Fargo-Moorhead Metropolitan Council of Governments

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Email: metrocog@fmmetrocog.org http://www.fmmetrocog.org

To: Cass-Clay Food Systems Advisory Commission

From: Cass-Clay Food Systems Initiative (CCFSI)
Fargo-Moorhead Metropolitan Council of Governments (Metro COG)

Date: July 7, 2016

RE: Cass-Clay Food Systems Advisory Commission Agenda and Correspondence

9th Meeting of the
Cass-Clay Food Systems Advisory Commission

July 13, 2016 10:30 am – 12:00 pm
Location: Fargo City Commission Chambers

10:30 am
1. Welcome
    a. Approve Order & Contents of the Overall Agenda
    b. Review & Action on Minutes from May 11, 2016 **(Attachment 1)**

10:35 am
2. Approve Appointment of New At-Large Member – Mindy Grant de Herrera **(Attachment 2)** – Adam Altenburg

10:40 am
3. Season Extension Blueprint **(Attachment 3)** – Kim Lipetzky

10:45 am
4. Farmers Markets
    a. Farmers Markets Education – Molly Soeby
    b. Farmers Market Blueprint **(Attachment 4)** – Joleen Baker
    c. Farmers Market Updates
        i. Great Plains Producer Association's Community Farmer's Market – TBD
        ii. Legacy Gardens – Randy & Toni Bach
        iii. Moorhead Farmers Market – Kim Wangler
        iv. Red River Market – Katie Preston
        v. Whistle Stop Farmers Market – Cheryl Stetz
    d. Northern Small Farms Alliance – Ross Lockhart
    e. Farmers Market Public Input
    f. Commission Discussion

11:40 am
5. Online Community Input **(Attachment 5)** – Kim Lipetzky

11:45 am
6. Public Comment Opportunity – Chair Durand

11:50 am
7. Commission & Steering Committee Roundtable

11:55 am
8. Commission Action Steps
    a. Next Meeting – September 14, 2016

12:00 pm
9. Adjournment

Cass-Clay Food Systems Advisory Commission meetings are taped and rebroadcast on cable channel TV Fargo 56 each Friday at 11:00 am.

People with disabilities who plan to attend this meeting and need special accommodations should contact Nakhaly Swearingen at Metro COG at 701.232.3242. Please contact us at least 48 hours before the meeting to give our staff adequate time to make arrangements.

Meeting minutes are available on the City of Fargo Let's Eat Local website at **www.letseatlocal.org** and Metro COG's website at **www.fmmetrocog.org**.

Attachment 1

8th Meeting of the
Cass-Clay Food Systems Advisory Commission
May 11th, 2016
Fargo Commission Chambers

Members Present:
Heidi Durand, Moorhead City Council, Chair
Arland Rasmussen, Cass County Commission
Mike Thorstad, West Fargo City Commission
Jenny Mongeau, Clay County Commission
Jim Aasness, Dilworth City Council
Mike Williams, Fargo City Commission
Jessica Arneson, At-Large Member
Jon Evert, At-Large Member
Stephanie Reynolds, At-Large Member

Members Absent:
Dana Rieth, At-Large Member
Janet Paul, At-Large Member

Others Present:
Megan Myrdal, Project Coordinator
Kim Lipetzky, Fargo Cass Public Health
Nina Pirozhkov, Fargo Cass Public Health
Joleen Baker, Cass-Clay Food Systems Initiative
Deb Haugen, Cass-Clay Food Systems Initiative
Adam Altenburg, Fargo-Moorhead Metropolitan Council of Governments

Chair Durand called the meeting to order at 10:30 AM.

1(a). Approve Order and Contents of the Overall Agenda
A motion to approve the order and contents of the overall agenda was made by Mr. Rasmussen and seconded by Mr. Aasness. The motion was voted on and unanimously approved.

1(b). Review and Action on Minutes from March 9, 2016
A motion to approve the minutes was made by Mr. Rasmussen and seconded by Mr. Aasness. The motion was voted on and unanimously approved (concurrent with 1(a)).

2. Welcome to Hali Durand, Nikki Johnson and Joleen Baker to the Steering Committee
Chair Durand welcomed new members Hali Durand, Nikki Johnson, and Joleen Baker to the Cass-Clay Food Systems Initiative, which serves as the Steering Committee to the Commission.

3. Approve Appointment of New At-Large Member – Stephanie Reynolds
Chair Durand stated, per information provided in the packet, that in addition to the six jurisdiction members, the Joint Powers Agreement for the Commission makes the provision for an additional five at-large members to serve on the Commission. It is the intent that at-large members will bring additional and varied expertise to the Commission as it relates to food systems issues. At-large members are to be initially vetted by the Steering Committee before being brought to a vote by the Commission. Each at-large member will serve a two-year term.

In February, Andrea Baumgardner informed the Steering Committee that she would be starting a new business endeavor and would step down from the Commission. The Steering Committee sought applicants for a new at-large member from March 29 through April 15. In that time, the Steering Committee received four applications and resumes. Following the April 15 deadline, each candidate was ranked according to expertise, how they would fill potential gaps as they relate to food systems issues, time commitment, and advocacy.

With the completion of this process, Chair Durand informed the Commission that the Steering Committee recommends the appointment of Stephanie Reynolds as new at-large member to the Commission.

A motion to approve the the appointment of Stephanie Reynolds to the Commission was made by Ms. Mongeau and seconded by Mr. Evert. The motion was voted on and unanimously approved.

4(a). Season Extension Education

Randy Nelson, Extension Educator for Clay County, provided the Commission information on season extension. Mr. Nelson bagan by stating that water and temperature are the two factors that drive plant growth. Mr. Nelson stated that, beyond water and temperature, light, plant-available nutrients, and stress (i.e. wind, drought, hail, flooding, insects) also have an affect on plant growth. Mr. Nelson stressed that all plant growth takes time.

Mr. Nelson explained that season extenders such as high tunnels, low tunnels, and deep winter greenhouses optimize plant growth by moderating temperature and allowing more time for the growing season both earlier in the spring and later in the fall. Mr. Nelson stated that season extenders also reduce stress by controlling the environment inside these sturctures and limiting exposure to insects. Mr. Nelson explained season extenders help to create microenvironments that better account for when water and plant available nutrients need to be applied to optimize plant growth. Mr. Nelson concluded that avialble light can also be controlled in season extender.

Mr. Nelson informed the Commission that a high tunnel looks very similar to a greenhouse and that it is also refered to as a hoophouse. Mr. Nelson stated that high tunnels normally do not use artificual heat except in frost emergencies and that, generally, no artifical ventilation is used including the use of fans, tubes, or forced air. Mr. Nelson stated that with high tunnels, plants are grown directly in the ground as opposed to pots or planter beds. Mr. Nelson explained that high tunnels come in a variety of shapes and sizes, including 14-30 feet wide, 12-14 feet high, and 24-96 feet long.

Mr. Nelson provided information on high tunnel planting dates in northern Minnesota including: March 25 to April 7 for onions, radishes, and lettuce; April 7 to 15 for cabbage and broccoli; and April 25 to May 10 for tomatoes and peppers. Mr. Nelson stated that the high tunnle planting dates for tomatoes and peppers are up to five weeks earlier than normal outdoor planting. Mr. Nelson explained that yields in a high tunnel can be three to four times the yield compared to outdoor production.

Mr. Nelson explained that low tunnels are a smaller version of high tunnels and are built just high enough to cover plant canopy. Mr. Nelson stated that low tunnels are normally constructed of wire or pipe frames and covered with clear plastic. Mr. Nelson explained that low tunnels are able to increase the temperature within the structure from five to 15 degrees on a sunny day but that ventialtion is important to avoid high temperature stress.

Mr. Nelson informed the Commission that deep winter greenhouses are passive solar structures designed to limit the amount of fossil fuel needed for indoor heating. Mr. Nelson explained that these structures are oriented east-west with south facing front angled to maximize solar energy on the shortest day of the year.

Mr. Nelson explained that the foundations for deep winter greenhouses are four feet or more blow grade to account for the frost line. Mr. Nelson stated that foundations are normally constructed of masonry or cast-in-place stem wall with a poured, reinforced concrete strip footing that are insluted to help keep soil warm during winter.

Mr. Nelson statetd that, above ground, solar energy within deep winter greenhouses is stored in thermal mass materials such as concrete, ceramic tile, water or soil. Mr. Nelson explained that this heat radiates from the thermal mass materials to heat the structure. Mr. Nelson stated that subterranean heating can also be utilized in deep winter greenhouses – a process in which hot air is captured from the ridge of a greenhouse structure and directed below ground into an insulated rock bed, which in turn stores and radiates the heat to soil above.

Mr. Nelson stated that deep winter greenhouses are generally used for growing cold, hardy crops that need minimal light throughout the middle of winter. Mr. Nelson explained that some of the crops best suited for deep winter greenhouses include greens, broccoli, kale, collards, and Chinese cabbage, as well as raddishes and carrots.

Mr. Williams asked if Mr. Nelson or Ms. Baker could provide additional information on the high tunnle utilized by Forest Glen Farm in Frazee or the high tunnle on the campus of Concordia College. Ms. Baker stated that the high tunnel at Concordia College is one which utilized passive solar heating as well to provide for additional season extension versus a high tunnle alone. Mr. Evert commented that he is privelged to have a neighbor who utilizes a high tunnel to produce apples.

4(b). Season Extension Blueprint

Ms. Pirozhkov informed the audience that the Steering Committee has developed a new urban agriculture blueprint examining hoop houses, greenhouses, and other structures. Ms. Pirozhkov stated that she began by providing background on season extending structures and how they have been successfully utilized in both urban and rural areas throughout the Unites States. Ms. Pirozhkov explained that within the Fargo-Moorhead Metropolitan Area, greenhouses are identified as being permitted uses in each of the six major jurisdictions; hoever, Ms. Pirozhkov went on to explain that other season extending structures are not currently addressed.

