

Growing Nourishing Food Systems

A Guide for Local Governments to Improve Healthy Eating in Washington State



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Links to external resources are provided as a public service and do not imply endorsement by the Washington State Department of Health.

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Introduction

The Growing Nourishing Food Systems toolkit guides local governments to use policy strategies to increase healthy eating in their communities. (See Appendix A for a definition of healthy eating.) The Washington State Department of Health Healthy Eating Active Living Program developed this guide. The guide uses research and recommendations from state and national organizations.

A healthy food system is important to support healthy people. A healthy food system supports a healthy environment and a healthy economy (Access to Healthy Foods Coalition [AHFC], 2010).

A food system includes the people and activities involved in food. These activities include producing, processing, distributing, retailing, consuming and disposing of food.

The food system impacts and is impacted by many parts of society. These parts of society include economic development, energy, health, housing, public safety, transportation, and water infrastructure.



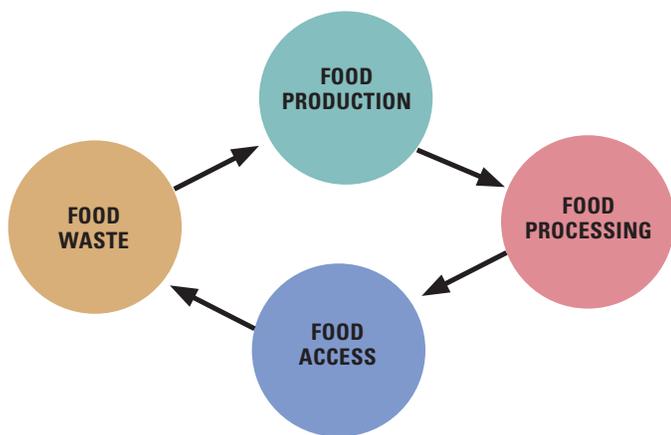
Source: Iowa Food Systems Council, *Cultivating Resilience: A Food System Blueprint that Advances the Health of Iowans, Farms and Communities* (2011) www.iowafoodsystemsCouncil.org/cultivating-resilience/

How to Use this Guide

Growing Nourishing Food Systems describes policies that promote a food system that supports healthy eating. Successful policy development needs careful thought on community needs, feasibility of implementation and enforcement. This guide does not intend to mandate policy changes, and is not a comprehensive manual for local policy development.

This guide groups strategies and examples into the following food system categories:

- Food Production
- Food Processing and Distribution
- Food Access and Consumption
- Food Waste Management



Many strategies highlight examples from Washington cities and counties. The tables at the end of each section have more information on the examples. The tables have language governments can use to increase healthy eating in a community. The Municipal Research and Services Center of Washington is an excellent resource for examples. It has a search engine that planners can easily access.

Local Government Approaches

Growing Nourishing Food Systems focuses on four approaches local governments can use to increase access to healthy foods in their communities.

- Cities can include food systems as an element in their **comprehensive plans**. Food planning can also be included in other city planning documents like Environment, Sustainability and Climate Change Plans.
- Cities can use a variety of **regulatory tools** to support healthy food systems. Regulatory approaches include zoning, ordinances, permitting and licensing.
- Cities and counties can provide **fiscal incentives** to promote a food system for healthy eating. Some of these strategies, such as loans and grants, require financial investment. However, strategies such as reducing license fees for small stores that offer healthy food may not require financial investment.
- **Local government institutions** such as departments of planning/economic development, neighborhoods, public health and sustainability can participate in food-related policy and planning work.

EXAMPLES

King County should prioritize its programs to help build and support a sustainable, reliable, equitable, and resilient local food system. (King County Comprehensive Plan)

Support efforts to protect local farmland and local access to fresh fruits and vegetables. (Sultan Comprehensive Plan)

Background

The Healthy Eating Active Living (HEAL) Program provides support to communities. This work aligns with the Washington State Nutrition and Physical Activity Plan. The policy examples in this toolkit come from the Department of Health’s *Health in Washington Cities* survey, Municipal Research and Services Center of Washington, and a search of city websites and expertise shared by reviewers.

Making policies is a main role of the city, town and county governments. Policy makers should embrace and rely on public involvement for policies. Appendix B includes a brief explanation of these key activities and the policy development process.

Food Policy Councils

Communities can engage food system partners through advisory bodies known as Food Policy Councils. A food policy council can help a variety of public and private food system interest groups and agencies work together. The council can recommend appropriate food and agricultural policies that address specific challenges in the community.

The structure of these advisory boards varies. Some local governments recognize councils through official resolutions. This structure can increase buy-in from elected officials and other community leaders (International City/County Management Association [ICMA] Press, 2006). Other councils are volunteer run and not connected to the local government.

Members of a food policy council should represent each sector of the food system. Food policy councils often conduct Community Food Assessments. See Appendix C for more information on Community Food Assessments.

Washington State Local Food Policy Council Examples:

Clark County Food System Council

- **Governance:** Independent coalition with communication channel to county commissioners
- **Vision:** To have a healthy community and thriving local food system that:
 - Provides access to healthy and culturally appropriate food for all residents;
 - Values and preserves community land for food production;

- Maximizes the use of local, regional and seasonal foods; and
- Meets the needs of the present generation without compromising the needs of the future generation.

Kitsap Food and Farm Policy Council

- **Governance:** Citizens representing a broad spectrum of local food issues.
- **Vision:** A vibrant food system that supports healthy people, communities, economies, and environment.

Puget Sound Regional Council’s Regional Food Policy Council (RFPC)

- **Governance:** RFPC is a committee of the Puget Sound Regional Council (PSRC). PSRC consists of decision makers from central Puget Sound counties and local agencies that work together to develop policies and make decisions about regional issues.
- **Vision:** By addressing food system issues systematically, the region can protect agricultural land, promote fresh food consumption, and support local food and farm based business to improve the health of the local food economy (VISION 2040).

Tahoma Food Policy Coalition

- **Governance:** Independent coalition
- **Mission:** To grow a just, healthy, and sustainable local food system by influencing policies, developing projects, and sharing resources throughout Pierce County.

General Strategies

Examples on pages 5–6

Local governments can prioritize food policy through non-binding resolutions, comprehensive plans, and vision statements. This includes food system plans and charters. ChangeLab Solutions’ toolkit “How to Create and Implement Healthy General Plans” has sample language. The toolkit is included under Resources at the end of this section.

Adopt a non-binding resolution that the city/county will strive to use for land use decisions to promote community health, prevent and reduce obesity and provide access to healthy food and physical activity in your community (Feldstein, 2006).

- **GS 1 Seattle Resolution 31019**

Add language to the comprehensive plan that city/county will strive to use for land use decisions to promote community health, prevent and reduce obesity and provide access to healthy food and physical activity in your community (ICMA Press, 2006).

- **GS 2 Edmonds Comprehensive Plan**
- **GS 3 Burien Comprehensive Plan proposed language**

Write a stand-alone health element into your comprehensive plan that addresses access to healthy foods (ChangeLab Solutions and Raimi & Associates, 2008).

- **GS 4 Example for a Health Element**

Incorporate health into the overall vision statement. The vision statement should include specific language on health outcomes such as physical activity, air quality, access to health care, and access to healthy foods (ChangeLab Solutions and Raimi & Associates, 2008).

- **GS 5 Example for a Healthy Vision**



• **Adopt a food charter** to develop a community's common vision for a healthy food system and set out a city's commitment to guide local food policy change (Sanders & Shattuck, 2011).

- **GS 6 Vancouver BC Food Charter (Canada)**

Create a Food Systems Plan to describe communities' goals for their food systems, assess the conditions of food systems, and make recommendations for improving them (Food Systems Planning and Healthy Communities Lab University at Buffalo, 2011).

- **GS 7 Multnomah County Office of Sustainability (Oregon)**



EXAMPLES – General Strategies (GS)

GS 1 **Seattle Resolution 31019** (page 3)

“establishing goals, creating a policy framework, and identifying planning, analysis and actions for the purpose of strengthening Seattle’s food system sustainability and security.”

GS 2 **Edmonds Comprehensive Plan** (page 4)

“Promote food security and public health by encouraging locally-based food production, distribution, and choice through the support of home and community gardens, farmers or public markets, and other small-scale, collaborative initiatives.”

GS 3 **Burien Comprehensive Plan proposed language** (page 4)

- Policy: Burien promotes and supports the health of all community members through healthy and active planning for physical activity and nutrition.
- Policy: Develop public, private and non-profit partnerships to support the goal of healthy eating and active living, including education, awareness, and enforcement and development of partnerships.
- Parks and Open Spaces Element: Maintain, create and implement a comprehensive system of parks and open spaces that respond to the recreational, cultural, environmental and aesthetic needs and desires of the City’s community members.
- Policy: Provide parks design, programming and planning to promote healthy eating and active living.
- Capital Facilities Element: The goal is “Develop and implement an effective strategy that includes public health and safety to balance land use with capital facility development.”
- Policy: Site and design public facilities to protect and promote public health, particularly in areas housing vulnerable populations.
- Economic Element: The goal is “Create an environment that will strengthen the health and economic vitality of businesses and their employees within the City of Burien.”

GS 4 **Example for a Health Element** (page 4)

Goal: Provide safe, convenient access to healthy foods for all residents.

Objective: Provide safe, convenient opportunities to purchase fresh fruits and vegetables by ensuring that sources of healthy foods are accessible in all neighborhoods.

Policies:

- Identify grocery access as a priority for economic development
- Establish a walkability standard for access to retailers/sources of fresh produce
- Utilize existing economic development incentives and/or create new incentives to encourage stores to sell fresh, healthy foods such as produce in underserved areas
- Identify appropriate sites for farmers’ markets and drop-off sites for community-supported agriculture “shares” (direct marketing between farmers and consumers), and prioritize those uses in appropriate locations
- Encourage farmers’ markets to accept credit and food stamp Electronic Benefit Transfer (EBT) cards; Women, Infants, and Children (WIC) benefits; and Senior Farmers’ Market Nutrition Program benefits
- Work with local transit agencies to ensure that bus routes provide service from underserved neighborhoods to healthy food retail outlets
- Link efforts to protect local farmland with the development of diverse markets for local produce
- Provide fast-track permitting for grocery stores in underserved areas
- Prevent restrictive covenants that keep new grocery stores from using a competitor’s abandoned site

GS 5 **Example of a Healthy Vision** (page 4)

“This community is committed to promoting the health and well-being of all its residents. We strive to be an active, inclusive, and responsive city/county, where healthy habits are encouraged rather than discouraged by the environments we build. Achieving this vision requires acknowledging previously ignored links between built environments and health, particularly the influence that patterns of land use, density, transportation strategies, and street design have on chronic diseases and health disparities.”

- **GS 6 Vancouver BC Food Charter (Canada)** (page 4)
states a vision and identifies five key principles for a just and sustainable food system:
 - 1) Community economic development;
 - 2) Ecological health;
 - 3) Social justice;
 - 4) Collaboration and participation; and
 - 5) Celebration.
- **GS 7 Multnomah County Office of Sustainability (Oregon)** (page 4)
“Multnomah Food Action Plan: Grow and Thrive 2025” aims to “achieve a local, healthy, equitable, and regionally prosperous food system” through “education, community empowerment, planning integration, policy prioritization, and investment.”

RESOURCES – General Strategies (GS)

- **ChangeLab Solutions, “Toolkit: How to Create and Implement Healthy General Plans”**
<http://changelabsolutions.org/publications/toolkit-how-create-and-implement-healthy-general-plans>
This toolkit provides steps to develop the general plan. It is the key land-use policy document for California cities and counties. This toolkit describes a wide range of strategies, from building relationships and assessing existing conditions to creating and implementing policy language. Model health language is included to provide specific ideas for how to address health concerns through general plan policies.
- **Public Health Law and Policy, “Toolkit: General Plans and Zoning”**
<http://changelabsolutions.org/publications/toolkit-general-plans-and-zoning>
Nutrition and other public health advocates can use this toolkit to learn land use decision making and how to participate in the process.
- **State and Local Food Policy Councils**
www.statefoodpolicy.org/
This site is a clearinghouse of information on the development of food policy councils. This resource has education and outreach materials, reports, and publications.

SECTION 1: Food Production

- Agricultural Production – page 7
Land preservation
- Urban Agriculture – page 9
Community gardens
- Home-Based Food Production – page 10
Growing food and keeping animals
- Examples – page 11
- Resources – page 20



Agricultural Production

Examples on pages 11–15

Farming is an important part of Washington’s economy. Protecting land from non-farm development and soil erosion supports agricultural production. Local governments can make healthy food more available by protecting farmland.

Goal

Preserve and protect agriculture in rural areas.

Strategies to Protect Rural Agricultural Land

Counties can designate agricultural resource lands of long-term commercial significance in comprehensive plans and specify careful criteria to protect them. *This is supported by the Growth Management Act RCW 36.70A.060 and Agricultural Resource Lands WAC 365-190-050.* See Appendix D for more information.

- **FP1 Whatcom County Comprehensive Plan** – Land Use Element
- **FP2 Ellensburg Comprehensive Plan** – Transportation Element
- **FP3 Spokane Comprehensive Plan** – Land Use Element, Agriculture

Enact or continue Purchase of Development Rights (PDR) Programs on county basis (Washington State Department of Community, Trade and Economic Development [CTED], 2004).

