accepting applications from non-profit groups, churches and neighborhood associations that might want to provide a place for passersby to step off the sidewalk, sit down and relax.

In other cities, such public mini-parklets have been used for art exhibitions, free health clinics, bike repair stations, poetry readings and more. Would Portland permit these kinds of uses?

"We'll take it on a case by case basis," says Graff.

The majority of the new platforms, though, are likely to be in front of restaurants. All three of the restaurants that participated last year plan to participate again. Two of them, **Wafu** (<http://wafupdx.com/>) on Southeast Division and **Oven and Shaker** (<http://ovenandshaker.com/>) in the Pearl District are part of Kurt Huffman's extensive ChefStable group. This year he plans to install the platforms "everywhere we can as long as it's not too expensive, (probably) at upwards of six or seven restaurants."

The construction and installation of the platforms themselves cost him about \$2,000 last year. Those costs will increase slightly as the city is now requiring some additional safety features.

All applicants pay a \$500 dollar flat fee to the city and are responsible for lost parking meter revenue if they use a metered space. Additionally, business applicants will pay an annual fee of \$105 per linear foot -- \$2,100 for a 20-foot platform.

Huffman says he thinks these costs are reasonable. Gaining outside seats is well worth the loss of scarce parking spots in areas like the Pearl district, he says.

"Give up one parking space for 20 seats? We would easily do that," he says. "It's a no-brainer."

Graff says that he has received inquiries from businesses all over the city except East Portland. Mark White, chair of the **Powellhurst-Gilbert Neighborhood Association** (<http://pgpride.org/>), says that he was aware of the program but doesn't foresee Street Seats coming to his district anytime soon.

"We're clamoring for retail of any sort over here, for any kind of investment and support from the city," he says . "I wish I could say that there were lots of places here where this kind of thing would work, but at this point, it would be putting the cart before the horse."

The Mississippi Pizza Pub (<http://www.mississippipizza.com/>) was the third business to participate in last year's pilot program. And unlike the others, it applied for permission to stay open throughout the winter.

"People absolutely love it," says Amanda Oelgart the general manager. "They sit out there when it's raining."

The platform, constructed of wood and bamboo, features stained glass windows and canvas roof covers to shelter people from the weather, as well as a life-size giraffe, a lion fountain and Glenda the witch, painted on a board with a hole cut out where her face should be.

Street Seats



Turning Parking Into Parklets

By Janani Shankaran

Imagine on a late summer day, taking a stroll through downtown in some U.S. city. Hoping to rest your legs, you spot some tables and seating down the street, nestled between greenery in a small but inviting alcove. A great place to take a quick break, you think, as you sit on an artistically crafted seat.

This is no outdoor café, nor is it a park or sidewalk bench. In fact, you have just encountered a “parklet”, an on-street parking spot turned into a tiny public park.

In urban environments containing asphalt roads, concrete sidewalks and brick buildings, finding a spot to sit and relax can be difficult.



Parking spaces transformed into a public seating area in Vancouver. Photo: [Paul Krueger](http://www.flickr.com/photos/pwkrueger/7563944478/)
(<http://www.flickr.com/photos/pwkrueger/7563944478/>)

To address this, towns and cities across the country are reimagining and transforming car-oriented parking spots into pedestrian-friendly parklets: one to three-spot mini-parks – owned and managed by a business, local government or other entity – that feature seating, tables, greenery and sometimes bike racks. Along with public plazas -- think the pedestrian-friendly Times Square -- and bike lanes, parklets are another example of how planners are chipping away at old notions that streets should be primarily for cars.

Parklets already have been successfully implemented in cities like San Francisco, Philadelphia and in New York. In addition to fostering pedestrian life, parklets promote creativity, the arts and use of sustainable practices, such as construction with locally sourced materials. Currently, RPA's New Jersey office is working on a Together North Jersey Local Demonstration Project to implement a parklet program in Morristown, N.J.

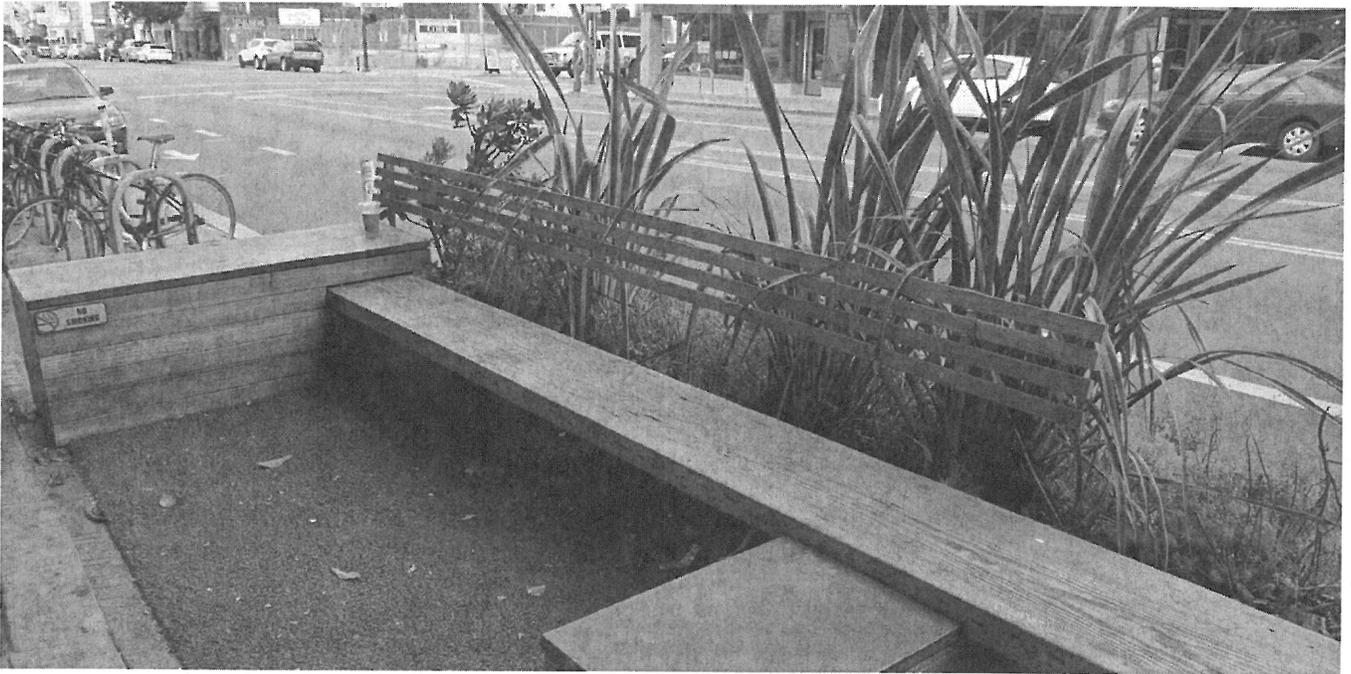
In addition to providing open space and community benefits, parklets encourage local residents and visitors to linger in downtown hotspots. In large cities like Philadelphia, small cities such as Olympia in Washington and local downtowns like Collingswood, N.J., anecdotal evidence suggests parklets have had a positive impact on economic development, encouraging people to patronize local businesses.



