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A Community and Local Government Guide to Developing Local Food Systems in North Carolina

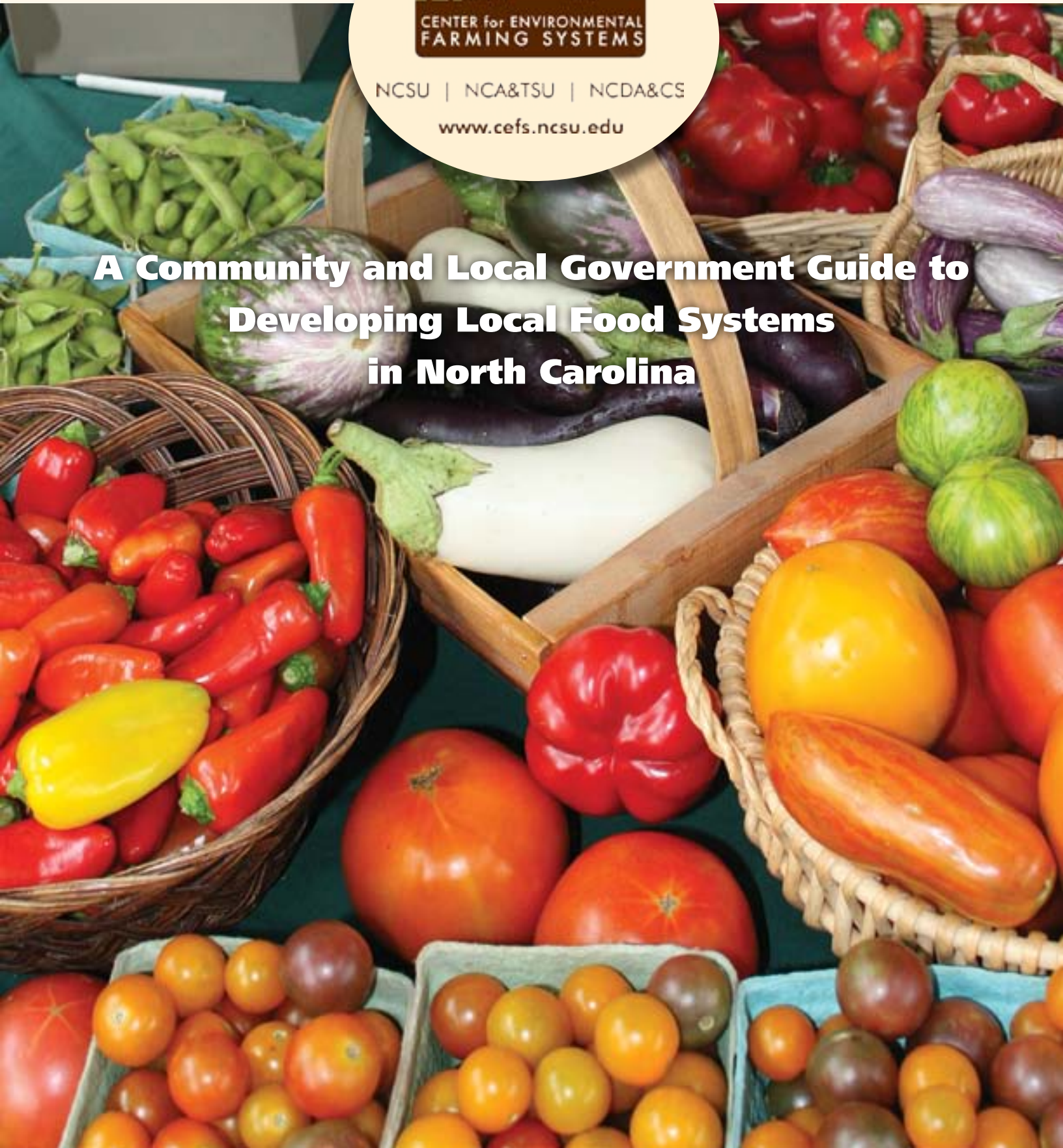


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Promoting local foods has become a strategy for local governments and citizen groups seeking to revitalize the economic and social health of their communities. A local or community-based food system integrates food production, processing, distribution, consumption, and waste management to maximize the environmental, social, and economic health of a community.¹ For the purposes of this document, “local” is defined simply as food that is grown, raised, or caught, and then consumed within North Carolina. Local communities, governments, and individuals may adapt a narrower definition that meets their requirements and interests.

This guide serves as a resource to help community members create a more local food economy. The guide focuses on land use and planning issues that arise as elected officials, town managers, Cooperative Extension agents, and community leaders work together to establish local food systems in their communities. Some of the many planning and governing tools that promote and sustain local food systems

include flexible local zoning ordinances, policy councils, and tax incentives. This guide focuses on urban and rural agriculture, which can include all sized farms that sell directly to consumers, retailers, and wholesale customers. It also considers policies that can impact individual residential gardens and community gardens.

Approximately 75 percent of American consumers favor food grown in the United States over imported foods and prefer to obtain their food from local sources.² According to U.S. Deputy Secretary of Agriculture Kathleen Merrigan, “local is the strongest food trend in decades.”³ In response to this demand, the U.S. Department of Agriculture (USDA) implemented the program “Know Your Farmer, Know Your Food”⁴ to connect consumers to local farmers and increase the availability and consumption of local foods. One national study shows the reasons that people buy local food include: freshness (82 percent), support for the local economy (75 percent), and knowing the farmer or source of the food (58 percent).⁵ National and state programs now highlight the fact that a

local food system affects the health and economy of its citizens. Many factors influence the potential success of local farm and food enterprises, including adequate numbers of distribution and processing facilities, retail outlets including farmers markets, and consumers who value local food.

The American Farmland Trust stated that the United States does not produce enough fresh fruit and vegetables to meet the minimum daily requirement set by the USDA in 2005. An estimated 13 million more acres of farmland growing fresh produce are needed to meet those requirements.⁶ The USDA’s 2010 guidelines require greater amounts of fresh fruit and vegetables in the daily American diet. The North Carolina Institute of Medicine recently released the health objectives for 2020, which include dietary guidelines to “increase the percentage of adults who consume fresh fruit and vegetables five or more times per day from 20 percent to 29 percent.”⁷ Encouraging consumption of fresh food from local farms promotes health, protects farmland, and improves the state’s economy.

In North Carolina, agriculture remains a major economic sector, contributing \$70 billion to the state’s economy.⁸ The total cash receipts in 2010 for NC farms were \$9.7 billion.⁹ North Carolina ranks as the eighth largest agricultural state in the United States,¹⁰ and the food sector and processing of local, value-added foods (such as jams, sauces, and deli meats) continues to grow. According to the *News & Observer*, “food processing has become one of the state’s five growth areas for jobs.”¹¹ Additionally, despite the downturn in the overall economy, cooperative grocery stores that sell local food report strong sales.¹² Other

innovative local food initiatives such as farmer cooperatives that deliver to area restaurants, grocery stores, and private residences improve the state's economy.

According to the USDA 2007 Census, 3,712 farmers in North Carolina sell directly to consumers at farmers markets, roadside stands, and community-supported agriculture programs with total sales of more than \$29 million.¹³ This figure does not include additional farmer sales through intermediaries such as restaurants, local retailers, and regional distribution outlets, which are estimated to account for four times the direct-sales amount.¹⁴ This generates increased economic activity at the community level by supporting local farmers, allied businesses, and local employment more broadly. For example, increased demand for local foods at farmers markets, restaurants, and retail businesses increases demand for local processing, distribution, and marketing services. Money generated at the local level has been shown to circulate in the community and promote economic prosperity. The American Planning Association (APA) recognizes the economic importance of purchasing food directly from local producers. The APA's *Policy Guide on Community and Regional Food Planning* recommends integrating local food systems into regional, urban, or rural economic development plans.¹⁵

Elected officials, town managers, Cooperative Extension agents, soil and water conservation committee members, planners, and other community leaders can promote a local, sustainable food system within their city, county, or region. Some of the many initiatives that promote and sustain local foods include flexible

local ordinances, such as zoning, policy councils, and tax incentives. This guide serves as a resource for programs and projects related to an improved local food economy. It focuses on urban and rural agriculture entities that sell directly to consumers, retail, and wholesale customers within North Carolina, and on small agribusiness enterprises (producing local value-added products such as specialty meats, cheese, and vegetable sauces) that use local North Carolina inputs. It also includes community gardens that may sell their produce and individual residential gardens.

This guide references many initiatives that local government leaders may promote in order to build North Carolina's sustainable local food economy. For example, some counties have formed local food policy councils and are integrating those efforts with existing community coalitions such as Healthy Carolinians, local Eat Smart Move More Coalitions, and the North Carolina Cooperative Extension Service. Local governments often lead strategic food system planning by conducting a food assessment. This process produces data on available farmland, consumer demand, and possible market opportunities. The process also creates new partnerships that can help to ensure that North Carolina's farmland, forestland, and horticultural lands are preserved and sustain the health and economic vitality of rural and urban areas. Strong, local food systems benefit North Carolinians and visitors. In urban centers and rural areas, vibrant farms offer working open spaces, a diversity of farm products, fresh foods, and increased economic opportunities for food-related businesses.

Brief Research Overview on Local Foods

A growing body of research links local food systems to a variety of positive economic and health-related outcomes. Studies have found that supply chains linking local production to local consumption generate greater revenues for producers, with net income ranging from equal to more than seven times the revenue gained from conventional national or global supply chains.¹⁶ Local food systems can also reduce farmland loss by creating opportunities for the next generation of farm owners. The economic benefits extend to the broader community, with numerous studies finding that food produced and consumed locally creates more economic activity in an area than does comparable food produced and imported from a non-local source.¹⁷ The greater impact of local food systems on farm and community businesses (through increased revenues and employment) is due both to the transactions that occur between local consumers and local farms and to the impact of keeping local dollars in the community to be re-spent at other businesses. The economic impact is further enhanced when inputs to the farm are sourced locally and the farm outputs are used by food entrepreneurs for value-added products.

Local food systems can also improve the health of community members. Epidemiological studies have found correlations between higher levels of direct-to-consumer farm sales and lower levels of mortality, obesity, and diabetes.¹⁸ These findings supplement qualitative studies that have linked more direct connections to food (via direct

contact with the farmers who produce the food, such as through a farmers market or a Consumer Supported Agriculture buying program, or via participation in a community garden, or by living in the household of a community gardener) to improvements in eating behaviors¹⁹ and enhanced social activity and civic engagement.²⁰

The Center for Environmental Farming Systems (CEFS)

The Center for Environmental Farming Systems (CEFS) (<http://www.cefs.ncsu.edu/>) develops and promotes food and farming systems that protect the environment, strengthen local communities, and provide economic opportunities in North Carolina and beyond. It was established in 1994 by North Carolina State University (NCSU) and North Carolina A&T State University (NCA&TSU) along with the North Carolina Department of Agriculture and Consumer Services (NCDA&CS). These founding partners work together and with state and federal agencies, non-governmental organizations, farmers, and residents.

A key focus of CEFS is the establishment of sustainable local food systems. It provides leadership for multiagency action through implementation of its statewide guide *From Farm to Fork: A Guide to Building North Carolina's Sustainable Local Food Economy* (www.cefs.ncsu.edu/resources/stateactionguide2010.pdf).²¹ In addition to a strong and diverse field research program on its 2,000-acre facility in Goldsboro, NC, core programs at CEFS include the following: NC FoodCorp, in partnership with 4-H, addressing

children's health through Farm to School programs; a statewide Food Youth Initiative developing at-risk youth as leaders in transforming food systems and improving the health of residents in their communities; SWARM, a youth-led food and health initiative in Goldsboro; the 10% Campaign, a \$3.5 billion economic development initiative to build demand for local food; an incubator farms program to develop beginning farmers; participation on the legislated North Carolina Sustainable Local Foods Advisory Council; and development of innovative approaches to scale the supply of fresh local foods to food service and retail markets, including the NC Choices program, which is focused on developing the supply of local, sustainably produced

meat and a new initiative funded by USDA's National Institute of Food and Agriculture to build supply chains from small and mid-scale North Carolina farmers to large retail and food service entities. These and other integrated initiatives create infrastructure, organizational systems, and policies that support the development of strong, economically viable food systems, deliver equitable access and benefits to vulnerable populations, improve health, and provide a replicable, sustainable model for system-wide change and long-term impact. CEFS provides support to county governments and municipalities to assess the status of local food systems and develop food systems initiatives.



Photo by Debbie Roos



Programs and Policies to Guide Planning and Land Use

Farmland protection initiatives protect farmland, farmland-dependent businesses, and employment in these businesses. Agriculture and agribusiness are North Carolina's leading industries, producing 20 percent of the state's income and employing 17 percent of the state's workforce.²² Protecting farmland means protecting the economic and social vitality of North Carolina communities.