- **FP4 Snohomish County** – Purchase of Development Rights Program
- **FP5 Whatcom County** – Purchase of Development Rights Program

DEFINITION

Purchase of Development Rights (PDR)

PDR is a program that allows property owners to voluntarily sell the development rights to their land at fair market value in return for deeding a permanent conservation easement held by a land trust or local government. For more information, see Appendix D for more Growth Management Act RCW 36.70A.060. (Source: MRSC)

Eliminate exemptions from the normal subdivision process that would result in the division of important agricultural land into parcels that are too small for commercial farming (CTED 2004). *This is supported in the Growth Management Act.*

Promote development within urban growth area in an effort to reduce residential development in rural and agricultural areas.

- **FP6 Sedro-Woolley Comprehensive Plan** – Land Use Element

Strategies to Protect Agricultural Lands In and Around Urban Areas

Protect agriculture by using innovative zoning techniques in areas designated as agricultural land in the comprehensive plan (ICMA Press, 2006; Van Buren County Community Center, 2003). *This is supported in the Growth Management Act. See Appendix D for more information about RCW 36.70A.177.*

- Exclusive use zoning for agricultural purposes
 - Sliding scale zoning
 - Quarter/Quarter zoning
 - Open Space (cluster) development
 - Overlay zoning
- **FP7 Thurston County Code of Ordinances** – Zoning, Long-term agricultural district
 - **FP8 Yakima County Code of Ordinances** – Agricultural Zoning District
 - **FP9 Marysville Municipal Code** – Small Farms Overlay Zone

Allow Transfer of Development Rights (TDR) to protect prime agricultural land (American Planning Association [APA] 2007; CTED, 2004).

- **FP10 Bainbridge Island Municipal Code**, Transfer of Development Rights
- **FP11 King County Code** – General Provisions, Transfer of Development Rights
- **FP12 Thurston County Code** – Zoning, Transfer of Development Rights

DEFINITION Transfer of Development Rights (TDR)

TDR programs allow landowners to transfer the right to develop one parcel of land to a different parcel of land. In the context of farmland protection, TDRs are used to shift development from agricultural areas to designated growth zones closer to municipal services. This allows farmers to keep farming while receiving income from the development potential of their land. For more information, see Appendix D for more Growth Management Act: RCW 36.70A.060. (Source: MRSC)

Limit non-agricultural development to densities and development patterns that are consistent with the continuation of agriculture (APA, 1999). Under Growth Management Act, agricultural zoning in an urban area is forbidden unless there is a transfer of development rights program. Counties have “Right to Farm” ordinances.

Strategies to Protect and Promote Agricultural Operations

Adapt and update “Right to Farm” laws to protect farms from potential nuisance lawsuits (Municipal Research and Services Center of Washington [MRSC], 2008; CTED, 2004). *See Appendix D for more information about The Washington Right to Farm Act ESB5962.*

- **FP13 Bainbridge Island Municipal Code** – Right To Farm
- **FP14 Edgewood Comprehensive Plan** – Land Use Element
- **FP15 Issaquah Comprehensive Plan** – Land Use Element
- **FP16 Marysville Comprehensive Plan** – Residential Land Use, Small Farms
- **FP17 Seattle Municipal Code** – Urban Farms

Require developers to create agricultural buffers between new developments and existing agricultural land through changing zoning codes (MRSC, 2008).

- **FP18 Yakima County Code**

Fund an agricultural coordinator position to help farmers get building permits, understand and meet new regulations, apply for funding and represent agriculture’s interests in the community.

- **FP19 Snohomish County Agricultural Coordinator**

Form a farming advisory group to advise the city or county on strategies for preserving farmland.

- **FP20 Clark County Farm Preservation Advisory Committee**
- **FP21 Thurston County Agriculture Committee**

Adopt a resolution that will increase awareness and participation in agricultural planning, conservation easements and policies that support agriculture.

- **FP22 Kitsap County Resolution**

Recognize forms of agriculture as desirable civic uses.

- **FP23 Sedro-Woolley Comprehensive Plan – Land Use Element**

Urban Agriculture

Examples on pages 15–17

Community gardens can improve access to healthy, affordable food for local residents. This is especially true in low-income areas. By using vacant land, gardeners improve local economies and create a sense of community.

Goal

Protect the right to farm in urban areas and promote community gardens.

Comprehensive Plan Strategies and Examples

Include urban agriculture and community gardens in comprehensive plans (Local Government Commission, 2007; APA, 1999).

- **FP24 Edgewood Comprehensive Plan – Community Character Element**
- **FP25 Seattle Comprehensive Plan – Urban Village Element**
- **FP26 Tacoma Comprehensive Plan – Open Space Element, Community Gardens**
- **FP27 Battleground Comprehensive Plan – Parks, Recreation and Open Space Element**

Within the land use element of the comprehensive plan, provide incentives for the development of community gardens on public and private land, such as bonus densities (APA, 1999).

Set and enforce requirements for a given amount of park/green/open space per capita (ICMA Press, 2006).

- **FP28 Seattle Comprehensive Plan – Neighborhood Planning Element, Downtown**

Regulatory Strategies and Examples

Ensure that zoning barriers to community gardens are addressed or removed (APA, 1999).

Make public land available for community gardens through public land disposition policies (Neuner, Kelly & Raja 2011).

- **FP29 Tenino Municipal Code**

Use an overlay district which includes healthy land uses that would otherwise not be permitted in a particular zoning district (Local Government Commission, 2007).

- **FP30 Seattle’s Department of Transportation “The Seattle Right-of-Way Improvements Manual.”**

Use zoning category to designate land specifically for community gardens (Local Government Commission, 2007; ICMA Press, 2006).

Fiscal Incentive Strategies and Examples

Pass a levy or adopt a resolution to support community gardens (Local Government Commission, 2007).

- **FP31 Seattle “Parks and Green Space Levy”**
- **FP32 Davenport Resolution**

Modify permitting fees and platting requirements to support community gardens (Local Government Commission, 2007).

Provide incentives for promoting food production in planned unit developments (PUDs) (Neuner, Kelly & Raja 2011).

DEFINITION

Planned Unit Developments (PUD)

A PUD is a large, integrated development, developed under unified control according to a master plan, and located on a single (or contiguous) tract of land. PUDs are characterized by a varied and complementary mix of land uses, such as housing, recreation, commercial centers, and industrial parks. (Source: MRSC)

Reduce the cost of community garden plot fees for low income or senior citizens.

- **FP33 Washougal Municipal Code** – City Fees and Charges

Local Government Institution Strategies and Examples

Create a municipal community garden program and establish a local government department as manager/operator of community gardens (Local Government Commission, 2007; ICMA Press, 2006).

- **FP34 Seattle P-Patch Community Gardening Program**
- **FP35 Tacoma Community Gardening Program**

Provide an easily accessible inventory of all vacant public/private lots and open space which could be used for urban agriculture (Local Government Commission, 2007).

- **FP36 City of Issaquah Pickering Garden**

Home-Based Food Production

Examples on pages 17–19

This section has strategies to encourage citizens to grow food and raise animals (such as bees, livestock, fowl, pigs, and goats) for personal use and food production.

Goal

Support keeping animals and growing food in residential areas.

Comprehensive Plan Strategies and Examples

Encourage urban livestock in comprehensive plans.

- **FP37 Edgewood Comprehensive Plan** – Land Use Element
- **FP38 Edgewood Comprehensive Plan** – Community Character Element

- **FP39 Issaquah Comprehensive Plan** – Land Use Element
- **FP40 Marysville Comprehensive Plan** – Residential Land Use, Small Farms

Regulatory Strategies and Examples

Provide zoning allowances to support keeping animals.

- **FP41 Seattle Municipal Code**, Keeping Animals
- **FP42 Vancouver Municipal Code**, Domestic Animals and Livestock
- **FP43 Sedro-Woolley Municipal Code**, Chickens and Ducks, Beekeeping
- **FP44 Ellensburg Municipal Code**, Keeping of Chickens
- **FP45 Ridgefield Municipal Code**, Regulations relating to Livestock
- **FP46 Enumclaw Municipal Code**, General requirements
- **FP47 Tumwater Municipal Code**, Livestock

Allow residents to plant food in the planting strip immediately abutting their property.

- **FP48 Seattle Department of Transportation**, Gardening in Planting Strips

DEFINITION Planting Strip

That portion of street lying between the constructed curb and property line, exclusive of the sidewalk area: Provided, that if there is no constructed curb, then the “planting strip” means that portion of the street lying between a constructed sidewalk and the property line: Provided further, that if there is no constructed curb or constructed sidewalk, then planting strip means that portion of the street lying between the traveled way and the property line, exclusive of any established pedestrian path. (Source: Seattle Right-of-Way Improvements Manual)

EXAMPLES – Food Production (FP)

Agricultural Production

FP1 **Whatcom County Comprehensive Plan – Land Use Element** (page 7)

Accommodating Growth

Community Value Statements encourage concentrating growth into urban areas. This allows for efficient provision of services and preservation of rural areas as quiet, open spaces where development pressures are not such that extraordinary regulations must be imposed. A distinct boundary is needed between rural and urban areas, discouraging sprawl, maintaining desired rural lifestyles, and conserving agricultural land.

FP2 **Ellensburg Comprehensive Plan – Transportation Element** (page 7)

Goal T-7 A

Constantly protect and improve the quality of the natural and built environment within the community and surrounding region.

Discourage urban or suburban intrusion onto prime farmland outside of the UGA.

FP3 **Spokane Comprehensive Plan – Land Use Element** (page 7)

Agriculture Designate areas for agriculture lands that are suited for long-term agricultural production

LU 1.11

To protect and preserve agricultural designated land clustering of residential building sites shall be required as part of the subdivision approval process. Through the planned unit development (PUD) process, land in the Agriculture designation may be developed at a density of up to 10 units per acre. Clustering the allowable units is required so that structures located on agricultural designated parcels are situated in a manner that preserves as much land as possible for the agricultural operation.

Discussion:

The agricultural designation is applied to agricultural lands of local importance in the Urban Growth Area. These areas have historically been farmed, contain highly productive agricultural soils (at least SCS Class II soils or designated prime agriculture lands as defined by the Natural Resource Conservation Service (NRCS) United States Department of Agriculture), and have large enough parcel sizes for productive farming. These areas have been determined in consultation with soil scientists from the National Resource Conservation Service. They are expected to remain agriculture for at least the next twenty years. Uses planned for agricultural areas include: farming, green house farming, single-family residence, and minor structures used for sales of agricultural products produced on the premises. Caretakers' quarters associated with the agricultural activity may be permitted as an accessory use when a single-family residence is located on the parcel.

Goals and Policies, Protection of Agriculture Lands

SMP 11.50

Protect Comprehensive Plan-designated agricultural lands for continued agricultural use.

FP4 **Snohomish County Motion 06-001** (page 7)

The PDR program preserves farmland by purchasing the "development rights" of a property from landowners. The value of a development right is the difference in land value between the current agricultural use and the highest and best use of the land. Under the PDR program, the county would purchase the development rights of a property from the landowner, and then place a conservation easement on the property to prohibit non-agricultural activities. The property would remain in private ownership and be available for agricultural use. The county benefits from this program by securing the long-term presence of agricultural land in the Tualco Valley. Participating landowners benefit by maintaining the ability to farm the land while gaining some of the profits they would have earned by redeveloping the land for non-agricultural uses. The goals of the PDR program in Snohomish County are to:

- Permanently preserve rural farms in the Tualco Valley.
- Provide an option for landowners to realize the financial benefits of their land without developing it.

Participation in the program is voluntary, requires an application, and is expected to be competitive due to limited public funds. Applications will be scored and ranked by criteria evaluating the agricultural value of a property and the risk of a property being converted to non-agricultural uses. This program is grant-funded.

- FP5** **Whatcom County Code – Title 3.25A** (page 7)
Whatcom County Purchase of Development Rights Program, Program Guidelines
Responding to the loss of County farmland, Whatcom County Executive initiated the development of a Purchase of Development Rights (PDR) program in September of 2001. A PDR Advisory Committee comprised of farmers, citizens and conservation organizations were instructed to assist County staff in developing a proposal for County Council consideration.

 - A. Objective
In conjunction with other tools for protecting farmland, the Whatcom County Purchase of Development Rights Program will contribute to sustaining the farming enterprise in Whatcom County.

- FP6** **Sedro-Woolley Comprehensive Plan – Land Use Element** (page 7)
14.1 Goal: To preserve Sedro-Woolley’s existing agricultural lands and heritage.
Work to adopt an agricultural preservation overlay zone which reduces development pressure and enhances the long-term viability of existing agricultural uses within the UGA. This zone would be enacted upon petition by the property owner and not imposed by the city.
14.2 Recognize and promote the benefits of agricultural land which include maintaining open spaces, establishing rural character, preserving view corridors, enhancing wildlife habitat, and providing employment for the residents of Skagit County.

- FP7** **Thurston County Code of Ordinances – Zoning, Long-term agricultural district** (page 8)
20.08A.010
It is intended that agriculture be the primary use in this district and that other uses be sited so as to minimize their impact on, or conflicts with, surrounding agricultural uses. This district is not intended to preclude farming in other areas of the county. The purpose of this district is to:

 - 1. Conserve agricultural lands of long-term commercial significance used for the production of crops, livestock, or other agricultural products;
 - 2. Protect agricultural lands from incompatible development;
 - 3. Encourage the continued economic viability of agriculture;
 - 4. Encourage property owners to maintain property in agriculture uses; and
 - 5. Promote and protect agriculture and its dependent rural community through the enhancement, protection, and perpetuation of the ability of the private sector to produce food and fiber.