A parklet in Philadelphia. Photo: [Philly Bike Coalition](#)

(http://www.flickr.com/photos/philly_bike_coalition/6006670858/)

Parking spots are seen as valued commodities, but they are seldom used all the time. While parklets can be implemented on main streets and other highly trafficked areas, they also can be constructed on streets with fewer in-demand parking spots.



A parklet in San Francisco's Mission district. Photo: [Steve Rhodes](http://www.flickr.com/photos/ari/9899389234/)
(<http://www.flickr.com/photos/ari/9899389234/>)

Creation of passive recreation spaces on the right-of-way can, of course, raise safety concerns. Most towns and cities adequately address these concerns by restricting where parklets be placed; for example, most don't allow parklets on streets with speed limits over 25 mph. Similarly, parklets can't obstruct fire extinguishers, manhole covers or other utilities, and are usually constructed in ways that allow for easy disassembling.

If done well, parklets are a creative way to reimagine street space to best support a mix of downtown activity.

Author:

[Janani Shankaran \(/taxonomy/term/157\)](#)

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Memorandum

8.

CITY OF FLAGSTAFF



To: The Honorable Mayor and Council
From: Kimberly Sharp, AICP, Comprehensive Planning Manager
Co-Submitter: Kimberly Sharp, AICP
Date: 10/02/2013
Meeting Date: 10/08/2013

TITLE:

Regional Plan Discussion #6 - Ch. XII. Public Buildings, Services, Facilities and Safety; and Ch. XV. Recreation

THIS ITEM WILL NOT BE DISCUSSED PRIOR TO 7:00 P.M.

DESIRED OUTCOME:

Staff will present a brief background of data, public comment input, and policies for **Chapter XII. Public Buildings, Services, Facilities and Safety; and Ch. XV. Recreation** of the *Flagstaff Regional Plan*. Council may wish to open the discussion for public comment at this time, followed by discussion on any concerns regarding this chapter or policies to put on the 'Policy Parking Lot' list for further Council discussion, debate and decision in November and December.

INFORMATION:

As mandatory element(s) with the Arizona Revised State Statutes (ARS 9-461.05), the topics of Chapters XII and XV. of the Regional Plan is a community's opportunity to address:

"Public Services & Facilities: General plans for police, fire, emergency services, sewage, refuse disposal, drainage, local utilities, rights-of-way, easements and facilities for them".

"Public Buildings: Showing locations of civic and community centers, public schools, libraries, police and fire stations and other public buildings".

"Safety: Protection of the community from natural and artificial hazards; evacuation routes, peak load water supply requirements, minimum road widths according to function, clearances around structures and geologic hazard mapping in areas of known geological hazards".

"Recreation: Showing a comprehensive system of areas and public sites for recreation, including the following (with locations and proposed development): natural reservations, parks, parkways and scenic drives, beaches, playgrounds and play fields, open space, bicycle routes, other recreation areas".

Attachments: Public Facilities and Recreation presentation
Updated Parking Lot

FLAGSTAFF REGIONAL PLAN

2030

PLACE MATTERS



Flagstaff City Council
October 8, 2013

Regional Plan Elements

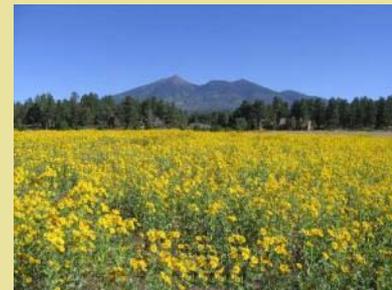
17 required elements:

- Land Use
- Circulation
- Open Space
- Growth Areas
- Environmental Planning
- Cost of Development
- Water Resources
- **Recreation**
- **Safety**
- **Public Facilities and Services**
- **Energy*
- ** Conservation*
- **Public Buildings*
- **Housing*
- **Bicycle*
- **Urban Conservation, Rehabilitation and Redevelopment*
- **Neighborhood Preservation and Revitalization*

5 optional elements:

- Community Character and Design
- Natural/Cultural Resources Planning
- Economic Development
- **Historic Preservation*
- **Social*