Ms. Pirozhkov explained the framework for evaluating backyard structures including health, environment, social, and economic aspects. Ms. Pirozhkov explained health benefits of backyard structures includes choice over chemicals used in growing processes, control over processing and storage of foods, and helping manage stress through physical activity, while a concern included some pieces of land not being fit for agricultural use through contamination. Ms. Pirozhkov stated that environmental benefits include storm protection and keeping animals away from produce, while concerns include temperature regulation and the possible attraction of pests that live in protected environments. Ms. Pirozhkov stated that a social benefit includes using season extenders as a business endeavor, while concerns may include size of the structure and structures being better suited for high-quality produce. Ms. Pirozhkov explained that economic benefits include extended growing seasons, crops being able to hit the market earlier in the season, and high crop yields, while concerns may be cost and continued maintenance of the structures themselves. Ms. Pirozhkov stated that additional concerns not included in the framework include the potential for high wind damage and vandalism.

Ms. Pirozhkov informed the Commission that most other regional jurisdictions allow for backyard structures such as greenhouses including: Bismarck, ND, Duluth, MN, Grand Forks, ND, Lincoln, NE, Mankato, MN. Rochester, MN, Mankato, and Sioux Falls, SD. Ms. Pirozhkov noted that most regional jurisdictions do not directly address the allowance of other structures as accessory uses. Ms. Pirozhkov stated that larger metropolitan areas such as Kansas City, MO, Boston, MA, Baltimore, MD, and Cleveland OH address additional season extenders as backyard structures. Ms. Pirozhkov conculded with an example of the process of constructing the hoop house at Concordia College.

Ms. Arneson asked whether costs for permits was addressed. Ms. Pirozhkov answered that this is a valid question and that jurisdictions would likely apply a cost for a building permit for backyard structures.

Mr. Evert asked for clarification on whether season extenders are addressed in current zoning ordinances or not. Ms. Pirozhkov reiterated that greenhouses are allowable strucutres but that odinances do not mention other types of structures which may include high tunnels or low tunnels. Ms. Mongeau stated that if accessory structures aren't specifically addressed in an ordinance, they would not be allowed. Chair Durand stated clear guidelines and a clear process would be an important consideration for additional season extension structures.

Mr. Thorstad asked whether there were parameters for the types of materials allowed in the construction of backyard season extenders or guidance on how to build one properly. Chair Durand stated that she had the same concerns and that it would be advisable for the blueprint to specify construction specifications and standards. Mr. Thorstad stated that jurisdictions would look more favorably on a blueprint which would address these concerns. Mr. Nelson stated that the Minnesota High Tunnel Production Manual provides information on construction practices for commercial applications. Ms. Haugen added that the ordinance information from Duluth, MN appears to address some of the residential construction standards.

Mr. Evert asked whether temporary greenhouse structures which appear in colder months would be subject to some of the paramters laid out in the blueprint. Chair Durand stated that it may be becuase they are commercial structures and permitted differently.

4(c). Public Input

Mindy Grant with Growing Together informed the Commission that, with regards to saftey issues, the foundation and structure of season extenders is more pertinent. Ms. Grant stated that the plastic sheathing used to cover structures would be less of a safety consideration.

4(d). Commission Discussion

The Commission stated that they would like additional information on the application of high tunnels and low tunnels for homeowners, including best practices and parameters for construction. A motion to approve the season extension blueprint was tabled until the next meeting.

5. Dirthead Farms

Ms. Myrdal informed the Commission that Paul Peter Nielson, owner and operator of Dirthead Farms, was ill and would not be addressing the Commission at this meeting. Ms. Myrdal stated that Mr. Nielson is interested in proposing the first permanent urban farm in the Fargo-Moorhead Metropolitan Area and that season extension structures would be an important consideration for his operations.

6. Community Gardens Update
Chair Durand informed the Commission that three people would be providing updates on community gardening activities in the area: Sarah Stenerson for Probstfield Farm, Kim Lipetzky for Cooper Garden, and Jack Wood for Growing Together.

7. Online Commuity Input
Ms. Lipetzky explained that community members who may not be able to attend Commission meetings are able to submit public comments through the City of Fargo Let's Eat Local website. Ms. Lipetzky stated that no public comments were received between March and April 2016.

8. Public Comment Opportunity
Chair Durand informed the Commission that time would be allotted for public comments.

No public comments were made.

9. Commission and Steering Committee Roundtable
Chair Durand asked for the Commission and the Steering Committee to share any additional updates.

Ms. Myrdal stated that Abby Gold had written an article to the High Plains Reader regarding a talk by Dr. Marla Spivak entitled "Pollinators in Peril: Helping Our Bees Back on their Own Six Feet." Ms. Myrdal stated that the discussion focused on bee nutrition and how plant resins benefit bee health, diverse agricultural landscapes affect honey-bee survival, and that "bee lawns" could improve new bee pastures in urban environments. Ms. Myrdal stated that Ms. Gold referenced the urban beekeeping blueprint approved by the Commission.

Mr. Williams stated that there was opportunity for downtown gardening on 5th Street between 2nd and 3rd Avenue. Mr. Williams stated that about 50 square feet is available for gardening and that rain barrels are provide on-site. Ms. Lipetzky stated that several participant from North Dakota State University and the Pickled Parrot have already begun gardening operations.

Ms. Baker provided information on Eco Practicum Catskills, a program in New York which focuses on organic agriculture, natural resource management, and urban-rural connections. Ms. Baker stated that the program is currently accepting applicants.

10. Commission Action Steps
Ms. Myrdal stated that the next meeting would be held on July 13, 2016.

Chair Durand adjourned the meeting at 11:37 AM.

Attachment 2

To: Cass-Clay Food Systems Advisory Commission
From: Adam Altenburg, Metro COG
Date: July 6, 2016
Re: ***Approve Appointment of At-Large Member – Mindy Grant de Herrara***

In addition to the six jurisdiction members, the Joint Powers Agreement for the Cass-Clay Food Systems Advisory Commission makes the provision for an additional five at-large members to serve on the Commission. It is the intent that at-large members will bring additional and varied expertise to the Commission as it relates to food systems issues. At-large members are to be initially vetted by the Steering Committee before being brought to a vote by the Commission. Each at-large member will serve a two-year term.

In May, Janet Paul informed the Steering Committee that she had taken a new position as Director of Dining Services at the University of Northern Iowa and would step down from the Commission. The Steering Committee sought new applicants for a new at-large member from May 20 through June 17. In that time, the Steering Committee received three applications and resumes. Following the June 17 deadline, each candidate was ranked according to expertise, how they would fill potential gaps as they relate to food systems issues, time commitment, and advocacy.

With the completion of this process, the Steering Committee recommends the appointment of Mindy Grant de Herrara for new at-large member to the Commission.

Requested Action:
Approve the appointment of Mindy Grant de Herrara to the Commission

APPLICATION FOR CASS CLAY FOOD SYSTEMS ADVISORY COMMISSION

APPLICANT INFORMATION Attachment 2a

Name: Mindy Grant de Herrera		
Phone: 701.356.0968		
Email: grantdeherrera@yahoo.com		
Preferred mailing address: 1386 6th St E		
City: West Fargo	State: ND	ZIP Code: 58078

EMPLOYMENT INFORMATION

Current employer: none		
Employer address:		
Phone:	E-mail:	Fax:
City:	State:	Zip:
Position:		

WHAT SKILLS, TRAINING, OR EXPERIENCE DO YOU HAVE RELATED TO THE WORK OF THE COMMISSION?

My formal educational background is in the field of agricultural economics and business with degrees from NDSU. My education has given a strong basis for analysis and economics.
I currently serve as a Core Volunteer with Growing Together, a local group that has 6 community gardens annually. I assisted in establishing written policies and principals guiding the operation of the gardens. We have experienced how healthy partnerships between community groups and local government can have real effects on the food security and health of citizens. In 2015, together we provided over 45,000 lbs of food that nourished our community including over 2500 lbs of fresh produce that was donated to local food shelters.

REASON FOR YOUR INTEREST TO SERVE ON THIS COMMISSION:

I believe this would be an opportunity to continue to pursue the goals and challenges of food security and sustainability by affecting the wider community. It would be a bolder continuation of the work that I have done for many years on a volunteer basis. The Cass Clay Food Systems Advisory Commission is an amazing outlet for my knowledge and skills and to continue to grow myself and the community simultaneously.

PLEASE PROVIDE A BRIEF BIO (200 WORDS OR LESS): NOTE: THIS MAY BE USED FOR PUBLICATION TO DESCRIBE THE COMMISSION.

Mindy Grant de Herrera has been a volunteer with Growing Together for two years. With a BS in Agricultural Economics and an MBA from NDSU she is interested in exploring the intersection of agriculture and community revitalization. She has over 10 years experience developing and leading project-based programming for youth as a North Dakota Cass County 4H Club Leader. Mindy is a board member of the Probstfield Farm Living History Foundation, and assists in planning and organizing events that contribute to conserving, interpreting, and sharing the heritage and legacy of the Randolph M. Probstfield family farm. She is an NDSU Extension Master Gardener and serves as a bridge between the Extension service and the community through volunteer leadership and mentoring. She is also a part of the Welcoming Week Fargo Moorhead series of events with the Community Table meal for over 400. Through her association with these various community organizations, Mindy has assisted in organizing multiple community events centering on food, youth, and cultural integration.

Signature:	**Date:** 6/16/2016

Please return this form to Megan Myrdal – meganmyrdal@gmail.com

Or mail to:

Fargo Cass Public Health
Attn: Kim Lipetzky
1240 25th Street South
Fargo, ND 58103-2367

Attachment 2b

Mindy Grant de Herrera

701.356.0968 grantdeherrera@yahoo.com 1386 6th St E, West Fargo, ND 58078

Profile

I am interested in exploring the intersection of agriculture and community enrichment. i would like to apply my firm foundation of knowledge in the business and economics of agriculture in a community building model.

Organization Volunteer Experience

NORTH DAKOTA CASS COUNTY 4H, CLUB LEADER, SEPTEMBER 2006-PRESENT

I mentor 4H members on project development, organize club and county activities, and provide enrichment activities for monthly club meetings. I have led multiple hands on classes and series of classes on various projects.

GROWING TOGETHER MINISTRIES SEPTEMBER 2014-PRESENT

Our group maintains several existing community gardens that mentor new Americans. We also mentor other groups through the process of establishing community gardens. I participate as a Core Volunteer with organizational responsibilities including writing a policy manual and planning garden plots.

PROBSTFIELD FARM LIVING HISTORY FOUNDATION, BOARD MEMBER, JUNE 2014-PRESENT

As a board member, I am dedicated to the foundation mission of conserving, interpreting, and sharing the heritage and legacy of Randolph M. Probstfield family farm. I assist in planning and organizing events that contribute to our mission.