- FP8** **Yakima County Code of Ordinances – Agricultural Zoning District** (page 8)
15.21.045 Clustering of Existing Lots Permitted
Clustering of existing lots may be permitted through joint Type I and short subdivision exemption review for up to four clustered lots and a balance within a property or contiguous properties. A joint Type II and short subdivision exemption review process shall be used when the cumulative number of clustered lots within a property or contiguous properties exceeds four. Minor boundary line adjustments not involving clustering are not subject to the clustering provisions of this title. The cluster shall be required to meet adopted development standards and the following...

- FP9** **Marysville Municipal Code – Small Farms Overlay Zone** (page 8)
22C.050.010 Purpose
The purpose of the small farms overlay is to provide a process for registering small farms, thereby applying the small farms overlay zone and recording official recognition of the existence of the small farm, and to provide some encouragement for the preservation of such farms, as well as encouraging good neighbor relations between single-family and adjacent development. This chapter provides alternative development standards to address unique site characteristics and addresses development opportunities which can exceed the quality of standard developments, by:

 - 1. Establishing authority to adopt property-specific development standards for increasing minimum requirements of this code on individual sites; and
 - 2. Establishing the small farms overlay zone with alternative standards for special areas designated by the comprehensive plan or neighborhood plans. (Ord. 2852 § 10 (Exh. A), 2011).

- FP10 Bainbridge Island Municipal Code – Transfer of Development Rights** (page 8)
18.27.020 Development rights sending areas.
- A. Critical Areas Overlay District. All properties within the critical areas overlay district (CAOD) as designated on the land use map of the city comprehensive plan are established as development rights sending areas. A copy of the critical areas overlay district is available from the department.
 - B. Agricultural Land. Any owner of agricultural land as defined by BIMC 16.26.020, whether located in or outside of the CAOD, may elect to have the agricultural land designated as a development rights sending area through the sale or transfer of the development rights of the property.
- FP11 King County Code – General Provisions, Transfer of Development Rights** (page 8)
Chapter 21A.37
21A.37.010 Transfer of development rights (TDR) program – purpose.
- A. The purpose of the transfer of development rights program is to transfer residential density from eligible sending sites to eligible receiving sites through a voluntary process that permanently preserves rural, resource and urban separator lands that provide a public benefit. The TDR provisions are intended to supplement land use regulations, resource protection efforts and open space acquisition programs and to encourage increased residential development density or increased commercial square footage, especially inside cities, where it can best be accommodated with the least impacts on the natural environment and public services by:
 1. Providing an effective and predictable incentive process for property owners of rural, resource and urban separator land to preserve lands with a public benefit as described in K.C.C. 21A.37.020; and
 2. Providing an efficient and streamlined administrative review system to ensure that transfers of development rights to receiving sites are evaluated in a timely way and balanced with other county goals and policies, and are adjusted to the specific conditions of each receiving site.
 - B. The TDR provisions in this chapter shall only apply to TDR receiving site development proposals submitted on or after September 17, 2001, and applications for approval of TDR sending sites submitted on or after September 17, 2001. (Ord. 16267 § 64, 2008: Ord. 15032 § 39, 2004: Ord. 14190 § 3, 2001: Ord. 13274 § 1, 1998. Formerly K.C.C. 21A.55.100).
- FP12 Thurston County Code – Zoning, Transfer of Development Rights** (page 8)
Chapter 20.62: 20.62.010 – Purpose
The purpose of this chapter is to encourage the conservation of long-term commercially significant agricultural lands by allowing owners of such lands to realize the equity in the land's development potential without conversion to nonagricultural uses.
- FP13 Bainbridge Island Municipal Code – Right To Farm 16.26.030** (page 8)
- A. The city declares that an agricultural operation in conformance with agricultural best management practices is not a public or private nuisance.
 - B. No agricultural operation or any of its appurtenances will be considered by the city to be or become a nuisance, private or public, by any changes in or on the surrounding land; provided, that the provisions of this subsection shall not apply whenever a nuisance results from the unlawful operation of any such agricultural operation or its appurtenances. (Ord. 98-20 § 14, 1998).
- FP14 Edgewood Comprehensive Plan – Land Use Element** (page 8)
LU9
Protect the right to farm throughout the city.
Discussion: Edgewood is a city that is in transition from agricultural and hobby farms. These activities are a valued part of the Community and the right to continue farming and suburban agriculture needs to be protected from intrusion by new urban uses. Urban uses need to mitigate their impact on the existing environment to assure a logical and smooth transition as development pressures increase.

- LU17
 Investigate a transfer of development rights system and other methods to retain open space and to provide for the continuation of agricultural uses on large lots and preservation of constrained areas.
 Discussion:
 Transfer of development rights allows the transfer of one property’s development potential to another. Other methods for preserving open space include zoning and present use taxation.
- FP15 Issaquah Comprehensive Plan – Land Use Element** (page 8)
 1.1.4 Permit small scale agriculture, horticulture and hobby farm activities to continue where existing or where such uses would not adversely impact critical areas or the character of the surrounding area.
- FP16 Marysville Comprehensive Plan – Residential Land Use, Small Farms** (page 8)
 LU-52
 Encourage agricultural production on small parcels suitable for agricultural uses within the Urban Growth Boundary as long as such use is desired by the property owner.
- FP17 Seattle Municipal Code, Urban Farms** (page 8)
 23.42.051
 A. All Urban Farms in Residential Zones. In all residential zones all urban farms are subject to the following provisions:

 1. Mechanical equipment. Only mechanical equipment designed for household use may be used.
 2. Sales. Retail sales and all other public use of the farm shall begin no earlier than 7:00 a.m. and end by 7:00 p.m. every day of the week.
 3. Deliveries. Commercial deliveries and pickups are limited to one per day. On-site sales are not considered commercial pickups.
 4. Motor vehicles. No more than two motor vehicles, each with a gross vehicle weight of 10,000 pounds or less, may be used for farm operations.
 5. Location. The farm shall be located on the same lot as the principal use to which it is accessory or on a lot where the planting area is within 800 feet of the lot where the principal use is located...
- FP18 Yakima County Code** (page 8)
 Yakima County requires setbacks of 150 feet for developments adjacent to resource lands, including agriculture.
- FP19 Snohomish County Agricultural Coordinator – Linda Neunzig** (page 8)
 Position Description: “As the Snohomish County Agriculture Coordinator I am the link between Snohomish County Government and the farming community. I am a political appointee by the county executive. I do economic development for agriculture. I facilitate the Focus on Farming conference, do the agriculture area at the Evergreen State Fair, centennial farms program, farm visits, Focus on Farming newsletter, policy, work with all the different entities in the county, region, state and national on different projects related to agricultural production, food safety, food access, food production, farmland preservation and much more.”
- FP20 Clark County Farm Preservation Advisory Committee** (page 8)
 The advisory committee worked to identify, evaluate and prioritize farm areas/projects using GMA designations, conservation area acquisition plans and other sources. The committee also identified and recommended tools and strategies to help preserve farms and support services as well as conducted stakeholder interviews to help inform the advisory committee.
 A sample of the general themes of committee discussions included:

 - There is a place for agriculture in Clark County and people who want to pursue it;
 - Agriculture contributes to the local economy and there are opportunities to expand;
 - The climate is favorable to produce a very diverse array of agricultural products...
- FP21 Thurston County Agriculture Committee** (page 8)
 The Thurston County Board of Commissioners established an Agriculture Advisory Committee in 1978 to advise the Thurston County Commissioners and Planning Commission on public decisions and/or emerging issues that would significantly affect agriculture. Additional functions are to review local, state, or federal programs identified by staff that could affect Thurston

County agriculture; to conduct a regular review or evaluation of County efforts to protect and support agriculture; to consider and recommend new initiatives; and to work closely with Cooperative Extension and other groups to help them support agriculture.

FP22 Kitsap County Resolution No. 136-2011: Kitsap County Strategic Agricultural Plan and Inventory (page 9)

This plan, coordinated with the assistance of local agencies, professional partners, and citizens, provides the following material:

- Assessment of regional and local economic and activity trends for farming.
- Review of regional strategies for local use.
- Review of County regulations as they affect agriculture
- Mapping and inventory of farming properties prioritizing their value for farmland preservation.
- Strategic plan for future actions by Kitsap County and the farming community.

FP23 Sedro-Woolley Comprehensive Plan – Land Use Element (page 9)

14.2 Recognize and promote the benefits of agricultural land which include maintaining open spaces, establishing rural character, preserving view corridors, enhancing wildlife habitat, and providing employment for the residents of Skagit County.

Urban Agriculture

FP24 Edgewood Comprehensive Plan – Community Character Element (page 9)

CC33

Allow farm animals on large parcels, compatible with Edgewood’s desire to maintain open space in the community.

Discussion:

See the Parks, Recreation, and Open Space Element for more detail. The City will address implementation of this policy the development standards.

FP25 Seattle Comprehensive Plan – Urban Village Element (page 9)

UV57

Promote inter-agency and intergovernmental cooperation to expand community gardening opportunities, and include P-Patch community gardening among priorities for use of City surplus property.

UVG38

Provide safe and welcoming places for the people of Seattle to play, learn, contemplate, and build community. Provide healthy spaces for children and their families to play; for more passive activities such as strolling, sitting, viewing, picnicking, public gatherings, and enjoying the natural environment; and for active uses such as community gardening, competitive sports, and running. Types of open space acquisitions and facility development: a. Village open space sites, urban center indoor recreation facilities, village commons sites, and community gardens.

FP26 Tacoma Comprehensive Plan – Open Space Element, Community Gardens (page 9)

OS-CG-1

Support and develop existing and new community gardens within parks and on appropriate public and private lands. Consider creative approaches to managing community gardens, such as support by education institutions or volunteer management by community organizations.

FP27 Battleground Comprehensive Plan – Parks, Recreation and Open Space Element (page 9)

Parks Goal 2: The City will seek to provide parks to meet the diverse needs of the community. PO2.4 The City will facilitate the creation of community gardens.

FP28 Seattle Comprehensive Plan – Neighborhood Planning Element (page 9)

Downtown DEN-P13

Strive to accomplish goals for open space as defined for urban center villages, such as: One dedicated community garden for each 2,500 households in the Village, with at least one dedicated garden site.

FP29 Tenino Municipal Code (page 9)

18B.10.060 Civic Use Category

G. Open Space/Recreation. Recreational areas and recreation facilities which primarily are owned or operated by public or non-profit entities for the use and enjoyment of the general

- public. In some cases, such areas and facilities may be incidental to private development, such as open space set-asides necessary for environmental mitigation and children’s play areas (“tot lots”) within a subdivision; are intended to be principally used by a finite group; and may constitute private property. Examples include neighborhood parks, community parks, regional parks, waterfront parks, open space, arboretums, small or special landscaped areas, community and “pea patch” gardens, fairgrounds, zoos, and swimming pools.
- FP30** **Seattle’s Department of Transportation** (page 9)
allows residents to plant food in the planting strip immediately abutting their residence. Certain requirements are laid out in “The Seattle Right-of-Way Improvements Manual.”
- FP31** **Seattle “Parks and Green Space Levy”** (page 9)
Ordinance 112749
AN ORDINANCE relating to additional regular property taxes; providing for the submission to the qualified electors of the City at a special election on November 4, 2008, of a proposition authorizing the City to levy regular property taxes for up to six (6) years in excess of the limitation on levies in Chapter 84.55 RCW for the purposes of acquiring, developing, or restoring parks, recreation facilities, cultural facilities, green spaces, playfields, trails, community gardens, and shoreline areas; providing for interim financing pending tax receipts; creating a citizens levy oversight committee; creating a new fund; and ratifying and confirming certain prior acts.
Community Gardens \$2,000,000
Fund the acquisition and development of new Community Gardens or P-Patches and the development of Community Gardens or P-Patches on existing City-owned properties (an anticipated four or more sites).
- FP32** **Davenport Resolution 2010-02** (page 9)
Adoption of the policies and procedures for the Davenport Community Garden
Promote community involvement, gardening, and healthy lifestyle by making available to the citizens of Davenport a community garden site. The goals of the Community Garden are established: encourage people to grow their own food which provides better nutrition and self-sufficiency, help feed the community through food bank donations, involve children in the fun of gardening while providing education and experience, better health through physical activity, and provide access to gardening and allowing the community to work together.
- FP33** **Washougal Municipal Code – City Fees and Charges** (page 10)
3.88.050 Community garden plot annual fee
The annual charge for use of a community garden plot provided by the city of Washougal should be based on the rate of \$0.0625 per square foot. For those citizens who are either low income or a senior citizen, the rate for use of a city-owned garden plot should be based on the rate of \$0.05 per square foot. For the purposes of this section, “senior citizen” is defined as a person who is 65 years of age or older at the time of the application of use of a community garden plot. A “low income citizen” is defined as a citizen whose household income in the preceding calendar year is not greater than the sum of \$20,000 gross income. (Ord. 1626 § 2, 2009)
- FP34** **Seattle P-Patch Community Gardening Program** (page 10)
The P-Patch Community Gardening Program, in conjunction with P-Patch Trust, a nonprofit organization, oversees 75 P-Patches distributed throughout the city, equaling approximately 23 acres, serving 4,400 gardeners. Gardeners throughout the city contributed 17,000 hours maintaining the common areas of the garden in 2010.
- FP35** **Tacoma Community Gardening Program** (page 10)
The Tacoma-Pierce County Community Garden Program is a collaborative effort of the City of Tacoma, Tacoma-Pierce County Health Department, Metro Parks, Pierce County, Forterra (formerly Cascade Land Conservancy) and other community groups. The Community Garden Program works to support the development and success of community gardens by providing information and assistance to community gardens, facilitating garden networks, and hosting workshops and events.