** new items as added by ARS*



Chapter XII. Public Buildings, Services, Facilities and Safety

Ch. XV. Recreation

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Photo by: Jake Bacon

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Photo by: Tom Bean

BUILT ENVIRONMENT

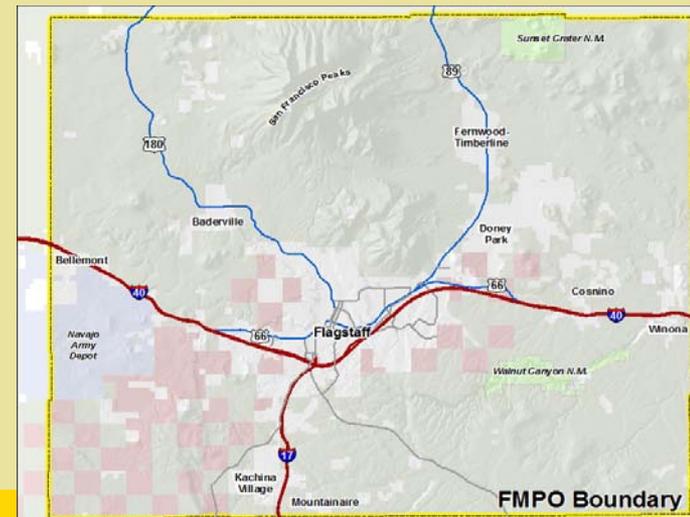
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	Public Safety	XII-11



Photo by: Tom Bean

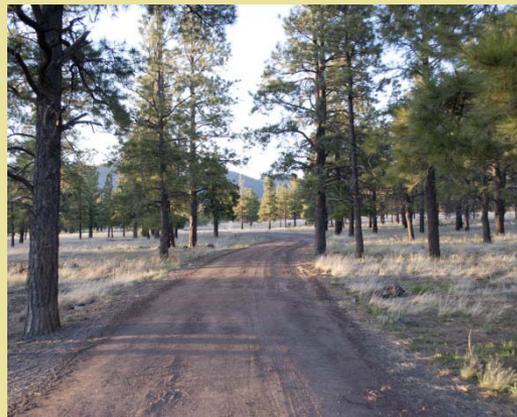
The Regional Plan Vision

The greater Flagstaff community embraces the region's extraordinary cultural and ecological setting in the Colorado Plateau through active stewardship of the natural and built environments. Residents and visitors encourage and advance intellectual, environmental, social, and economic vitality for today's citizens and future generations.



Guiding Principles

- Environment
- Prosperity
- Sustainability
- People
- A smart & connected community
- Place
- Trust & Transparency
- Cooperation



Public Comments gathered:

1. **REGIONAL PLAN OPEN HOUSES** - Public Open Houses for *Open Space, Parks and Rec. and Public Facilities* held:
 1. Pulliam Airport—Second Floor Mezzanine, Friday, October 30, 2009; 7 to 9 a.m.,
 2. City Hall Lobby, 211 West Aspen Avenue, Friday, October 30, 2009; NOON to 2 p.m.
 3. Highlands Fire Department #21, 568 Kona Trail, Kachina Village, Wednesday, November 4, 2009; 4 to 7 p.m.

2. **Regional Plan Focus Group** – *Open Space, Parks & Recreation, Public Facilities - Aquaplex, Meeting Room - 4 to 7 p.m.*

3. **Review of 2001 policies**
 - Sustainability Cabinet
 - Tourism Commission
 - Water Commission
 - Parks & Recreation Commission
 - Open Space Commission
 - Neighborhood Groups
 - Chamber / NABA / Realtors

Emergency and disaster preparedness considerations should factor into long-term plans involving land use and the development of transportation and water infrastructure. Infrastructure investments for purposes of these elements include police, fire, emergency services, sewage, solid waste, drainage and stormwater, local utilities, rights-of-way, easements, and public facilities including schools, public safety buildings, libraries, civic centers, and other **public buildings**. It is also essential to consider state and federal government services and facility needs as a means to collaboratively coordinate public safety, capital improvements, public access, transportation, and the potential for shared facilities.

Our Vision for the Future

In 2030, long-term planning, collaboration between agencies, and key infrastructure investments have prepared our region for a safe and responsive future.

Chapter XII. Public Buildings, Services, Facilities and Safety

Inside this Chapter:

Resiliency Planning	5
Locating Facilities	7
Public Safety	11



Helpful Terms

“Public Services and Facilities” include police, fire, emergency services, sewage, refuse disposal, drainage, local utilities, rights-of-way, easements, and facilities for them.

“Public Buildings” include civic and community centers, public schools, libraries, police and fire stations and other public buildings.

“Safety” refers to the protection of our community from natural and artificial hazards, evacuation routes, peak load water supply requirements, minimum road widths according to function, clearances around structures, and geologic hazard mapping.

RESILIENCY PLANNING GOALS AND POLICIES

Goal PF.1. Work across all government operations and services to prepare for the impacts of natural and human-caused hazards.



Planning

Policy PF.1.1. Consider climate resiliency and preparedness in community planning and development to be better prepared for changing conditions.

Operational

Policy PF.1.2. Allocate public resources necessary for the City and County to prepare and adapt for natural and human-caused hazards so that all government operations support community resiliency.

Policy PF.1.3. Support evidence-based, ongoing assessment of the region's vulnerability and risk to changes in local climate. Incorporate future climate projections into emergency operations and hazard mitigation planning efforts.

Policy PF.1.4. Build, sustain, and leverage partnerships with local and regional stakeholders for collective investment, efficient action, and shared responsibility in the building of local resiliency.

Community Engagement and Education

Policy PF.1.5. Support proactive communication and education aimed at both residents and governmental operations as a means to build individual, organizational, and community resiliency to weather-related impacts and climate-caused or natural disasters.