MASTER GARDENER COURSE, NDSU EXTENSION FALL 2015-PRESENT

I completed the Master Gardener training course through the NDSU Extension Service. Master Gardeners serve as a bridge between Extension service and the community through volunteer leadership and mentoring.

WEST FARGO STEM PARENTS ADVOCACY COMMITTEE, COMMUNICATIONS COORDINATOR, SEPTEMBER 2014-2015

I maintained a database of volunteers, communicate monthly meeting dates and agendas, organize community activities promoting the STEM programming.

Event Volunteer Experience

COMMUNITY TABLE EVENT, WELCOMING WEEK FARGO 2015, FARGO ND

Serving on a team of volunteers, I helped plan and execute a meal for over 400 community members.

EAT- EDUCATE AT THE TABLE, SUMMER 2015, FARGO ND

I taught healthy foods curriculum series to a group of preschool children in their classroom at Nokomis Child Care Center.

COMMUNITY GARDEN DAY 2015, FARGO ND

I organized and led volunteers at a community garden planting event at the Red River Valley Fair Grounds.

LEGO WEDO EDUCATIONAL KITS COURSE, MAY 2015, SOUTH ELEMENTARY, WEST FARGO ND

In tandem with my husband, I organized and instructed a 2 day course on Lego WeDo Robotics kits for a 3rd grade classroom.

WEST FARGO HIGH SCHOOL STEM REPRESENTATION AT WEST FEST 2014, WEST FARGO ND

As part of the West Fargo STEM Parents Advocacy Committee, I organized participation in two events in the city of West Fargo community celebration called West Fest. I coordinated activities for the parade float participation. I coordinated STEM activities booth at the Family Fun event.

CASS COUNTY 4H PROJECT ACTIVITY DAY 2013, 2014, 2015, CASS COUNTY ND

I served on the committee that plans the annual all day, hands-on activities for over 150 youth with 20 classes to choose from. The committee generated and evaluated class options relative to duration, budget, and relation to 4H project areas. The committee members were also responsible for locating instructors and coordinating instructors classroom needs as well as supplies.

Education

Masters in Business Administration, NDSU; Fargo, ND -- 1999

Bachelors of Science in Agricultural Economics, NDSU; Fargo, ND -- 1996

Work Experience

DISPATCH, MULTIBAND USA; FARGO, ND -- 2005-2006

As Dispatcher, I managed technician schedules and workloads along with responding to customer relations in Spanish.

Work Experience continued

CUSTOMER SERVICE REPRESENTATIVE, MULTIBAND USA; FARGO, ND -- 2005-2006

CUSTOMER SERVICE REPRESENTATIVE, UPSTREAM; FARGO, ND -- 2003-2005

I responded to inbound customer inquiries in English and Spanish regarding customer accounts.

SALES ASSOCIATE, GNC; FARGO, ND – 1993-1998

I trained new Sales Associates, supervised up to five employees on manager vacations, participated in three store wide inventory events, and received awards for highest sales in company contests.

Personal References

Jack Wood, Growing Together, jackstomatoes@gmail.com, 701.238.4028

Maxine Nordick, Cass County 4H, nordickm@casscountynd.gov, 701.241.5798

Andrea Baumgardner, Bernbaum's, Barry Foundation, andrealbaumgardner@gmail.com , 701.306.2613

Hoop Houses, Greenhouses, and Other Structures

This issue brief will provide background information related to backyard structures, specifically structures used for greenhouses and hoop houses. Also, to address the common concerns and benefits from a health, environmental, social, and economic standpoint. Appendices have been provided to share how regional jurisdictions are managing their greenhouses, hoop houses, high tunnels, and other structures as well as example policy language from other jurisdictions.

Background

The need and desire for local food has increased over the years but it has always been hard for people living in the city to get access to fresh, local food. However, with urban agriculture becoming more popular and present in many cities throughout the United States, people's access to local food is increasing. The presence of fresh food within the cities can contribute to decreasing food insecurity. Urban agriculture means the growing of plants and the raising of animals within and around cities (Food and Agriculture Organization of the United Nations, 2016). One of the means of growing food within the city is using structures like hoop houses and greenhouses. Residents can use these structures to grow their own food and sell it to people in the community at farmer's markets or farm stands.

Hoop houses and greenhouses are all very similar, in that they allow to grow crops outside of the normal growing season but they have some key differences that set them apart. Hoop houses, also called high tunnels, are defined as unheated greenhouses made from polyethylene covering and plastic piping that are used to extend the growing season (HighTunnels.org, 2015). Hoop houses are often times temporary, however they can be permanent. Greenhouses are permanent structures that are used to grow crops throughout the whole year and use alternative ways of heating and cooling the inside environment (Colorado Department of Agriculture, 2013). Deep Winter Greenhouses are passive solar greenhouses that limit the amount of fossil fuel required to grow crops in northern latitudes (University of Minnesota Extension, 2016). They maximize solar energy with their east to west orientation. Then there are also low tunnels, also called quick hoops, that are like mini hoop houses. They are often not big enough to walk into, but they cover the crops enough to protect them and function as a regular hoop house would.

Season extending structures like hoop houses and greenhouses have been used successfully throughout many urban areas. But people would first need to consider zoning laws and other stipulations to discuss with city officials. Some considerations would be adhering to fire safety rules regarding the use of certain plastic coverings for hoop houses, considering the distance these structures have to be away from each other or other buildings, land usage, and height or width requirements. If a person would want to construct or install a hoop house or another structure they may have to obtain a permit, depending on where the structure will be located. They may also need to obtain a set of rules that need to be followed, for example using approved materials and using the proper amount of space.

To build a safe hoop house the proper materials need to be used. Standard materials that should be used in building a hoop house are steel pipes or PVC pipes to make the "hoops" of the hoop house. According to Steve Upson's "High tunnel hoop house construction guide" heavy gauge galvanized steel should be the first choice of material because of its strength and durability. PVC pipes can be used

when constructing smaller hobby structures in sheltered locations. When using PVC, be prepared to use bracings and cables to help the structure be more firm (Upson, 2014). As for the plastic material that covers the hoop house, UV resistant polyethylene is the most common. The thickness of the plastic can be chosen by the individuals themselves. Hoop houses are typically not permanent structures and do not need a foundation to be built underneath it (University of Vermont, n.d). If building a permanent structure, there are different ways of heating the soil underneath the hoop house. The methods could include a rock bed that transfers heat, solar closed convection air system, or small pipes underground that circulate water. These would have to be approved by the jurisdiction first. If a jurisdiction is to write an ordinance allowing the accessory use of hoop houses they would need take into account, some considerations. These considerations include:

- Size of the allowed structure
- Location on a lot
- Whether it is an accessory use or primary use
- Permissible materials used
- Structure security

Many larger cities around the United States are specifically using terms like “hoop house” “high tunnel” or “greenhouse” to describe structures that are permitted or ones that are not permitted in their city codes. This lets the residents know what they can do within the city. Many smaller cities or towns have not addressed the usage of hoop house or high tunnels, but some do mention the accessory use of greenhouses. As urban agriculture becomes a large form of access to food, the usage needs to be addressed clearly in the city codes and ordinances.

The domains for evaluating season extending structures in the city are based on the health, environmental, social, and the economic benefits and concerns. Table 1 summarizes the approval of greenhouses in the local area, table 2 summarizes the approval of hoop houses in the local area, and table 3 lists the benefits and concerns for each domain.

Table 1. Summary of backyard structures approval in local jurisdictions for greenhouses.

Moorhead	Dilworth	Clay County	Fargo	West Fargo	Cass County
Permitted	Permitted	Permitted	Permitted*	Permitted	Permitted**

*Temporary use is allowed up to 8 months and conditional use is allowed in zoning sections AG, SR 0, GI, and PI.
**In selected zones/townships

Table 2. Summary of backyard structures approval in local jurisdictions for season extenders like hoop houses.

Moorhead	Dilworth	Clay County	Fargo	West Fargo	Cass County

Not Addressed	Not Addressed	Not Addressed	Not Addressed	Not Addressed	Not Addressed

Table 3. Framework for evaluating backyard structures: Greenhouses/Hoop Houses

DOMAIN	BENEFIT	CONCERN
Health	Choice over chemicals used in growing process [1]Control over processing and storage of foods Control over bacteria that that your produce is exposed to Gardening can be a great physical activity Helps manage stress by being able to get outside and be active in the colder months	[3]Some pieces of land may be contaminated and unfit for agricultural use.
Environment	Storm protection [2]Keeps animals away from the produce	Temperature regulation [4] May also attract certain pests that like to live under the protected environment
Social	If used as a business endeavor: -Retain old customers -Attain new customers -Year-round income -Year-round employment	Size of structure Best for high-quality produce (tomatoes, broccoli, etc)
Economic	Extended growing season [3]Crops grown in hoop houses can hit the market early while prices are still high, helping to capture loyal customers for the entire season Crops grown in hoop houses can have higher quality and yields than those grown in the field	If not properly taken care of, the hoop house or greenhouse could cost a farmer more money.

[1] http://davesgarden.com/guides/articles/health-benefits-of-hoop-house-gardening/#b
[2] http://www.noble.org/ag/horticulture/hoophouse/
[3]http://www.farmalliancebaltimore.org/wp-content/uploads/2012/05/Agriculture.Industrial-Renewal.pdf
[3] https://attra.ncat.org/newsletter/attranews_0509.html
[4] http://www.aces.edu/timelyinfo/Horticulture/2010/July/July_2_2010.pdf

*Additional concerns:
- Due to being located in a high wind area, structures should be properly secured to sustain high winds. Structures that become detached from the land due to wind could be dangerous to people or other property in the proximity.
- Hoop houses, greenhouses, and other structures may attract vandalism. Be sure to install anti-vandalism methods like motion censored lights.

Resources

If you have questions, please contact Kim Lipetzky with the Fargo Cass Public Health Office at 701-241-8195 or klipetzky@cityoffargo.com.

Appendix A: Greenhouses/Hoop Houses in the Local Jurisdictions

Fargo, ND

§20-0404 - Temporary Uses

E. Time Limit
Temporary uses will be permitted for a maximum of 15 days, provided, however, the Zoning Administrator should be authorized to allow such temporary use to extend for as long as 8 months. Upon expiration of a temporary use permit, another permit for the same premises may not be obtained for at least 30 days. The applicant shall submit a written explanation of the length of time needed for the temporary use.

