

## Section 5-3000. Community Gardens

5-3001. **Purpose.** The purpose of these requirements is to enable community gardens while minimizing any possible adverse effects of such uses on the surrounding neighborhood.

5-3002. **Community Garden Performance Standards.** Community gardens as defined shall follow the regulations of this Article except as modified herein.

A. The property owner shall file an application with Director of Building Development Services to establish the community garden use. A no or minimal cost permit is required to be issued. The property owner has the responsibility to follow all performance standards. Community Gardens shall adhere to all performance standards and shall not create any adverse impact on adjoining properties. The Director of Building Services is authorized to issue a cease and desist order to any party violating the performance standards listed heretofore along with any other enforcement measures available to the Director or the City.

B. Structures utilized for community gardens shall be permitted subject to the accessory structure requirements of *Section 5-1000*. If no principal structure is located on the lot, the combined area of all structures shall not exceed forty percent (40%) of the lot area.

C. No structures may be located in the required front and side yard setbacks as defined in each zoning district of this Article. The rear yard setback shall be a minimum of three (3) feet for structures.

D. Retail and wholesale sales to the general public shall be prohibited on-site.

E. The hours of operation shall be limited to ½ hour before sunrise until ½ hour after sunset daily.

F. Signage shall conform to *Section 5-1400* of this Article.

G. The City's stormwater, sediment and erosion control standards shall apply.

H. No use shall emit an odor that creates a nuisance in compliance with *Springfield City Code*.

I. The community garden site shall be maintained free of high weeds and grass in compliance with *Springfield City Code*.

J. Compost bins and other material storage areas shall be maintained in such a manner as to not attract insects, vermin, reptiles and other animals or create a nuisance.

K. All uses shall operate in accordance with the lighting standards contained in *Section 6-1600* of this Article.

L. All uses shall operate in accordance with the noise standards contained in *Section 6-1500* of this Article.

M. Community gardens shall be subject to the Vision Obstruction Restrictions as defined in *Section 5-1306* of this Article.

N. No parking is required unless ~~If~~ the cultivated area exceeds one (1) acre in size, then a minimum of two (2) off-street parking spaces shall be provided. An additional two (2) parking spaces shall be provided for each additional acre of cultivated area.

O. No bufferyards shall be required.

P. All other City Codes shall apply.

5-3003. **Review Procedure for Community Gardens.** No approval for a community garden can be given by the Director of Building Development Services unless the following procedures are followed:

A. **Application.** The Director of Building Services upon receipt of a complete application, and agreement by the applicant to follow and adhere to all Performance Standards contained herein shall permit a community garden.

B. **Denial or Revocation.** The Director of Building Development Services may, in writing, suspend, deny or revoke a permit issued under provisions of this section whenever the permit is issued on the basis of a misstatement of fact, fraud, or noncompliance with this Article.

When a community garden permit is denied by the Director of Building Development Services, written notice shall be given of the denial to the owner, together with a brief written statement of the reason for the denial. Such denials shall have referenced the section of this Article or other pertinent code used as a standard for the basis of denial.

C. **Appeal.** If the Director of Building Development Services denies, suspends or revokes the application, the owner may file an appeal request with the City's Board of Adjustment.