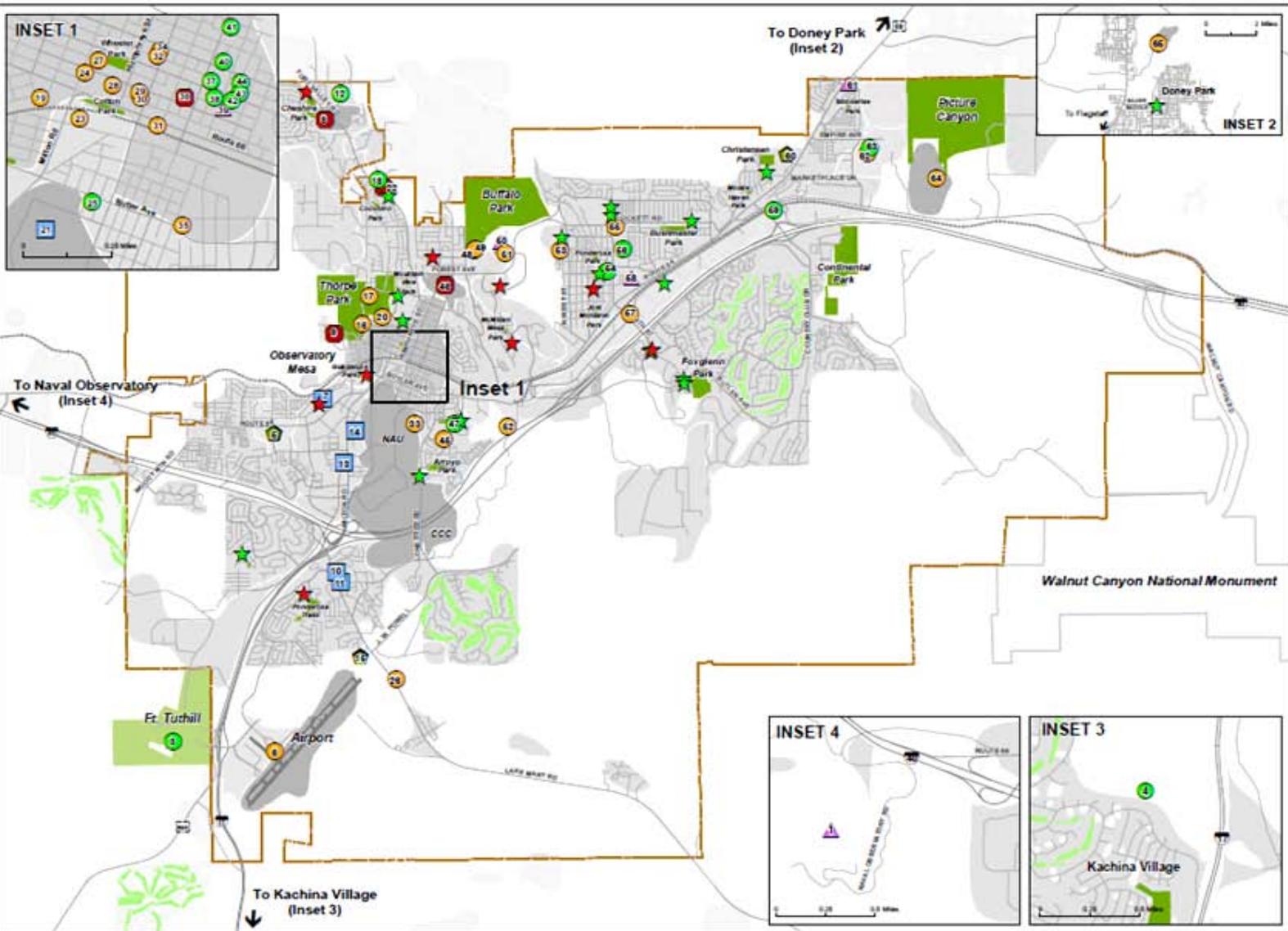
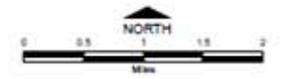
Policy PF.1.6. Educate and inform the community about how to cope with climatic variability and what the local government entities are doing on a systemic level.

Chapter XII. Public Buildings, Services, Facilities and Safety

Figure 28:
PUBLIC FACILITIES -
Public Buildings, Parks and Recreation
Facilities, and Schools

- City of Flagstaff
- Golf Course
- Park/Natural Area
- Public School
- Charter School
- Agency Facility
- City
- County
- Federal
- State
- USFS
- Institution
- Special District
- Urban - Existing
- Suburban - Existing
- Rural - Existing
- Industrial / Business Park - Existing
- Open Space - Preserved (Typically USFS)