Examples of uses that require temporary use permits include, but are not limited to the following:

1. Greenhouses,
2. Fireworks sales (permitted outside City limits only),
3. Outdoor seating and serving area at a restaurant (must include an alternative parking plan if on-site parking area is affected),
4. On-site storage tents, trailers, or other shelter to house inventory during construction or other unusual business interruptions.

The districts that crop production is allowed are the AG, SR0, GI, and PI districts.
https://www.municode.com/library/nd/fargo/codes/code_of_ordinances?nodeId=CH20LADECO_ART20-04USRE_S20-0401USTA

West Fargo, ND

4-442. ACCESSORY BUILDING AND USE PROVISIONS. Accessory buildings and uses, except as otherwise permitted in this Ordinance, shall be subject to the following regulations:
1. An accessory building or use which is structurally attached to a main building, shall be subject to, and must conform to, all regulations of this Ordinance applicable to the main building.
2. No detached accessory building or use in any residential district shall exceed one story or 15 feet in height.
3. No detached accessory building or use shall be erected in any required yard, except a rear yard, nor shall it be located closer than three (3) feet to any side or rear lot line, subject to the following exceptions:

a. Where the rear lot line is coterminous with any alley right-of-way, the accessory building or use shall not be closer than one (1) foot to such a rear lot line except when a garage is entered from an alley at right angles, it shall not be nearer than ten (10) feet to the rear lot line.
b. On corner lots, an accessory building or use, including driveways on the street side, shall maintain the same side yard setback required for the main building, except for garages accessing a public street, which shall maintain a setback of 18 feet for lots of 50 feet or less and 20 feet for lots greater in width than 50 feet. c. In no instance shall an accessory building or use be located

within a dedicated easement right-of-way. d. On through lots or double frontage lots where one of the front yards is intended to serve as the rear yard and is consistent with the other lots on the block, detached accessory buildings may be erected within twelve (12) feet of the intended real lot line and three (3) feet of the side lot line.

e. Accessory buildings for townhouses may be constructed up to the interior lot line following the principal building scheme.

4. No accessory building shall be constructed upon a lot until the construction of the main building has been actually commenced.

5. No accessory building in a residential district shall exceed 1,000 square feet, except in the Rural Residential District where accessory buildings up to 1,600 square feet are allowed. Accessory buildings greater than 1,000 square feet in the Rural Estate District and 1,600 square feet in the Rural Residential District are allowed as a conditional use.

Moorhead, MN

10-12: ACCESSORY USES:

The following are permitted accessory uses in an RLD-0, RLD-1, RLD-2, RLD-3, RMD-1, RMD-2, RHD-1 district:

- Noncommercial greenhouses and conservatories.

10-18-2: USE REGULATIONS

P. Agricultural related commercial uses:

1. Building footprints shall amount to a minimum of one thousand (1,000) square feet or five percent (5%) of the site, whichever is greater, and the buildings shall be oriented to front on adjacent arterial or collector streets. Where parcels have double frontage such as along an interstate corridor, the building shall have a similar architectural character on both frontages.

ARTICLE A. MU-1 DOWNTOWN MIXED USE DISTRICT

10-15A-3: ACCESSORY USES:

The following are permitted accessory uses in a MU-1 district:

- All permitted accessory uses as allowed in the NC neighborhood commercial district.
- Rooftop gardens.

ARTICLE B. MU-2 CORRIDOR MIXED USE DISTRICT

10-15B-3: ACCESSORY USES:

The following are permitted accessory uses in an MU-2 district:

- All accessory uses as permitted in the MU-1 downtown mixed use district.

10-15C-3: ACCESSORY USES:

The following are permitted accessory uses in an MU-3 district:

- All accessory uses as permitted in the MU-1 downtown mixed use district.
- Buildings, structures or uses accessory to the principal use and limited to not more than thirty percent (30%) of the gross floor space of the principal use.

http://www.sterlingcodifiers.com/codebook/index.php?book_id=530

Clay County, MN

1. Accessory structures over 200 square feet require a building permit and must meet applicable building codes standards.
2. If an accessory structure is 200 square feet or less, no building permit is required.
3. All accessory structures on a lot would need to meet zoning standards (whether it needs a building permit or not) – such as lot coverage requirements and building setbacks within the applicable zoning district (standards vary depending on the zoning district).

4. The total footprint of all accessory structures on a lot (such as attached/detached garages, shed, greenhouse, etc.) may be equal to or less than the total footprint of the house.
5. The total height of accessory structures on a lot may not exceed the height of the house on the lot.

Dilworth, MN

11.020 PERMITTED USES
The following are permitted uses in the Transition Zone (TZ) District:
B. NON-RESIDENTIAL USES.
1) Farming (includes crop, trees, hobby farms, etc) and Agricultural related uses subject to MPCA standards, but not including livestock operations;
2) Home Occupation;
3) Essential Services;
4) Nurseries, greenhouses, landscape material operations including retail and wholesale operations;

CHAPTER 12: SINGLE-FAMILY & LIMITED TWO FAMILY RESIDENTIAL DISTRICT (R-1) SECTION 12.030 ACCESSORY USES
4) Noncommercial greenhouses and conservatories;

CHAPTER 13: SINGLE-FAMILY & TWO FAMILY RESIDENTIAL DISTRICT (R-2) SECTION 13.030, ACCESSORY USES
4) Noncommercial greenhouses and conservatories;

CHAPTER 14: LIMITED MULTIPLE FAMILY RESIDENTIAL DISTRICT (R-3) SECTION 14.030, ACCESSORY USES
5) Noncommercial greenhouses and conservatories;

CHAPTER 15: MULTIPLE-FAMILY RESIDENTIAL DISTRICT (R-4) SECTION 15.030, ACCESSORY USES
4) Noncommercial greenhouses and conservatories;

16.030 ACCESSORY USES
The following are permitted accessory uses in the Manufactured Housing Residential District (R-5):
4) Noncommercial greenhouses and conservatories;

Cass County, ND

Greenhouses, hoop houses, and other structures are permitted according to individual township codes.

Appendix B: Backyard Structures in Regional Jurisdictions: Greenhouses/Hoop Houses

Bismarck, ND

A building permit may be issued for a new accessory building on a parcel of record with an existing single-family principal building, provided:
1) the parcel of record meets the minimum lot area requirement for a zoning lot in the district in which the parcel is located; 2) the parcel of record has its principal frontage on a dedicated public right-of-way or on a permanent, exclusive, non-obstructed access easement to a dedicated public right-of-way not less than

twenty feet wide; and 3) the parcel of record is an auditor's lot or aliquot description rather than a metes and bounds description.

Commercial greenhouses are permitted to be used in certain districts throughout Bismarck, including the commercial district, agricultural district,

In the agricultural district, an accessory building may be constructed if the building is no more than the maximum of 1% of the total area, a maximum of up to 5,000 square feet. The maximum wall height should be no more than 14 feet and the maximum building height should be no more than 25 feet. If the rural single-family residency lot is at least 40 acres, then the maximum is increased to 7,500 square feet with a 16-foot wall height limit. If the rural single-family residency is at least 80 acres, then the allowable maximum space for an accessory building is 15,000 square feet and no wall height limit was listed.

Duluth, MN

The Minnesota Building Code allows individuals to build accessory structures up to 200 square feet without a permit, which would include hoop houses and greenhouses. While no permit is required to erect such a structure, it would need to meet code requirements (which for this type of structure are not well defined in the residential building code). The Minnesota zoning code would require a minimum rear yard setback of 5 feet and a side yard setback of 3 feet. In addition, the structure could occupy no more than 30% of the rear yard area.

If the structure is greater than 200 square feet, a building permit would be required and the structure would need to be reviewed by a plans examiner to insure it meets the requirements of the building code.

Grand Forks, ND

The two agricultural district allows for farming and crop production. The other districts do not address the use of these structures.

18-0208. - R-1 single-family residence district.

The following shall apply in all R-1 single-family districts:

(Q) Customary accessory uses and buildings, provided such uses are incidental to the principal use. Any accessory building shall be located on the same lot with the principal building.

18-0215. - B-2 shopping center district.

(4) *Temporary uses:*

(A) All temporary uses permitted in the B-1 limited business district.

(B) Seasonal sale of farm produce:

1. Maximum length of stay shall be for six (6) months of each calendar year.

2. Sales areas, including the produce stands, shall be set back a minimum of thirty (30) feet from the nearest right-of-way of any street or highway. Entrances and exits to the parking lot shall be a minimum of thirty (30) feet from any intersection.

(C) Greenhouse, for a period not to exceed three (3) months.

18-0216. - B-3 general business district.

Uses permitted:

(M) Greenhouses, retail.

(4) *Temporary uses:*

(A) All temporary uses allowed in B-2 shopping center district.

Also, the two agricultural district allows for farming and crop production. The other districts do not address the use of these structures.
https://www.municode.com/library/nd/grand_forks/codes/code_of_ordinances?nodeId=PTICICO

Lincoln, NE
"AG" AGRICULTURAL DISTRICT & ARTICLE 5 "AGR" AGRICULTURAL RESIDENTIAL DISTRICT
4.007 Permitted Special Uses.
i) Garden centers;

4.017. Height and Area Regulations.
1) Required Yards:
vii. Accessory buildings which are attached to or not located more than ten (10) feet from the main structure shall be considered a part of the main structure and shall comply with the front, side and rear yard requirements of the main building. Accessory buildings not a part of the main structure may be located: (Resolution No. R-12-0058, July 24, 2012) 1. in the required rear yard, but such accessory buildings shall not be nearer than two (2) feet to the side or rear lot line; such accessory buildings located in the required rear yard shall not occupy more than thirty percent (30%) of the required rear yard, and; (Resolution No. R-12-0058, July 24, 2012) 2. not nearer than a distance equal to ten percent (10%) of the average lot width from the side lot line. Resolution No. 3740, August 31, 1983) (Resolution No. R-12-0058, July 24, 2012)

27.63.430 Greenhouses.
Greenhouses are intended to be located in areas of special consideration such as designated flood plains and noise hazard districts or in urban fringe or large lot developments where such use will not have an adverse impact on surrounding residential uses. Greenhouses shall be allowed by special permit in the R-3 district under the following conditions:
(a) The minimum lot area is at least two acres;
(b) No retail sales shall be conducted on the premises;
(c) The greenhouse is an accessory use to a main residential use;
(d) All materials are stored inside buildings;
(e) Not more than twenty-five percent of the lot area may be devoted to such use;
(f) The proposed use shall not have any adverse or detrimental effect upon the values of the surrounding land uses;
(g) In order to assure such use is compatible with surrounding uses, the Planning Commission may impose more restrictive height, area, parking, and sign requirements as may be necessary. (Ord. 18480 §10; December 20, 2004: prior Ord. 13724; §3; October 31, 1983).
https://www.lincoln.ne.gov/city/attorn/lmc/ti27/ch2763.pdf

Mankato, MN (Blue Earth County, MN)
Sec. 24-112 Uses
(a) *Permitted uses*. The following are permitted within the A district.
(15) Greenhouses
Sec. 24-502 Uses.
(b) Conditional Uses. The following may be allowed as conditional uses within the UFD, subject to provisions of article II of this chapter.
(5) Garden nurseries and greenhouses in the RR, A, and C districts.
https://www.municode.com/library/mn/blue_earth_county/codes/code_of_ordinances

Rochester, MN
62.148 Agricultural Uses: The following is a list and description of the agricultural use categories:
1) Agricultural Production: Establishments engaged in the production of crops,

plants or vines, including forestry, and the incidental sale of produce raised on the premises to individuals, or establishments in existence on the effective date of the ordinance which are engaged in the keeping, grazing or feeding of livestock for sale, value increase, or livestock increase.

