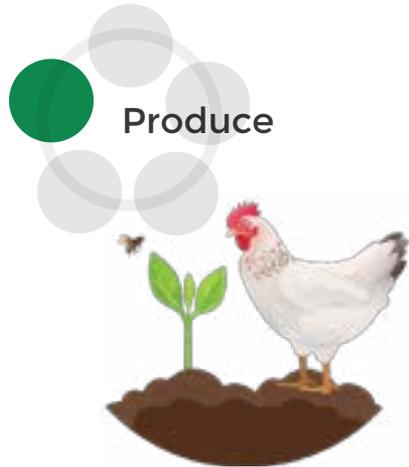




MINNEAPOLIS FOOD SYSTEM: FOOD PRODUCTION



Producing food is a key component of a strong local food system. Local food production supports community health, local food entrepreneurs, and community connections.



What is food production?

Growing, raising, and harvesting food — including plants, animals, and pollinators.





Source: Appetite for Change

Growing Fruits and Vegetables

Growing fruits and vegetables is a key food production activity in Minneapolis. Minneapolis regulations impact many aspects of growing fruits and vegetables in the city, including:

- Where fruits and vegetables can be grown;
- What community or commercial fruit and vegetable operations are allowed;
- What structures can be used to grow food; and
- Where these structures can be located.

Q: What land can be used to grow food in Minneapolis?

A: Food production from plants can include growing annual vegetables, perennial plants, fruit trees and shrubs, and foraging activities. There are two categories of land where food can be grown in Minneapolis — private land and public land owned by the city.

Private Land

MINNEAPOLIS, MINN., CODE § 385.270 (2017).

Minneapolis regulates the use of private land to grow food based on where the land is located, the size of the land, and how the food being grown is used, i.e. for personal consumption, sale, or donation.

Minneapolis prohibits anyone from destroying any lawful garden by removing any seed, plant, fruit, berry or vegetable, or product intended for human consumption without permission from the owner of the garden.

Growing Food on Private Individual Plots

MINNEAPOLIS, MINN., CODE § 537.110 (2017).

Minneapolis residents can grow food in a garden on personal property if the garden structures meet city standards.

Public Land

Minneapolis regulates the growing of food on three types of public land — public tax forfeited property, city boulevards, and city park property.

- **Public Tax Forfeited Property***

MINN. STAT. § 282.01 (2016).

The Minneapolis Park and Recreation Board (MPRB) may have tax-forfeited land available for residents to grow food. If tax-forfeited land is determined to be appropriate for growing food, MPRB may offer residents the opportunity to enter into a lease agreement to grow food on the tax-forfeited property.

- **City Property — Boulevards**

MINNEAPOLIS, MINN., CODE § 427.10 (2017).

A boulevard is the part of a street between the sidewalk and the property line, and between the sidewalk and the roadway. Individuals may obtain a permit to grow vegetables or fruit on a boulevard.

- **City Park Property**

MPRB requires community gardens in city parks to be available to all residents and park visitors and allows for some group and public gardening activities in some city parks. However, individuals are not allowed to grow food on Minneapolis park property in individual plot type gardens for rent at this time.*

Foraging or Gleaning Food on Public Parkland

MINNEAPOLIS, MINN., PARK AND RECREATION BOARD, CODE § 2-2 (2017).

MPRB policies currently prohibit the public from “molesting vegetation” — harvesting or foraging food from plants, trees, and shrubs, on city property.

At the same time, MPRB recognizes that many individuals and groups forage or glean food from plants growing on parkland.

MPRB has recommended allowing foraging and gleaning activities on public park land by modifying current ordinances to allow foraging within designated edible landscapes. For example, MPRB is considering creating an urban agriculture zone in the redesign of the Hiawatha Golf Course to allow for the establishment of an edible food forest that would be open to the public for foraging.*

Q: What community or commercial fruit and vegetable operations are allowed in Minneapolis?

A: Minneapolis allows some group and commercial fruit and vegetable production as follows:

Community Gardens

MINNEAPOLIS, MINN., CODE §§ 520.160; 536.20 (2017).

Community gardens are managed by a group of individuals and used to grow food or ornamental crops, such as flowers, for donation or personal use. Community gardens may be divided into separate plots or may be farmed collectively by members of the group. Community gardens are permitted in all Minneapolis zoning districts except limited areas in downtown Minneapolis.

Market Gardens

MINNEAPOLIS, MINN., CODE § 520.160; 536.20 (2017).

Market gardens are gardens where food or ornamental crops are grown to be sold or donated. Market gardens are regulated based on the size of the planting area, with larger market gardens regulated differently than smaller market gardens. Market gardens are allowed in Minneapolis with a conditional use permit.

Urban Farms

MINNEAPOLIS, MINN., CODE § 520.160; 536.20 (2017).