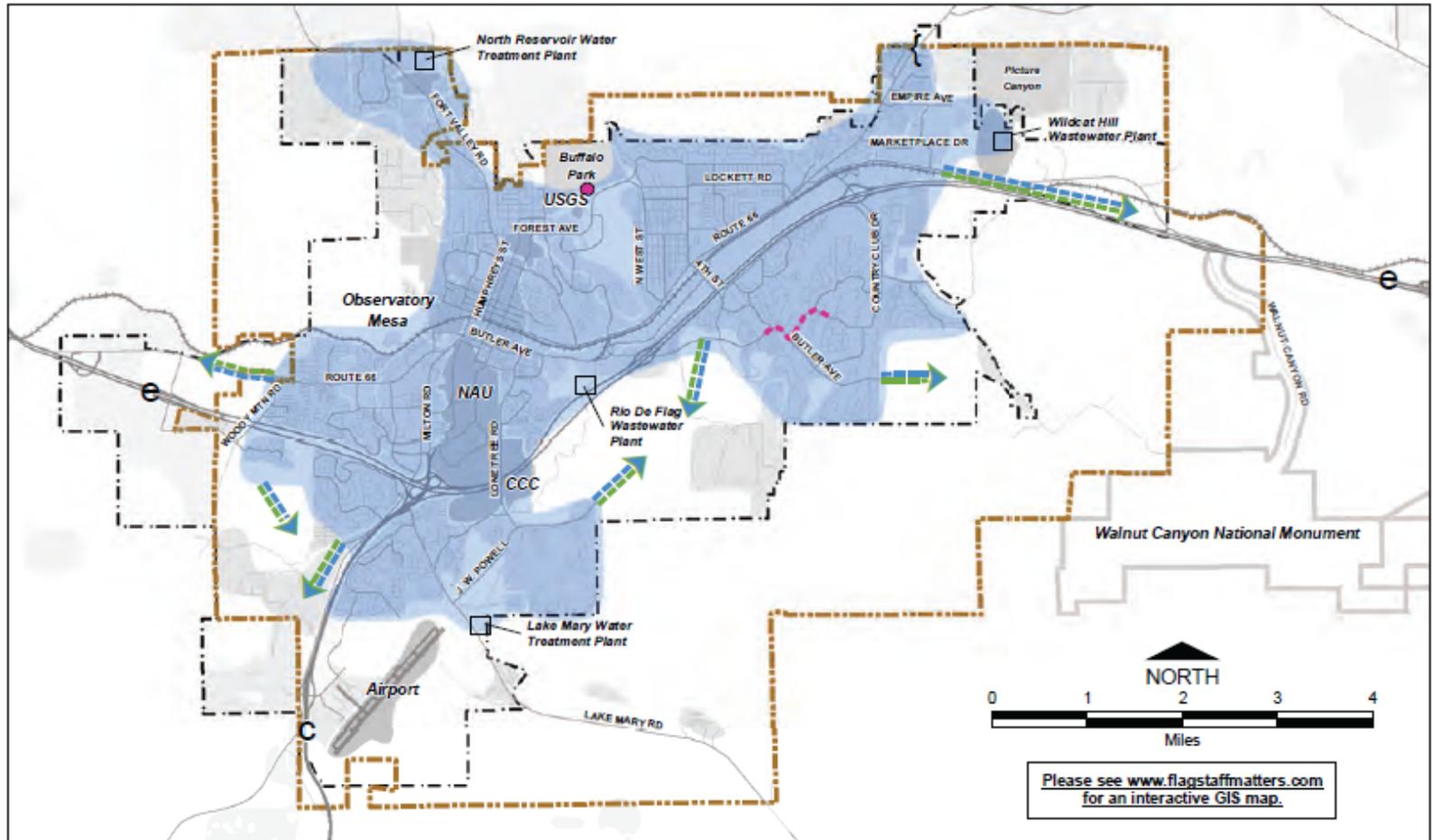
Please see www.flagstaffmatters.com
for an interactive GIS map.



Chapter XII. Public Buildings, Services, Facilities and Safety

MAP 29
PUBLIC FACILITIES -
UTILITIES INFRASTRUCTURE

FLAGSTAFF REGIONAL PLAN
VISION 2030: PLACE MATTERS



- | | | | |
|---|---------------------------------|---|---------------------|
| City of Flagstaff | Reclaimed Water Reservoir | Open Space - Preserved (Typically USFS) | Suburban - Existing |
| Urban Growth Boundary | Future Water Pressurized Main | Industrial / Business Park - Existing | Urban - Existing |
| Existing Infrastructure (water/sewer/reclaimed) | Future Sewer Gravity Main | Rural - Existing | Special District |
| | Future Reclaim Pressurized Main | | |

LOCATING FACILITIES GOALS AND POLICIES

Goal PF.2. Provide sustainable and equitable public facilities, services, and infrastructure systems in an efficient and effective manner to serve all population areas and demographics.

Policy PF.2.1. Prioritize infrastructure upgrades to encourage redevelopment and infill and meet land use goals.

Policy PF.2.2. Require new developments to pay their fair share toward the cost of additional capital improvements, infrastructure, and public service needs created by the development.

Policy PF.2.3. Provide accessible public facilities and services in strategic locations.

Policy PF.2.4. Support Enhanced Civic Design for all public facilities.