5) Retail Agriculture: Establishments that are primarily engaged in providing services related to or conducting the sale at retail of horticulture and floriculture products, including nurseries, greenhouses, lawn and garden services, or ornamental shrub and tree services. These enterprises typically produce their own stock, unlike a garden center which imports from other establishments the products it sells at retail.

http://www.rochestermn.gov/home/showdocument?id=9851

Sioux Falls, SD

Chapter 160: Zoning

FORM DD4: DETACHED DWELLING— HISTORIC PRESERVATION

§ 160.093 ACCESSORY USES.

(2) Residential accessory buildings. No accessory buildings shall be constructed upon a lot until the construction of the main building has been actually commenced, and no accessory buildings shall be used unless the main building on the lot is also being used. Residential accessory buildings include, but are not limited to:

A. A noncommercial greenhouse that does not exceed in floor area 25% of the ground floor area on the main building.

C. Vegetable or flower garden.

Appendix C: Greenhouse/Hoop House Example Ordinances

Kansas City, Missouri

88-810-692 - HOOP HOUSE

A temporary or permanent structure typically made of flexible pipe or other material covered with translucent plastic, constructed in a "half-round" or "hoop" shape, for the purposes of protecting and cultivating plants. A hoop house is considered more temporary than a greenhouse.

(Ord. No. 120697, § 1, 8-23-2012; Ord. No. 120783, § 1, 10-4-2012)

Boston, Massachusetts

SECTION 89-4. Urban Farm, Ground Level.

1. Urban Farm, Ground Level.

(a) *Use Regulations*. The primary activity to be performed on an Urban Farm shall be the cultivation of plants and horticultural crops; other activities may be subject to permitting.

i. Urban Farm, Ground Level, Small. Small Ground Level Urban Farms are Allowed in all Districts and Sub districts.

ii. Urban Farm, Ground Level, Medium. Medium Ground Level Urban Farms are Allowed in all Districts and Sub districts.

iii. Urban Farm, Ground Level, Large. Large Ground Level Urban Farms are Allowed in all Industrial Districts and Sub districts. Large Ground Level Urban Farms are Conditional in all other Districts and Sub districts.

(b) *Maximum Height of Farm Structures.* Farm Structures, including but not limited to Hoop houses, sheds and shade pavilions, shall be subject to the applicable height limits in the Underlying Zoning.

(c) *Setbacks for Farm Structures.*

i. Subject to Article 10 (Accessory Uses), all Farm Structures shall be set back five (5) feet from all property lines in all Districts and Sub districts.

(d) *Design Review.* The following Farm Structures on an existing and/or expanded Ground Level Urban Farm are subject to the Design Component of Small Project Review pursuant to subsection (b) (iv) of Section 80E-2.1 of the Boston Zoning Code (Design Review Required by Underlying Zoning):

i. Any proposed Freight Container in any District or Sub district except Industrial; and

ii. Any proposed Farm Structure greater than 300 square feet located on an existing Ground Level Urban Farm or proposed Ground Level Urban Farm not undergoing Comprehensive Farm Review (See Section 89-6), and located in a Neighborhood Design Overlay District; and

iii. For all other Districts and Sub districts not within a Neighborhood Design Overlay District, any proposed Farm Structure greater than 750 square feet located on an existing Ground Level Urban Farm or proposed Ground Level Urban Farm not undergoing Comprehensive Farm Review (See Section 89-6).

(e) *Signage.* The following regulations shall apply to signage used for Urban Farms:

i. *Types of Signage:*

a. All Ground Level Urban Farms shall be required to post one (1) identification sign, not exceeding six (6) square feet in total area, attached at a height of no more than four (4) feet high to a structure or fence stating only the name of the Ground Level Urban Farm and contact information.

b. One (1) temporary sign shall be Allowed for a Farm Stand and may be displayed during sales hours but must be removed from the premises and stored inside a structure when the Farm Stand is not in operation. Temporary Farm Stand signs shall not encroach upon sidewalks, driveways and / or other rights of way, and shall be displayed so as not to create a nuisance or hazard.

ii. *Sign Design Review.*

a. Urban Farms subject to Comprehensive Farm Review (See Section 89-6) shall provide, as part of their CFR submittal, a signage plan showing proposed signage and related architectural features on the sign frontage (See Section 89-6.5(a)v).

b. Urban Farms not subject to Comprehensive Farm Review (See Section 89-6) and exceeding the requirements of Section 89-4.1(e)i.a shall be subject to Article 11 of the Boston Zoning Code, or, alternatively, shall submit plans for signs under the Comprehensive Sign Design provisions of Article 80, Section III-80E-2 of the Boston Zoning Code.

1. Rooftop Greenhouse.

(a) *Use Regulations*. The primary activity to be performed on an Urban Farm shall be the cultivation of plants; other activities may be subject to permitting.

i. Rooftop Greenhouses are Allowed in all Largescale Commercial, Industrial, and Institutional Districts and Sub districts.

ii. Rooftop Greenhouses are Conditional in all other Districts and Sub districts.

(b*) Maximum Height*. Rooftop Greenhouses shall be no higher than twenty-five (25) feet from the roof surface.

2. Urban Farm, Roof Level.

(a) *Use Regulations.* The primary activity to be performed on an Urban Farm, or within a Farm Structure, shall be the cultivation of plants; other activities may be subject to permitting.

i. Urban Farm, Roof Level, Small. Small Roof Level Urban Farms are Allowed in all Districts and Sub districts.

ii. Urban Farm, Roof Level, Medium. Medium Roof Level Urban Farms are Allowed in Large-scale Commercial, Industrial and Institutional Districts and Sub districts. Medium Roof Level Urban Farms are Conditional in all other Districts and Sub districts.

iii. Urban Farm, Roof Level, Large. Large Roof Level Urban Farms are Allowed in Large-scale Commercial, Industrial and Institutional Districts and Sub districts. Large Roof Level Urban Farms are Conditional in all other Districts and Sub districts.

(b) *Maximum Height of Farm Structures*. Farm Structures, including but not limited to Hoop houses, sheds and shade pavilions, shall be subject to the applicable height limits in the Underlying Zoning except for Rooftop Greenhouses (See Section 89-5.1(b).

(c) *Design Review*. The following Farm Structures on an existing and/or expanded Roof Level Urban Farm are subject to the Design Component of Small Project Review pursuant to subsection (b) (iv) of Section 80E- 2.1 of the Boston Zoning Code (Design Review Required by Underlying Zoning):

i. Any proposed Farm Structure that is visible from a public street or public open space in any District or Sub district, other than Industrial which does not about a Residential District or Sub district.

http://www.bostonredevelopmentauthority.org/getattachment/8405c72c-7520-43ad-a969-0e27dddae7a2

Appendix D: Examples of Greenhouses/Hoop Houses

Other cities across the United States are adopting official policies on urban agriculture. Here are some examples of those cities.

Baltimore City, Maryland

The Baltimore Sustainability Plan

Baltimore's sustainability plan is intended to complement the comprehensive plan through the introduction of 29 policy goals under seven general themes: cleanliness, pollution prevention, resource conservation, greening, transportation, education & awareness, and green economy. Under the greening

theme ‘establish Baltimore as a leader in sustainable local food systems’ emerged as one of four main goals.

The city will utilize a variety of strategies to achieve this goal including various methods to increase cultivated land, develop an urban agriculture plan, and increase the demand for locally produced food in schools, institutions, supermarkets, and by individuals. Increased land use planning and zoning changes will be necessary to identify locations for urban agricultural infrastructure and institutions. The city will also attempt to increase city farms and community gardens on vacant and abandoned lots.

In addition, this plan includes a strategy to compile local and regional data on various components of the food system. By connecting regional and urban farms with local institutions, processing facilities, and distributors Baltimore has the potential to create a successful urban agricultural system that not only accommodates urban growers but also supports the ability of nearby farmers to tap into urban markets for locally grown products.
http://www.minneapolismn.gov/www/groups/public/@cped/documents/webcontent/convert_282989.pdf

Cleveland, Ohio

Cleveland, Ohio has recently determined that urban agriculture is a viable economic development strategy that can play a role in revitalizing its urban areas. In response, the city has updated its zoning code to protect and accommodate urban agriculture. Other cities are following Cleveland’s lead and embarking on rezoning studies to determine how their cities’ codes can be updated to fulfill their individual needs.

Cleveland has established an Urban Garden District within its zoning code in order to ensure that urban gardens are appropriately located on sites and represent the highest and best use for the community. The code defines community gardens, market gardens, greenhouses, hoop houses, and cold frames. Permitted main uses within the urban garden district include only community gardens and market gardens. Permitted secondary uses include greenhouses, hoop houses, cold frames, open space, fences, signs, benches, bike racks, raised beds, compost bins, seasonal farm stands, garden art, rain barrels, chicken coops, beehives, and children’s play areas. Buildings are limited to tool sheds, shade pavilions, barns, restroom facilities with composting toilets, and planting preparation houses. A list of supplemental regulations controls the specific elements of permitted accessory uses including location, height, and coverage.