Urban farms are establishments where food or ornamental crops are grown or processed to be sold or donated. Urban farms can include outdoor growing operations, vertical farms, aquaponics, aquaculture, hydroponics, and rooftop farms. In Minneapolis, urban farms are only permitted in specific districts.



Minneapolis Development Standards

for Community Gardens, Market Gardens, and Urban Farms

MINNEAPOLIS, MINN., CODE § 520.160; 536.20 (2017).

	Community Gardens	Market Gardens	Urban Farms
Overhead lighting is prohibited.	Yes	Yes	No
Accessory retail sales subject to development standards for farm stands.	Yes	No	No
Use shall not be located in a required interior side yard.	Yes	Yes	Yes
Outdoor growing exempt from enclosed building requirements of zoning ordinance.	Yes	Yes	Yes
Keeping of animals prohibited.	Yes	Yes	Yes
Specific requirements regarding type of equipment and time it can be used.	No	Yes	No
Specific requirements regarding when shipment and delivery of products and supplies can be made.	No	Yes	No
Specific requirements regarding sale of produce from garden.	No	Yes	No
Specific limitations on location in certain parts of city.	No	Yes	No
Any equipment or supplies needed for garden operations must be enclosed or otherwise screened from street and adjacent residential uses.	No	Yes	Yes

Roof-top Gardens

Minneapolis does not restrict the installation of green roofs or roof-top gardens, provided that other building requirements are met for the zoning district in which they are located.*

Q: What types of structures can be used to grow food?

A: Many structures used to grow food are regulated by Minneapolis. These include hoop houses, greenhouses, other season extension structures, and other growing structures such as raised beds, cold frames, trellises, and arbors. Minneapolis allows these structures so long as specific size, material, and location requirements are met.

Hoop Houses and Season Extension Structures

MINNEAPOLIS, MINN., Code § 537.110 (2017).

A hoop house is a structure typically covered with translucent material for the purposes of growing food or ornamental crops. A hoop house is similar to a greenhouse except that it is more temporary. Hoop houses and other season extension structures are allowed for up to 180 days, with certain requirements, but a permit is required after that period.

Structures used solely to extend the growing season for food or ornamental crops are subject to location, size, and use regulations. Minneapolis allows season extension structures on a community garden, market garden, or urban farm to be larger than those located on a private lot.

Greenhouses

MINNEAPOLIS, MINN., CODE §§ 520.160, 536.20, 537.110, 546.30 (2017).

A greenhouse is a structure constructed primarily of glass or translucent material used to protect or cultivate food or ornamental crops. Minneapolis distinguishes between residential and commercial greenhouses. Residential greenhouses used for personal purposes are allowed as an accessory use to the primary structure in residential districts. Commercial greenhouses are allowed in several districts with a conditional use permit.

Other Growing Structures

Raised Planting Beds

MINNEAPOLIS, MINN., CODE § 535.280 (2017).

Minneapolis allows raised planting beds as long as certain material, size, and location requirements are met. Raised planting beds cannot exceed three feet in height and cannot be located closer than five feet from a front or corner side property line. In addition, Minneapolis regulations specify what types of materials can be used to build raised planting beds.

Cold Frames

MINNEAPOLIS, MINN., CODE § 535.110 (2017).

Cold frames or other structures used to cover food or ornamental crops and provide protection from cold weather are allowed as long as the structures are not over four feet in height and are not located in a required interior side yard.

Arbors

MINNEAPOLIS, MINN., CODE § 535.280 (2017).

Arbors, or other growing support structures, not including a fence, trellis, or pergola, are allowed if they do not exceed 20 square feet in area and are not more than eight feet in height. Both the sides and the roof must be at least 50 percent open. These structures cannot be constructed of electrically charged wire, razor wire, chain link, chicken wire, railroad ties, utility poles, plywood or any other similar materials.

Pergolas

MINNEAPOLIS, MINN., CODE §§ 520.160, 535.280 (2017).

A pergola is a building-like structure with columns supporting an elevated trellis over which vines or plants may grow. Pergolas are allowed in a front or corner side yard if they do not exceed 20 square feet in area and are no more than eight feet in height.

Fences and Trellises

MINNEAPOLIS, MINN., CODE §§ 520.160, 535.380, 535.400 (2017).

A trellis is a frame over which vines and plants grow. A freestanding trellis or a trellis that is supported by a building and extends five feet out from the building is considered a fence. Fences may not be placed anywhere that endangers public safety by restricting access to a fire hydrant or obstructing a driver's view of intersecting traffic. A fence owner must also ensure that the fence does not improperly cross a property line.



Raising Animals

Raising animals for food is an important part of food production in Minneapolis. Minneapolis regulations impact many aspects of raising animals in the city, including:

- What animals can be raised;
- Where animals can be raised; and
- What structures can be used to raise animals.