Farmland preservation is vitally important for maintaining the appropriate land on which to grow food. NC ranks as one of the states with the greatest loss of farms and farmland, with 1,400 farms and 600,000 acres lost to development between 2002 and 2007.²³ The aging of farm owners — the average age of a farmer in North Carolina is 59 — increases the likelihood that more acreage will move from farming to development in the next decade. This loss of farmland represents a loss of cultural history as well as economic opportunity in rural and urban areas. The businesses that support local farms and that provide employment are lost as well. These include traditional agricultural supply

companies, associated businesses such as fuel suppliers and fertilizer dealers, and food processing and distribution companies.

Another important economic factor for county and municipal governments to consider is the cost of services for housing developments versus farms. When a new housing development moves into what was once farmland, counties and cities must build infrastructure in the form of roads, schools, and water and sewer, and provide services such as fire, police, and emergency medical services. A number of studies in NC counties indicate that residential properties can cost counties more in needed services than they provide in revenue, while farms and forestlands pay more taxes than the services they require.²⁴ For example, for every dollar of revenue that Alamance county gained in 2006, the cost of providing services to various types of properties were as follows: residential (\$1.47), commercial/industrial (\$.23) and farm/forestland (\$.59).²⁵ These results do not mean that local governments should not allow development, but they do indicate the

importance of balancing housing with farms and forestlands.

Counties and municipalities can contribute to protecting the future of working lands in agriculture and forestry by developing long-term plans that use tools to address community food issues and needs. A variety of existing tools are available to municipal and county governments to conserve working farms and forests. These include cost-share programs, right-to-farm laws, purchase of development rights, present-use value taxation, agritourism, funding from federal and state programs, and technical assistance through the North Carolina Cooperative Extension Service, North Carolina Soil and Water Conservation Districts, and universities and colleges across the state.²⁶ The following sections explain some of the primary tools that communities can use to protect working farmlands: comprehensive plans, farmland protection planning and tools, and county and municipal ordinances.

Resources

- In 2008 and 2009, CEFS convened hundreds of food-system stakeholders across North Carolina in regional meetings, which concluded with a statewide summit, to develop “game changer” strategies to transform North Carolina’s food system. These strategies, and other outcomes of the process, are detailed in *From Farm to Fork: Building a Sustainable Local Food Economy in North Carolina*, a 100-plus page comprehensive guide to statewide action: <http://www.cefs.ncsu.edu/resources/stateactionguide2010.pdf>.
- The USDA and American Farmland Trust provide a wealth of information on farm preservation

and stewardship: <http://www.farmlandinfo.org> and a helpful planning guide: *Planning for an Agricultural Future: A Guide for North Carolina Farmers and Local Governments*: http://www.farmlandinfo.org/documents/31721/FINAL_NCP4Ag_AFT.pdf

- The American Planning Association’s 2007 *Policy Guide on Community and Regional Food Planning*: <http://www.planning.org/policy/guides/pdf/foodplanning.pdf> and *2012 Planning for Food Access and Community-Based Food Systems: A National Scan and Evaluation of Local Comprehensive and Sustainability Plans*: <http://www.planning.org/research/foodaccess/pdf/foodaccessreport.pdf> explain how city and regional planning experts can play an important role in bringing considerations of food and agriculture into comprehensive long-term plans, including land use, economic development, recreational and community facilities, and environmental protection.
- The Michigan Good Food Charter: <http://michiganfood.org/assets/goodfood/docs/MI%20Good%20Food%20Charter%20Final.pdf> is an example of a statewide assessment and resulting set of recommendations to develop local food systems and includes consideration of comprehensive long-term planning in food system development.

Comprehensive Plans

Elected officials in county and city governments rely on community input and comprehensive land-use plans to make decisions regulating development and use of public and private lands. The plans guide a community’s growth, as

well as the enactment and amendment of zoning and other ordinances. Through comprehensive plans, residents work together to create a future that considers the prosperity and well-being of the region. Agriculture should be included because it is a key contributor to the local economy and community health and because farmland, forestland, and horticultural lands can provide a number of other benefits to a community, including open space and wildlife habitat.

Many communities across the country are including sustainable, local foods in their region’s long-term plans. The impetus for food system planning often begins with municipal, county, regional, or state food policy councils that engage with government officials, conduct food system assessments, and make recommendations based on the findings. Food policy councils and food system assessments are discussed in more detail later in this document.

Citizen input and long-term strategic planning are important to the overall success of these efforts. The effectiveness of farmland protection planning is enhanced when farmers are encouraged and given concrete opportunities to participate in the planning process. An important consideration when creating comprehensive plans is to budget sufficient funds to employ staff to actually implement the plan. Farmland protection plans can also be included or referenced in both county and municipal comprehensive plans.

Resources

- Henderson County included agriculture as an element in its 2020 Comprehensive Plan: http://www.farmlandinfo.org/documents/31658/Henderson_2020_Plan-13_Agriculture_Element.pdf. The plan highlights the need to promote and expand Voluntary Agricultural Districts (discussed below), considers the feasibility of creating a farmland protection fund, and recommends that the county give agricultural enterprises the ability to tap into existing economic development and tourism promotion programs and services.

- The State University of New York recently released a document giving numerous examples of food system policies enacted in local government plans across the United States: *Planning to Eat: Innovative Local Government Plans and Policies to Build Healthy Food Systems in the United States*: http://cccfoodpolicy.org/sites/default/files/resources/planning_to_eat_sunybuffalo.pdf

Farmland Protection Planning and Tools

Farmland Protection Plans and Funding

Farmland protection plans preserve farmland by identifying the extent and type of agricultural activity in a county and making recommendations on how to protect working farmlands. They can be useful guides for local governments when considering future development, and elements of the plans may be referenced or incorporated directly into county and municipal comprehensive plans, as noted previously. As of 2012, more than 39 North Carolina counties had developed countywide farmland protection plans.²⁷ Voluntary Agricultural District advisory

boards, which are formed from the enactment of Voluntary Agricultural District ordinances, can take the lead in developing farmland protection plans and inform government officials and citizens of the benefits of both farmland protection and local food systems. These boards can also be responsible for implementing action items in a plan. For example, Durham County's Farmland Protection Advisory Board has co-sponsored workshops on local and direct marketing opportunities for farmers, grant and cost-share opportunities, and ways to lower tax rates through the present-use taxation program (discussed later in this document). Chatham County's plan addresses farmland preservation and agricultural economic development issues, and it includes recommendations for the county to promote farmer access to wholesale trade and direct markets and to create a program to retain and recruit farmers.

The Agricultural Development and Farmland Preservation Enabling Act was amended in 2005 to authorize the North Carolina Agricultural Development and Farmland Preservation Trust Fund (NCADFPTF).²⁸ This fund focuses on conservation, growth, and development of farm and forest land by encouraging the development of farmland protection plans, conservation easements, and agricultural development projects.²⁹ The act also authorizes the creation of voluntary and enhanced voluntary agricultural district programs (discussed below).

The NCADFPTF provides grants to county governments and nonprofit groups to create farmland protection plans and develop other types of programs affecting land use

for agriculture (such as Voluntary Agricultural Districts), grants to fund conservation easements, and grants for programs that develop economically viable agriculture operations such as infrastructure development and market promotion.³⁰ When receiving trust fund monies, counties that already have a farmland protection plan are given preference with regard to the amount of county funds they are required to match, depending on their development tier. In July 2012, the NCADFPTF Trust Fund was awarded \$1.7 million in recurring funds in the state appropriation budget.

Both county governments and nonprofits can apply for NCADFPTF funds. For example, the non-profit Appalachian Sustainable Agriculture Project received funds in the 2010–2011 grant cycle to develop marketing opportunities for farmers. Orange County used NCADFPTF funds to support a shared-use, value-added processing facility. Cabarrus County used funds to build meat slaughter capacity and infrastructure to expand markets for area livestock producers.

Resources

- The North Carolina Agricultural Development and Farmland Preservation website provides information on developing farmland protection plans and on funding opportunities: <http://www.ncadfp.org/FarmlandPreservation.htm>
- North Carolina State University provides models of farmland protection plans and other land use ordinances that can be downloaded and completed by counties: <http://www.cals.ncsu.edu/wq/lpn/modelordinances.htm#plan>

- An example of a farmland preservation plan from Durham county: <http://www.co.durham.nc.us/departments/swcd/documents/durhamfarmplanpublicdraft2.pdf>

Present-Use Value Program

North Carolina's present-use value program (N.C.G.S. §§ 105-277.3 through 105-277.7), serves as one of the most important working-land preservation tools in North Carolina. The program allows reduced county tax assessments for individually owned property used for agriculture, horticulture, or forestry. To qualify, farmland must be at least 10 acres in size, horticultural land must be 5 acres, and both must generate at least \$1,000 in income each year and be under a sound management program. Forestland must be at least 20 acres in size and does not need to generate income but must be managed or harvested according to an approved forest management plan.

Property accepted into this program is taxed at its "present-use value" for its farm, forestry, or horticultural use rather than the value of its highest and "best use," which in many areas would be for residential, retail, or other commercial uses. The value as farmland is usually less than the market value of the property. The difference between the market value and the present-use value is deferred indefinitely until it no longer qualifies. When the land ceases to meet eligibility requirements, the difference between the market value and the present-use value for the prior three years and the current year must be repaid.

Farmers use of present value as a means to reduce tax rates can be compromised if municipalities enact zoning or other ordinances that reduce

the farm's ability to meet the income eligibility requirement. If land use is not in accordance with present-use value requirements, the owner must pay the difference between the market value and the present-use value for the current and prior three years. Therefore, local governments should consider how their zoning ordinances and other land-use regulations impact farming, forestry, and horticultural activities and whether the ability to meet present-use value income, production, or other requirements might be affected by these regulations. A conservation easement placed on land currently under present-use value, and that is annexed at a later time by a municipality, may be able to continue to qualify for enrollment in a county's present-use value even if it is not able to fulfill income or production requirements.

Resources

- The North Carolina Department of Revenue offers a Present-Use Value Program Guide: http://www.dor.state.nc.us/publications/puv_guide.pdf and an example of an application for the present-use value program: <http://www.dornc.com/downloads/av5.pdf>

Voluntary Agricultural Districts (VAD)

Voluntary Agricultural District (VAD) programs are established at the county or municipal level to protect farmland from non-farm development and are authorized under the Agricultural Development and Farmland Preservation Enabling Act (N.C.G.S. §§ 106-735 through 106-749). As of 2012, agricultural districts (VADs and Enhanced VADs, discussed below)

were present in all but 17 of North Carolina's 100 counties.³¹ Although these programs have been implemented primarily by county governments, municipalities also have the authority under the act to implement their own programs as well. The increased pressure of housing developments in rural areas often prompts the creation of these district programs.

One of the major goals of a VAD program is to increase public awareness of what it means to live near a farm and to prevent nuisance complaints arising from the proximity of non-farm uses to farming activities and their associated noises, smells, and other agriculture-related characteristics. Farmers identify their membership in the program through mapping of enrolled farms in Geographic Information Systems (GIS) and by using signage that indicates to potential neighbors that the land is used as a farm and participates in a VAD program. This mapping can inform those within some distance of a VAD farm, typically ½ mile, of the potential for noise, odor, dusts, and slow-moving farm vehicles. See Appendix A for an example map of a VAD and the properties that are included within the ½-mile distance for notification purposes. Local governments benefit from VAD programs as they provide a mechanism for planning for agricultural development while managing and reducing conflicts between farm and non-farm land uses.

VADs are created by ordinance at the municipal or county level, and these ordinances may be enacted differently from one jurisdiction to the next. In some programs, land must be enrolled, or qualify to be enrolled, in a county's present-use value program for it to be enrolled in a VAD program. Other programs across North Carolina may

have differing enrollment requirements. For example, programs following the requirements of the Agricultural Development and Farmland Preservation Enabling Act (N.C.G.S. §§ 106-735 et seq.) will require that the land be real property that is engaged in agriculture as that word is defined in N.C.G.S. § 106.581.1. Landowners must sign a revocable conservation agreement that limits the non-farm uses and development on the property for a period of 10 years, with the exception of the creation of not more than three lots that meet applicable county zoning and subdivision regulations. By written notice to the county, the landowner may revoke this conservation agreement with the revocation resulting in the loss of qualifying farm status. Restrictions on non-farm development and uses are outlined in the Agricultural Development and Farmland Preservation Enabling Act and the Conservation and Historic Preservation Agreements Act (N.C.G.S. §§ 121-34 through 121-42.). Additionally, highly erodible land must be managed in accordance with Soil Conservation Service defined erosion-control practices.