Elsewhere in Cleveland’s zoning code are restrictions on farm animals within the city. These codes allow for and regulate chickens, ducks, rabbits, and bees within residential areas. Goats, pigs, and sheep require at least 24,000 square feet of land within residential districts and 14,400 square feet within non-residential districts. Horses, cows, alpacas, and llamas are generally not allowed.
http://www.minneapolismn.gov/www/groups/public/@cped/documents/webcontent/convert_282989.pdf

Appendix E: Additional Greenhouse/Hoop House Information

Concordia College, Moorhead, MN

In 2010 Concordia College started a campus organic garden called Cornucopia, which is the college's experiential learning site. In the Fall of 2015, a hoop house was built to extend the growing season and allow more experiential learning, even during the cold months in the Fall and the Spring. Concordia's hoop house uses a solar closed convection air system to extend the season even longer because it uses the solar energy to heat the soil inside of the hoop house. However, they did have to overcome some barriers before being able to build this hoop house. The barriers were mostly related to the closed convection system, material used, zoning codes and setbacks, square footage, seasonal vs. permanent, proximity of maintenance structure (garage) to hoop house, and its overall use. The closed convection system hoop house is the only one of its kind in Moorhead so the city never dealt with a situation like that before. Another part of the issue was they never dealt with a structure that was planned in a residential neighborhood but on a college campus. The city did end up making a new ordinance around closed convection systems. The planners of this structure also had to gets the plans approved by the city and ask all the neighbors if they could build this structure. They had to ask neighbors because this structure would take away greenspace and be a potential eyesore. One "major" barrier they had to overcome was the head house connection to the hoop house. Traditionally, the head house is connected to the hoop house or greenhouse so the heat does not escape to the outside. But the city did not want Concordia's head house connected to the hoop house because the plastic that covers the structure has the potential to catch on fire and if it was connected to the head house the fire could spread easily. However, the material that was used to cover this structure was a specific type of plastic that was less likely to catch on fire. From a growing stand point, it is very important for the head house to be connected to the hoop house in order for it to maintain a proper temperature and function as it should. When using the fire safe material, the hoop house would not catch fire and spread to the head house. Therefore, an ordinance would be able to address the connection of the head house to a hoop house when fire safe materials are used.

References

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Colorado Department of Agriculture (2013) “Greenhouse production systems in organic production” Retrieved from https://www.colorado.gov/pacific/sites/default/files/Organic%20Greenhouse%20Production%20System.pdf

University of Minnesota Extension (2016) “Deep winter greenhouses” Retrieved from http://www.extension.umn.edu/rsdp/statewide/deep-winter-greenhouse/

University of Vermont (n.d) “Selecting your structure” Retrieved from http://www.uvm.edu/sustainableagriculture/Documents/HighTunnels_SelectingStructure.pdf

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Farmers' Markets & Produce Stands

This issue brief will provide background information related to farmers' markets and produce stands, addressing the common concerns and benefits from a health, environment, social, and economic standpoint. Appendices have been provided to share how regional jurisdictions are managing their farmers' markets and produce stands as well as example policy language from other jurisdictions.

Background

According to the USDA, a farmers' market can be defined as "a multi-stall market at which farmer-producers sell agricultural products directly to the general public at a central or fixed location, particularly fresh fruit and vegetables (but also meat products, dairy products, and/or grains)." A produce stand (also known as a farm stand) is defined as "an area for the temporary or seasonal sales and promotion of agricultural products that are grown or raised on the site."[1]

The number of farmers' markets in the United States has tripled since 1994.[2] This significant increase is due to many factors, including: consumer's concerns regarding food safety, the rise in preferences for organic food, the movement to support the local economy, and the larger Greenhouse Gas (GHG) emissions produced through large-scale commercial farming operations. These concerns can be minimized, or possibly eliminated, through the use of local farmers' markets and produce stands. Not only will the introduction of local farmers' markets and produce stands provide for a decrease in the aforementioned concerns, but they are also able to provide a wide array of benefits. The modern industrial food system is responsible for 44 to 57% of all global GHG emissions, with 15 to 20% of these produced from the processing, transportation, packing, and retailing methods currently in use. These inordinately high emission levels are automatically reduced through the use of local farmers' markets and stands, as these avenues of production decrease the need for international food shipments and intranational food transportation costs.[3,4]

Not only do farmers' markets positively impact the environment, they also have an economic impact on the local community. At farmers' markets and produce stands, consumers buy goods directly from the producer; this action stabilizes the local economy by keeping this stream of revenue within the community. The avenue of direct-to-consumer sales allows the farmer to retain a larger financial portion of what would normally be lost in commercial retail expenses. If the farmer were to sell their products through a chain grocery store, additional packaging and transportation fees would be required, and, most likely, the products would be sold outside of the local community which would deny the local economy this line of revenue and, as aforementioned, increase the production of GHG emissions.

Farmers' markets and produce stands increase the prevalence of access to healthy and inexpensive foods to individuals in lower socioeconomic classes. Various farmers' markets across the county allow, and promote, the use of individual Supplemental Nutrition Assistance Program (SNAP) funds for

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[1] Agriculture Ombudsman. (2015). Definitions Used by Permit & Resource Management Department. Retrieved from http://ucanr.edu/sites/CESonomaAgOmbuds/On-Farm_Retail_Sales/.

[2] United States Department of Agriculture. Agriculture Marketing Service. Farmers Market Growth. Retrieved from http://www.ams.usda.gov/AMSv1.0/ams.fetchTemplateData.do?template=TemplateS&navID=WholesaleandFarmersMarkets&leftNav=WholesaleandFarmersMarkets&page=WFMFarmersMarketGrowth&description=Farmers%20Market%20Growth&acct=frmrdirmk.

[3] Grain. (2011). Food and Climate Change: The Forgotten Link. Retrieved from https://www.grain.org/article/entries/4357-food-and-climate-change-the-forgotten-link

[4] Bentley, S., & Barker, R. (2005). Fighting global warming at the farmer's market: the role of local food systems in reducing greenhouse gas emissions. *Toronto: Foodshare*.

individuals eligible to receive this federal assistance benefit. To incentivize the acceptance of SNAP benefits, cities, such as Miami, FL, will discount the farmers' market permit fees by 50% (from $500.00 to $250.00) if the producers accept SNAP benefits. In 2007, approximately $1.6 million in SNAP benefits were redeemed at 532 farmers' markets across the country.[5] This number has increased to $16.5 million in 2012, with the acceptance of SNAP benefits at an estimated 3,200 farmers' markets across the country.[6] This substantial increase in expenditures of SNAP benefits at farmers' markets has resulted in a decrease in the prevalence of domestic hunger rates all while increasing the consumption of organic, fresh, and healthy foods in the low-income population served by SNAP.[7] One study conducted in Boston, MA concluded that SNAP beneficiaries who shopped at farmers' markets consumed 50% more vegetables per day than beneficiaries who did not.[8]

A number of incentives, like those listed above, have been implemented throughout the country to allow better access to farmer's markets for customers and vendors. Through incentives like SNAP are important to increasing accessibility, there is also a need for clear and understandable zoning regulations for vendors and market managers. Currently, Fargo-Moorhead legislation requires markets to follow the health and zoning codes of their respective jurisdictions. Relying on individual cities to enforce zoning laws can create confusion for vendors attending more than one market, so it is important to have standardized zoning laws for Fargo-Moorhead markets. Zoning issues can also be solved through designating an area for the market to take place year round, such as is the case with the Town Square Farmer's Market in Grand Forks, North Dakota. The Town Square Market is located at the corner of 3rd St and DeMers Ave, and that space is used for the farmer's market on Saturdays from May to October, as well as community events throughout the year. The area was purchased and developed through grants and donations received by the city of Grand Forks.[9]

Table 1. Incentives Provided for Farmers and Buyers at Markets

Market	Sponsoring Program	Incentives Offered
Greenmarket, New York City	GrowNYC	Farm Succession and Land Transfer, Financial and Business Planning, Legal Assistance, Strategic Marketing, Access to Capital, Food Safety and Risk Management[10]
Los Angeles and Southern California Markets	LA Food Policy Council	Market Opportunities: Incentives for Food Retailers (funding, planning assistance, expedited permitting, tax credits, and

[5] Briggs, S. (2010). Real food, real choice: Connecting SNAP recipients with farmers markets. Community Food Security Coalition.

[6] Roper, N., & Miller, S. (2013). Farmers Market Coalition. Slow and Steady: Farmers Market SNAP Sales Continue to Expand. Retrieved from http://farmersmarketcoalition.org/snapsales-up-in-2012.

[7] Bodonyi, B., & Gilroy, A. (2011). Healthy Eating at Farmers Markets: The Impact of Nutrition Incentive Programs. Retrieved from http://www.ophi.org/download/PDF/healthy_planning_pdfs/hefm_nutritionincentives0923.pdf.

[8] Spiller, K., & Obadia, J. (2012). Boston Collaborative for Food and Fitness. Farmers Markets: Impact on fruit and vegetable consumption of Supplemental Nutrition Assistance Program clients. Retrieved from http://bostonfarmersmarkets.org/wp-content/uploads/2012/07/FarmersMarket-Impact-on-FV_Website.pdf.

[9] Celebrating the Past, the Present, and the Future… The Grand Forks Town Square. https://www.fema.gov/pdf/about/regions/regionviii/jurnys31.pdf

[10] GrowNYC. (2015.) FARMroots, Greenmarket's Technical Assistance Program. http://www.grownyc.org/farmroots

		energy discounts); Truck Gardening and Farming Uses; Food Waste Recycling Program; Farmer's Markets in Residential Zones; Rebuilding Local and Regional Food Infrastructure (ensure fs fair compensation and increases access to small and midsized producers); Eat Local, Buy California Grown Day; Small Business Incubation[11]
Town Square Farmer's Market, Grand Forks, North Dakota	Town Square, City of Grand Forks, North Dakota	Designated farmer's market location[12]
Red River Market, Fargo, North Dakota	Red River Market, local businesses	Double SNAP bucks, Free Rides by MATbus[13]

Additional things to consider include coordinating between markets within a jurisdiction for joint advertising and logistical planning (time, location, etc.), and Double SNAP Bucks sponsored by the jurisdiction.