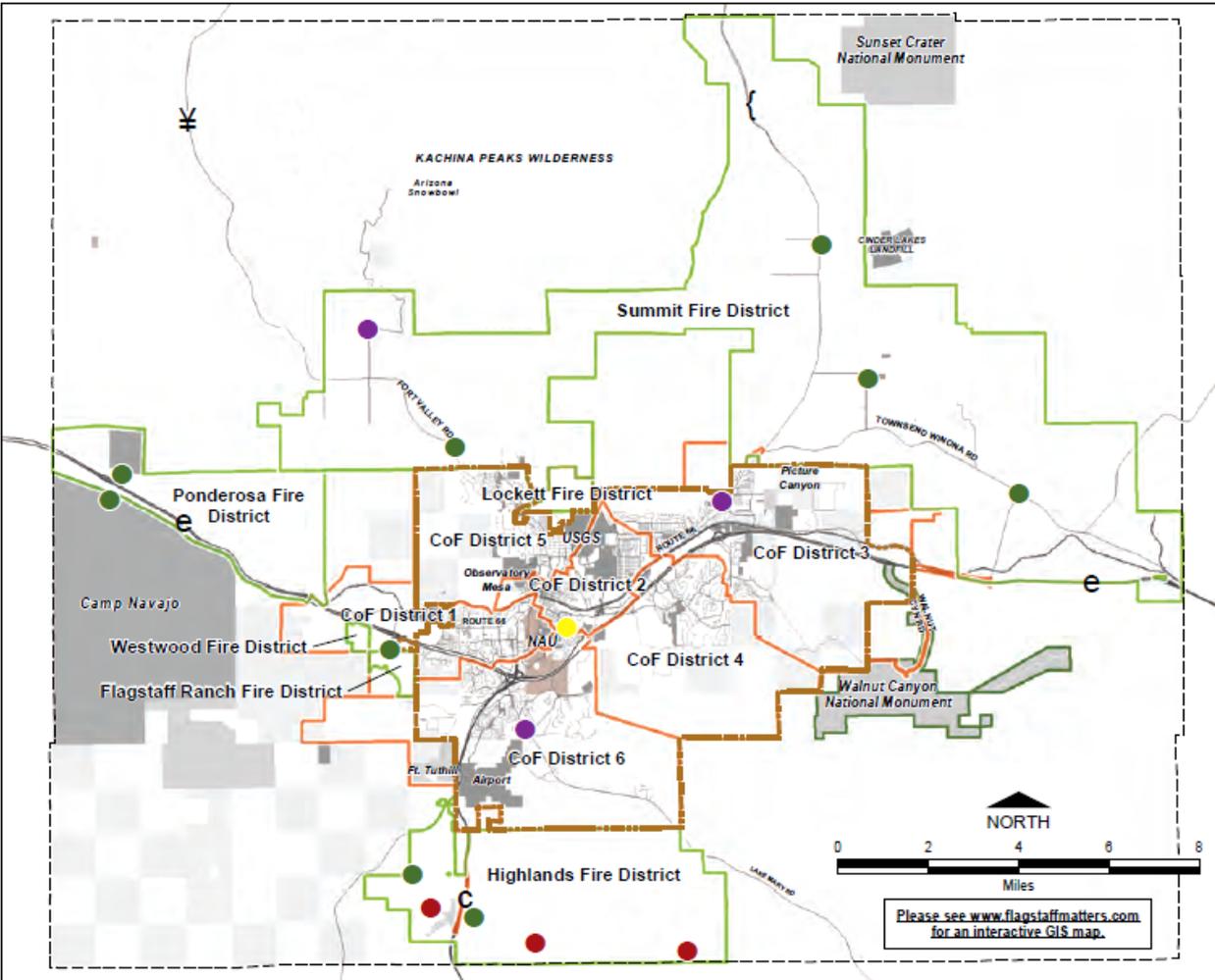
Policy PF.2.5. Pursue cooperative and coordinated planning between government jurisdictions, agencies, educational institutions, non-profits, and private service providers.



Chapter XII. Public Buildings, Services, Facilities and Safety

MAP 30
PUBLIC FACILITIES -
FIRE, SAFETY, AND EMERGENCY EVACUATION

FLAGSTAFF REGIONAL PLAN
VISION 2030: PLACE MATTERS



- | | | | | |
|----------------------|---|-------------------|---------------------------|----------------------|
| FMPO Boundary | Type 1 Station: Staffed | City of Flagstaff | National Forest | Private Lands |
| City of Flagstaff | Type 2 Station: Unstaffed (Volunteer) | Coconino County | National Monuments | City Fire District |
| County Fire District | Type 3 Station: Seasonal (Wildland) | Navajo Army Depot | Arizona Game and Fish | County Fire District |
| City Fire District | Flagstaff Police/Coconino County Sheriff Department | State Lands | AZ Board of Regents (NAU) | |

PUBLIC SAFETY GOALS AND POLICIES

Goal PF.3. Provide high-quality emergency response and public safety services including law enforcement, fire, medical, and ambulance transport service.



Policy PF.3.1. Maintain high-quality effectiveness and efficiency in law enforcement, fire, and emergency services to the extent that is consistent with governmental operations, plans, public policies, population served, and monies available.

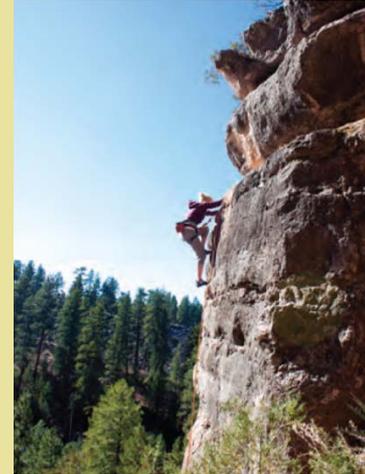
Policy PF.3.2. Locate City of Flagstaff and rural fire districts within the optimal response time for new and existing development.

Policy PF.3.3. Locate law enforcement facilities (i.e., main and sub-stations) within the prescribed response time goals and service needs of the community.

Policy PF.3.4. Maintain emergency management operations to protect life and property during disaster events in natural hazard areas and built environments.

Policy PF.3.5. Support coordination of public safety and emergency management operations through mutual aid agreements.

The Flagstaff region prides itself as being one of the best “quality of life” communities in the nation, in part due to abundant indoor and outdoor **recreational** opportunities, all of which contribute greatly to the community’s public health. The Flagstaff region has numerous public and private developed recreational facilities and innumerable outdoor resources for passive and active recreation, including city and county parks and recreational facilities, Arizona state parks, federal forest land, school playgrounds and playfields, golf courses, private neighborhood parks, and a privately run ski area on federal land. In



Our Vision for the Future

In 2030, all residents and visitors have easy access to recreational opportunities, which have increased with creative financing and partnerships.

Existing Recreational Facilities identified:

- City of Flagstaff
- Coconino County
- Arizona State Parks
- Coconino National Forest



Snowplay: An ongoing discussion with the private and public sector, snowplay is a major outdoor recreation activity for residents and visitors as well as an economic income source for the community. Collaborative efforts between the County, City, U.S. Forest Service, and private recreation and service providers have produced a number of initiatives. For example, ski-buses are available for Northern Arizona University students and there is potential of one for visitors in a park-and-ride situation that could alleviate some snowplay traffic congestion. In addition to the existing Wing Mountain, Crowley Pit,

RECREATION GOALS AND POLICIES

Goal Rec.1. Maintain and grow the region's healthy system of convenient and accessible parks, recreation facilities, and trails.