- FP36 City of Issaquah, Pickering Garden** (page 10)
Landscaping in the City of Issaquah is handled by the Parks Department. However, the Resource Conservation Office plans and maintains the Pickering Garden. The Pickering Garden is located on the south and west sides of the historic Pickering Barn and is a resource for visitors and local Issaquah residents illustrating ways to reduce the effects of urban landscaping on the environment. The site is a living classroom encouraging behaviors that save water, improve water quality, improve natural habitat and reduce waste.

Home-Based Food Production

- FP37 Edgewood Comprehensive Plan – Land Use Element** (page 10)
LU9
Protect the right to farm throughout the city.
Discussion: Edgewood is a city that is in transition from agricultural and hobby farms. These activities are a valued part of the Community and the right to continue farming and suburban agriculture needs to be protected from intrusion by new urban uses. Urban uses need to mitigate their impact on the existing environment to assure a logical and smooth transition as development pressures increase.
- LU17
Investigate a transfer of development rights system and other methods to retain open space and to provide for the continuation of agricultural uses on large lots and preservation of constrained areas.
Discussion:
Transfer of development rights allows the transfer of one property’s development potential to another. Other methods for preserving open space include zoning and present use taxation.
- FP38 Edgewood Comprehensive Plan – Community Character Element** (page 10)
CC33
Allow farm animals on large parcels, compatible with Edgewood’s desire to maintain open space in the community.
Discussion:
See the Parks, Recreation, and Open Space Element for more detail. The City will address implementation of this policy the development standards.
- FP39 Issaquah Comprehensive Plan – Land Use Element** (page 10)
1.1.4
Permit small scale agriculture, horticulture and hobby farm activities to continue where existing or where such uses would not adversely impact critical areas or the character of the surrounding area.
- FP40 Marysville Comprehensive Plan – Residential Land Use, Small Farms** (page 10)
LU-52
Encourage agricultural production on small parcels suitable for agricultural uses within the Urban Growth Boundary as long as such use is desired by the property owner.
- FP41 Seattle Municipal Code, Urban Agriculture** (page 10)
23:42:052 Keeping Animals
The keeping of small animals, farm animals, domestic fowl and bees is permitted outright in all zones as an accessory use to any principal use permitted outright or to a permitted conditional use, in each case subject to the standards of this Section 23.42.052.
- A. Small Animals. Up to three small animals may be kept accessory to each business establishment, other than an urban farm, or dwelling unit on a lot, except as follows...
 - B. Miniature Potbelly Pigs. That type of swine commonly known as the Vietnamese, Chinese, or Asian Potbelly Pig (*Sus scrofa bittatus*) may be kept as a small animal, provided that no swine is greater than 22 inches in height at the shoulder or more than 150 pounds in weight may be kept in the city.
 - C. Domestic fowl. Up to eight domestic fowl may be kept on any lot in addition to the small animals permitted in subsection 23.42.052.A. (No Roosters)
 - D. Farm Animals. Cows, horses, sheep and other similar farm animals are permitted only on lots of at least 20,000 square feet. The keeping of swine is prohibited, except for miniature potbelly pigs allowed under subsection 23.42.052.B.
 - E. Beekeeping. Beekeeping is permitted outright as an accessory use, when registered with the State Department of Agriculture, provided that:...

- F. Miniature Goats. The types of goats commonly known as Pygmy, Dwarf and Miniature Goats may be kept as small animals, provided that male miniature goats are neutered and all miniature goals are dehorned.

FP42 Vancouver Municipal Code (page 10)
20.895.050 Domestic Animals and Livestock.

- A. Defined. Domestic animals and livestock as defined per 20.150.040 are allowed for hobby and personal use purposes within all zoning districts subject to the standards in Subsections B – F below, in addition to any applicable requirements of VMC Section 8.20 (Nuisances) and 8.24 (Animals).
- B. General Requirements.
 - 4. Miniature Livestock. Miniature livestock, such as certain breeds of mini-goats and mini-horses, that will weigh under 100 pounds at maturity are considered domestic animals. The combined total of all miniature animals and dogs on a single premise shall not be more than three, unless the lot size requirements for small livestock specified above are met.
 - 5. Poultry and Rabbits. The keeping of chickens, ducks, geese, domesticated hare or rabbit, and similar animals is permitted with no required minimum lot size. No turkeys, peacocks, or roosters are permitted.
Exceptions to Swine Prohibition. Notwithstanding the above prohibition of swine, the keeping of that type of swine commonly referred to as Miniature Vietnamese, Chinese or Oriental pot-bellied pig (*sus scrofa vittatus*) is allowed, subject to the following conditions...

FP43 Sedro-Woolley Municipal Code (page 10)
6.20.030 Chickens and ducks.

Up to three chickens or three ducks may be kept on any lot in addition to the small animals permitted in Section 6.20.020. For each one thousand square feet of lot area in excess of the minimum lot area required for the zone or, if there is no minimum lot area, for each one thousand square feet of lot area in excess of five thousand square feet, one additional chicken or duck may be kept. The keeping of roosters is prohibited. (Ord. 1697-11 § 2 (part), 2011)

6.20.040 Beekeeping.

Beekeeping is permitted outright as an accessory use, when registered with the State Department of Agriculture; provided, that:

- A. No more than two hives, each with only one swarm, shall be kept on lots of less than ten thousand square feet.
- B. Hives shall not be located within twenty-five feet of any lot line except...

FP44 Ellensburg Municipal Code (page 10)

5.30.310 Keeping of chickens.

- A. The intent of this section is to establish standards for the keeping of chickens in a manner which will not endanger the health, peace and safety of the citizens of the city and which will assure that chickens are kept in a clean and sanitary condition and not subjected to suffering, cruelty or abuse.
- B. Chickens are permitted to be kept and maintained only at single-family dwellings in the city as accessory uses, in accordance with applicable city regulations pertaining to animals, and subject to the following requirements:
 - 1. No more than four chickens are allowed at each such single-family dwelling.
 - 2. Male chickens over four months old are not allowed.
 - 3. Chickens shall be kept in a well-ventilated, enclosed coop constructed to protect the chickens against varying weather conditions and predators. The coop shall have an attached, enclosed run. The coop and run combined shall provide a minimum of 10 square feet of ground space per chicken.
 - 4. All coops and runs shall be located within a rear yard only. Coops shall be at least 25 feet from any neighboring dwelling and 10 feet from any property line. No portion of any run shall be within 10 feet of any property line unless the property line abuts an alley.
 - 5. All coops and runs shall be kept in a neat, sanitary, dust-free condition and must be cleaned on a regular basis so as to prevent offensive odors.

- FP45 Ridgefield Municipal Code** (page 10)

7.04.052 Regulations and violations relating to livestock

C. It is unlawful to house any poultry or livestock other than normal household pets within one hundred feet of any residence.

 1. Up to five hen chickens are considered normal household pets. It is unlawful for poultry to make unreasonably loud and raucous noise, or for odor emanating from the rearing of poultry to be perceptible at the property boundaries. Poultry shall be housed a minimum of forty feet from the front property line.

- FP46 Enumclaw Municipal Code** (page 10)

7.10.020 General requirements.

 - A. Domestic animals are permitted in all zoning districts within the city limits with no required minimum lot size, provided not more than four of which can be kept in a home;
 - B. Poultry are permitted in all zoning districts within the city limits with no required minimum lot size. No peafowl are permitted. A maximum of six fowl, not including roosters, are allowed on lots smaller than one acre. A maximum of one rooster is allowed per lot over one acre in size...

- FP47 Tumwater Municipal Code – Livestock** (page 10)

6.08.010 Animals.

 - A. Lots two acres in size and larger are allowed one USDA Animal Unit (AU) per acre.
 - B. Lots smaller than two acres in size are allowed the following types and number of animals:
 1. Chickens.
 2. Rabbits, miniature goats, ducks, and turkeys are allowed in addition to the chickens allowed in subsection (B)(1) of this section subject to the following restrictions:
 3. Bees.
 - C. The management of livestock under this chapter shall adhere to the required best management practices (BMPs) and other provisions described in the city of Tumwater Drainage Design and Erosion Control Manual. In the event the city has determined the agricultural uses cause a detrimental impact to water quality, additional best management practices may be required at the direction of the public works director or designee, including cessation of uses, as necessary to restore water quality and protect public health.

- FP48 Seattle Department of Transportation, Gardening in planting strips** (page 10)

SDOT allows the growing of food in planting strips as long as setback and height guidelines are met. The Seattle Right-of-Way Improvements Manual (ROWIM) provides information on the required clearances for planting strip treatments.

RESOURCES – Food Production

Agricultural Production

MRSC, Farmland Preservation Techniques and Sustainable Agriculture

www.mrsc.org/subjects/planning/farmland.aspx

This page includes a fact sheet titled “Why Save Farmland?”; reports, studies, articles and general links on farmland preservation and sustainable agriculture; state and local farmland programs; local farmland preservation programs and more related information.

Office of Farmland Preservation (OFP)

<http://ofp.scc.wa.gov>

OFP, a program within the Washington State Conservation Commission, provides technical assistance to local governments to encourage retention of agricultural lands and provides information and services to interested parties related to farmland preservation in Washington State.

Institute for Rural Innovation and Stewardship (IRIS)

<http://irisncw.org/>

IRIS provides a vehicle for addressing the social, environmental, and economic challenges facing family-based agriculture and natural resource-based industries in rural Washington State.

Cascade Land Conservancy for Washington State Department of Commerce

“A Resource Guide to Designing Transfer of Development Rights Programs in Washington State”

Urban Agriculture

ChangeLab Solutions: “Seeding the City: Land Use Policies to Promote Urban Agriculture.”

<http://changelabsolutions.org/publications/seeding-city>

This toolkit provides a framework and model language for land use policies that local policymakers can tailor to promote and sustain urban agriculture in their communities.

ChangeLab Solutions: “Ground Rules: A Legal Toolkit for Community Gardens.”

<http://changelabsolutions.org/publications/ground-rules>

This toolkit is designed to help overcome the legal and practical barriers to establishing community gardens on land that is not municipally owned. It provides several model agreements and other documents that can easily be tailored, simplifying the process of building an agreement that benefits both landowners and the community.

ChangeLab Solutions: “Fact Sheet: Establishing Protections for Community Gardens”

<http://changelabsolutions.org/publications/fact-sheet-establishing-protections-community-gardens>

This fact sheet explains how model policies from National Policy & Legal Analysis Network can help advocates work with local governments to create and sustain these important neighborhood resources.

PolicyLink: Urban Agriculture and Community Gardens Tool

www.policylink.org/site/c.lkIXLbMNJrE/b.7634055/k.102B/Urban_Agriculture_and_Community_Gardens.htm

[Urban_Agriculture_and_CommunityGardens.htm](http://www.policylink.org/site/c.lkIXLbMNJrE/b.7634055/k.102B/Urban_Agriculture_and_CommunityGardens.htm)

This toolkit discusses the benefits of community gardens, challenges and success factors for their development, as well as policy opportunities to provide urban agriculture at the local level. It also includes case studies and an extensive resource list.

Let’s Move, “Start a Community Garden”

www.letsmove.gov/start-community-garden

This page provides some tips on how to start a garden.

SECTION 2: Food Processing and Distribution

- Agricultural Product Processing – page 21
- Agricultural Product Distribution – page 22
- Advertising/Marketing – page 24
- Examples – page 25
- Resources – page 29



Agricultural Product Processing

Examples on pages 25–26

This section has strategies to improve agricultural processing. A food system that supports food processing has tools, machinery, and facilities to store, handle, and pack goods (Dillon, 2007). Some communities have a growing need for infrastructure that can handle produce from mid-and small-sized farmers. These farmers most likely sell their products locally, which increases access to healthy food in the community. Supporting local food processing has the advantage of improving local food systems and improving local economies (Neuner, Kelly & Raja, 2011).

Goal

Ensure processing and storage facilities for food producers of all sizes to expand food production.

Comprehensive Plan Strategies and Examples

Commit to the importance of agriculture processing businesses and adding value to agricultural products.

- **PD1 King County Comprehensive Plan**

Regulatory Strategies and Examples

Streamline permit processes for facilities for storage, processing and distribution that accommodate smaller producers (Dillon, 2007).

Expand accessory or commercial uses on farms to allow farmers to package and directly market their products (CTED, 2004). *This is supported by RCW 36.70A.177. See Appendix D for more information.*

- **PD2 Snohomish County Zoning Code**

Use zoning tools to preserve space for food processing businesses to facilitate agricultural processing and manufacturing (Neuner, Kelly & Raja, 2011; Sanders & Shattuck, 2011).

Fiscal Incentives Strategies and Examples

Provide mini-grants towards infrastructure creation for local farmers (Dillon, 2007).

Offer infrastructure providers incentives to remain such as tax rebates and political support (Dillon, 2007).

Provide funding for agricultural infrastructure – the support services that farmers need to produce, process, and market their products (APA, 2007).

Local Government Institution Strategies and Examples

Hire a County Agriculture Coordinator to help farmers establish partnerships with community stakeholders who can offer processing and packaging services, and understand relevant regulations (Dillon, 2007; APA, 2007).

- **PD3 Snohomish County Executive Order**
- **PD4 Snohomish County Planning and Development Services**, AG Bulletin

Ensure existing infrastructure providers that farming will remain a mainstay in the local economy for years through conservation easements, financial aid for farmers, economic success strategies for local agriculture, political support and zoning (APA, 2007).

Develop neighborhood plans for processing facilities such as community kitchens that support food-related entrepreneurial development (APA, 2007).

Provide accessible and well-serviced sites and other development assistance for small-scale processing facilities (Neuner, Kelly & Raja, 2011).