The Fargo-Moorhead (FM) metropolitan area currently accommodates 10 farmers markets' and produce stands. This amounts to only 0.044 farmers' markets per 1,000 individuals in the FM metropolitan area. Understanding the benefits and concerns of these farmers' markets and produce stands (identified in Table 3) allows for further insight into how they should be regulated, areas of improvement, and if the overall number of these markets and stands is sufficient for the population in the FM metropolitan area. The health and zoning regulations followed by these markets are those of their respective jurisdiction, as according to the policies in the states of Minnesota and North Dakota.

Table 2. Farmers Markets and Produce Stands in the FM metro area

Market Name	**Location**	**Notes**
Farmers Market & Beyond	500 13th Ave W, West Fargo (South Elmwood Park parking lot)	Mondays and Thursdays: 3:30 PM – 6:30 PM July 9 – October 1
FM Farmers Market	349 E Main Ave, West Fargo	Mon – Fri: 10 AM – 7 PM Saturday: 10 AM – 6 PM Sunday: Noon – 6 PM *Accepts SNAP benefits
Great Plains Producer Association's Community Farmers Market	West Acres Mall, Fargo (West parking lot at the Mall)	Tuesdays, Thursdays, Saturdays: 10 AM – 5 PM (or until produce is sold) June 23 – October *Accepts Supplemental Nutrition

[11]Los Angeles Food Policy Council. (2016.) Resources, LA Food Policies. http://goodfoodla.org/resources/la-food-policies/

[12] Celebrating the Past, the Present, and the Future… The Grand Forks Town Square.

[13] Red River Market. (2016.) www.redriver.market

		Assistance Program (SNAP) benefits **Co-opted with the Northern Plains Botanical Society Farmers Market on Thursdays
Ladybug Acres Produce Stand	2110 S University Drive, Fargo (Tesoro parking lot)	Mondays – Saturday: 11 AM – 5 PM July 1 – October 1
Moorhead Center Mall Market	4 St N & Center Ave, Moorhead (Moorhead Center Mall parking lot)	July & August – Tuesdays: 3 PM – 7 PM September – Tuesdays: 3:30 PM – 6:30 PM
Old Trail Market/Legacy Garden	Probstfield Farm & Living History Foundation, North Moorhead	Call for days and times
Red River Market	Broadway & 2nd Ave N, Fargo	Saturdays: 10 AM – 2 PM July 11 – October *Accepts Supplemental Nutrition Assistance Program (SNAP) benefits
Sydney's Health Market	810 30th Ave S, Moorhead	Mon – Fri: 9 AM – 7 PM Saturday: 9 AM – 5 PM Sunday: Noon – 5 PM *Farmers provide produce to be sold inside the store; vendors outside on some days
Veggie Bus	1302 3rd Ave N, Fargo	Call for days and times July 1 – October 1
Whistle Stop Farmers Market	Whistle Stop Park at 14th St NE, Dilworth	Thursdays 3 PM – 7 PM July 1 – October

Regarding farmers' markets and produce stands, in Cass and Clay Counties, only zoning ordinance have been addressed. Rules regarding the sale of produce or processed foods are regulated by local Public Health Offices (See Appendix C).

Table 3. Summary of farmers market approval in local jurisdictions (As of November 2015)

Moorhead	Dilworth	Clay County	Fargo	West Fargo	Cass County
Not addressed*	Permitted in select zones**	Permitted in select zones***	Permitted in select zones****	Not addressed	Not addressed

**Permits for farmers markets in commercial districts are handled by the City as "temporary" 180 day permits pursuant to the building code.*

*** A farmers market, commercial greenhouse, or nursery operation (retail and wholesale) would be considered a permitted use in the TZ district, C-1, C-2, C-3, I-1 and I-2 districts.*

****Farm stands and/or seasonal agricultural sales are a permitted accessory uses in specific zoning districts. Stands are limited to one structure not exceeding 600 square feet. Farmers markets may be considered as an allowed "use" with an Interim Use Permit.*

*****This type of use is not specifically addressed in any of the zoning districts as a permitted or conditional use. The City of Fargo would classify this use as "retail sales and service," which is a permitted use in the UMU, NC, LB, DMU, GC and LI zoning districts. Temporary permits are also an option for permitting, depending on duration of the operation.*

Table 4. Framework for evaluating farmers markets and produce stands

DOMAIN	BENEFIT	CONCERN
Health	Increased access to fresh, healthy local foods. Increased access to a larger variety of products and products unique to the market or local area. Consumers are able to experiment with different crops and value-added products at a low cost and low risk.[14] Diverse local food in markets restores consideration for the origin of food.[15] Farmers markets may contribute to community food security (the community's capacity to feed itself) with safe, culturally acceptable, nutritionally adequate food through a sustainable food system based on community self-reliance.[16]	Markets and stands follow separate food safety standards and may increase health risk for consumers.
Environment	Food waste – 22% of farmers' crops would not be marketed if farmers markets were not available due to supermarkets not accepting produce outside of their stringent specifications.[17] Reduction in packaging material.[18] Reduction in greenhouses gases due to produce being transported shorter distances.	

[14] Gillespie, G., Hilchey, D.L., Hinrichs, C.C., & Feenstra, G. (2007). Farmers' markets as keystones in rebuilding local and regional food systems. Remaking the North American food system: Strategies for sustainability, 65-83.

[15] Gillespie. 2007.

[16] Gillespie. 2007.

[17] Festing H. 1998, Farmers' Markets: an American success story, Ecological Books, Bath.

[18] Festing. 1998.

Social	Consumers feel conventional supermarkets are missing "food with a face." Farmers markets are able to deliver this need.[19] Attract broad spectrum of people who might not, under other circumstances, meet or interact.[20] Vendors value the social and recreational aspects of selling among friends and learn how to improve the market from the example and mentoring of other vendors.[21]	
Economic	Potential for some producers to retain a higher proportion of the usual retail price.[22] Increased spending in the local economy, providing a multiplier effect. Provides a new site to sell products and an opportunity for farmers to access new markets through consumer interaction.[23] Consumers gain access to fresh healthy local produce at competitive prices.[24] Small-scale food processors and farmers experience difficulties in getting their products into large conventional supermarket chains. Farmers markets and stands allow them to increase sales and their customer base.[25] Farmers markets maintain infrastructure for local and regional food systems by serving as informal business incubators that nurture entrepreneurship, diversification, and expansion of small farms and food enterprises.[26] Vendors at farmers markets can avoid exacting grading and packing standards common in many wholesale markets as well as eliminating non-local competition.[27] Allow for diversification of new crops or products or new varieties of familiar crops or products which can	Produce may be more expensive due to increased costs for small farm sustainability and pesticide-free environments raising growing costs.[28]

[19] Gillespie. 2007.

[20] Sommer, R., Herrick, J., & Sommer,T.R. (1981). The behavioral ecology of supermarkets and farmers' markets. *Journal of Environmental Psychology*, 1(1), 13-19.

[21] Gillespie. 2007.

[22] Coster, M., & Kennon, N. (2005). "New Generation" Farmers Markets in Rural Communities. Kingston: Rural Industries Research and Development Corporation. Retrieved from https://rirdc.infoservices.com.au/downloads/05-109.

[23] Coster & Kennon. 2005.

[24] Coster & Kennon. 2005.

[25] Gillespie. 2007.

[26] Gillespie. 2007.

[27] Feenstra, G., & Lewis, C. (1999). Farmers' markets offer new business opportunities for farmers. *California Agriculture*, 53(6), 25-29.

[28] Ramage, N. (2011). Examiner. The pros and cons of local farmers markets. Retrieved from http://www.examiner.com/article/the-pros-and-cons-of-local-farmers-markets

	lengthen the market season, add value to products, attract more or different customers, and better utilize resources (including labor and equipment). This allows reduced risks of production failures and market price fluctuations.	

Resources

- Minnesota Cottage Food Law (2015) - Minnesota Department of Agriculture Website → Search "Cottage Food Laws"
- North Dakota's Guide to Selling Local Food - North Dakota Department of Agriculture Website → Search "Farm to Market Handbook"
- South Dakota Requirements for the Sales of Baked Goods and Canned Items - South Dakota Department of Health → Food and Lodging Safety → Farmer's Markets
- Model ordinances not listed: Austin, TX, Miami, FL

If you have questions, please contact Kim Lipetzky with the Fargo Cass Public Health Office at 701-241-8195 or klipetzky@cityoffargo.com.

Appendix A: Farmers Markets & Farm Stands in Regional Jurisdictions

Bismarck, ND
Farmers markets and produce stands are not addressed in city code.

Duluth, MN
Farmers markets and produce stands are not addressed in city code.

Grand Forks, ND
Farmers markets and produce stands are not addressed in city code.

Lincoln, NE
Farmers markets are address in the city food code, which covers permitted food items and permits required.

Mankato, MN
There is not a licensure requirement for selling home grown produce. A peddler's license does not apply to farm stands, but the planning and zoning requirements is dependent upon on the type of property and is considered on an individual basis.

Rochester, MN
Farmers markets and produce stands are not addressed in city code.

Sioux Falls, SD
Farmers markets and produce stands are not addressed in city code.

Appendix B: Example Ordinances

Des Moines, IA

DIVISION 4. – FARMERS' OR PUBLIC MARKET

Sec. 102-556. – Definitions

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- Farmers' or public market means a sale of products, the majority of which have been produced in the state, including but not limited to raw fresh vegetables, fruit, honey, herbs, flowers, plants, nuts, baked goods or handcrafted items which conform to all applicable city, county or state health and safety provisions, particularly state department of agriculture and land stewardship regulations, and which are offered for sale by any person, business, or organization on a portion of or entirely on a public street, sidewalk, alley, park or public place during set hours, no more than two days per week within a one-year period.
- Market manager means a person who or organization which holds a farmers' or public market permit and who organizes the participants of the market, promulgates regulations for the conduct of the market consistent with section 102-564 of this division, and generally is responsible for the operation of the market.

(C91, § 23-20.08; O.13,023)

Cross reference— Definitions generally, § 1-2.

Sec. 102-557. – Required

No person shall conduct a farmers' or public market, as defined in section 102-556 of this division, without first having obtained a permit as provided in sections 102-558 and 102-559 of this division. This shall not apply to activities sponsored by and held at the state fairgrounds.