Q: What kind of animals can be raised in Minneapolis?

MINNEAPOLIS, MINN., CODE § 62.10 (2017).

A: Minneapolis regulates not only what types of animals can be raised for food in the city, but also the care of the animals. The regulations are designed to promote the general welfare of animals residing in Minneapolis by preventing cruelty, abuse, and neglect.

Fowl

MINNEAPOLIS, MINN., CODE § 63.90 (2017).

Minneapolis residents may keep any fowl such as chickens, turkeys, ducks, or pigeons, as long as a fowl permit is obtained. A resident with a permit may keep up to six fowl so long as he/she meets the city's education requirements, provides notice to neighbors, and meets standards of care. Keeping roosters or more than six fowl is allowed with a special permit. Slaughtering fowl in Minneapolis is strictly prohibited.

Honeybees

MINNEAPOLIS, MINN., CODE § 63.100 (2017).

Minneapolis residents can keep honeybees if they obtain a permit, meet the city's education requirements, and notify their immediate neighbors. Beekeepers must follow certain requirements such as keeping the bee hive a certain distance from adjacent properties.

Hoofed Animals

MINNEAPOLIS, MINN., CODE § 63.120 (2017).

Hoofed animals, such as horses, cows, sheep, or pigs, are prohibited from being kept anywhere in Minneapolis. However, hoofed animals

may be transported through the city expeditiously. This prohibition does not prevent horses from being kept in a stable that complies with the zoning code and any other applicable Minneapolis law.

Aquaponics

MINNEAPOLIS, MINN., CODE §§ 520.160 and 537.110 (2017).

Aquaponics is the combination of aquaculture and hydroponics to grow food or ornamental crops and aquatic species together in a recirculating system without any discharge or exchange of water. Aquaponics, aquaculture, and hydroponics are allowed if the operator obtains a license. Tanks are not allowed to be connected to the sewer system.

Q: Where can animals be raised in Minneapolis?

MINNEAPOLIS, MINN., CODE § 63.90, 63.100, 537.110 (2017).

A: Residential coops, pens, or other structures used to raise fowl as well as beehives are allowed as an accessory use. Structures to keep fowl must be located less than 20 feet from any building on an adjacent property. Additionally, structures must be located to the rear of the property and visually screened from adjacent residential use. Property owners keeping fowl structures or beehives must notify all immediately adjacent property owners. Fowl structures and beehives must not exceed the height of the principal structure or 12 feet, whichever is greater. Additionally, structures cannot exceed ten percent of the lot area or 1,000 square feet.

Aquaponics, aquaculture, or hydroponics are allowed as an accessory use in urban farms or indoor market gardens located in a commercial or downtown zoning district.

Q: What types of structures can be used to raise animals?

A: Two types of structures used to raise animals in Minneapolis are fowl structures and apiaries or beehives.

Fowl Structures

MINNEAPOLIS, MINN., CODE § 63.90 (2017).

Those keeping chickens, ducks, turkeys, or other fowl must provide structures meeting specific requirements, including:

- Residential coops, pens, or other structures are limited to six fowl of any kind per permit;
- The location of a coop, run, or pen must be in compliance with all zoning code requirements and enclosed to ensure fowl are confined to the permit holder's property; and
- The enclosure must be of proper size for the number and type of fowl being housed.

Apiaries and Beehives

MINNEAPOLIS, MINN., CODE § 63.100 (2017).

Beekeepers must obtain a permit and maintain beehives and apiaries in a sound and usable condition. The property or the apiary must be enclosed with a latching fence unless the beehive is on a rooftop. Beekeepers must also ensure that bee colonies have a convenient source of water.

*Additional Sources

- *Vacant Land Assessment for Urban Agriculture in North Minneapolis*, University of MN Center for Urban and Regional Affairs (CURA): <http://www.cura.umn.edu/sites/cura.advantagelabs.com/files/publications/KNCBR-1377.pdf>
- *Urban Agriculture Activity Plan*, Minneapolis, MN Park and Recreation Board: https://www.minneapolisparcs.org/_asset/15kfy0/urban_ag_activity_plan.pdf
- *Zoning Ordinances for Sustainable Practices*, University of MN College of Food, Agricultural, and Natural Resource Sciences: https://www.forestry.umn.edu/sites/forestry.umn.edu/files/City_of_Richfield_8.pdf
- *Food enthusiasts pitch plan for edible forest at Hiawatha Golf Course (March 18, 2017)*: <http://www.startribune.com/food-enthusiasts-pitch-plan-for-edible-forest-at-hiawatha-golf-course/416519283/>



**PUBLIC HEALTH
LAW CENTER**
at Mitchell Hamline School of Law



**APPETITE
FOR CHANGE**



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