Agricultural Product Distribution

Examples on pages 26–28

This section presents approaches for improving distribution of local foods. These approaches include transporting, selling, and marketing. Distribution of locally produced food is vital for bringing local, healthy food to consumers. Farmers can bring food directly to consumers through farmers’ markets, farm stands, and community supported agriculture (CSA). Some farmers supply products directly to stores and restaurants. Strong local distribution systems lead to communities that have more access to fresh food. Money stays in the community when stores, restaurants, and people buy from local producers.

Goals

Promote and support ways to connect consumers with healthy, local food sources.

Encourage farmers’ markets and farm stands in public parks, plazas, and other appropriate locations.

Comprehensive Plan Strategies and Examples

Include farmers’ markets in the comprehensive plan.

- **PD5 Marysville Comprehensive Plan – Land Use Element**

Encourage farm stands.

- **PD6 Bainbridge Island Comprehensive Plan – Land Use Element**

Provide accessible and well-serviced sites and other development assistance for year round public markets and farmers’ markets and distribution centers for foods produced in the region (APA, 2007).

- **PD7 Bellingham Comprehensive Plan – Capital Facilities Element**
- **PD8 Bainbridge Island Comprehensive Plan – Economic Element, Agriculture**

Connect farms to consumers through innovative programs and allowing accessory uses for retailing agricultural products. *This is supported by RCW 36.70A.177. See Appendix D for more information.*

- **PD8 Bainbridge Island Comprehensive Plan – Economic Element, Agriculture**
- **PD9 Pierce County Comprehensive Plan – Land Use Element**

Encourage mixed-use neighborhood design and redevelopment to include seasonal or permanent farmers’ markets.

- **PD7 Bellingham Comprehensive Plan – Capital Facilities Element**

Regulatory Tools, Strategies, and Examples

Explore removing local level barriers to home-based food distribution.

- **PD10 Battle Ground Municipal Code**, Exemptions
- **PD11 Gig Harbor Municipal Code**, Exemptions

Allow the selling of agricultural crops and livestock in all zones.

- **PD12 Marysville Municipal Code**
- **PD13 Tenino Municipal Code**

Provide zoning allowances to support farmers' markets and farm stands.

- **PD14 Fife Municipal Code**
- **PD15 Snohomish County Planning and Development Services**, AG Bulletin

Require vendors to use the electronic benefit transfer (EBT) system to help ensure that the markets are equipped to accept payment from those enrolled in federal nutrition programs (Leadership for Healthy Communities, 2011).

Promoting a WIC and SNAP Redemption Program

The cost to government will include promotional and training materials and personnel time to develop and implement the campaign. Nonprofit partners may be able to offset some of these costs. There is no fee associated with becoming authorized to accept WIC or SNAP benefits and wired market terminals to process EBT payments are generally free, except for telephone line usage charges and transaction fees. (Leadership for Healthy Communities, Obesity Prevention on a Budget)

Fiscal Incentive Strategies and Examples

Pursue grants for supporting farmers' markets.

- **PD16 Lynwood Comprehensive Plan** – ACHIEVE/Healthy Communities grant

Local Government Institution Strategies and Examples

Recognize farm/garden stands and farmers' markets as desirable civic uses in neighborhoods, and provide sufficient space, infrastructure, and inter-modal transportation access for such uses.

- **PD17 Olympia Comprehensive Plan** – Vision Statement
- **PD18 Lacey Community Market 2010 Policy and Operations Manual**

Designate public land for a market such as a municipal parking lot, bus station, or park to a blocked-off intersection (ICMA Press, 2006).

Collaborate with local police and planning departments to ensure that traffic near farmers markets is not disrupted, help ensure that farmers are permitted to park in a designated spot close to the site, and ensure that street signage clearly indicates market days, times, and location (ICMA Press, 2006).

Collaborate with the Department of Public Works to prepare farmers' market site by setting up tents or tables, or provide water, electricity, collect garbage, and oversee cleanup (ICMA Press, 2006).

- **PD18 Lacey Community Market 2010 Policy and Operations Manual**

Promote farmers' markets, farm stands and CSAs through city newsletters, event guides, signs, banners, and other inexpensive means (ICMA Press, 2006).

What is Community Supported Agriculture (CSA)?

At the beginning of the growing season, participants purchase shares for a portion of the crops from a farm or network of farms in exchange for boxes of fresh produce throughout the growing season. This provides customers with fresh, healthy food and farmers with upfront operating capital for the season. (Flournoy, Healthy Food, Healthy Communities)

Diversify food transport through identification of optimal distribution routes and modes for food distribution within the city and region (New York City Council, 2010).

Support community supported agriculture (CSA) (Flournoy, 2011).

Advertising/Marketing

Examples on page 28

Harmful food marketing affects eating behaviors and health. This is especially true for children (Harris & Graff, 2011). This section has policy ideas for limiting harmful food marketing in their community. This is an emerging policy area, and many of the strategies in this section do not have Washington examples.

Goal

To improve healthy eating by restricting unhealthy food marketing and encouraging healthy food marketing.

Regulatory Strategies and Examples

Ban all commercial billboards except those located on the site of the advertised establishment.

To avoid potential First Amendment violations, the ban should be based on non-speech related considerations such as traffic safety or aesthetics.

- **PD19 Orting Municipal Code**

Prevent billboards that market low nutrient/high calorie foods, fast foods and other negative food marketing within a specified radius of schools and other youth-centered facilities (APA, 2007).

Limit sales of unhealthy food and beverages near schools before, during, and immediately after the school day (Harris & Graff, 2011).

Require “healthy checkout aisles” in food retail locations (Harris & Graff, 2011).

Prohibit food sales in nonretail food outlets such as sporting goods stores, toy stores etc (Harris & Graff, 2011).

Limit the total amount of store window space that can be covered by signs (Harris & Graff, 2011).

To avoid potential First Amendment violations, the policy should apply to all signs no matter the message and should be based on non-speech related considerations such as minimizing visual clutter.

- **PD20 Carmel by the Sea, CA – Comprehensive Plan**

Require food retailers to obtain a license that comes with conditions limiting in some way the sale of unhealthy food and beverages (Harris & Graff, 2011).

Set nutrition standards for children’s meals that include a toy or other incentive item (Harris & Graff, 2011).

Include provisions in vending contracts limiting the sale and advertising of unhealthy food and beverages in parks and other public venues (Harris & Graff, 2011).

Local Government Strategies and Examples

Provide free advertising to local farmers’ markets.

- **PD21 King County – Advertising through Puget Sound Fresh**

EXAMPLES – Food Processing & Distribution (PD)

Agricultural Product Processing

PD1 **King County Comprehensive Plan – Chapter 3. Rural Legacy and Natural Resource Lands** (page 21) R-650

King County commits to preserve APD parcels in or near the Urban Growth Area because of their high production capabilities, their proximity to markets, and their value as open space. King County should work with cities adjacent to or near APDs to minimize the operational and environmental impacts of urban development on farming, and to promote activities and infrastructure, such as farmers' markets and agriculture processing businesses, that benefit both the cities and the farms by improving access to locally grown agricultural products.

R-659

Agricultural processing, packing and direct sales are considered agricultural activities and should be allowed at a size and scale appropriate to the zone in which they are operating. King County shall work with local and state health departments to develop regulations supporting these activities.

R-660

King County supports the processing and packaging of farm products from crops and livestock, and will continue to work with farmers, ranchers, cities, neighboring counties, and other interested parties to address the infrastructure and regulatory needs to promote sales to consumers, institutions, restaurants, and retail enterprises.

R-674

King County should promote local food production and processing to reduce the distance that food must travel from farm to table.

PD2 **Snohomish County Zoning Code** (page 21)

Farm product processing has been expanded to include two categories of structures: up to 5,000 sq feet in size and over 5,000 square feet in size.

PD3 **Snohomish County Executive Order 05-43** (page 22)

Purpose:

To implement the action items in the Snohomish County Agriculture Action Plan related to Farm Regulation Reform, Economic Development, Outreach and Education, and Cultural Heritage in order to promote policies that remove barriers to economic expansion into new markets, while also increasing the opportunities for farmers to seek out their own economic goals within our community.

Actions:

1. Establish a permit assistance center for staff to work directly with farmers at the front end of the application process in order to simplify the permitting process and eliminate redundancies.
13. Direct the Agricultural Coordinator to assemble industry groups together, within the next six months, to discuss and identify challenges and opportunities.

PD4 **Snohomish County Planning and Development Services** (page 22)

AG Bulletin #8: Farm Product Processing

Definition:

Farm product processing is defined as the alteration or modification, for the purpose of storage, transport, or sale, of an agricultural product produced on a farm site through the addition of other ingredients or components, provided that the initial agricultural product must be the principal ingredient or component. The addition of elements necessary for the long-term storage or stability of the product must not be considered farm product processing, provided that this addition does not alter the agricultural product from its original constitution or state. Farm product processing includes the production of wine. Farm product processing must not include the operation of a stockyard or slaughter house. [SCC 30.91F.160]

Code Requirements:

Farm product processing is permitted in the following zones: CB, GC, LI, HI, RD, RRT-10, R-5, RB, RI, F, A-10, and RC.

In the CB, RD, RRT-10, R-5, RB, RI, F, and A-10 zones, up to 5,000 square feet of space devoted to farm product processing is permitted. Over 5,000 square feet devoted to farm product processing requires an Administrative Conditional Use permit.

Agricultural Product Distribution

PD5 Marysville Comprehensive Plan – Land Use Element (page 22)
LU-143
Promote the development of fresh produce markets.

PD6 Bainbridge Island Comprehensive Plan – Land Use Element, Residential Open Space (page 22)
OS 1.5
New development should strive to be responsive to the natural landscape and should be sited so as to have the least visual and environmental impact on the Island landscape. Features which enhance the Island’s character, such as barns, fences, fruit or agricultural stands, should be retained and encouraged.

PD7 Bellingham Comprehensive Plan – Capital Facilities Element (page 22)
Part 8: Depot Market Square
Depot Market Square is a public-private partnership to create a marketplace and multi-use center on Railroad Street between East Chestnut and East Maple Street where the Saturday Farmers Market currently operates under temporary pop-up tents. Depot Market Square will be:

- A flexible, multipurpose community gathering place;
- A permanent home for the Bellingham Farmer’s Market
- Rentable public space for a wide variety of activities such as antique road shows...
- A 7,200 square food building with public restrooms open during events, containing space for many indoor market stalls and covered platform “shelters” with room for additional market stalls and shelter for their customers;
- 900 square feet of City-owned commercial space that will be leased to the private sector;
- Vehicle parking during the work week.

PD8 Bainbridge Island Comprehensive Plan – Economic Element (page 22)
Agriculture E 1.4
Support the market for Island-grown agriculture products by:

- Recognizing and supporting the Bainbridge Island Farmers’ Market, including permanently dedicating space for the market.
- Allowing and promoting roadside stands that sell Island-grown products.
- Promoting and supporting Community Supported Agriculture (CSA).
- Encouraging the development of value-added processing facilities that can be shared by many farmers.

PD9 Pierce County Comprehensive Plan – Land Use Element (page 22)
LU-Ag Objective 19
Implement the Agricultural Resource Lands with development regulations that support and enhance farming.
Allow uses that support the economic viability of farming and protect the farming operations from incompatible uses. In addition to the basic agricultural land uses of crop production, agricultural services, and animal production/boarding, provide for the permitting of more intensive agriculture-related uses, such as small contractor yards, cold storage, small restaurants, with minimum parcel size requirements. For the more intensive agriculture-related uses with the potential for heavy truck traffic, excessive noise, or other significant environmental impacts, such uses may be allowed with an administrative or conditional use permit.

PD10 Battle Ground Municipal Code, Exemptions (page 23)
5.12.070
Farmers, gardeners or any other person are exempt from having to obtain a license to sell or deliver any fruits, vegetables, berries, eggs or any farm produce or edibles raised, gathered, produced or manufactured by such person; provided, that nothing in this subsection authorizes any person to sell, deliver or peddle without license any dairy product, meat, poultry, eel, fish, mollusk or shellfish;

PD11 Gig Harbor Municipal Code, License – Exemptions (page 23)

5.16.040

Summary: Allows any edible products raised and sold by any farmer or gardener to be sold without a license.

Except as hereinafter provided, the provisions of this chapter shall not apply to:

- A. Any edible products raised and sold by any farmer or gardener;
- B. Any edible fish or other edible aquatic animals taken from the water and sold by any fisherman...

PD12 Marysville Municipal Code (page 23)

22C.010.060

Forest product sales, agricultural crop sales, growing and harvesting crops and raising of livestock and small animals are permitted in residential, business park, light industrial, general industrial and residentially designated properties.

PD13 Tenino Municipal Code Agricultural Use Category (page 23)

18B.10.110

Summary: Allows for the growing and selling of agricultural crops and livestock in the city. The Agricultural use category includes uses which typically might be found and are generally restricted to rural environments, but which can pose viable, unobtrusive land uses in portions of the urban environment that, by their nature, otherwise possess limited development potential.

