



FAYETTE ALLIANCE

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February 16, 2017

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Executive Director

Susan B. Speckert, J.D.

Dear Vice Mayor Kay and Council Members,

Please accept this letter on behalf of the Fayette Alliance with respect to ZOTA 2017-1: Market Gardens.

Founded in 2006, the Fayette Alliance is a coalition of citizens dedicated to achieving sustainable growth in Lexington-Fayette County through land use advocacy, education, and promotion. The Fayette Alliance believes that preserving our unique and productive Bluegrass farmland, advancing innovative development, and improving our infrastructure are essential to our collective success in Lexington.

In furtherance of this mission, the Fayette Alliance supports the Market Gardens ZOTA as passed by the Planning Commission on January 26, 2017.

The Implementation section of the 2013 Comprehensive Plan included amending the ordinances to permit community gardens.¹ The Urban County Council adopted an amendment to the Code of Ordinances in April of 2016 to permit community gardens² on any parcel of land in Fayette County.³ The definition of "community garden" limits the sale of crops to off-site locations.

The Ordinance defines gardens where crops may be sold on-site as "market gardens" and provides that such gardens shall be regulated

¹ LFUCG 2013 Comprehensive Plan, ch. 8, pg. 120.

² "Community garden" is defined as "an area of land less than five (5) continuous acres in size used for the cultivation of food and/or non-food crops by a group of individuals for their personal or group use, consumption, donation or off-site sales. The land may be divided into individual plots available for cultivation, and may include common areas maintained and used by group members. The garden may be located on the ground, in raised beds or on rooftops. Community gardens may be a principal or an accessory use." LFUCG Code of Ordinances § 10-14.1(d)(1).

³ See LFUCG Code of Ordinances § 10-14.1.



through the LFUCG Zoning Ordinance.⁴ In the ZOTA, market gardens⁵ are proposed to be principal uses in most business zones, conditional uses in residential and industrial zones, and prohibited uses in the agricultural and professional office zones.

In their report, the staff does an excellent job of laying out the history and rationale for the regulation of market gardens, particularly in residential zones. The treatment of market gardens in the various zoning categories is both logical and reasonable. As with community gardens, the purpose of the ZOTA is to promote sustainable and affordable local food production. The ZOTA advances that important goal, while providing reasonable oversight of commercial activity. We thank the staff and the Planning Commission for their leadership on this issue and agree with their recommendations.

The ZOTA also creates a new definition for “agricultural use, urban”⁶ to distinguish between agricultural uses on parcels less than five acres, and the traditional “agricultural use” defined in KRS 100.111(2).⁷ The definition of “agricultural use, urban” is consistent with the Community Gardens Ordinance and provides clarity with respect to the differences between urban agricultural activities and the more traditional agricultural activities found throughout Fayette County.

The multiple benefits of community gardens are well-documented and include:

- Increased access to fresh goods and improved food security;
- Increased physical activity through garden maintenance;
- Reduced risk of obesity and obesity-related diseases;
- Increased social and community ties;
- Productive use of vacant properties that can be magnets for litter, drug use, and crime;
- Education, employment, and entrepreneurship opportunities; and
- Improved air and soil quality and other environmental benefits.⁸

⁴ See LFUCG Code of Ordinances § 10-14.1(c).

⁵ The ZOTA defines “market gardens” as: “An area of less than five (5) contiguous acres in size for the cultivation of food and/or non-food crops by an individual or a group of individuals to be sold on-site...”

⁶ “The use of a lot or a portion of a lot within the Urban Services Area that is less than five (5) acres for a community garden as regulated further in the Code of Ordinances.”

⁷ Among other things, KRS 100.111(2) defines “agricultural use” as certain specified uses taking place on “a tract of at least five (5) contiguous acres.” See also LFUCG Zoning Ordinance, art. 1-11.

⁸ “The Many Benefits of Community Gardens,” Greenleaf Communities, <https://greenleafcommunities.org>; “Multiple Benefits of Community Gardens,” Gardening Matters, www.gardeningmatters.org.

These benefits apply to any type of community garden, including market gardens. The Fayette Alliance applauds the Planning Commission and staff for creating the framework necessary for these gardens. For the above reasons, we ask that you support ZOTA 2017-1.

Thank you for your consideration and commitment to our community.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Susan B. Speckert". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Susan B. Speckert, J.D.
Executive Director

cc: Honorable Jim Gray, Mayor
Derek Paulsen, Commissioner of Planning, Preservation & Development
Jim Duncan, Director of Planning