Landowners can benefit in a number of ways in exchange for voluntarily restricting non-farm development and uses on their property for 10 years. The incentives to join are determined locally and vary according to each local government's ordinance. Many ordinances provide for signage, mapping of enrolled farms in the GIS for the purpose of notifying new neighbors, waiver of water and sewer assessments for enrolled land, and public hearings in the event that enrolled land becomes subject to condemnation by state or local units of government.



Farmers, county commissioners, city councils, and land-use planners can form partnerships to create a VAD program, and these programs should be included in county and municipal farmland protection planning. The Agricultural Advisory Board created as part of the establishment of a VAD also acts as an advisor to the governing board of the county or city on projects, programs, and issues affecting the agricultural economy, including promotion of a sustainable and local food system. For example, Johnston County's Voluntary Agricultural District Advisory Board drafted an agriculture development plan that identified growth in local food consumption and production for institutional sales as opportunities for county economic development and recommended targeted improvements in access to local and regional markets at the wholesale and retail levels.³²

Resources

- The North Carolina Agricultural Development Program website provides information on the benefits and process to create a VAD, notices for upcoming workshops for interested farmers and county officials, and links to county and municipal plans: <http://www.ncadfp.org>
- The Department of Agricultural and Resource Economics at North Carolina State University provides a county model for a Voluntary Agricultural District Program Ordinance as well as a number of other model ordinances: <http://www.cals.ncsu.edu/wq/lpn/modelordinances.htm>
- North Carolina Cooperative Extension provides a helpful guide specific to forest lands: *Protecting Working Forests with Voluntary Agricultural District Programs*: <http://www.ces.ncsu.edu/forestry/pdf/WON/won44.pdf>

Enhanced Voluntary Agricultural District (EVAD)

Both counties and municipalities may establish EVAD programs as authorized by the Agricultural Development and Farmland Preservation Enabling Act. Unlike the VAD program, EVAD conservation agreements are irrevocable for a period of 10 years and are automatically renewable for a three-year term unless notice of termination is given in a timely manner by either party as provided for in a county or municipality's EVAD ordinance. Like the VAD program, to participate in the EVAD program the land must be real property that is engaged in agriculture as that word is defined in N.C.G.S. § 106.581.1 and be enrolled (or qualify to be enrolled) in a county present-use value program (if the ordinance has the latter requirement).

The same benefits allowed under state law for enrollment in a VAD program are also provided to farm operations on land enrolled in an EVAD program. However, participants in an

EVAD conservation agreement may obtain additional benefits not provided to VAD participants. These individuals may receive a higher percentage of cost-share funds for the benefit of the enrolled land under the Agriculture Cost Share Program. Another economic benefit is that farmers who participate can receive up to 25 percent of gross sales from the sale of non-farm products on the enrolled land and still have those sales qualify as a bona fide farm purpose that may be exempt from county zoning regulations. Finally, state departments, institutions, or agencies that award grants to farmers are encouraged to give priority consideration to individuals farming land subject to an EVAD agreement.

Like the VAD program, municipalities can create and administer their own VAD or EVAD programs or work with a county through an inter-local agreement to participate in a county program. Alternatively, municipalities can have the county administer a municipal VAD or EVAD program. One of the key requirements for participation in some VAD and EVAD programs is enrollment (or qualification for enrollment) in a county's present-use value program. Local governments should consider whether their local regulations currently allow land to be used in a way that permits the land to qualify for enrollment in a present-use value program. Without enrollment in present-use value, landowners will not be able to participate in a VAD or EVAD program if this is a program requirement. Additionally, they will likely face higher property taxes, which may be one factor that forces farmers to sell their land for development.



Resources

- The resources listed in the previous section on VADs also contain information on EVADs.

City/County Memorandum of Understanding for VADs and EVADs

In North Carolina, counties and municipalities can work together to administer farmland preservation programs. Under the Agricultural Development and Farmland Preservation Enabling Act, land cannot be included within a county VAD or EVAD program if it is contained within a municipal corporate boundary. Under this condition, cooperation is necessary between a county and a municipality for a farm to be able to participate in a county program, assuming that the municipality does not have its own VAD or EVAD program. Often this entails signing a formal Memorandum of Understanding (MOU) between the county and city governments

so that farmland, forestland, and horticultural land contained within a municipality's corporate boundaries can be enrolled in a county VAD or EVAD program. Additionally, under this type of agreement, when other land is later annexed into a municipality, the land can continue to participate under the county's VAD or EVAD program. Working together, a county and municipality can both economically benefit by preserving working farmlands and by supporting growers and activities on those lands. Landowners benefit through continued participation in a VAD or EVAD program even when their land becomes part of a municipality's corporate boundaries. To preemptively address nuisance complaints, municipalities can also use VAD and EVAD programs to notify new or prospective residents, property buyers, and developers about farming, forestry, and horticultural activities and the associated noise, smells, or other characteristics of those activities.

Resources

- The NC Cooperative Extension Service at NC State University's Department of Agricultural and Resource Economics provides an example of a model MOU on its website: <http://www.cals.ncsu.edu/wq/lpn/modelordinances.htm#memorandum>
- Two examples of North Carolina municipalities that have signed MOUs with the counties in which they are located are linked below:

Clayton <http://www.cals.ncsu.edu/wq/lpn/PDFOrdinances/JohnstonClaytonMemorandumScanned.pdf>

Broadway <http://www.cals.ncsu.edu/wq/lpn/PDFOrdinances/LeeBroadwayMemorandumScanned.pdf>

Conservation Easements

County governments, municipalities, and non-profit agencies can work together to obtain conservation easements—restrictions on rights to use or develop land in order to protect natural resources such as farmland, water, or wildlife. Easements can affect a number of land-use rights and may affect other rights such as water and mineral rights, but they can be structured to still allow farming, timbering, hunting, and other income-producing activities. The land remains in private ownership, and the easement can be tailored to meet the landowner's needs. The land encumbered by a conservation easement must be monitored by the easement holder, either a government agency or nonprofit such as a land trust, to ensure the terms of the easement are met (no

development). Land trusts are typically the holders of easements. Conservation easements are usually set up to be perpetual, although others may be term easements covering a specific number of years. Term easements do not qualify for state or federal tax benefits, however. Landowners who donate a perpetual conservation easement may qualify for federal income tax deductions, and their heirs may benefit from reduced estate taxes on the land encumbered by the easement. North Carolina also offers a tax credit on conservation easements. Additionally, local property taxes may be reduced if the highest and best-use value of the land is based on development and this use is limited by an easement. Under North Carolina law (N.C.G.S. § 121-40), land and improvements subject to an easement are assessed on the basis of their true value less any reduction in their value caused by an easement.

Resources

- The NC Conservation Tax Credit program offers incentives to landowners to conserve their land. The NC Department of Environment and Natural Resources manages the program: <http://www.onencnaturally.org/pages/ConservationTaxCredit.html>
- The North Carolina Association of Soil and Water Conservation Districts (www.ncaswcd.org) provides valuable resources to landowners. Some programs offer annual payments to farmers in exchange for placing land near critical watersheds in a conservation easement.
- The North Carolina Land Trusts brochure for landowners: <http://www.onencnaturally.org/PDFs/VoluntaryConservationAgreements.pdf>

Municipal and County Regulation of Land Uses

Ordinances—city and county laws—can impact the location of agricultural activities directly or indirectly by restricting the activities that can take place on designated lands.

Municipalities and Agriculture

Land-use and land-development ordinances are one means by which a local government carries out the policies set forth in comprehensive and community development plans. Whether for small-scale farms, larger farming operations, or community backyard gardens, ordinances must be amended to allow for these uses if they do not do so already. A town may apply various development-related ordinances and programs both inside its town limits and in an area outside the town's primary corporate limit, referred to as its extraterritorial planning jurisdiction (ETJ). Such an area typically extends not more than one mile outside town limits, but in some cases it may extend up to three miles beyond a municipal boundary. Towns may also obtain authorization from the General Assembly to extend their ETJ even further than that allowed by statute. A town may enforce its land subdivision ordinance, its zoning ordinance, its soil erosion and sedimentation control ordinance, its flood hazard protection ordinance, and the state building code in its ETJ. For example, if property was added to a city's ETJ, the land may

become subject to municipal land-use ordinances that set standards for the location of farming activities, for buffers between farm and non-farm uses, and for the height and material of farm fences. However, if a parcel or portion of a parcel is being used for a bona fide farm purpose, as defined and described in N.C.G.S. § 153A-340(b)(2), it may be exempt from exercise of the municipality's ETJ and the enforcement of these ordinances on that property.

Municipalities still have the responsibility for regulating the construction of barns and other accessory agriculture structures in their ETJs and corporate boundaries. Municipalities are required under state law to enforce the State Building Code, but these structures may be exempt from county enforcement outside of an ETJ. Municipalities, however, can seek local legislation to allow a municipality to include in its zoning ordinance a provision allowing an accessory building used for a bona fide farm purpose in an ETJ to have the same exemption from the building code as it would have under county zoning. In 2011, for example, Session Law 2011-34 was enacted giving all municipalities in Wake County the authority to provide in their zoning ordinances that an accessory building of a bona fide farm as defined in N.C.G.S. § 153A-340(b) has the same exemption from the building code as it would have under county zoning.

Under North Carolina law, municipalities may be limited in annexing land if that property is being used for a bona fide farm purpose. The statutory restrictions provided for in Session Law 2011-363 on municipal annexation and the exercise of extraterritorial jurisdiction do not apply to properties already within a town's corporate boundaries. Thus, properties



in a town's corporate boundaries on which farming, forestry, or horticultural uses are occurring would be subject to regulation of those uses by that town. Some municipalities in North Carolina have chosen to exempt bona fide farm or agricultural purposes that occur in their corporate boundaries from their zoning and unified development ordinances (UDO).

Additionally, municipalities are authorized under N.C.G.S. § 160A-383.2 to amend ordinances applicable in their planning jurisdiction (corporate boundaries and ETJ) to provide flexibility for farming operations that are located within a city or county VAD or EVAD. This section states that "amendments to applicable ordinances may include provisions regarding on-farm sales, pick-your-own operations, road signs, agritourism, and other activities incident to farming." Farming for the purposes of this section is defined in N.C.G.S. § 106-581.1.

Municipal and County Zoning Ordinances

Zoning, one of the most commonly used land-use planning tools, divides

a community into districts and determines the uses and structures allowed in those districts. Under North Carolina law, bona fide farm purposes are exempt from county (although not municipal) zoning ordinances. Municipalities can utilize zoning ordinances to regulate farm operations within their city limits and their ETJs. Sometimes cities integrate their zoning, subdivision, flood hazard protection, and other regulations into a single Unified Development Ordinance (UDO).

Municipalities can consider agricultural operations by either a district or use category when designing zoning ordinances.³³ "Agriculture districts" (such as Residential Agricultural-40) in zoning ordinances are different from voluntary agricultural districts, which are not authorized under a local government's planning and zoning authority. Agriculture districts are common in rural areas and along the edges of urban areas and allow for a wide range of agricultural activities, from raising crops and animals to food processing, distribution, and sales. Zoning for agricultural operations may also be characterized by use category. For example, zoning ordinances can address land use in terms of what types of activities are permitted "as of right" (a use category). Other uses may be deemed special or conditional uses and may be approved by a local government board if it concludes that the use will not detrimentally impact neighboring properties.

Zoning ordinances typically include many requirements that affect agricultural operations. For example, requirements such as lot size, setbacks, parking, lighting, and traffic could have a major impact on where within the city limits a community garden

or other agricultural activity can be located. Ordinances contain provisions regulating signs and setbacks that may impact agriculture operations. Sign provisions determine how, where, and when a farmer may advertise a particular product or the types of signs that may be used to promote the name of the farm. Setback provisions determine what portions of land must be set aside to meet buffering requirements and may reduce the amount of land available for pasturing of livestock or growing of crops. Town councils need to carefully look at these various land-use issues and consider how to provide for flexibility within their ordinances, so that municipalities can allow and support urban agricultural elements such as community gardens, backyard chickens, or local roadside farm stands. (See Appendix B for a sample table of permitted uses for agriculture-related categories.)

Municipalities can add farming, forestry, and horticulture as allowable land uses within zoning ordinances and plans. However, for planning tools to be effective, all agricultural related terms, land uses, and specification of what uses are exempt need to be carefully defined in land-use plans and ordinances. Clear specifications in the original ordinance prevent confusion that may arise when it comes time to interpret whether or not a use is allowed under the ordinance. Counties should review their zoning ordinances and UDOs to ensure that their definitions and exemptions of bona fide farm purposes comply with statutory exemptions under county zoning while also allowing for activities supported and specified in their farmland protection and land-use plans.

