URBAN AGRICULTURE

in Winston-Salem

Winston-Salem/Forsyth County
PLANNING & DEVELOPMENT SERVICES
100 E. First Street
Winston-Salem, NC 27101
www.cityofws.org/planning

STEP BY STEP QUESTION & ANSWERS

1. **Does your urban agriculture project require a permit?**
   - **If your project is located on the same lot as your house and is within the City of Winston-Salem – No.**
   - **If your project was developed after May 4, 2015, is located in the City of Winston-Salem, and is on land that is not where your home is located – Yes.**
2. **Contact the Inspections Division to determine your property zoning designation.**
3. **Fill out an application and pay the $25 application fee.**
4. **Depending on your location, you may be required to go before the Board of Adjustment.**
5. **If required, attend the public hearing.**
6. **If approved, contact the Inspections Division and purchase all necessary permits.**
7. **The Urban Agriculture Ordinance applies only to plant cultivation. Livestock is regulated under Chapter 6 of the City Code.**

GENERAL STANDARDS FOR URBAN AGRICULTURE

- This ordinance only applies to properties within the City of Winston-Salem.
- The application cost for all gardens is $25.
- The on-site sale and distribution of produce, grown on site, is allowed.
- A minimum setback of 5 feet from neighboring property lines and rights-of-way is required.
- Certain structures (such as greenhouses and storage buildings) will require additional permits and fees as determined by the Inspections Division. Contact Inspections staff for more information.
- Site plans may be required for projects within non-residential zoning districts.
- One parking space is required per 20,000 square feet of lot area for sites in nonresidential districts.
- Parking requirements will be determined on a case-by-case basis by the Board of Adjustment for sites in residential zoning districts.

Zoning Districts Which Allow Urban Agriculture

Single-Family Residential Zoning Districts	Multifamily Zoning Districts	Nonresidential Zoning Districts
RS-40 RS-30 RS-20 RS-15 RS-12 RS-9 RS-7 MH	RSQ RM-5 RM-8 RM-12 RM-18 RMU	PB LB HB GB LI GI CI MU-S IP C AG
Residential zoning districts require Board of Adjustment Special Use Permit (Requires public hearing, see back of brochure)		Nonresidential zoning districts require a permit from the Zoning Officer

DEFINITION OF URBAN AGRICULTURE

Legacy 2030, the comprehensive plan for Winston-Salem and Forsyth County, recommends encouraging healthy food production in urban areas as well as rural areas. It also calls for removing barriers to using urban land and buildings for various forms of urban agriculture production. The Winston-Salem City Council adopted an Urban Agriculture Ordinance to encourage urban food production and gardens in areas throughout the city.

Urban Agriculture is the growing, processing, and distribution of food and other agricultural products through plant cultivation. It may include plant cultivation and the growing of non-food crops such as herbs and ornamentals. This use may include accessory structures and buildings used for agriculture-related storage or field packing. Urban Agriculture does not include the consumption or sale of produce grown on residential property by the owner/occupants of the property.

AGRICULTURE TYPE EXAMPLES

Raised Bed Garden: A form of gardening in which soil is formed in a bed which can be of any shape or length. The soil is raised above the surrounding soil, and is sometimes enclosed by a frame generally made of wood, rock, or concrete blocks.

Aquaponics: Any system that combines conventional agriculture with hydroponics (cultivating plants in water) in a symbiotic environment.

Greenhouse/glasshouse: A structure with walls and roof made chiefly of transparent materials, in which plants requiring regulated climatic conditions are grown.

OTHER QUESTIONS

What is the Board of Adjustment and why is it necessary to obtain a Special Use Permit for Urban Agriculture?
The Urban Agriculture Ordinance was designed to encourage urban food production while allowing an opportunity for neighbors to express their concerns about issues related to establishing this use. Special Use Permits are required for urban agriculture on vacant lots in residentially zoned districts. To obtain a Special Use Permit, the applicant must go before the Board of Adjustment. The Board of Adjustment (BOA) is operated under a court-like process with statements made under oath to ensure that standards are applied fairly to every applicant and concerned neighbor. Please contact the Permit Office in the Inspections Division for additional information on the Board of Adjustment process.