- A. Agricultural Sales. Agricultural Sales Use Type refers to uses, which involve the sales of agricultural supplies, including feed, grain, fertilizers, and farming equipment or the sale of agricultural products.
 - Level 1: Agricultural Sales of goods produced on individual farms located within the City. The retail outlet such as vegetable stands shall not exceed 1,000 gross square feet.
 - Level 2: Agricultural Sales uses, which involve the sale of goods such as, produce, shrubbery, plants, eggs, wine, and dairy products in a farmer's market format with a building footprint up to 5,000 gross square feet. Examples include produce stands, horticultural nurseries, and wineries.
 - Level 3: Agricultural Sales uses, which provide feed, grain, fertilizers, and small farming equipment sales and service with a building footprint up to 5,000 gross square feet. Examples include feed and grain stores.
 - Level 4: Agricultural Sales uses, which involve the sale of goods such as produce, shrubbery, plants, eggs, wine, dairy products, produce stands, horticultural nurseries, wineries, selected crafts booths, and small scale restaurant booths in a farmer's market format with a building footprint up to 40,000 gross square feet. An example is a mix of individual booths selling a variety of wares similar to the Olympia Farmer's Market format. (Ord. 731 § 1, 2007)

PD14 Fife Municipal Code, Zoning Permitted Uses (page 23)

19.14.020

Permits the growing and harvesting of agricultural crops and a roadside stand for sale of crops grown on-site in the following districts: single-family residential, small lot residential, medium density residential, high density residential and neighborhood residential districts.

Permits agricultural use, including a plant nursery, livestock, and roadside stand for sale of agricultural goods, in the following districts: neighborhood residential, regional, industrial and community commercial districts.

PD15 Snohomish Planning and Development Services, AG Bulletin #7 (page 23)

Definition:

A farm stand is defined as a temporary or permanent structure used for the display and sale of agricultural products, except that any retail nursery operations must meet Snohomish County requirements of SCC 30.22.130(pp). A farm stand must not be a farmers' market as defined in section SCC 30.91F.184. (SCC 30.91F.170)

Code Requirements:

Smaller farm stands (up to 400 square feet) are permitted in the following zones: R-9600, R-8400, R-7200, CB, GC, LI, HI, RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, MC, SA-1, RC, RU, R-20,000, R-12,500, and WFB. Larger farm stands (from 401 to 5,000 square feet) are permitted in the following zones only: RD, RRT-10, R-5, RB, CRC, RFS, RI, F, F&R, A-10, and RC.

In the R-5 zone, larger farm stands are permitted when sited on land designated Riverway Commercial Farmland, Upland Commercial Farmland, or Local Commercial Farmland in the comprehensive plan. In the R-5 zone, larger farm stands require an Administrative Conditional Use permit approval when NOT sited on land designated Riverway Commercial Farmland, Upland Commercial Farmland, or Local Commercial Farmland in the comprehensive plan.

In addition, these conditions must be met:

- There may be only one farm stand on each lot.
- At least 50 percent (by farm product unit) of the products sold must be grown, raised, or harvested in Snohomish County, and 75 percent of the products sold must be grown, raised, or harvested in the state of Washington.
- The maximum size of a farm stand cannot exceed 5,000 square feet.
- A new farm stand structure must be located at least 20 feet from public and private road rights-of-way and must meet off-street parking requirements.
- Farm stand structures must meet all provisions of federal, state, and local statutes and laws, including provisions to ensure water quality and flood protection.
- Existing structures can be used as farm stands, but the total square footage cannot exceed 5,000 square feet.

PD16 Lynwood Comprehensive Plan (page 23)

IC-4

Work with local businesses, land owners and other agencies, to pursue the feasibility of creating a Farmers Market in Lynnwood, through the ACHIEVE/Healthy Communities grant obtained in 2009.

PD17 Olympia Comprehensive Plan-Vision Statement (page 23)

Because our city will be compact, the rural areas outside it will still be rural, instead of being consumed by low density suburban development. The rural countryside will still be just minutes outside of town. Farmers will still raise animals and crops; many will still sell their products at the Farmers Market in Olympia.

PD18 Lacey Community Market 2010 Policy and Operations Manual (page 23)

Provides first aid kits, fire extinguishers, and waste receptacles for vendors.

Advertising/Marketing

PD19 Orting Municipal Code (page 24)

Prohibited Signs – All Zones 10-15-5F

Signs that display the symbol, slogan or trademark of national brands of soft drinks or other products that do not form the bulk of the business transacted on the premises.

PD20 Carmel by the Sea, CA – Comprehensive Plan, Land Use Element (page 24)

P1-68

Implement design regulations and design guidelines to ensure that buildings and storefronts in the retail core maintain the design features characteristic of this area including appropriate scale, minimal setbacks, attractive landscaping and consistency in the treatment of windows, awnings, exterior materials and building lines throughout each building.

PD21 King County – Puget Sound Fresh (page 24)

Provides free advertising to local farmers’ markets through Puget Sound Fresh.

RESOURCES – Food Processing & Distribution

Agricultural Product Processing

B.S. Craig and S.G. Brown, *Producing Value-Added Products for Market: Start with Food Safety*, Washington State University Extension, EB1902

<https://pubs.wsu.edu/>

This extension bulletin, available from Washington State University Extension, provides background information for those interested in developing a food processing business.

Agricultural Product Distribution

Northwest Agriculture Business Center (NABC)

www.agbizcenter.org/

NABC provides Northwest Washington farmers with the skills and the resources required to profitably and efficiently supply their products to consumers, retailers, wholesalers, foodservice operators and food manufacturers. Through these efforts we contribute to a sustainable, environmentally and economically sound agricultural industry thereby preserving our region's farming heritage for future generations.

Washington State Department of Agriculture, Office of Compliance and Outreach

http://agr.wa.gov/FoodAnimal/OCO/#Outreach_and_Education

The Office of Compliance and Outreach (OCO) provides education, outreach and fair compliance response to support production of quality agricultural products and to maximize the safety and security of Washington's food system. OCO Outreach and Education Specialists participate in and coordinate a variety of workshops and training events in regions around the state. We coordinate mobile tours that integrate on-farm and in-kitchen hands-on experiences, and foster peer-to-peer learning opportunities for auditors, agricultural producers and institutional food services staff.



SECTION 3: Food Access and Consumption

- Food Access – page 31
- Food Retail – page 32
- Breastfeeding – page 33
- Nutrition Standards – page 34
- Examples – page 35
- Resources – page 40



Food Access – Food Security, Transportation

Examples on page 35

Although food is available almost everywhere, not everyone has equal opportunity to choose healthy food and beverages. People who live in low-income urban and rural areas often are less able to find affordable healthy foods in their neighborhoods. At least 15 percent of Washington residents are food insecure. This means that they do not have consistent access to food (AHFC, 2010). In order to choose healthy foods, individuals must have physical, financial, nutritional, and cultural access.

Elected officials and local government can help to increase opportunities for all residents to eat nutritious foods by using these policy approaches. Many of the approaches do not have solid examples in Washington State.

Goal

Increase physical and financial access to healthy foods for all residents.

Comprehensive Plan Strategies and Examples

Develop area plans and design schemes in ways that encourage safe and convenient pedestrian, bike and transit connections between neighborhoods and food sources (APA, 2007).

- **AC1 Edmonds Comprehensive Plan**
- **AC2 Olympia Comprehensive Plan**

Special Supplemental Nutrition Program for Women, Infants and Children (WIC)

is a program of the U.S. Department of Agriculture that, through grants to states, provides nutritious foods, nutrition education, and referrals to health and other social services to low-income pregnant, postpartum, and breastfeeding women, and infants and children up to age 5 who are at nutrition risk.

Supplemental Nutrition Assistance Program (SNAP) is the new name for federal food stamps.

Regulatory Strategies and Examples

Require farmers' market vendors to accept WIC and Senior farmers' market checks.

- **AC3 Lacey Community Market 2010 Policy and Operations Manual**

Require retailers to accept federal nutrition program benefits including WIC and SNAP (APA, 2007).

Require or encourage healthy food retail in or near multifamily housing (APA, 2007).

Local Government Institution Strategies and Examples

Establish farmers' markets at major transportation centers (APA, 2007).

Establish supermarkets at major transportation centers. For instance, plan for Park and Ride lots at supermarkets (Flournoy, 2011).

Encourage mixed-use neighborhood design and redevelopment to include community-based and government nutrition programs for food insecure community residents (APA, 2007).

Food Retail – Restaurants, Fast Food, Mobile Vendors, Grocery Stores, Corner Stores

Examples on page 35

Americans consume increasingly more meals outside of the home. Current estimates show that 48 cents of every food dollar in the United States goes to restaurants. Research shows a link between the availability of healthy food in neighborhood stores and residents' diets (Shak, Mikkelsen & Chehimi, 2010). Local governments can improve healthy food retail and contribute to a community's economy by using strategies that attract grocery stores and encourage corner stores to offer healthier food. This section has strategies to increase healthy food offered by grocery stores, corner stores, restaurants and mobile vendors. It also suggests ways to restrict unhealthy food retail. Many of these strategies do not have Washington examples.

Goals

Increase access to grocery stores and markets that sell healthy foods.

Collaborate with restaurants to offer healthy foods and beverages.

Provide incentives for street vendors to sell healthy foods.

Comprehensive Plan Strategies and Examples

Encourage mixed-use neighborhood design and redevelopment to include small and mid-size grocery stores (APA, 2007).

- **AC4 Bellingham Comprehensive Plan** – Land Use Element
- **AC5 Olympia Comprehensive Plan** – Land Use Element

Discourage or disallow fast food or drive-through establishments in certain areas (Harris & Graff, 2011).

- **AC6 Pierce County Comprehensive Plan** – Land Use Element, Urban Village
- **AC7 Winslow Comprehensive Plan** – Land Use Element
- **AC8 Olympia Comprehensive Plan** – Land Use Element
- **AC9 Spokane Comprehensive Plan** – Land Use Element

Regulatory Strategies and Examples

Designate grocery stores as an allowable activity in all/most zones (Ringstrom & Born, 2011).

Expedite the development process by simplifying applications and permitting procedures in priority areas (Shak, Mikkelsen & Chehimi, 2010).

Create zoning use restrictions that encourage healthy food retail, discourage unhealthy food retail and increase access to healthy food retail within residential neighborhoods (Mair, Pierce & Teret, 2005).

- **AC10 Pierce County Comprehensive Plan** – Land Use Element
- **AC11 Yakima Urban Area Zoning Ordinances** – Zoning Districts

Permit Conditional Uses that encourage healthy food retail such as grocery stores (ICMA Press, 2006).

Ensure that small-scale healthy food retail has an appropriate zone and definition (Ringstrom & Born, 2011).

Use zoning strategies to limit the presence of fast food establishments in residential neighborhoods (ICMA Press 2006).

Limit the number of fast food establishments by discouraging “formula restaurants” (Public Health Law and Policy , 2012).

- **AC12 Winslow, WA Ordinance**
- **AC13 Olympia Municipal Code**

Fiscal Incentive Strategies and Examples

Invest in fresh food financing initiatives which provide grants, low-interest loans, training and technical assistance to improve or establish stores in underserved areas (Shak, Mikkelson & Chehimi, 2010; APA, 2007).

Provide tax exemptions which can attract businesses to distressed communities (APA, 2007).

Offer retailers business incentives from local government such as loans, training, special permitting provisions and local advertising (APA, 2007).

Offer density bonuses for new grocery retail (Mair, Pierce & Teret, 2005; ICMA Press, 2006).

Collaborate with local stores to implement fresh food options by subsidizing the purchase of new equipment and initial produce stock and provide technical assistance concerning how best to purchase, display, and market perishable foods (ICMA Press, 2006).

Offer economic development tools to alleviate some of the costs and risks of opening a new supermarket. These tools include: tax credits, public/private partnerships, tax increment financing, and tax abatements, tax exemptions, and site facilitation (ICMA Press, 2006).

Reduce the financial or administrative burden of obtaining business and safety permits (Public Health Law and Policy [PHLP] , 2012).

Reduce mobile vendor permit fees for vendors who meet nutrition standards (ICMA Press, 2006).

Local Government Institution Strategies and Examples

Provide retailers with land through public/private partnerships. “Bundle land” to promote several sites to a single supermarket chain to entice it to move into low-income neighborhoods (Shak, Mikkelson & Chehimi, 2010).

Identify and assemble potential sites for new grocery (ICMA Press, 2006).

Streamline the business development process by centralizing information about the local business climate and investing in the community (Flournoy, 2011).

Implement a healthy restaurant certification program that encourages restaurants to reduce the sale and advertising of unhealthy food and beverages (Harris & Graff, 2011).

Provide public acknowledgement and free publicity to businesses that meet certain criteria for healthy food (PHLP, 2012).

Breastfeeding

Examples on page 36

Breastfeeding is the best way to meet the nutritional needs of infants. Mothers and infants have better health outcomes with breastfeeding. Better health outcomes lead to economic benefits for the community. These benefits include less sick leave and higher productivity among employees. Breastfeeding also has environmental benefits; human milk requires neither transportation costs nor packaging.

Breast milk is a free, natural, renewable food that acts as a complete source of babies’ nutrition for about the first six months of life (U.S. Department of Health and Human Services [HHS], 2011).

Goal

Promote acceptance of breastfeeding in the community and support breastfeeding among local government employees.

Comprehensive Plan Strategies and Examples

Include breastfeeding promotion and acceptance in the community in comprehensive plans.

- **AC14 Arlington Comprehensive Plan** – Economic Development

Regulatory Strategies and Examples

Add exceptions to the municipal code for breastfeeding. *This is supported by Breastfeeding RCW 43:70, 9A.88.010. See Appendix D for more information.*

- **AC15 Spokane Municipal Code** – Lewd Conduct
- **AC16 Bonney Lake Municipal Code** – Exceptions

Local Government Strategies and Examples

Adopt a resolution recognizing the economic and public health benefits of infant breastfeeding and support the acceptance of this activity within the community.

- **AC17 Sequim Resolution R-98-11**

Increase awareness of the importance of breastfeeding in the community with a proclamation.

- **AC18 Hoquiam Proclamation** – Breastfeeding Awareness

Local government agencies should work to accommodate breastfeeding in the work place through Breastfeeding Support Policies and Guidelines.