County and municipal government agencies can review their current zoning

ordinances for specific language that promotes local food systems. Questions to consider may include: Do zoned agricultural or rural residential districts permit farm and farm-related activities? When establishing a farmers market, is the proposed site within a neighborhood business district? Appendix B provides a sample of zoning classifications that can be used to support local food enterprises. Local government can also use zoning regulations to improve community access to fresh local foods for sale. For example, mixed-use zones can be designated to permit grocery stores to operate within residential neighborhoods, potentially giving residents easy access to a wider variety of fresh and healthy food.

Resources

- For an example of changes made to city zoning provisions designed to foster the growth of farm, forestry, and agricultural activities, see the following from the city of Apex (Wake County): <http://www.ces.ncsu.edu/nreos/forest/ordinance/ordinances.php?hidden1=municipalities&select1=Apex>

General Ordinances

Local governments also need to examine the impact on agriculture of animal control, nuisance, and landscaping ordinances. These ordinances contain provisions separate from those enacted under a local government's planning and zoning authority and will not be contained within either a zoning or UDO, but instead are listed in separate sections of the local government's code of ordinances.

All local ordinances should be enacted and enforced together in a

consistent manner to allow for desired rural or urban agricultural activities. Where a zoning ordinance allows for livestock in one or more districts, the animal control ordinance for a county or municipality needs to be written so that the care and keeping of livestock is allowed within a local government's boundaries and planning jurisdiction. Additionally, nuisance and noxious weed ordinances that regulate vegetation height should be written to allow for crops in gardens or on farms, which will grow beyond vegetation height restrictions that are enacted to control overgrown, weedy vegetation on unmaintained lots. Some home gardeners within city limits have received complaints from neighbors and run the risk of potential fines if the garden in their front yard does not meet the vegetation height restrictions.

Resources

The following websites provide general information about local governments and ordinances:

- UNC-CH School of Government <http://www.sog.unc.edu>
- North Carolina League of Municipalities <http://www.nclm.org>
- North Carolina Association of County Commissioners <http://www.ncacc.org/>
- American Planning Association – North Carolina Chapter <http://www.nc-apa.org/>
- North Carolina Ordinances can be located using the following companies: Municipal Code corporation (municode.com), General Code (generalcode.com), Amlegal.com



Photo by Debbie Roos

Collaborating for Growth in Local Food Systems

The impetus to build a more vibrant local food system can come from many sources in the community. Farmers and ranchers, particularly those new to agriculture, are often eager to make more direct sales to restaurants, groceries, and consumers; chefs seek fresh and sustainably raised produce and meats; public health offices seek to increase residents' consumption of fresh local foods; and tourism and economic development professionals see in local foods a way to revitalize rural communities. In this section we consider some of the means by which collaboration can take place to create local food systems.

Connect with County Extension Staff and Others in the Community

Cooperative Extension can provide the knowledge, skills, and expertise on a broad range of agriculture-related topics through its website, classes, training, and technical assistance. In collaboration with the Center for Environmental Farming Systems' 10%

Campaign in 2011, the NC Cooperative Extension Service appointed a Local Food Coordinator in every county and designated six regional local food coordinators. Local food coordinators and others in county Extension offices can partner with local officials and community members on a range of different ways to promote the growth of a local food system, including connecting farmers to retail business markets, establishing farmers markets and farm-to-school programs, increasing access to fresh and local products for underserved communities, and helping design policies such as county government procurement of local foods.

Others in local government and community organizations have acted in partnership with Extension to develop community-based food systems. This work has included partnerships with tourism offices to sponsor farm tours and economic development offices to support venues for local farm sales.³⁴ Community colleges have also supported local food system development. For example, Central Carolina Community College's

Sustainable Agriculture Program began in 2002 with support from Cooperative Extension and the Carolina Farm Stewardship Association. Public health offices have also become important advocates of community food systems. The Centers for Disease Control and Prevention (CDC) uses the availability of locally produced food and the existence of food policy councils as indicators of healthy food environments.³⁵ In 2011, North Carolina's Division of Public Health began a multi-year, CDC-funded initiative called the Community Transformation Grant, and the two nutrition focus areas of the initiative are to increase North Carolinian's access to farmers markets and to fresh produce at convenience and corner grocery stores.³⁶

Resources

- Contact your county Cooperative Extension office to find your Local Food Coordinator.
- CEFS and NC Cooperative Extension led an initiative to engage community members and organizations in developing various aspects of their local food systems. Read about the initiative here: <http://www.cefs.ncsu.edu/whatwedo/foodsystems/sarepdpbfs.html>
- Learn about CEFS 10% Campaign: <http://www.nc10percent.com/>
- NC Cooperative Extension's Market Ready program provides educational resources to increase economic development of agriculture: <http://www.ncmarketready.org/>.
- Contact the NC Division of Public Health to learn more about the Community Transformation Grant.

Create a Local Food Policy Council

Food policy councils at the county or municipal level can bring diverse voices from government and community groups together to support local food systems. Food policy councils have been organized at the town, county, and state level across the United States. North Carolina has a statewide, legislated Sustainable Local Food Advisory Council, established in 2009, and the Center for Environmental Farming Systems is organizing a statewide youth council. Statewide councils can support and help network county- and regional-level councils that are more responsive to local opportunities and challenges. North Carolina's state council has established a subcommittee to improve communication and interaction with the local and regional councils. As of early 2013, 18 of North Carolina's 100 counties were represented by a county or regional food policy council, and an additional 24 counties were in the process of forming councils, either alone or jointly with other counties.

Food policy councils often serve as government advisory groups, making recommendations on ways to localize food systems. As food and agriculture have come to be considered key leverage points in improving the health and economic standing of community members, regional governmental, economic development, and health organizations have begun to support council development. Regional public health organizations, such as some of those associated with the North Carolina Division of Public Health's Community Transformation Grant Program, have begun to support food policy council development as a way to fulfill public health goals. The

Community Transformation Grant Program, funded by the Centers for Disease Control and Prevention (cdc.gov/communitytransformation/) supports public health efforts in local communities to reduce chronic diseases, promote healthier lifestyles, reduce health disparities, and control health care spending. The nine-county member Centralina Council of Governments included the development of food policy councils in its 2012CONNECT Our Future project, a three-year initiative designed to create an overall growth framework for the region covering 14 counties in both North and South Carolina (connectourfuture.org). Centralina's support for food policy councils, food system assessment, and strategic planning complements a planned statewide initiative, funded by the Blue Cross Blue Shield Foundation and led by the Center for Environmental Farming Systems, to create a network of policy councils, conduct an inventory and analysis of food and agriculture, and recommend ways to strengthen local food systems. Food councils provide valuable input at the onset of strategic planning and can implement the recommendations of these plans. North Carolina Cooperative Extension is also interested in establishing and developing food policy councils, and field faculty will receive training as part of the new Local Foods Flagship program.

In some cases, governments supply research and administrative staff for the council to carry out its work. Dedicated staff can be critical in keeping initiatives moving forward and growing the network of interested parties, and they can also apply for some of the numerous local foods grant opportunities available from the USDA, HUD, and private foundations. An example of a North

Carolina county-based council with ongoing staff support is found in Cabarrus County (cabarrusfpc.org). The council supported the development of a county-based local foods assessment, development of a large-animal slaughter facility, and promotion of a local food marketing campaign to support local businesses that produce, distribute, process, prepare, or otherwise use food grown or raised in the county.

Resources

- North Carolina established its Sustainable Local Food Advisory Council in 2009: <http://www.ncagr.gov/localfood/>
- The Agricultural Law Center at Drake University offers a helpful set of Frequently Asked Questions about setting up food policy councils: <http://www.statefoodpolicy.org/?pageID=qanda>
- The Community Food Security Coalition has a food policy council finder for the United States and other resources to help communities develop councils: <http://foodsecurity.org/programs/food-policy-councils/list-of-food-policy-councils-in-north-america/>
- The National Sustainable Agriculture Coalition offers a useful guide giving an overview of the structure of the USDA, descriptions of fifteen grants and programs that are relevant to local and regional food systems development, and case studies of regional food systems projects that received funding: http://sustainableagriculture.net/wp-content/uploads/2010/05/NSAC_FoodSystemsFundingGuide_FirstEdition_4_2010.pdf

Conduct a Local Food System Assessment

Discovering how to build a local food system starts with determining the status of the present food system and the community's goals and available assets. Local food assessments have emerged as a means by which communities can collect information on their food systems and devise a strategy for the future. Assessments also serve as an ideal first project around which new food policy council members can coalesce. Food assessments can be conducted at any geographic level—town, county, region, or state. They can also be of varying complexity and can focus on some or all of the parts of the food system: what is produced, how it is processed and distributed, where it is consumed, and how the refuse is disposed of.

Food assessments can be very complex and include detailed studies conducted over many months, or they can be as simple as convening a group of stakeholders to discuss local food system needs and brainstorm solutions. North Carolina's Sustainable Local Food Advisory Council conducted a series of listening sessions in 2012 in lieu of an assessment to hear from farmers, entrepreneurs, and other interested parties about 1) regulations or policies that are barriers to continuing growth of the state's local foods economy 2) economic development opportunities ripe for investigation or investment, and 3) forms of support or coordination that would benefit the state's farmers or entrepreneurs seeking to thrive in local foods (ncagr.gov/localfood/).

Successful food assessments include a broad range of community stakeholders: farmers, urban/rural planners, NC Cooperative Extension field faculty, the NC Farm Bureau, health departments, rural economic development specialists, and community organizations. As noted above, a multi-county regional food system assessment by the Centralina Council of Governments and a statewide food system assessment were both initiated in 2012. Food system assessments have also been conducted in Cabarrus, Clay, Forsyth, and five counties in southern Appalachia (see links, below).

Resources

- The USDA's Economic Research Service provides a how-to kit on conducting a community food security assessment. This type of assessment focuses primarily on the food and nutritional needs of low-income residents and seeks to improve access and availability of healthy foods to these residents: See the Community Food Security Assessment Toolkit (<http://www.ers.usda.gov/publications/efan02013/efan02013.pdf>)
- The Community Food Security Coalition (<http://www.foodsecurity.org>) also provides a guidebook, survey tools, and numerous helpful publications, including this guide to assessments: http://foodsecurity.org/pub/whats_cooking.pdf.
- The Cabarrus County Food System Assessment was conducted as a planning tool to identify the assets, challenges, and strategies of developing a local food system:

(<http://www.ncagr.gov/localfood/documents/4-10-12/Cabarrus-County-Food-System-Assessment-Final-Report.pdf>).

- Forsyth Futures, a non-profit located in Winston-Salem, conducted a study of the local food system in Forsyth County in 2012 that will be used to develop a strategy to maximize the potential of locally produced food: forsythfutures.org.
- The Appalachian Sustainable Agriculture Program website has links to food system assessments it has conducted in North Carolina and surrounding states: <http://asapconnections.org/local-food-research-center/assessments/>
- Cooperative Extension in North Carolina and Virginia collaborated to create A Facilitators' Guidebook for Community-Based Food System Assessment and Planning: (<http://www.cfse.ext.vt.edu/images/stories/cfsappfinal.pdf>)
- The Center for Environmental Farming Systems and the Appalachian Sustainable Agriculture Program are two organizations that can be contracted to conduct a local food system assessment in North Carolina. For information see: <http://www.cefs.ncsu.edu/whatwedo/foodsystems/localfoodtoolkit.html> and http://www.asapconnections.org/asap_consulting.html
- State- and county-level agricultural production statistics that are useful in preparing food assessments are provided at the state and national departments of agriculture:

- The US Department of Agriculture's 2007 Agriculture Census data includes county-level profiles: http://www.agcensus.usda.gov/Publications/2007/Online_Highlights/County_Profiles/index.asp
- USDA's Food Environment Atlas has a range of useful county-level data: <http://www.ers.usda.gov/data-products/food-environment-atlas.aspx>
- North Carolina Department of Agriculture and Consumer Services Division of Statistics provides detailed information on NC agricultural production: <http://www.ncagr.gov/stats/index.htm>



Photo by Debbie Roos

Incorporate Local Food Systems into Economic Development Strategies

By including consideration of the local food system in county and regional economic development plans, local governments can maintain the viability of farming, encourage new production and value-added activities, and support the development of necessary food system infrastructure to enhance the local economy. Together this increases job opportunities, keeps more money circulating within municipalities and councils, and enhances the ability of residents to remain in rural areas.

For the local food system to flourish, however, much of the food-processing infrastructure for small and medium-sized farms may need to be developed. Farmers need centers to aggregate produce, commercial kitchens to create value-added products (such as jams or

vegetable sauces), slaughter facilities, and value-added meat-processing facilities. Several North Carolina county governments have partnered with other organizations to obtain funding for needed processing facilities (see those listed, below). Cabarrus County worked with the Farmland Preservation Trust Fund and the North Carolina Department of Agriculture and Consumer Services to add a kill floor to an existing meat processing business so that cattle producers had an option to market their products locally. Prior to this, farmers typically sold all their cattle to buyers outside the state and region due to the lack of local processing and marketing infrastructure. In Madison County, local government officials worked with the North Carolina Cooperative Extension Service and other partners to invest in a food-processing facility, the Madison Farms Value-added Center. Madison County also offers training workshops on food processing for budding food entrepreneurs.