Policy Rec.1.1. Integrate active and passive recreational sites within walking distance throughout the region to promote a healthy community for all city and county residents and visitors.

Policy Rec.1.2. Promote public and private partnerships to offer parks, recreation facilities, and resources.

Policy Rec.1.3. Coordinate city, County, and Forest Service recreational planning to best serve the community.

Policy Rec.1.4. Design new or updated public facilities to include parks, open space, and/or recreational opportunities where feasible.

Policy Rec.1.5. Incorporate sustainable building and maintenance technologies and Universal Design into parks and recreation facilities.

PLACE MATTERS

September 10	<i>Ch. IV – Environment Planning and Conservation and Ch. V - Open Space</i>
September 17	<i>Ch. VII. - Energy</i>
September 24	<i>Ch. VI. – Water Resources</i>
October 1	<i>Ch. VIII. - Community Character</i>
October 8	<i>Ch. XII - Public Buildings, Services, Facilities & Safety and Ch. XV - Recreation</i>
October 15	<i>Ch. X – Transportation and Ch. XI - Cost of Development</i>
October 22	<i>Ch. IX. - Land Use</i>
October 29	<i>Ch. XIII. - Neighborhood, Housing, and Urban Conservation</i>
November 5	<i>Ch. XIV. - Economic Development</i>
November 12	Ch. III – Implementation and Appendix D – Annual Report Template
November 18	Public Hearing #1 – Joint City/County meeting
December 3	Public Hearing #2 - City Council [6:00 p.m. 211 West Aspen Avenue]
December 3	Public Hearing #2 – County [3:00 p.m. in 219 E. Cherry];
December 17	Adoption & call for election
May 20, 2014	General Election – mail-in ballot for General Plan

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**Flagstaff Regional Plan 2030
Council Parking Lot**

Item#	Page #	Source	Edit/Comment	No Change Needed	Change Implemented in Final Voter Draft
September 3, 2013 Council Meeting - Introduction					
1		Jeff Oravits	Purpose of the Regional Plan		
2		Jeff Oravits	Clearly define if this is a policy document (and what that means) or is this a guidebook (and what that means)		
3		Jeff Oravits	Vision - come back and revisit at end		
4		Jeff Oravits	Guiding Principles - come back and revisit at end		
5		Jeff Oravits	Sustainable Flagstaff - come back and revisit at end		
6		Coral Evans	Introduction, p. 11-12 "Where We've Been" last paragraph: statement of who makes up the community needs to more accurately reflect the diverse population who helped build this town.		
September 10, 2013 Council Meeting - Chapter 4 & 5					
1	IV-13	Mayor Nabours	Dark Skies - 1) restricting economic "activity centers" in any area designated as Lighting Zone 1 enacted to protect astronomical institutions. Check to be sure language in this section is clear.		
2	Preface	Mayor Nabours	Need for a preface the the whole document similar to the note on Maps 7 & 8 for the whole document "that any word or phrase is not intended to become a rule"		
3	Throughout	Jeff Oravits	Removing definitive language throughout document. He referenced text as well as goals and policies. Guide with suggestions. Example is restricting activity centers in Zone 1.		
4	I-4	Mayor Nabours	Pyramid - definition of policy - definitive course of action		
5	I-4	Celia Barotz	Include definition of Ordinance - and what happens when policies conflict		
6		Celia Barotz	Land Use - example of two conflicting goals and policies - one will prevail over the other - how we use the language.		
7		Mark Woodson	Use of the word "all" -pretty mandatory -		
8	IV-13	Mark Woodson	Enforce dark sky ordinances -don't think this is the proper way to reinforce - redundant		
9	IV-9	Coral Evans	Reword box at bottom of page - "why do we choose... not why do developers"		
10	IV-15	Coral Evans	Do we really want to refer to 4FR!		
11		Kevin Burke	Definition of Conservation Land System - who would establish and manage		
12	Throughout	Jeff Oravits	Visions - need to add protection of private property rights		
13	IV-8 & 9	Jeff Oravits	Considerations for development would be best in an appendix		
14	IV-10	Jeff Oravits	Do not want to discourage the use of wood burning stoves		
15	IV-12	Jeff Oravits	Last paragraph before goals and policies - confirms that everyone wants to leave in a compact community		
16	IV-12	Jeff Oravits	Policy E&C.3.2 (climate change impacts) and Policy E&C.4.2 (climate change and water resources)		
17	IV-13	Jeff Oravits	text - addressing non-conforming lighting - is there a prop 207 issue		
18	IV-15	Jeff Oravits	Policy E&C.6.5 (preserving wetlands) property rights issues - what is inappropriate development		
19	IV-19	Jeff Oravits	Policy E&C.10.3 - language too definitive		
20	V-1	Jeff Oravits	Open Space Vision for the Future - review for property rights		
21	V-2	Jeff Oravits	2nd paragraph - cause conflicts with development because of watershed issues		
22	V-4	Jeff Oravits	Flag whole page - Applying an Open Space Plan, partners, members of CAC		
23	V-5	Jeff Oravits	All Goals and Policies		
24	V-6	Jeff Oravits	Should this be in an appendix		
25		Coral Evans	Instead of changing each section about property rights - do something on the first page - simple basic statement - take away/reduce/diminish personal or individual property rights -especially if we are trying to shorten the document		
September 17, 2013 Council Meeting - Chapter 7 Energy					
1	VII-5	Mark Woodson	Policy E.2.3 replace "develop City and County" with Promote		
2	VII-3	Mark Woodson	Policy E.1.7 end sentence at consumption		
3	VII-3	Mark Woodson	Policy E.1.6 end sentence at energy efficiency		
4	Throughout	Mark Woodson	Most policies could be broadened as the proposed edits above do		
5	VII-5	Mayor Nabours	Policy E.2.4 rewards and encourages accessory wind energy systems - but there is a potential for neighborhood issues. How can we say no we won't allow one with this type of policy.		
6	VII-3	Mayor Nabours	Policy E.1.6, E.1.8, E.1.9 the language is too definitive - says we will do these things- not maybe		
7	Throughout	Mayor Nabours	A preface could be developed that states that words like develop and promote are not directions to take a particular action.		
8	VII-3	Jeff Oravits	Policies E. 1.6 - 1.9 change the language from develop/support/incorporate to encourage/consider		
September 24, 2013 Council Meeting - Chapter 6 Water Resources					
1	VI-16	Mayor Nabours	Review Health District information on adding policy in regards to mosquito prevention/abatement. "WR.5.8 Reduce mosquito populations in residential areas by removing standing water."		
2	VI-8	Mayor Nabours	12% potable water loss - goal or policy that covers reducing water loss through leakage		
3	VI-8	Jeff Oravits	Add policy addressing identifying and developing and transportation of new water supplies		
4	VI-13	Jeff Oravits	Water Demand should also address new supplies		
5	VI-13	Jeff Oravits	WR.3.2 adjust word favor - what about business who bring resource or pay for resources		
6		Jeff Oravits	Address water usage by pine trees - thinning in relation to water usage		
7	VI-13	Jeff Oravits	WR.3.4 where appropriate and "practical"		
8	VI-16	Jeff Oravits	WR.5.2 add "when practical"		
October 1, 2013 Council Meeting - Chapter 8 Community Character					
1	VIII-22	Mayor Nabours	Would like a more specific goal or policy about eliminating overhead lines along important viewshed points		
2	VIII-22	Mark Woodson	New policy possible for the City to invest in undergrounding utilities in reinvestment areas		
3	VIII-22	Mayor Nabours	Policy CC.3.1 the word "require" is an example of too prescriptive language		
4	VIII-27	Coral Evans	Arts Box - at bottom where it says "in addition, the region is host to many diverse events and festivals, such as the annual Route 66 Festival" add Celtic, Juneteeth, Dia de Los Muertos (Day of the Dead), and Pride Festivals.		
5	VIII-17	Coral Evans	Sunnyside is not designated as a historic district but the map could be a good beginning for informing people about possible future designations or significant areas and their unique history		
6	VIII-27	Coral Evans	Education Resources Box - we do not mention the private higher ed institutions, also include the Joe Montoya Senior Center to the lis of various neighborhood centers		