- **AC19 City of Tacoma** – General Government, Breastfeeding Support Policy
- **AC20 Clark County Public Health** – Support for Breastfeeding Employees
- **AC21 Spokane Regional Health District** – Breastfeeding At Work Guidelines

Nutrition Standards

Examples on page 39

Local governments can improve healthy eating in their communities by adopting healthy food purchasing policies and practices. Policies that guide healthy food purchasing for vending machines, cafeterias, institutions, and meetings lead to healthy choices made by employees and residents. Statues, ordinances, administrative regulations, and executive orders formalize these policies. Healthy food purchasing policies positively affect residents’ health and improve the local economy (Centers for Disease Control and Prevention [CDC], 2011).

Goal

Support healthy food purchasing and vending among local government agencies.

Comprehensive Plan Strategies and Examples

Include healthy and local food purchasing policies in comprehensive plans.

- **AC22 King County Comprehensive Plan**

Regulatory Strategies and Examples

Adopt healthy meeting guidelines for local government sponsored activities.

- **AC23 City of Lacey** Healthful Meeting Guidelines
- **AC24 Clark County** Worksite Wellness Nutrition Policy

Adopt a resolution to create a healthy food and beverage purchasing policy.

- **AC25 City of Concrete** – Resolution

EXAMPLES – Food Access & Consumption (AC)

Food Access

AC1 Edmonds Comprehensive Plan (page 31)

Community Health B6

Increase access to health-promoting foods and beverages in the community. Form partnerships with organizations or worksites, such as health care facilities and schools, to encourage healthy foods and beverages.

AC2 Olympia Comprehensive Plan – Land Use Element 3.5 (page 31)

Encourage the development of designated neighborhood centers so as many of the city's residents as possible are within approximately ½ mile of a grocery or convenience store and a transit stop. Such centers should be separated by at least ½ mile from existing or planned neighborhood commercial areas.

AC3 Lacey Community Market 2010 Policy and Operations Manual (page 31)

Requires vendors to accept WIC Farmer's Market checks and displays signs advertising that.

Food Retail

AC4 Bellingham Comprehensive Plan Land Use Element (page 32)

LU-78

Encourage development and retention of grocery stores, pharmacies, and other convenience retail businesses and services in the city center to support the area's residential uses.

AC5 Olympia Comprehensive Plan – Land Use Element (page 32)

Goal LU9. To establish neighborhood centers as the focal point of neighborhoods.

LU 9.1

- Allow the size and composition of neighborhood centers, including recreation areas, to vary by neighborhood, depending upon location, access, neighborhood character, local desires, and market opportunities. Limit commercial uses in neighborhood villages to businesses that primarily cater to neighborhood residents, such as small grocery stores, personal and professional services, dry cleaners, day care facilities, small banks, video shops, cafes, and small bakeries. Prohibit auto-oriented uses which are not primarily oriented to the neighborhood, including "drive-through" businesses which serve customers in their vehicles.

AC6 Pierce County Comprehensive Plan – Land Use Element, Urban Village (page 32)

LU-UV Objective 8.5

- D. Commercial businesses that accommodate a range of compatible activity and support a central place concept should be encouraged.
 1. Land intensive commercial activity should be discouraged.
 2. Businesses that accommodate quick convenience shopping should be discouraged.
 3. Fast-food establishments should be discouraged.
 4. In specific circumstances a vertical mix of commercial businesses and residential units may be strongly encouraged.

AC7 Winslow Comprehensive Plan – Land Use Element, Goal 1 (page 32)

The Winslow mixed use and commercial districts are designed to strengthen the vitality of downtown Winslow as a place for people to live, shop, and work. The Mixed Use Town Center is intended to have a strong, residential component to encourage a lively community during the day and at night. The most intense commercial area in Winslow is in the Central Core Overlay District. In this area, a vertical mix of uses is encouraged, but exclusively retail and/or office uses are permitted as well. In other areas of the Mixed Use Town Center District, office and retail uses should include a residential component.

W 1.2

The Mixed Use Town Center District includes diversity in types of housing, shopping, civic facilities, recreation, and employment. A variety of land uses are allowed which promote a pedestrian atmosphere, enhance the viability of the Town Center and can be developed in a manner which is harmonious with the scale of the Town Center. Land uses which require outdoor storage or which have primarily an auto orientation, such as drive-through establishments, are not permitted within the Mixed Use Town Center.

AC8 Olympia Comprehensive Plan- Land Use Element, Goal LU9 (page 32)
 To establish neighborhood centers as the focal point of neighborhoods.

- Allow the size and composition of neighborhood centers, including recreation areas, to vary by neighborhood, depending upon location, access, neighborhood character, local desires, and market opportunities. Limit commercial uses in neighborhood villages to businesses that primarily cater to neighborhood residents, such as small grocery stores, personal and professional services, dry cleaners, day care facilities, small banks, video shops, cafes, and small bakeries. Prohibit auto-oriented uses which are not primarily oriented to the neighborhood, including “drive-through” businesses which serve customers in their vehicles.

AC9 Spokane Comprehensive Plan- Land Use Element, LU1.7 Neighborhood Mini Centers (page 32)
 Create a neighborhood mini-center wherever an existing neighborhood retail area is larger than two acres.
 This designation allows the same uses as the neighborhood retail designation. No new drive-through facilities, including gas stations and similar auto-oriented uses, should be allowed except along principal arterial streets where they should be subject to size limitations and design guidelines. Buildings should be oriented to the street to encourage walking by providing easy pedestrian connections. Parking lots should not dominate the frontage and should be located behind or on the side of buildings.

AC10 Pierce County Comprehensive Plan – Land Use Element, Urban Village (page 32)
 LU-UV Objective 8.5
 D. Commercial businesses that accommodate a range of compatible activity and support a central place concept should be encouraged.

1. Land intensive commercial activity should be discouraged.
2. Businesses that accommodate quick convenience shopping should be discouraged.
3. Fast-food establishments should be discouraged.
4. In specific circumstances a vertical mix of commercial businesses and residential units may be strongly encouraged.

AC11 Yakima Urban Area Zoning Ordinances – Zoning Districts, District Intent Statements (page 32)
 Section 15.03.030
 7. The purpose of the Historical Business (HB) zoning district is to recognize existing isolated commercial structures in otherwise residential areas, to allow those structures to be occupied by traditional neighborhood business uses and to allow those uses to be replaced if destroyed. Examples of permitted HB uses are small grocery stores, laundromats and other businesses that serve the immediate residential neighborhood.

AC12 City of Winslow, WA- Ordinance No. 89–28 (page 33)
 An Ordinance of the City of Winslow, Washington, adopting certain findings and amending the comprehensive plan and the Winslow Zoning Ordinances to define formula take-out food restaurants and eliminating formula take-out food restaurants in all zones within the City.

AC13 Olympia Municipal Code (page 33)
 Commercial Districts’ Use Standards
 18.06.060U
 Downtown Business (DB) District Requirements. New drive-in and drive-through restaurants are not permitted. All existing drive-in and drive-through restaurants permitted before January 1, 1994, are conforming uses.

Breastfeeding

AC14 Arlington Comprehensive Plan – Goals and Policies: Economic Development (page 34)
 PE-4.9
 Develop guidelines and encourage and consider incentives for the provision of daycare by businesses for their employees’ children.

AC15 Spokane Municipal Code – Lewd Conduct (page 34)
 10.06.020
 Lewd conduct section is not applicable to the exposure of a female breast while nursing an infant.

AC16 Bonney Lake Municipal Code – Exceptions (page 34)

9.35.040A

This chapter shall not be construed to prohibit nudity associated with the act of breastfeeding or expressing breast milk.

AC17 Sequim Resolution R-98-11 (page 34)

A Resolution Recognizing the Economic and Public Health Benefits of Infant Breastfeeding and Supporting the Acceptance of this Activity within the Community

The act of breastfeeding has recognized economic and public health benefits and should be supported within the City of Sequim; and businesses are encouraged to use the designation of “Mother-Baby Friendly” in promotions or advertisements if breastfeeding is welcomed in the establishment; and employers are encouraged to use the designation of “Mother-Baby Friendly” in promotions or advertisements that meet the guidelines established by the World Alliance for Breastfeeding Action.

AC18 Hoquiam Proclamation – Breastfeeding Awareness (page 34)

Declares August as Breastfeeding Month

AC19 City of Tacoma – General Government, Breastfeeding Support Policy (page 34)

Background:

The City recognizes the many health benefits associated with breastfeeding newborn babies, and that more women are electing to continue breastfeeding their children after returning to work. A number of studies have also shown that breastfeeding brings significant benefits to employers in the form of fewer parent employee absences and reduced employee and family medical costs. Support of family friendly breastfeeding policies are also seen as an effective tool for recruiting and retaining employees of the future. The City’s lactation room is established to facilitate this choice by providing a private area in the Tacoma Municipal Building (TMB) to breastfeed or express breast milk, a refrigerator to store expressed breast milk, and educational materials about breast feeding, and childcare. City facilities other than the TMB may also provide a private area that is not a restroom, for this purpose.

Location:

The lactation room in the TMB is located on the first floor, to the right of room 148, on the west end of the lobby. The door is coded and to be given only to lactating mothers. Contact the Human Resources Dept. for the door code.

Facility Description:

The TMB lactation room is a welcoming, warm, quiet and clean environment with two stalls each containing a glider-rocking chair, an end table and lamp, and hooks for clothing. Each stall has a curtain for total privacy. One additional stall contains a changing table/play pen for mothers whose babies are brought in. There is also a common area with a love seat and chair, end table, lamp and CD player. The kitchen area contains counter space, drawers and cabinets for storage, a sink, a small refrigerator only to be used for storing expressed breast milk, a microwave, and lockers.

Room Use Eligibility:

The lactation room is solely and expressly for the use of lactating mothers for the purpose of breastfeeding or expressing breast milk. This room will not be used for any other purpose. To maintain sanitary conditions, it is critical that the lactation room is not used as a “sick room” by employees. Lactating mothers who are ill must also refrain from using the room to respect other participants.

Flexible Work Schedule:

The City encourages managers and supervisors of all City facilities to allow a flexible work schedule of a morning and afternoon break of up to 30 minutes, to allow lactating mothers to breastfeed or express their milk. Beginning or ending work times may be adjusted to accommodate these breaks.

AC20 Clark County Public Health (page 34)

Policy No: DEP001 Support for Breastfeeding Employees

Clark County Public Health will support breastfeeding by adapting, whenever possible, work schedules to accommodate breastfeeding staff and by providing a private lactation area, information, and support.

Overview

The promotion of breastfeeding is a national health objective and nutrition best practice. The list of benefits to mother and infant are immediate and long term. This policy is a model for how employers can support breastfeeding for the first year of life as recommended by American Academy of Pediatrics, Healthy People 2010, World Health Organization and the American Dietetic Association. HB 1596: Protecting a Woman's Right to Breastfeed in a Place of Public Resort, Accommodation, Assemblage, or Amusement, which passed in April, 2009, is Washington's newest law against discrimination.

Procedure – Guidelines

Flexible Scheduling

1. Staff may request, in writing, a flexible schedule to breastfeed or pump. Requests shall be made with adequate advance notice to allow for necessary schedule adjustments. Requests are subject to approval by the immediate supervisor based on meeting the needs of the employee and the work unit.
2. Within the limitations of the current collective bargaining agreement and other policies and procedures, and with respect to work unit needs, the breastfeeding employee's schedule can be adapted to provide consistent breaks allowing adequate time for pumping and/or nursing. If necessary, the beginning and/or ending time of work could be adjusted to accommodate longer breaks ensuring a full day's work.

Lactation Room

1. A lactation room is available on the 4th floor of the Center for Community Health. Employees may use the room for pumping or nursing. Labeled breast milk can be stored in refrigerators in the employee break room or in the lactation room.

Information and Support

1. Breastfeeding support and information (pamphlets, videos, counseling and referrals) will be made available to all staff by Registered Dietitians or Lactation Consultants employed in various work units.
2. Additionally, support for breastfeeding women is available via the following web sites:

Use of Family Medical Leave

1. Family Medical Leave assists the new mother with establishing breastfeeding and getting off to a good start. Exclusive breastfeeding for one year is considered the gold standard of infant feeding and the health benefits to mother and baby are well documented. Within the limits of collective bargaining agreements, request for personal leave for breastfeeding an infant should be considered a compelling personal circumstance for consideration of an extended Leave of Absence to ensure breastfeeding success in the first year.

AC21 Spokane Regional Health District – Breastfeeding at Work Guidelines (page 34)

Criteria

Mothers who are exclusively breastfeeding their infants may bring their infants to work with them provided they meet the following criteria:

- The employee will sign an SRHD agreement and waiver of liability form, and insure her work area is safe for an infant and free of any potential hazards.
- The employee will provide any furniture or equipment needed in her work area to accommodate her baby or breastfeeding. This will include a playpen or other suitable area for the baby to safely play and sleep.
- Diapers, wipes and diaper containers will be provided by the mother. All used cloth and disposable diapers will be stored in a closed container and removed from the office at the end of each day.
- Employees may bring comfortable furniture to their work space for themselves and their infant, as long as it does not interfere with work, block access and exits, or interfere with the employee's ability to interact professionally with clients.
- The supervisor/director must endorse the employee's request to bring her infant to work.
- Mothers must be able to conduct their regular duties with minimal adjustments. Flexible break and lunch schedules may be arranged with the department supervisor to insure the needs of the infant and the needs of the workplace are being met.
- The presence of the infant will not significantly disrupt the flow of the work area or provision of service to clients.