Local governments can create staff positions to develop and promote economic development strategies that support local food systems. For example, a dedicated staff person can network various farmers who share an interest in obtaining a food-processing center or who want to apply for federal and state grants or other funding sources such as the USDA Business and Industry Loan Program.

Local governments can also adopt procurement policies that favor the purchase of local foods, for example, at county events. Even without formal passage of such policies, local government can signal support for and help bring awareness about local agriculture by adopting resolutions that promote locally produced foods. For example, a number of counties in North Carolina have adopted resolutions supporting the 10% Campaign, a project led by CEFS and the NC Cooperative Extension Service to encourage individuals, businesses, and communities to commit 10% of

their food dollars to support local food producers. A 10% Campaign resolution template appears in Appendix C.

Competition for funding among the many programs in local government budgets is keen. Cabarrus county developed and implemented one effective strategy which created recurring funds for local food system development. The county places all proceeds from taxes and interest received as a result of land exiting the present-use value program in a trust fund that can only be used to promote agricultural development and farm preservation (see the Cabarrus county text here: <http://www.cefs.ncsu.edu/publications/local-foods-appendix.pdf>). Because the receipts are generally un-budgeted, the proceeds are swept into fund balance and reserved there by ordinance for later appropriation.

A few counties in North Carolina have hired agricultural economic development coordinators to focus on local food systems. Durham County hired an agricultural economic development coordinator and watershed conservationist. This position links water and soil conservation to farmland preservation and agricultural economic development. A part-time staff person in Orange County promotes the development of local food system infrastructure, manages a farm mentorship program, and has raised more than \$1.5 million in funds to obtain a shared-use processing center.³⁷ The full-time Agricultural Development Director in Polk County increased the number of farmers markets and vendor sites and assisted local farmers with produce distribution. The director has also collaborated with several organizations including the NC Cooperative Extension Service to obtain a donated building to be used as the

Mill Spring Agricultural Development Center. Cabarrus County hired a full-time Local Food System Coordinator to oversee the efforts of their Food Policy Council and pursue economic development opportunities for building a more local food system.

When planning new initiatives to promote economic development, local governments should consider the agricultural assets within their region and how to satisfy consumer demand for local food. As noted, establishing local food policy councils, conducting local food assessments, and employing staff focused on building local food systems can help communities establish goals and working groups to attain these goals.

Resources

- With government and grant support several communities in North Carolina have created food aggregation and distribution centers to aggregate product and connect local producers with local buyers, including Pilot Mountain Pride in Winston-Salem (pilotmountainpride.com), TRACTOR (the Toe River Aggregation Center) located in Yancey County, and the Southeastern NC Foods Processing and Distribution Center in Pender County: <http://www.feastdowneast.org/sencfoods.html>. Other organizations have established branded labels to support local farm production, for example, Piedmont Grown: <http://www.piedmontgrown.org/>, and Appalachian Grown: <http://www.asapconnections.org/appalachiangrown.html>
- The Center for Environmental Farming Systems provides resources and direct assistance for local

communities to build their food systems: <http://www.cefs.ncsu.edu/whatwedo/foodsystems/localfoodtoolkit.html>

- The Carolina Farm Stewardship Association offers numerous tools to help growers and communities develop local and sustainable food economies, including a guide on federal and state laws and regulations that govern the production and sale of local foods in the state: <http://www.carolinafarmstewards.org/north-carolina-reg-guide/>
- The Appalachian Sustainable Agriculture Project offers a resource on farming, tourism, and economic development: *Farm Promotion & Support - Ideas and Tools for Economic Development and Tourism Development Authorities*: <http://www.asapconnections.org/farmpromotionandsupport.pdf>.
- The NC Division of Public Health and the UNC Center for Health Promotion and Disease Prevention, along with other partners involved in the Eat Smart Move More initiative, offer a variety of resources and tools that can help communities focus on health promoting foods
 - <http://www.eatsmartmovemore.nc.com/index.html><http://www.ncpanbranch.com>
 - <http://www.hpd.unc.edu/>
- Links to two county offices in North Carolina with agricultural economic development staff:
 - Orange County: <http://growingorangenc.com/growing-business/agriculture-food-innovation/>
 - Polk County: <http://www.polkcountyfarms.org/millspringagcenter.html>



Growing the Local Food Economy

Local food system advocates often implement initiatives that have proven successful in other areas. The following subsections of this report review some of these food system components and how they connect to local government regulations and policies.

Farmers Markets

Farmers markets provide an opportunity for urban and rural residents to purchase fresh, local foods. They can increase the incomes of local farmers and businesses adjacent to the markets and bring tourism dollars to downtown areas. A farmers market has a multiplier effect on the local economy because more money stays in the community and is recirculated. In one studied community, for every \$100 spent at the local farmers market, \$62 was recirculated for a total local impact of \$162. In comparison, for every \$100 spent at an average grocery store, only \$25 is re-spent locally.³⁸ North Carolina now has well over 200 farmers markets.³⁹ In order to promote thriving farmers markets, counties and

municipalities can revise their land-use policies to allow existing markets and promote new ones by defining and listing farmers markets as permitted uses within their zoning ordinances. Unless it is specified as allowed in the zoning regulations, permitting a farmers market to be established or remain in use could be considered a violation of the zoning ordinance. Town governments can also promote farmers markets by providing a site with shade and plumbing, renting space to the farmers market for a nominal fee (a \$1 fee is often used), helping advertise the market, providing funding for a market manager, and making sure the markets are accessible via public transportation. Farmers market organizations often work with local governments to provide the administrative framework (such as rules, regulations, membership, financial record-keeping and etc.) and insurance.⁴⁰ Grower-only markets (those that restrict sales to only items produced by the seller) do more to support developing local food economies than markets that allow non-local produce to be sold alongside local producers. These non-local markets can

confuse and anger consumers, who visit markets to support local agriculture, and can anger farmers, who may perceive that these "local" markets are being advertised inaccurately.

A number of NC farmers markets are working to allow the use of Electronic Benefit (EBT) cards that are issued to North Carolina Food and Nutrition Services Program participants. This increases the availability of fresh, local food to people with low incomes, brings new customers to the markets, and increases sales for farmers. Currently, at least 25 N.C. farmers markets or individual farmers market vendors accept EBT cards.

Resources

- The Center for Environmental Farming System's Community-Based Food Systems Resource website provides a list of useful resources for starting and maintaining a successful farmers market: <http://www.cefs.ncsu.edu/whatwedo/foodsystems/sarepdp/resourcemanual6.html#farmers>
- The North Carolina Department of Agriculture and Consumer Services offers a directory of pick-your-own farms, roadside farm markets, and farmers markets throughout North Carolina : <http://www.ncfarmfresh.com/>
- The policy nonprofit Change Lab Solution's document, *Establishing Land Use Protections for Farmers Markets*, provides sample land use policies to serve as models for local governments' comprehensive plans and zoning ordinances: <http://changelabsolutions.org/publications/establishing-land-use-protections>.

- The National Conference of State Legislatures' *Healthy Community Design Legislation Database* is a searchable database of state legislation and includes topics such as smart growth, farmers markets, nutrition, and agriculture: <http://www.ncsl.org/issues-research/health/healthy-community-design-and-access-to-healthy-foo.aspx>.
- USDA's guide: *Supplemental Nutrition Assistance Program (SNAP) at Farmers Markets: A How-to Handbook*: <http://www.ams.usda.gov/AMSV1.0/getfile?dDocName=STELPRDC5085298&acct=wdmgeninfo>
- The USDA's Farmers Market Promotion Program: <http://www.ams.usda.gov/AMSV1.0/FMPP> provides grants for the creation of farmers markets and other direct-to-consumer marketing opportunities.
- Appalachian Sustainable Agriculture Project's 2012 publication on increasing low income access to farmers markets can be found here: <http://asapconnections.org/downloads/asap-farmers-markets-for-all-full-report.pdf>
- A Coordinated Approach to Healthy Communities: A Guide for Local Governments; NC Division of Public Health. To be published in 2013.

Roadside Stands and Mobile Markets

In many rural agricultural areas and in the urban areas that they border, farmers may choose to sell directly to consumers by parking their trucks loaded with fresh produce alongside the road, usually with a sign advertising fresh produce for sale. This type of mobile market is usually

allowed in county ordinances related to agriculture. Due to the increase in consumer demand for fresh, local food, many cities and towns in North Carolina also allow mobile markets in downtown areas, especially if a farmers market has not been established. Some municipalities allow outdoor fresh produce stands to be set up in empty parking lots within the town limits during the growing season.

Depending on whether or not the roadside stand is located within a county jurisdiction or municipality, there are a number of questions to consider relating to roadside stands and mobile markets. Is a vendor's license or permit required for roadside stands? Do sign ordinances apply? Is the roadside stand located on the property where the products were produced? A stand may be allowed under county zoning if it is part of the farm operation and the items sold are produced on that farm. Counties and municipalities should consider amending their zoning ordinances to allow for the retail sale of produce and agricultural products either on the farm where they are produced or at off-site farm stands or mobile produce trucks. Ordinances developed to allow the sale of farm produce at off-site locations allow growers to benefit from higher population densities and traffic volumes that may exist some distance away from the farm.

Landowners who participate in EVAD programs can sell products and still have those sales fall under the bona fide farm purpose exemption from county zoning as long as not more than 25 percent of their sales originate from off-site. Additionally, the production of any non-farm product on land enrolled in an EVAD program recognized as a "Goodness Grows in

North Carolina" product is considered a bona fide farm purpose that may also be exempt from county zoning (N.C.G.S. § 106-743.4(a)). An example of a non-farm product is peanut butter produced from peanuts originating off site from other farming operations.

Communities may allow some flexibility for growers who need to bring in and sell agricultural products from other growers in the same area. This opportunity allows growers to generate additional income and offer a more diverse range of local products. An allowance of collective sales from local farmers is not the same as resell practices that bring food in from outside the region.

Communities are also experimenting with innovative ways to sell local produce. LoMo Market (lomomarket.com) operates using a bookmobile model, with a mobile produce market that makes scheduled stops in the Raleigh-Durham area. In the community of Goldsboro, youth operate a bike delivery program, the Produce Ped'lers (www.facebook.com/ProducePedlers), delivering produce from the town's farmers market to areas of the community that have limited access to fresh produce.

Resources

- See Appendix D for a sample ordinance from Nags Head, North Carolina that includes what can be sold, the size of the farm stand, and the display and location.
- The American Planning Association provides a guide on zoning issues related to urban markets and street vendors. This publication defines and describes eight key issues for planners to consider when planning for public

markets. See: *Zoning for Public Markets and Street Vendors*: <http://www.planning.org/zoningpractice/2009/pdf/feb.pdf>.

- For information on the Goodness Grows in North Carolina program: <http://www.ncagr.gov/markets/gginc/application.htm>

Local Foods in Groceries, Convenience Stores, and Corner Markets

Grocery stores can promote economic development in neighborhoods by providing jobs, anchoring an established business, and raising the surrounding property values. They can also increase access to fresh, healthy foods in low-income communities and serve as a market for local farmers.

Municipalities can play a vital role in increasing the availability of local foods. Several communities nationwide have developed programs that target small retail stores in underserved areas as a means to increase access to healthy foods, including local foods (see Resources at the end of this section for examples). Successful strategies for increasing access in these venues include: 1) providing grants, loans, or tax incentives for store improvements or healthy food purchasing, 2) providing assistance with marketing and promotional campaigns, 3) assisting storeowners in creating buying co-ops.

City governments can work with community groups to assess which neighborhoods may not provide easy access to healthy, local foods (these areas are often termed “food deserts”). Economic development agencies can help attract grocery stores to those districts, and zoning ordinances can be



reviewed and amended to allow a site to be used for retail food purposes. Some federal and state tax credits may be available to help attract business to specific geographic regions.⁴¹ Community food assessments represent a valuable tool to determine the availability of local food in urban and rural areas. Technology, such as GIS maps, can show the outcome of those assessments to determine areas in a community in greater need of fresh food availability.

Resources

- In 2011, North Carolina’s Division of Public Health began a multi-year, CDC-funded initiative called the Community Transformation Grant, and the two nutrition focus areas of the initiative are to increase North Carolinian’s access to farmers markets and to fresh produce at convenience and corner grocery stores.⁴²
- One of the largest fresh-food retail projects in the United States is Pennsylvania’s Fresh Food Financing Initiative, which has supported more than 80 fresh-food retail projects in

30+ counties in the state: <http://www.thefoodtrust.org/pdf/FFFI%20Brief.pdf>.