From: Kimberly Sharp
Sent: Tuesday, October 01, 2013 8:44 PM
To: Coral Evans
Cc: Jim Cronk; Kevin Burke; Tiffany Antol
Subject: RE: Regional Plan Parking Lot Notes/Requests

Vice-Mayor Evans,

Got it – thank you for this! Will be entered into the Council Parking Lot.

Kimberly Sharp, AICP

Comprehensive Planning Manager, City of Flagstaff
211 West Aspen Avenue
Flagstaff, AZ 86001
(928) 213-2631
ksharp@flagstaffaz.gov

From: Coral Evans
Sent: Tuesday, October 01, 2013 8:22 PM
To: Kimberly Sharp
Cc: Jim Cronk; Kevin Burke
Subject: Regional Plan Parking Lot Notes/Requests

Draft City Council Notes

Hello Kim.

I would like the following four things considered in this section;

Regarding the map on page VIII-17 and Sunnyside. I agree that Sunnyside is not a historic district in the sense that it has that particular designation. However the gentleman who spoke about the map being a good beginning informing people about possible areas is very valid. For example it is not mentioned in this regional plan but Sunnyside was home to the encampment of Buffalo Solider's that were stationed here in Flagstaff many generations past. The Pioneer Museum has extensive records of this and there is a home currently still standing (and occupied in that neighborhood) which housed the Officers from that particular squad (I think they are called).

In the "the Arts" box on page VIII-27

At the bottom where it says "in addition, the region is host to many diverse events and festivals, such as the annual Route 66 Festival." I would like for this sentence to say..."such as the annual Route 66, Celtic, Juneteeth, Dia de Los Muertos (Day of the Dead), and Pride Festivals..."

In the Education Resources box on the same page; I have noticed that we call out the various different educational facilities including charter schools yet fail to mention the private higher ed

institutions (I think that the list needs to be all inclusive) Additionally I would like to see the Joe Montoya Senior Center added to the list of various neighborhood centers.

(P.S. Sunnyside also played a big role in the Moon landing).

Sent from my iPad

From: Kimberly Sharp
Sent: Tuesday, October 01, 2013 8:44 PM
To: Tiffany Antol
Subject: FW: Regional Plan Parking Lot Item

-----Original Message-----

From: Coral Evans
Sent: Tuesday, October 01, 2013 7:50 PM
To: Kimberly Sharp
Subject: Regional Plan Parking Lot Item

Hello Kim.

In the "the Arts" box on page VIII-27

At the bottom where it says "in addition, the region is host to many diverse events and festivals, such as the annual Route 66 Festival." I would like for this sentence to say..."such as the annual Route 66, Celtic, Juneteeth, Dia de Los Muertos (Day of the Dead), and Pride Festivals..."

In the Education Resources box; I have noticed that we call out the various different educational facilities including charter schools yet fail to mention the private higher ed institutions (I think that the list needs to be all inclusive) Sent from my iPad