(C91, § 23-20.09; O.13,023)

Sec. 102-558. – Application

Any person applying for a permit to conduct a farmers' or public market shall make written application to the city manager's office at least 30 days prior to the first proposed date for the market. No permit shall be issued unless an application containing the following information is first completed:

- The name, address and phone number of the applicant and/or market manager he or she represents.
- The proposed location of the market and the names of any businesses which the market will front.
- If such businesses are not participating in the market, a copy of the notice sent to such businesses of the market, its location and duration.
- The proposed dates of the market and its hours of operation.
- The number of vendors involved in the market, their names, and permanent addresses.
- The type of merchandise to be sold.
- A certificate of insurance demonstrating compliance with all insurance requirements. The amount and type of liability insurance to be required shall be determined by the city's finance director or designee and are hereby, by reference, made a part of the permit application form.

(C91, § 23-20.10; O.13,023, 13,737, 15,104)

Sec. 102-559. – Issuance

Upon the city clerk determining that a person or organization applying for farmers' or public market permit has complied with the terms of section 102-558 of this division; the chief of police, the city engineer, and, if a market is held in a park, the director of park and recreation and the park and recreation board agree that the proposed sale will not reasonably disrupt pedestrian and vehicular traffic in the area of the market; that no other application has been submitted which proposes a similar geographic location for the market; that the city ordinances will be obeyed in the conduct of the market; and upon payment of the appropriate fees, the city clerk shall issue a permit to conduct a farmers' or public market. If the permit is denied, the city clerk shall state the reason therefor on the face of the application and shall so inform the applicant. No farmers' or public market permit shall be issued for a market within any residential zone of the city.

(C91, § 23-20.11; O.13,023)

Sec. 102-560. – Appeal of denial

Any farmers' or public market permit denial may be appealed to the city council within ten days of the denial by submitting a written request for appeal to the city clerk. The city council shall consider the denial at its next regular

meeting and shall either affirm the denial or direct the city clerk to issue the permit upon receipt of the appropriate fees. The city council shall base its decision upon a review of the application, the reasons for denial, and any statements from interested parties. If more than one application has been submitted which proposes a farmers' or public market in similar geographic locations, the council shall consider the following criteria to determine which application to grant:

- Experience in managing a farmers' or public market.
- For what purpose the proceeds of the farmers' or public market will be used.

(C91, § 23-20.12; O.13,023)

Sec. 102-561. – Duration

The farmers' or public market permit shall be issued in the name of the market manager and contain the dates of the sale and shall be valid through December 31 of the year in which the market is held.
(C91, § 23-20.13; O.13,023)

Sec. 102-562. – Fee

(a) The applicant for a farmers' or public market permit shall pay a permit fee to the city clerk at the time of filing the application in the amount set in the schedule of fees adopted by the city council by resolution.

(b) In the event the application is withdrawn by the applicant or denied either initially or on appeal, either all or a portion of such fee in an amount set in the schedule of fees adopted by the city council by resolution shall be retained by the city to defray the administrative costs incurred.

(C91, § 23-20.14; O.13,023, 13,737; 14,174)

Sec. 102-563. – Market manager's responsibilities

(a) Under this division, the market manager's responsibilities shall be to:

(1) Contact the city engineer to arrange for the appropriate signs and/or barriers to control traffic and/or parking in the area of the market, including but not limited to obtaining street closing permits and any other permit required by this Code.

(2) Provide, maintain, and remove portable toilets, the requisite number to be designated by the environmental health officer.

(3) Ensure that trash containers are provided in the market and that the market area is reasonably free of trash during and at the close of the market.

(b) Failure to comply with any of the subsections in subsection (a) of this section shall be punishable as a simple misdemeanor and may result in the revocation of the farmers' or public market permit.

(C91, § 23-20.15; O.13,023)

Sec. 102-564. – Conduct of permittee

A farmers' or public market permittee as well as all agents, employees or representatives shall comply with the following in conducting a farmers' or public market:

- No person shall conduct a farmers' or public market from 10:00 p.m. until 7:00 a.m. the following day.
- No person shall erect booths, tables, or display merchandise in such a manner so as to block pedestrian or vehicular traffic.
- No person shall erect booths, tables, or display merchandise or in any other manner participate in a farmers' or public market without the express consent of the market manager.

(C91, § 23-20.16; O.13,023)

Appendix C: Cass-Clay Farmers' Markets Rules and Regulations

Fact Sheet

for farmers markets in Fargo and West Fargo

This fact sheet addresses foods allowed at farmers markets.

The food products can only be sold at community and nonprofit events or farmers markets located in Fargo and West Fargo. This includes such events as: county fairs, nonprofit and charitable events, public spirited and/or community celebrations and farmers markets and roadside stands.

It does NOT include:
Craft shows, food festivals, or other for profit events nor sales to other businesses, interstate or internet sales, or sales from one's home or business.

Home-Processed, Home-Canned and Home Baked foods:
The individual who is selling home-processed, home-canned and home-baked foods under this exemption should have available, upon request of the regulatory authority, the product's recipe and/or pH results .

The seller must display a sign or placard at the point of sale which states:

These canned goods/baked goods are homemade and not subject to state inspection

Persons producing and selling these products are encouraged to have the recipe and manufacturing process reviewed by a person knowledgeable in the food canning/processing industry and recognized as a process authority.

Labeling requirements:
Each food container and/or food item sold must include the following statement using a font size that is prominent, conspicuous, and easy to read.

"These food products were produced in an un-inspected home kitchen where major food allergens may also have been handled and prepared, such as tree nuts, peanuts, eggs, soy, wheat, milk, fish, and crustacean shellfish"

If you have questions, please contact:

Fargo Cass Public Health
Environmental Health Division
701.476.6729

Public Health
Prevent. Promote. Protect.
Fargo Cass Public Health

You May NOT Sell

Foods that require refrigeration

Fresh-processed (not canned) foods that require refrigeration such as fresh salsa, pesto, refrigerator pickles, etc.

Potentially hazardous foods including, but not limited to: cut melons, cut leafy greens, and cut tomatoes.

Nut butters of any kind (peanut, almond, sunflower, etc.)

Frozen pasta, or pastas requiring refrigeration.

Foods that are home-processed or home-canned such as home-canned fish, pickled eggs and meat.

NOT ALLOWED: Certain foods are not allowed to be sold under these rules.

Any non-acidified foods processed by either the use of a boiling water bath or by the use of a home pressure cooker.

Some foods naturally have a pH of 4.6 or greater. ***These foods are not allowed unless the pH of these foods is reduced to pH 4.6 or less.***

These foods include:

artichokes	asparagus
beans (lima, string, kidney, Boston style, soy, waxed)	
beets	broccoli
Brussels sprouts	cabbage
carrots	cauliflower
horseradish	sweet corn
egg plant	mushrooms
peas	peppers
potatoes	squash
spinach	vegetable soups

Home-Baked Foods

ALLOWED: Home-baked foods may include but are not limited to lefse, bread, rolls, fruit pies, candies/ confectioneries, and cookies & bars.

NOT ALLOWED: Foods that require refrigeration may not be sold under this ruling.

These foods include home-baked foods such as custards, custard-filled pastries, meringue-topped pies or pastries, kuchen, pumpkin pies, cream pies or other pies, pastries or baked goods that are considered potentially hazardous or require temperature control.

Certain foods fall under regulatory jurisdiction and are not exempted by this ruling. ***YOU MAY NOT SELL WITHOUT A LICENSE*:**

- fish
- dairy
- poultry
- meat products including:
  - smoked fish
  - butter
  - milk
  - jerky
  - potentially hazardous products such as garlic and oil mixtures or other flavored oils.

You May Sell

ALLOWED: Foods that have a natural pH of 4.6 or less and acidified foods which have acid(s) or acid food(s) added. ***The final pH of the food must be 4.6 or less.***

Home-canned high acid foods such as:

- sweet or dill pickles
- tomatoes
- salsa
- apples
- cherries
- grapes
- plums
- peaches
- flavored vinegars
- naturally fermented foods such as :
  - sauerkraut
  - pickles and
  - KimChi
- jellies and jams

You May Also Sell:

- honey
- dried pasta
- eggs-as long as kept at 41°F or below
- all fresh picked/non processed/not cut produce

When in doubt - check it out!

Call
Fargo Cass Public Health
701.476.6729

Attachment 5

To: Cass-Clay Food Systems Advisory Commission
From: Kim Lipetzky, Fargo Cass Public Health
Date: July 6, 2016
Re: ***Online Community Input***

In order to keep the Food Systems Advisory Commission apprised of various issues and inquiries raised by the community, the Cass-Clay Food Systems Initiative (CCFSI) Steering Committee will keep a record of questions and comments received on behalf of the public and will review them with Commission members on a continuing basis. These will include public comments received through the City of Fargo *Let's Eat Local* website (**www.letseatlocal.org**) and other venues.

Attachment 5a includes questions and comments regarding food systems issues submitted to the City of Fargo and Fargo Cass Public Health from May to June 2016. Names have been redacted to ensure the privacy of each of the individuals.

Requested Action: None

Attachment 5a

Received 6/2/16 Moorhead

I am a manager in the culinary department of the new Eventide being built in Fargo by the Scheels arena. Our facility boasts both a care center side but also an assisted living side where residents are able to live independently in apartments on Eventide campus with access to a coffee shop, restaurant, salon, a chapel and more. We have huge open spaces that receive plenty of sunlight and are going to be used for grass and my vision is to implement at first, a small fruit and vegetable garden. In a class I took at Concordia, I wrote a mock grant requesting funds to create a community fruit and vegetable garden at an old folks home. Along with requesting funds, I explained the rationale for such a project. It was shared with me by the activities director that a garden and would be a wonderful addition to enhance the lives of those who can take part and enjoy the fresh produce, not to mention the ideas for activities that she had. Some ideas were cooking classes/activities for youth groups to teach food skills with produce grown locally. Also canning and preserving activities, or even just having the garden to be a relaxing spot on campus. Also considering how fast Fargo is growing, the garden space may service other people or businesses in the future. I guess what I am asking for is help, I don't know much about event organizing or farming for that matter, but people associated with your commission do. If no help is available I would suggest giving thought into a tool kit that follows Apple Co's philosophy of making a process so incredibly simple, I suggest you do that with urban community gardens so that anyone from corporate CEO to stay at home parent could implement this sustainable practice. It may even make urban chicken keeping idea more appealing if the resources and logistics were already arranged. Thank you for any comments, concerns or questions Hans-Kristof