- New York City’s FRESH Program (Food Retail Expansion to Support Health) identified food deserts and created an incentive program to encourage grocery stores to move into those neighborhoods and offer food grown and processed in the state: <http://www.nyc.gov/html/misc/html/2009/fresh.shtml>⁴³
- *A Coordinated Approach to Healthy Communities: A Guide for Local Governments*; NC Division of Public Health. To be published in 2013.

Local Foods in Institutions

Institutions such as schools and hospitals can play an important role in supporting the growth of local food systems by providing local, seasonally available foods within food-service settings. A variety of farm-to-school initiatives have established connections to K-12 schools (see Resource links below). Colleges and universities across North Carolina

including UNC-Asheville, UNC-Wilmington, NC State University, Duke University, Warren Wilson College, NC A&T State University, and others have also become involved at various levels by establishing campus farmers markets and purchasing local food for their cafeterias. A number of hospitals in North Carolina also provide space for a farmers market for employees and community residents.

A number of factors make providing local foods within institutional food service settings a challenge, particularly factors related to liability insurance, food safety certification requirements, and the logistics and additional cost involved of sourcing foods from multiple farms. Local governments can help address these factors and take the first step by establishing policies and goals to procure a certain percentage of foods from local sources.

Increasing the amount of local fresh produce served in public schools is an initiative that is receiving support at both the federal and state levels. Within North Carolina, the NC Department of Agriculture and Consumer Services actively supports farm-to-school programs, and non-profits and other organizations, including the Growing Minds program at the Appalachian Sustainable Agriculture Project and the FoodCorps program supported by the NC Cooperative Extension’s 4-H program and the Center for Environmental Farming Systems are working together to connect kids with locally grown foods.

Resources

- NC Farm-to-School program: NC Department of Agriculture and Consumer Services provides a map with farms and participating school

districts — see: <http://www.ncfarmtoschool.com>

- For information on the farm-to-school programs across the United States: <http://www.farmtoschool.org/states/php>.
- The Appalachian Sustainable Agriculture Project’s *Growing Minds* farm-to-school program: <http://growing-minds.org/>
- The FoodCorps program in North Carolina: <http://foodcorps.org/where-we-work/north-carolina>
- The document *Michigan Good Food Institutional Food Purchasing*: <http://www.michiganfood.org/assets/goodfood/docs/Inst%20Food%20Purchasing%20Report.pdf> provides helpful information on how to establish institutional food purchasing.

Community Gardens

Community gardens are defined as any public or private facility used for the cultivation of edible and ornamental plants by more than one person.⁴⁴ Careful planning is important to locate community gardens outside environmentally sensitive areas and within walking distance of local residents. Advocates also need to consider many issues including zoning, land ownership for long-term availability of the garden site, business licenses required for selling produce, and emerging federal health and safety laws on agricultural products. Community gardens in low-income areas can be especially valuable, as they provide lower-cost fresh and healthy food to residents who may not have access to a grocery store, cannot afford high prices for fresh produce, and have difficulty accessing a farmers market.

In North Carolina, many citizen groups, non-profit organizations, and state agencies have collaborated to promote and establish community gardens. Community gardens often benefit from state agencies and from the experience of leaders and staff in county and municipal parks and recreation offices, Cooperative Extension offices, health departments, community organizations, and local schools. For example, North Carolina Community Garden Partners began with a partnership between the NC Division of Public Health, the NC Cooperative Extension Service, and community garden advocates across the state. Together the partners have created a website, social media site, gardening primer, and community garden listserv, and the group hosts regular meetings and workgroups to foster its mission of increasing the number of successful and sustainable community gardens in North Carolina. Another promising initiative was started in 2011, when the North Carolina Recreation and Parks Association partnered with Blue Cross and Blue Shield of North Carolina to establish Nourishing NC, an initiative with the objective of establishing a community garden in every county in North Carolina by 2013. This initiative was one of the “game changer” ideas resulting from the 2010 CEFS Farm to Fork initiative: <http://www.cefs.ncsu.edu/whatwedo/foodsystems/f2fstatewideinitiative.html>

Resources

- A 2011 Raleigh, NC, report provides guidance and suggests zoning ordinance changes to allow community gardens across the city: *Urban Agriculture and Community Gardens in the City of*

Raleigh: <http://www.raleighnc.gov/content/PlanCurrent/Documents/Administration/CommunityGardenReport.pdf>

- The National Policy and Legal Analysis Network to Prevent Childhood Obesity created a set of model land use policies to help communities create gardens: <http://www.nplanonline.org/nplan/community-gardens>
- The American Community Gardening Association's website offers comprehensive information on community gardens: <http://www.communitygarden.org/learn/starting-a-community-garden.php>.
- The NC Community Garden Partners website (<http://www.nccgp.org/>) and the community gardens website: (<http://nccommunitygarden.ncsu.edu/index.html>) hosted by the NC Cooperative Extension Service provide resources on community gardens and links to gardens throughout North Carolina.
- The NC Division of Public Health Physical Activity & Nutrition Branch and the NC Cooperative Extension Service created an online community garden primer: <http://nccommunitygarden.ncsu.edu/primer.html>; <http://www.eatsmartmovemorenc.com/Gardens/Gardens.htm>
- Also see *Cultivating Community Gardens: The Role of Local Governments in Creating Healthy, Livable Neighborhoods*, from the Local Government Commission: http://www.lgc.org/freepub/docs/community_design/fact_sheets/community_gardens.pdf

Urban Agriculture

Urban farms within cities can be small in acreage, and the food can either be shared or sold. Some farms set up a formal sales operation to distribute the food wholesale to restaurants or through other direct sales such as farmers markets (often on site) or through a Community Supported Agriculture system. Urban farms provide not only working green space for city dwellers, but employment and value-added entrepreneurial activities for residents and a municipal revenue source based on the sales tax levied on farm products sold there.⁴⁵ Will Allen's *Growing Power* model (growingpower.org), combining urban farming with training and technical assistance to community members to learn sustainable practices for growing, processing, marketing, and distributing food, has been adopted in a number of urban centers and continues to spread.⁴⁶

Urban farms can offer many benefits such as access to local fresh food, jobs, and educational opportunities. A study conducted in 2008 highlighted the benefits of middle- to large-scale urban agriculture and provided urban planners with six existing models of urban farms across the country.⁴⁷ Biointensive production methods, often used in land-scarce urban settings, offer a range of benefits, including a more than 50 percent reduction in water usage and purchased fertilizers, 100 percent increase in soil fertility, and production of two to six times more food compared to conventional methods.⁴⁸ Farm products sold in their original state by producers are also exempt from sales tax (NC.G.S. 105-164.13).

In the past few years, the issue of urban chickens has been brought up in many town meetings, with advocates noting the benefits of fresh eggs, free natural fertilizer, and natural pest control.⁴⁹ As of 2012, at least 16 NC municipalities allowed backyard chickens. In some cities, groups host events to promote backyard chickens as agritourism, such as Raleigh's annual "Tour d' Coop."⁵⁰ Local governments need to examine whether chickens and other livestock are allowed under their zoning, animal control, and any other applicable ordinances. A number of factors need to be considered, including whether to allow roosters, the number of chickens, whether to allow commercial sales of eggs or meat, distance from dwellings, amount of land required, enclosure of the house and run area, and sanitation. State and federal regulations also apply to the processing and sale of meat and eggs.

Resource

- See Appendix E for a list of issues that may impact urban and urban-fringe agriculture.
- A 2011 Raleigh, NC, report provides guidance and suggests zoning ordinance changes to support urban agriculture: *Urban Agriculture and Community Gardens in the City of Raleigh*: <http://www.raleighnc.gov/content/PlanCurrent/Documents/Administration/CommunityGardenReport.pdf>
- For an example of a municipality (Durham, NC) that allows limited agriculture such as chickens within city limits see: <http://www.ci.durham.nc.us/udo/>

- The North Carolina Cooperative Extension Service offers a helpful guide on raising backyard chickens, *Keeping Garden Chickens in North Carolina*: http://www.ces.ncsu.edu/depts/poulsci/tech_manuals/Backyard_Chickens.pdf
- The American Planning Association published a report in 2011, *Urban Agriculture: Growing Healthy, Sustainable Places*. This document considers the challenges and opportunities for municipal and county governments in supporting urban agriculture and includes case studies on policies and programs across the United States. For more information about this new report, visit: <http://planning.org/apastore/search/Default.aspx?p=4146>.
- A study conducted in 2008 highlights the benefits of middle- to large-scale urban agriculture and provides urban planners with six models of urban farms across the country: *Vitalizing the Vacant: The Logistics and Benefits of Middle- to Large-Scale Agricultural Production on Urban Land*: <http://thoughtsonthetable.files.wordpress.com/2008/05/myersvitalizingthevacant1.pdf>
- The American Planning Association's *Policy Guide on Community and Regional Food Planning* (2007) provides general and specific policies to support and strengthen local, sustainable food systems: <http://www.planning.org/policy/guides/adopted/food.htm>

Vacant Land for Food Systems

Vacant, publicly owned land within counties or towns can be used as a valuable resource for promoting the



health and vitality of citizens and the local economy. Government-owned land can be used temporarily or permanently for food production, processing, distribution, and sales. Local government officials can involve community groups and organizations to determine their specific interests and needs related to community gardening, farmers markets, urban farms, or other aspects of local foods infrastructure such as processing and distribution. An inventory of existing vacant lots within various zoning districts can be assessed and policies developed for specific uses. Factors such as the availability of water, soil quality, parking, lighting, security, and the benefits to and impacts of adjacent land uses should all be considered.⁵¹ City and county governments can support the local food system infrastructure by simplifying the permitting process, providing resources (financial and technical assistance), and by promoting collaboration between community stakeholders and farmers. Urban parks may also be considered as a potential site for a community garden

and incorporated into the long-term plan. An urban community garden or mini-farm could also serve as a tourist attraction, much like a botanical garden, while providing open space and opportunities to learn about the importance of locally grown food.

A number of North Carolina county and municipal governments support local food economies by donating land for farmers markets, incubator farms, or food-processing centers for value-added farm products. For example, the cities of Carrboro, Clayton, and Durham provided land and initial funding to establish farmers markets; Goldsboro provided vacant land to develop a farm in town; Cabarrus County provided land for the Elma C. Lomax Incubator Farm; Orange County provided a building for the Piedmont Food and Agricultural Processing Center; and McDowell County provided land for establishment of a small-scale poultry and rabbit processing facility.

Resources

- See the resource sections above for urban agriculture, community gardens, and farmers markets for information on these possible uses of vacant lands.
- For information on CEFS' *Bringing New Farmers to the Table* project, see: <http://www.cefs.ncsu.edu/whatwedo/foodsystems/beginningfarmers.html>

Agritourism

Farm tours are a growing means to highlight the agricultural benefits of North Carolina's diverse production regions. Depending on the season and the region, a farm tour could include a winery, corn maze, or a dairy selling fresh cheese. The statewide farm guide, *Farm Fresh North Carolina: The Go-To Guide to Great Farmers Markets, Farm Stands, Farms, Apple Orchards, U-Picks, Kids' Activities, Lodging, Dining, Choose-and-Cut Christmas Trees, Vineyards and Wineries*, includes more than 425 farms across North Carolina. This type of publication increases the potential for agritourism, which provides farms an opportunity to not only educate residents about farming, forestry, and horticulture directly, but also gives farmers a chance to highlight and sell their locally grown products at the same time.