How do I know if a project proposal near me requires a hearing?
Notices are sent out by first-class mail only to abutting property owners, and a sign is posted on the subject property. If you receive a letter, it will include information about where to seek more specific detailed information on the proposal and on the specific standards that will need to be met. This letter will also contain information such as a phone number, email address, and a website address. Each sign posted on the property will include a case number for citizens to refer to when making an inquiry. Additional information is provided on the City of Winston-Salem's website, www.cityofws.org/departments/inspections, and a notice is published in the Winston-Salem Journal prior to the hearing.

SITE PLANS

When submitting an application for a Special Use Permit, a site plan is required. The level of detail required will be determined by the Permit Officer. The purpose of the site plan is to identify the placement of structures, utilities, and other accessory buildings. The site plan also acts as a blueprint for the gardener, identifying locations of planting areas, social areas, and other important aspects of the garden. Contact the Permit Office to determine the level of detail required when submitting. Some general requirements for site plan submittal are:

- Site plans must be clearly legible.
- Information to include on the plan: your contact information, the property owner's (if different) contact information, the parcel identification number (PIN; can be obtained through the tax office or GeoData), and the parcel's current zoning.
- The plan should include parking, access, fence and building locations, setbacks, utility access points, and any other structures of interest.
- Provide 15 copies of the plan.
- All site plans should be submitted with your application to:

Inspections Division
Bryce A. Stuart Building, Third Floor
100 E. First Street, Suite 328
Winston-Salem, NC 27101

STARTING A COMMUNITY GARDEN

If you're looking for an activity that people of all ages can enjoy, you may be interested in starting a community garden. Community gardens are a great tool for not only producing food but are also areas for community socialization, therapy, education, open space and even job creation. Below are some general recommendations you should keep in mind if you are interested in beginning a community garden in your neighborhood.

Get Your Neighbors Involved: There is a lot of work involved in starting a new garden. Make sure you have several people who will help you. Survey the residents of your neighborhood to see if they are interested and would participate.

Form a Garden Club: If you have enough support, form a garden club. This will help in making decisions and dividing up the work effectively. It also ensures that everyone has a vested interest in the garden and can contribute to its design, development, and maintenance. Also give your garden area or club a name. Names can provide a means of association and a sense of ownership.

Find Land for the Garden: Look around your neighborhood for a vacant lot that gets plenty of sun -- at least six to eight hours each day. A garden site should be relatively flat. A site without paving, relatively free of trash and debris is best. Also, choose a location that is within walking distance, or no more than a short drive from you and the neighbors who have expressed interest in participating.

A. Find Out Who Owns the Land: It is illegal to use land without obtaining the owner's permission. In order to obtain permission, you must first find out who owns the land. You can obtain this information from the tax office or by using Forsyth County's Geo-Data Explorer.
B. Contact the Land Owner: Communicate with the land owner your desire to begin a community garden and obtain their permission to use the land. If necessary, obtain a written agreement with the owner stating such things as the intent of use, hours of operation, maintenance, liabilities, etc. Anyone who participates in the gardening of the site should be required to sign this agreement. The property owner's signature is required on the application to Inspections.
C. Obtain Any Necessary Permits: Refer to the zoning ordinance for any required permits, site plans, or public hearings that may be required before putting any seeds in the dirt. This will also include the construction of any fences, storage buildings, and additional amenities that you intend to have within your garden.

Some other useful suggestions to keep in mind are:

- Check for water availability and establish how water fees will be paid. The type of irrigation system you will use will go a long way in determining how much water will be necessary for the garden.
- If the site was located in an area of known contaminants, get your soil tested. Contact a private lab, the EPA, local health department or the Forsyth County Cooperative Extension Office to learn how to take soil samples. The quality of the soil can have an effect on the products your garden produces as well as the type of garden you may eventually use.

RESOURCES

City-County Planning and Development Services
http://www.cityofws.org/Departments/Planning-and-Development-Services

Planning Division
Byron Brown
byronb@cityofws.org
336-747-7060

Inspections Division
Permit Office Supervisor
336-727-2624

Forsyth County Foods Consortium
forsythlocalfood.org
Marcus Hill
marcus@forsythlocalfood.org
336-406-8765

North Carolina Cooperative Extension
Forsyth County
https://www.forsyth.cc/CES/
Mary Jac Brennan
336-703-2869

Forsyth County Health Department
www.co.forsyth.nc.us/publichealth/
336-703-3100

Environmental Assistance and Protection
www.forsyth.cc/eap/Default.aspx
336-703-2440