In response to the increased interest in local foods and farms, local governments can promote farms and local foods to tourists by allowing

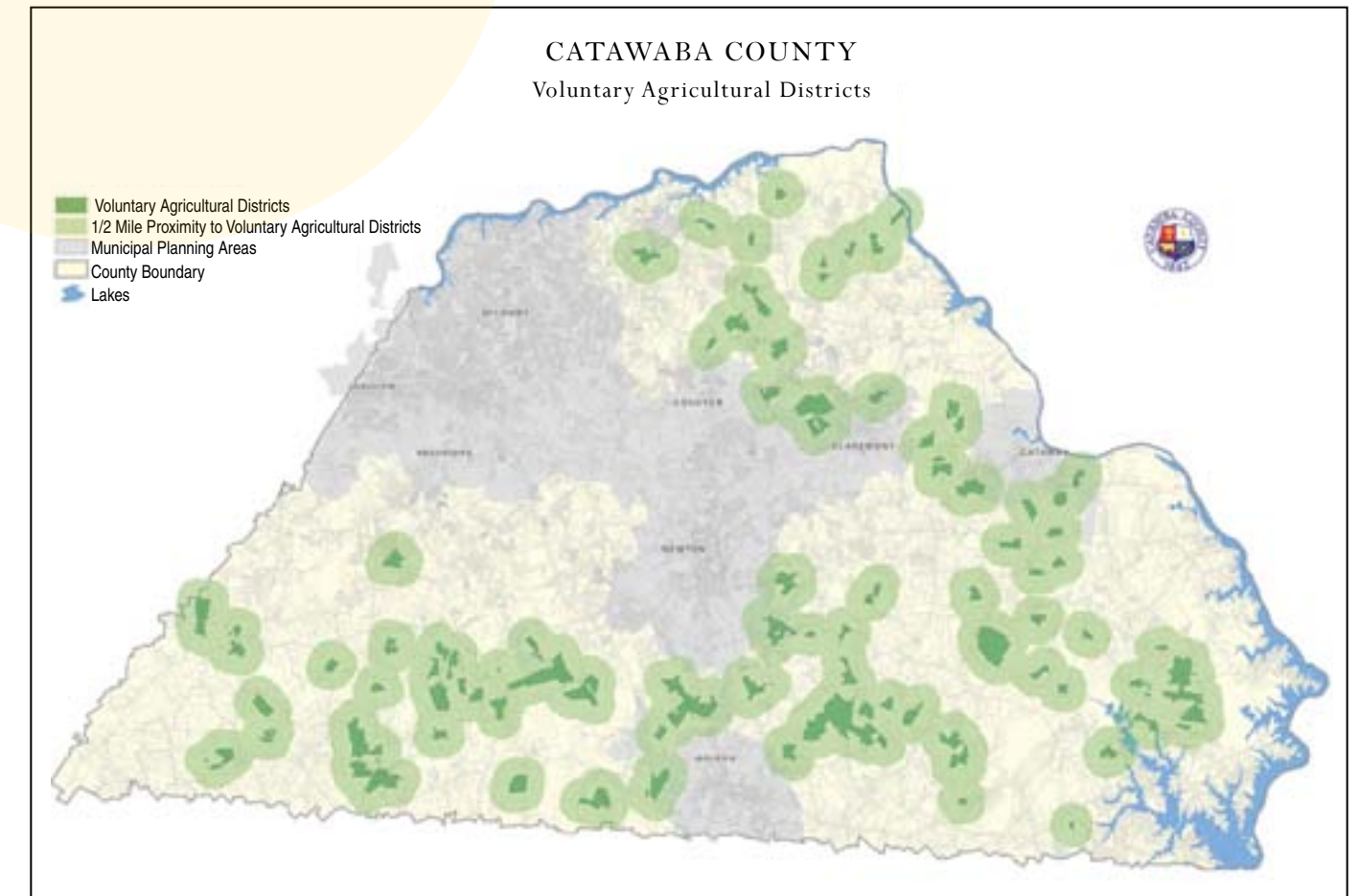
for and supporting agritourism. Agritourism is included in the definition of agriculture (N.C.G.S § 106-581.1), which is also referenced in the exemption for bona fide farm purposes from county zoning. Depending on how county and municipal government land-use ordinances are written and enforced, zoning permits or other requirements may be applied to agritourism activities. Whether a county zoning ordinance or other regulations should be applied to an agritourism activity may require determination on a case-by-case basis. Municipalities can support agritourism by permitting it as an allowed use within their zoning or unified development ordinances.

Resources

- See the NCDA & CS agritourism website: <http://www.ncagr.gov/markets/agritourism/>
- The Carolina Farm Stewardship Association, founded in 1979, held its first annual farm tour in 1995: (<http://www.carolinafarmstewards.org/>). Charlotte, Raleigh, and many other municipalities and counties in the state have begun to offer seasonal tours. Check with your local Cooperative Extension office for nearby tours.
- See the NC Cooperative Extension Agritourism site for more information: <http://www.ncsu.edu/tourismextension/>

- For a sample of agritourism ordinances from Franklin and Guilford counties, see: http://www.farmlandinfo.org/farmland_preservation_literature/index.cfm?function=article_views&articleID=31721
- Brunswick County's definition of "agricultural tourism": An enterprise or activity operated in conjunction with and on a bona fide farm that is offered to the general public (or to invited groups) for the purpose of enjoyment, education, or active involvement in the activities of the farm or operation. This may include farm stands, farmers markets, wineries, and other enterprises that are located on a bona fide farm and sell farm commodities produced on the farm and from other nearby bona fide farms.
- For Iredell county's zoning ordinance see: <http://www.co.iredell.nc.us/Departments/Planning/ordinanc.asp>
- The Appalachian Sustainable Agriculture Project offers a resource on farming, tourism, and economic development: *Farm Promotion & Support - Ideas and Tools for Economic Development and Tourism Development Authorities*: <http://www.asapconnections.org/farmpromotionandsupport.pdf>

Appendix A – Sample County Farmland Preservation District Map



Appendix B – Sample Table of Permitted Uses

This table provides a sample of zoning classifications that may be used to allow local food enterprises.

Sample Table of Permitted Uses - General Use Districts – Municipality

P=Permitted Use; L= Limited Use; S= Special Use; A= Accessory Use; C = Requires Site Plan Approval; Medium – Impact Use Buffer Classification

Use Category	Use Type	CB	AD	RR	R20	R8	OI	NB	GB	IM	Use Specific Standards
Agriculture - related											
	Farm, Bona fide	L	A	P				S	S	S	
	Greenhouse/ Nursery	M	C	P			C	C	C	C	
	Greenhouse/ Nursery - Large or Wholehouse	H	S	P					S	C	
	Forestry	P	P	P	P						
	Produce- Stand	P	P	P							
	Agri-Tourism		P, A								
	Farmers Market							P			
	Community Garden							S			
	Poultry		P	P	S	S		S	S	S	

District Definitions (samples)

- CB = Conservation Buffer** - Established to ensure the protection of open space, flood plains, and scenic and historic areas. It also serves to promote very low-density residential development that is compatible with environmentally sensitive areas and to protect watersheds.
- AD = Agriculture District** – Designed to protect agricultural lands for agricultural uses. Also applied to land unsuitable for urban development.
- RR = Rural Residential** – Established to accommodate large-lot residential uses and development compatible with the natural landscape.
- R 20 = Residential** – This district establishes low-density residential areas as the principal use of the land. Public utilities are required. The minimum lot size is 20,000 square feet and the maximum density is 2 units per acre.
- R 8 = Residential** - Principal use of this land is for single-family residential dwellings on lots at least 8,000 square feet. The size of the lots promotes efficient use of utilities and well-designed, affordable neighborhoods.
- OI = Office & Institutional** - Area set aside for offices and professional service-related uses. This district can also serve as the transition district between residential and commercial areas.
- NB = Neighborhood Business** - Principal use is for retailing of goods and services to adjacent residential areas. This type of district could support local foods by providing areas for grocers, meat markets, food cooperatives, etc.
- GB = General Business** - Serves as the major retail and service district.

Appendix C. Sample 10% Campaign Resolution Supporting Local Foods

A Resolution to Promote [County Name] Local Food Economy

WHEREAS, North Carolina has the opportunity to harness consumer spending on food to bolster the sustainability of local farms and fisheries, support economic development and job creation and help address diet-related health concerns; and

WHEREAS, consumers are demanding locally produced foods and food producers are responding positively to this increased consumer demand; and

WHEREAS, the demand for locally produced foods has not been diminished by a weak economy; and

WHEREAS, there is significant potential for local food and farming businesses to be an economic development engine in North Carolina, particularly in rural areas; and

WHEREAS, in 2009, North Carolinians spent about \$35 billion a year on food; and

WHEREAS, if individuals spent 10 percent of their food dollars on local foods, approximately \$3.5 billion would be available in the local economy; and

WHEREAS, county governments have an important role to play in supporting their local food systems; and

WHEREAS, county governments control budgets that allocate funds for food service in schools, jails, and medical centers; and

WHEREAS, county governments set policies to procure local foods; and

WHEREAS, county governments may commit to purchasing local foods when hosting meetings, conferences, and workshops; and

WHEREAS, the Center for Environmental Farming Systems' **10% Campaign** supports local and regional food economies that benefit local food producers, related businesses, and communities; and

WHEREAS, the *North Carolina Cooperative Extension Service* is working in support of the **10% Campaign** in all 100 counties, including [County name] County; and

WHEREAS, these on-the-ground experts are working with other community leaders, farmers, businesses, parents, teachers, and students, many of whom are already working to build the state's sustainable local food economy, from farm to fork; and

WHEREAS, [County Name] County is responsible for promoting economic development and job creation; and

WHEREAS, [County Name] County is responsible for protecting and enhancing the health, welfare, and safety of its residents in prudent and cost-effective ways; and

WHEREAS, the people of [County name] County will benefit significantly through the success of the **10% Campaign** through a stronger economy and access to fresh, affordable meats, produce, fish and shellfish.

NOW, THEREFORE, BE IT RESOLVED that the [County name] County Board of Commissioners pledges to access its ability to source local foods and to promote participation in the **10% Campaign** to its employees and citizenship as appropriate to help build the local food economy.

Appendix D – Sample Ordinance on Outdoor Fresh Produce Stands

Outdoor fresh produce stands as permitted by this chapter shall be subject to the following provisions:

- (1) The principal sale of items shall be seasonal fresh vegetables and fruits. The sale of any other items shall be incidental and limited to no more than 10 percent of the display area or 10 percent of sales.
- (2) There shall be only one produce stand per site. The produce stand, inclusive of display counters and awnings, shall not exceed 400 square feet in area. The stand shall not be required to be a permanent structure and may be located upon a trailer. When located upon a trailer, skirting shall be installed around the perimeter to screen the wheels, axles and towing hitch from view. Refrigeration units may be utilized within the stand area.
- (3) The stand shall be temporary and may be operated for a period of time not to exceed 180 days annually. The dates of operation shall be limited to between May 1 and November 1 of each year.
- (4) The location of the produce stand on the site shall comply with the minimum district yard regulations required for principal use structures.
- (5) When located on a site with 50 or more existing parking spaces, no additional parking spaces will be required. When located on a site with fewer than 50 parking spaces a minimum of 3 off-street parking spaces provided in accordance with Article V of this Chapter shall be required.
- (6) Where the regulations contained in this subsection are in conflict with the general regulations of

Chapter 12, Article III, Peddlers and Itinerant Merchants, the provision of this Chapter (Chapter 48, Zoning) shall prevail. PART II. PART IV. That **Section 48-862(b), Permitted uses, Village Commercial 2 district**, be amended to add the following: (4) Outdoor fresh produce stands as an accessory use to neighborhood shopping cluster. PART V. That **Section 48-284(2), Signs permitted in commercial districts**, be amended to add the following: h. Outdoor fresh produce stands shall be allowed one temporary sign attached to the stand. Such sign shall not exceed 15 square feet in area or extend above the roof of the stand. This sign area shall be exempt from the calculation of total commercial site sign area limitations imposed by this subsection.

Appendix E. Issues that May Impact Urban/Urban Fringe Agriculture

Note: This list serves as a source of issues to consider regarding local food systems in urban areas.

Assembly ordinances – the ability to license, regulate, and control, in the interest of the public health, safety, and welfare, the number of people gathered together within a specific area. This may apply to community gardens, farmers markets, etc.

Compost - municipal compost programs provide an opportunity to divert waste from landfills by requiring residential and commercial buildings to separate organic materials from non-organic and dispose of them in the proper containers for pickup.

Entrepreneurial activity – includes the use of public land for profit-making activities. This includes the sale of food grown in community gardens or urban farms. It may include ordinances involving outdoor produce stands or mobile markets within city limits.

Fencing - regulations may require that fences be built out of certain materials and meet specific height or setback requirements that are not compatible with certain farm uses like the raising of livestock. This can add additional costs to the farming operation. Ordinances should allow for the type and design of fencing, which is required for the type of urban agriculture being conducted.

Health codes – food handling and processing involves many federal and state regulations such as GAP training (Good Agricultural Practices, part of a voluntary food safety program developed by the FDA and the USDA for fruit and vegetable growers.)

Land tenure and usage – county and municipal policies on land sales could impact non-owner use for urban agriculture. For example, if a municipal government allowed a group of citizens to use public land for a community garden – a long-term lease (at least 3-5 years) could help protect that investment so the land is not taken for other purposes during that time.

Liability – the North Carolina Cooperative Extension Service (<http://www.ces.ncsu.edu/forestry/pdf/WON/won21.pdf>) and the National Agriculture Law Center (<http://www.nationalaglawcenter.org/readingrooms/landownerliability/>) provide information on liability issues for landowners.

Livestock – Processing, slaughtering, food handling, and sales of meat involve many rules, regulations, and ordinances from federal, state, and local agencies. Additionally, animal control ordinances should be written to permit livestock when they are allowed under a zoning ordinance.

Local purchasing/preferential purchasing – this policy can support development of local food systems. For example, state or local government may have policies that indicate preference will be given to N.C. vendors selling N.C. farm products.

Noise – noise ordinances can be written to allow agricultural, forestry, and horticultural operations to occur within reasonable volume levels and within certain times of the day. Some local governments specifically exempt agricultural and related activities from their noise ordinances if certain conditions are met.

Noxious Weeds Ordinances/ Nuisance/Maintenance – community gardens and urban agriculture may be challenged by ordinances relating to the height of plants, etc. Even home gardeners have been told that the local zoning ordinances prevent vegetable gardens in the front of the property. Questions such as how to permit local gardens while addressing important maintenance issues may provoke creative solutions to these issues.

Parking – one of the many requirements within urban districts that impact local food production and distribution.

Setback requirements – setbacks in ordinances may require fences and farming uses be moved a certain distance from roads or other land uses, which may take land area out of production. Ordinances should allow for flexibility where setbacks can be reduced or may not be needed.

Signage – ordinances should allow growers to advertise information, on and off site, that identifies the farm, as well as the products produced. Off-site, way-finding signage may be required during specific growing seasons for operations that rely on consumers to travel to a farm or garden to purchase seasonal products on-site (such as pick your own).

Start-up Costs – if a county or municipal government chooses to invest in local food enterprise such as a farmers market or community garden, costs such as labor, site management, equipment (fences, tools, etc.), and promotional materials need to be considered in addition to staff time invested in the program.

Structures on urban land – individual homeowners, community gardens, and urban farms will need to consider ordinances relating to building codes such as offset from property, height, etc. before building new structures or modifying existing ones.

Transfer of property – environmental assessments may need to be carried out before another person may purchase a property with the intention of growing food. Rural or urban lots may contain soil contaminated by environmental toxins.

Endnotes

¹ Garrett, Steven, and Gail Feenstra. (n.d.) “Growing a Community Food System.” A Western Regional Extension Publication. <http://smallfarms.wsu.edu/ws-pdfs/WREP0135.pdf>

² Ikerd, John. (2005). *Eating Local – A Matter of Integrity*. Presented at The Eat Local Challenge event, hosted by Eco Trust, Portland, OR. June 2, 2005. <http://web.missouri.edu/~ikerdj/papers/Alabama-Eat%20Local.htm>

³ Deputy Secretary of Agriculture – Kathleen Merrigan’s speech. April 26, 2010 *An Introduction to Know Your Farmer, Know Your Food* (presented to the National Association of Agricultural Journalists)

⁴ USDA Know Your Farmer Know Your Food. www.usda.gov/knowyourfarmer

⁵ Martinez, Steve, et. al. U.S. Department of Agriculture- Economic Research Report (May 2010) Local Food Systems – Concepts, Impacts, and Issues. <http://www.ers.usda.gov/Publications/ERR97/ERR97.pdf>

⁶ American Farmland Trust (July 7, 2010) Press Release. <http://www.farmland.org/news/pressreleases/13-Million-More-Acres.asp>

⁷ North Carolina Institute of Medicine. (January, 2011) *Healthy North Carolina 2020: A Better State of Health*. http://www.nciom.org/wp-content/uploads/2011/01/HNC2020_FINAL-March-revised.pdf

⁸ North Carolina Department of Agriculture and Consumer Services. <http://www.ncagr.gov/stats/general/overview.htm>

⁹ North Carolina Department of Agriculture and Consumer Services. (2011). *North Carolina Agriculture Statistics*. <http://www.ncagr.gov/stats/2011AgStat/NCHighlights.pdf>

¹⁰ North Carolina Department of Agriculture and Consumer Services. <http://www.ncagr.gov/stats/index.htm>

¹¹ Raleigh News and Observer. *Food Jobs – A good fit for North Carolina*. (March 06, 2010). <http://www.newsobserver.com/2010/03/06/372982/food-jobs-a-good-fit-for-nc.html#storylink=misearch#ixzz1CuJohvVS>

¹² Raleigh News and Observer. *Grocery co-ops report rise in sales even in tight times*. (January 19, 2011). <http://www.newsobserver.com/2011/01/19/929104/grocery-co-ops-report-rise-in.html#storylink=misearch#ixzz1CuSY2CIQ>

¹³ USDA National Agriculture Statistics Service - 2007 Census. <http://www.agcensus.usda.gov/Publications/2007/>

¹⁴ Low, Sarah A., and Stephen Vogel. *Direct and Intermediated Marketing of Local Foods in the United States*, ERR-128. U.S. Department of Agriculture, Economic Research Service, November 2011.

¹⁵ American Planning Association (2007). *Policy Guide on Community and Regional Food Planning*. <http://www.planning.org/policy/guides/pdf/foodplanning.pdf>

¹⁶ King, Robert P., Michael S. Hand, Gigi DiGiacomo, Kate Clancy, Miguel I. Gómez, Shermain D. Hardesty, Larry Lev, and Edward W. McLaughlin. 2010. *Comparing the Structure, Size, and Performance of Local and Mainstream Food Supply Chains*. ERR-99, US Department

of Agriculture, Economic Research Service.

¹⁷ Enshayan, Kamyar 2008. *Community Economic Impact Assessment for a Multi-County Local Food System in Northeast Iowa*. Leopold Center for Sustainable Agriculture Final Report M08-05. Henneberry, S.R., B. Whitacre, and H.N. Agustini. 2009. “An Evaluation of the Economic Impacts of Oklahoma Farmers Markets.” *Journal of Food Distribution Research*, 40: 64-78.

Lev, L., L. Brewer, and G. Stephenson. 2003. *How Do Farmers Markets Affect Neighboring Businesses?* Oregon Small Farms Technical Report No. 16, Small Farms Extension Program, Oregon State University, Corvallis, OR. Myers, G.S. 2004. *Howard County Farmers Market Economic Impact Study 2004*. Report. Howard Co. (MD) Economic Development Authority, Agricultural Marketing Program. Otto, D., and T. Varner. 2005. *Consumers, Vendors, and the Economic Importance of Iowa Farmers Markets: An Economic Impact Survey Analysis*. Iowa State University, Leopold Center for Sustainable Agriculture. Sonntag, Vicki. 2008. *Why Local Linkages Matter: Findings from the Local Food Economy Study*. Seattle, WA: Sustainable Seattle.

¹⁸ Ahern, Melissa, Cheryl Brown, and Stephen Dukas. 2011. “A National Study of the Association between Food Environments and County-Level Health Outcomes.” *The Journal of Rural Health* 27(4): 367-379. Salois, Matthew. 2011. “Obesity and Diabetes, the Built Environment, and the Local Food Economy in the United States, 2007.” *Economics and Human Biology*, 20(1): 35-42.

¹⁹ Alaimo, Katherine, Elizabeth Packnett, Richard Miles, and Daniel Kruger. 2008. "Fruit and Vegetable Intake among Urban Community Gardeners." *Journal of Nutrition Education and Behavior*, 40(2): 94-101.

²⁰ Saldivar-Tanaka, Laura, and Marianne E. Krasny. 2004. "Culturing Community Development, Neighborhood Open Space, and Civic Agriculture: The Case of Latino Community Gardens in New York City." *Agriculture and Human Values*, 21: 399-412.

²¹ Center for Environmental Farming System's Farm to Fork Action Plan 2010: www.cefs.ncsu.edu/resources/stateactionguide2010.pdf

²² North Carolina Agricultural Development Farm Protection Trust Fund: <http://www.ncadfp.org/aboutus.htm>

²³ North Carolina Department of Agriculture & Consumer Services - Agricultural Statistics - 2007 Census of Agriculture. <http://www.ncagr.gov/stats/census/highlights.htm>

²⁴ Farmland Information Center fact sheet, "Cost of Community Services" (Northampton, Mass.: American Farmland Trust, 2006). http://www.farmlandinfo.org/farmland_preservation_literature/index.cfm?function=article_view&articleID=31721

²⁵ Ibid

²⁶ North Carolina Department of Environment and Natural Resources. *Working Lands Toolbox*. http://www.climatechange.nc.gov/pages/WL_Toolbox.html

²⁷ Map of farmland preservation plans by county: <http://www.ncadfp.org/documents/>

[FarmlandProtectionPlanMap12-5-2011.pdf](http://www.ncadfp.org/vadprogram.htm). Linked list of county plans: <http://www.ncadfp.org/vadprogram.htm>

²⁸ North Carolina Agricultural Development and Farmland Preservation Act (1985).

http://www.ncga.state.nc.us/enactedlegislation/statutes/html/byarticle/chapter_106/article_61.html

²⁹ NC Agriculture Development and Farmland Preservation Trust Fund. <http://www.ncadfp.org/FarmlandPreservation.htm>

³⁰ Find the enabling legislation here: <http://www.ncadfp.org/Legislation.htm> And information on the NC Agriculture Development and Farmland Preservation Trust Fund here: <http://www.ncadfp.org/FarmlandPreservation.htm>

³¹ Map of existing districts: <http://www.ncadfp.org/documents/VADMap2color11-18--2011.pdf>

³² <http://www.johnstonnc.com/files/planning/Johnston%20Agricultural%20Development%20Plan.pdf>

³³ Mukherji, N and Morales, A. (March 2010). "Zoning for Urban Agriculture" *Zoning Practice*. Chicago: The American Planning Association. www.planning.org

³⁴ Dunning, R., Nancy Creamer, Joanna Massey Lelekacs, John O'Sullivan, Tes Thraves, and Teisha Wymore "Educator and Institutional Entrepreneur: Cooperative Extension and the Building of Localized Food Systems." *Journal of Agriculture, Food Systems, and Community Development*, 3(2): 1 -15.

³⁵ http://www.fruitsandveggiesmatter.gov/health_professionals/statereport.html

³⁶ <http://www.cdc.gov/communitytransformation/funds/programs.htm>; http://gro-wnc.org/pdf/March_Workgroups/Community_Transformation_Grant_Overview.pdf

³⁷ Personal communication with Noah Ranells, Orange County Agricultural Economic Development, August 2009.

³⁸ Sonntag, V. (April 2008). *Why Local Linkages Matter – Findings from the Local Food Economy Study* – Sustainable Seattle. <http://ecopraxis.dreamhosters.com/?p=111>

³⁹ NC Department of Agriculture and Consumer Services. <http://www.ncagr.gov/markets/facilities/index.htm>

⁴⁰ Email correspondence from David Goforth, Cabarrus County, NC. August 5, 2010.

⁴¹ Public Health Law and Policy (9/9/09) *Getting to Grocery – Tools for Attracting Healthy Food Retail to Underserved Neighborhoods*. www.phpnet.org

⁴² <http://www.cdc.gov/communitytransformation/funds/programs.htm>; http://gro-wnc.org/pdf/March_Workgroups/Community_Transformation_Grant_Overview.pdf

⁴³ New York City's FRESH Program description: <http://nyc.gov/FRESH>

⁴⁴ American Planning Association. *A Planners Dictionary*. Planning Advisory Service Report Number 521/522. www.planning.org

⁴⁵ Brown, K., Carter, A. (October 2003). *Urban Agriculture and Community Food Security in the United States: Farming from the City Center to the Urban Fringe*. Community Food Security Coalition. www.foodsecurity.org

⁴⁶ [Growingpower.org](http://growingpower.org)

⁴⁷ Myers, A. (May 2008) *Vitalizing the Vacant – The Logistics and Benefits of Middle – to- Large-Scale Agricultural Production on Urban Land*. Berkeley: University of California.

<http://thoughtsonthetable.files.wordpress.com/2008/05/myersvitalizingthevacant1.pdf>

⁴⁸ Jeavons, J.C., 2001. *Biointensive Mini-Farming* *Journal of Sustainable Agriculture* (Vol. 19 (2), 2001, p. 81

- 83); Jeavons, J. *How to Grow More Vegetables than You Ever Thought Possible on Less Land Than You Can Imagine* (Berkeley: Ten Speed Press, 2002), xii-xiii.

⁴⁹ [Backyardchickens.com](http://backyardchickens.com); North Carolina Cooperative Extension Service, *Keeping Garden Chickens in North Carolina*: http://www.ces.ncsu.edu/depts/poulsci/tech_manuals/Backyard_Chickens.pdf

⁵⁰ Raleigh NC Tour d'Coop. <http://hensidethebeltline.blogspot.com/> accessed 5-17-2010

⁵¹ Public Health Law and Policy. November 16 2009. *Establishing Protections for Community Gardens*, <http://changelabsolutions.org/publications/establishing-protections-community-gardens>; see also Nohad A. Toloud School of Urban Studies and Regional Planning. June 2005. *The Diggable City: Making Urban Agriculture a Planning Priority*, Portland State University, <http://www.portlandoregon.gov/bps/article/122587>

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