- The employee is encouraged to make other arrangements for her infant during meetings and trainings. If the employee must bring the infant, she needs to avoid possible distractions.

Duration and Expectations

The length of time (weeks, months etc.) that the employee may bring her infant to work will depend upon how well the situation is working for the employee, the infant, clients and co-workers. Generally, breastfeeding at work arrangements will end when any of the following occurs:

- When the infant ceases to be totally breastfed (introduction of formula).
- When the infant reaches an age where they become mobile, it becomes increasingly difficult to manage their care. Additionally, the child's physical, social, emotional and psychological development needs must be considered. Typically, the breastfeeding at work arrangement will cease when the baby is approximately 6 months of age.
- When the employee's work and/or client services begin to suffer as a result of having the infant in the workplace. Examples may include low productivity of the employee, excessive work interruptions, or excessive noise.

Nutrition Standards

AC22 King County Comprehensive Plan – Chapter 3. Rural Legacy and Natural Resource Lands

(page 34)

R-673

King County should consider adopting procurement policies that would encourage purchases of locally grown fresh foods.

AC23 City of Lacey (page 34)

Healthful Meetings Guidelines

Provides guidelines on how to choose healthier foods for state sponsored activities (plan not posted).

AC24 Clark County Worksite Wellness Nutrition Policy (page 34)

Establishes healthy food and beverage purchase guidelines for county-funded meetings, trainings and events and ensures that healthy options are available for purchase at county facilities.

- Recognizes the importance of the county's role in improving health outcomes of county employees.
- Assures that healthy food and beverage choices are provided during Clark County-sponsored events.
- Advises that when feasible, organic and locally grown products are provided at County-sponsored events.
- Encourages staff responsible for making food and beverage purchases for county events to consult with nutrition professionals or reference materials.
- Recommends that no food be offered for meetings that do not take place during usual meal times, are less than 3 hours long, and where food is not an incentive.
- Requires vending machines and snack boxes to include healthy options.
- Requires food concessions at any Clark County Government facility to provide healthy options.

AC25 Concrete Resolution 2011-04 (page 34)

A RESOLUTION OF THE TOWN OF CONCRETE TOWN COUNCIL CREATING A HEALTHY FOOD AND BEVERAGE POLICY

Requires healthy food and beverage options at all town events and premises (not online).

RESOURCES – Food Access & Consumption

Food Retail

Changelab Solutions

<http://changelabsolutions.org/>

- Putting Health on the Menu: A Toolkit for Creating Healthy Restaurant Programs
- Fact Sheet: Creating a Permit Program for Produce Cart Vendors
- Model Produce Cart Ordinance: Increasing Access to Fresh Produce by Creating a Permit Program for Sidewalk Produce Vendors
- Fact Sheet: Healthy Mobile Vending Policies
- Getting to Grocery: Tools for Attracting Healthy Food Retail to Underserved Neighborhoods
- Green for Greens: Finding Public Financing for Healthy Food Retail
- Healthy Corner Stores: The State of the Movement

Policy Link, “Grocery Store Development Tool”

www.policylink.org/site/c.lkIXLbMNJrE/b.7677113/k.84E6/Grocery_Store_Development.htm

This tool highlights a number of innovative strategies to help you address the food access challenges and provides guidance for attracting fresh food retail into underserved communities.

Healthy Corner Stores Network

www.healthycornerstores.org/

The Network supports efforts to increase the availability and sales of healthy, affordable foods through small-scale stores in underserved communities.

Policy Link, “Corner Stores Tool”

www.policylink.org/site/c.lkIXLbMNJrE/b.7676977/k.9E6C/Corner_Stores.htm

This tool offers concerned residents, policymakers, business leaders, and advocates ideas and strategies for improving small stores in underserved communities. It provides examples of challenges faced by residents wishing to improve the quality of local corner stores and identifies strategies used to overcome many of these challenges.

Breastfeeding

Breastfeeding Coalition of Washington

www.breastfeedingwa.org/

Here you will find resources and information about breastfeeding and breastfeeding promotion in Washington State. You will find specific information for: moms and families, employers and employees, local breastfeeding coalitions, other allied organizations and the general public. Our aim is to keep you informed about breastfeeding promotion, legislation, research, resources and more.

Nutrition Standards

Centers for Disease Control and Prevention, Improving the Food Environment Through Nutrition Standards: A Guide for Government Procurement. February 2011.

www.cdc.gov/salt

This document provides practical guidance to states and localities for use when developing, adopting, implementing, and evaluating a food procurement policy.

National Policy and Legal Analysis Network to Prevent Childhood Obesity, Understanding Healthy Procurement: Using Government’s Purchasing Power to Increase Access to Healthy Food. *HowTo*

www.nplanonline.org/childhood-obesity/products/procurement

This guide shows how governments can adopt healthier “procurement” (purchasing) policies to help improve public health, lower overall costs, and provide leadership for the private sector to do the same.

SECTION 4: Food Waste Management

- Examples – page 43
- Resources – page 45



Waste Management

Examples on pages 43–44

In Washington State, food waste and other organic materials make up more than 55 percent of the total waste stream (Washington State Department of Ecology [DOE], 2010). Food waste alone represents about 18 percent of all materials disposed in landfills (DOE, 2010). Local governments can lead the way for communities to reduce the large amount of organic waste going to landfills by recycling food waste into compost that can be used to enrich community gardens and local farms.

This work is emerging and gaining momentum in Washington State. We anticipate that future versions of this toolkit will have more resources and examples.

Goal

Reduce the amount of food and other organic materials going to landfills and convert excess organic waste into resources such as compost.

Comprehensive Plan Strategies and Examples

Incorporate organic materials (such as compost) goals alongside waste reduction and recycling goals in Local Comprehensive Solid Waste Management Plans (DOE, 2009). *Requirements for local solid waste planning are found in chapter 70.95.090 RCW. See Appendix D for more information.*

Comprehensive Solid Waste Management Plan – What is it?

The plan details and inventories all existing solid waste handling facilities within a county and provides an estimate of long-range needs for solid waste facilities projected over a 20-year period. The plan serves as a guiding document for a county to develop its infrastructure and solid waste program.

- **WM1 Skagit County Comprehensive Solid Waste Management Plan**
- **WM2 Spokane Comprehensive Solid Waste Plan**

Regulatory Tool Strategies and Examples

Enforce the solid waste laws and local ordinances by permitting and inspecting facilities; responding to complaints about illegal dumping and improper waste handling or storage; and issuing citations (DOE, 2010).

Adopt a local ordinance or resolution to reduce food packaging waste (DOE, 2007).

- **WM3 City of Issaquah, Food Packaging Ordinance**

Identify and remove regulatory barriers to sustainable organics management systems (DOE, 2009).

Fiscal Incentive Strategies and Examples

Apply for Coordinated Prevention Grant funds to implement solid and hazardous waste programs (DOE, 2010).

Local Government Institution Strategies and Examples

Build or expand regional composting facilities (DOE, 2010). *This is supported by WAC 173-350-220. See Appendix D for more information.*

- **WM4 City of Palouse Public Compost Facility,** Whitman County Public Works

Start commercial and residential food waste collection programs (DOE, 2010).

- **WM5 City of Olympia Residential Curbside Collection of Food Waste**

Support food rescue programs that redirect edible food to feed hungry people (DOE, 2010).

Provide education to the public about reducing waste and establish clear guidelines on food waste prevention at residential, commercial, and institutional levels (DOE, 2010; DOE, 2009).

- **WM6 Grant County Public Works**
Public Education and Outreach

Promote the purchase of compost to improve markets for recycled organics (DOE, 2010; DOE, 2009).

Support sustainable technologies that extract the most value from different organic materials (DOE, 2010).

Maximize procurement of recycled organic products and use of products that do not lead to contamination of organic materials (DOE, 2009).



EXAMPLES – Food Waste Management (WM)

- WM1 Skagit County Comprehensive Solid Waste Management Plan** (page 41)
- Chapter 4: Recycling
- R1) Skagit County's waste diversion goal (including waste reduction, recycling and composting) should be to show continued improvement each year in programs and the recycling rate, with an eventual goal of 50 percent waste diversion (waste reduction, recycling and composting). To reach this goal, the service gaps shown in Section 4.2.5 will need to be addressed.
- Chapter 5: Composting
- Food Waste Composting: Discussions about food waste led to two recommendations that essentially support the status quo:
- C2) The County Recycling and Waste Reduction Educator should continue offering educational materials about home composting of food waste.
- C3) Any proposals for food waste composting should be considered, subject to normal permitting requirements and compatibility with the System Policy shown in Section 7.2.3.
- WM2 Spokane Comprehensive Solid Waste Plan** (page 41)
- Commercial Recycling 10
- Encourage food waste management by the commercial sector. The suggested order for management of food waste is: (1) food donation; (2) convert to animal feed and/or rendering; and (3) compost. Local establishments should be encouraged, through educational efforts, to follow this hierarchy when possible.
- Commercial Recycling 14
- Establish a Resource Recovery Zone in Spokane County. A Resource Recovery (RR) Park combines unique waste reduction and recycling concepts with traditional industrial park development. It is essentially the co-location of reuse, recycling, compost processing, manufacturing, and retail businesses in a central facility.
- Composting 15
- Expand yard waste collection efforts.
- Composting 16
- Build a local facility for municipal compost.
- WM3 City of Issaquah, Food Packaging Ordinance** (page 41)
- 8.07.030
- Recyclable or compostable disposable food service packaging and disposable food service ware required.
- All food service businesses and City departments that are prohibited under this chapter from using or providing polystyrene, nonrecyclable or noncompostable food service packaging or disposable food service ware shall use a recyclable or compostable product. Acceptable product alternatives shall comply with the City's recycling and compost program. (Ord. 2565 § 1, 2009).
- 8.07.040
- Requirement to enroll in a commercial food waste recycling service or keep containers for recyclable or compostable food packaging on premises for consumer use.
- WM4 City of Palouse Public Compost Facility, Whitman County Public Works** (page 42)
- Project Description:
- Using City owned acreage, they constructed an area to be used by residents to dump organic waste. Using equipment already owned, pouring and placing Ecology block, the city began a composting facility. Finished compost is given back to Residents and used on City Parks.
- WM5 City of Olympia Residential Curbside Collection of Food Waste** (page 42)
- Project Description:
- This project will add curbside collection of food waste to the already existing curbside yard debris collection program. The City will expand operational infrastructure by purchasing enough

• carts and pails for the anticipated growth over two years. The food waste is expected to be
• composted locally in Thurston County. The City will provide education and outreach
• to residents about the benefits of the program through direct mailers, TCTV, radio,
• newspaper and the website. The City will also conduct visual inspections and surveys
• to gather additional information about how much and which waste types individual
• homes are diverting.

• **WM6 Grant County Public Works Public Education and Outreach, Collection and Disposal**

• (page 42)

• Description:

• Continue backyard composting education by conducting at least two compost workshops
• each year with each participating household receiving one compost bin after attending
• a workshop and will survey participants in the fall about usage and participation in
• composting. Maintain a compost pile at the Moses Lake Community garden, support
• backyard composting classes and facilities in other locations if feasible and conduct
• one master composter class.

RESOURCES – Food Waste Management

Clarke County Washington, Home Composting

www.clark.wa.gov/recycle/yard/compose.html

This page contains a Home Composting Guide which provides information on how to turn yard debris and food scraps into compost, soil amendments and mulch at home.

Washington Organic Recycling Council (WORC)

<http://compostwashington.org/>

WORC is a nonprofit association dedicated to support and promote all aspects of organic recycling. Each year they host the Compost Facility Operator Training where students learn current compost science, compost operation challenges, increasing compliance and product quality at compost facilities.

Washington State Department of Ecology, Coordinated Prevention Grant (CPG) Program

www.ecy.wa.gov/programs/swfa/grants/cpg.html

The DOE currently provides financial assistance to local governments through this grant program to help fund the creation and implementation of their solid and hazardous waste plans as well as the incorporation of the Beyond Waste initiatives.

Washington State Department of Ecology, The Beyond Waste Plan

www.ecy.wa.gov/beyondwaste/

Beyond Waste is the Washington state plan for managing hazardous and solid waste. This 30-year plan has a clear and simple goal: eliminate wastes and toxics whenever we can and use the remaining wastes as resources. This will contribute to economic, social, and environmental health. The Beyond Waste Plan focuses on five areas or initiatives:

- Moving Toward Beyond Waste with Industries
- Reducing Small Volume Hazardous Materials and Wastes
- Increasing Recycling of Organic Materials
- Making Green Building Practices Mainstream
- Measuring Progress Toward Beyond Waste

Washington State Department of Ecology, Waste Reduction Manual – Solid Waste Planning for Local Governments (Publication #94-141)

www.ecy.wa.gov/biblio/94141.html

Despite being dated, this document still provides many ideas for establishing waste reduction programs.

Washington State Solid Waste Information Clearinghouse

<https://fortress.wa.gov/ecy/swicpublic/>

This site is designed to help local government professionals share their experiences, information and resources about solid waste programs and activities with colleagues around the state. It is intended to assist cities and counties in developing effective programs, building on established successes, while avoiding costly duplicative efforts.

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Appendices

APPENDIX A: Healthy Eating Guidelines

- **Dietary Guidelines for Americans (DGAs), 2010**
 - The Dietary Guidelines, developed by the United States Department of Health and Human Services and the United States Department of Agriculture, provide science-based advice to promote health and to reduce risk for major chronic diseases through a healthy eating pattern and physical activity. The DGAs define healthy foods and provide key recommendations for healthy eating.
- **What are Healthy Foods?**
 - Healthy foods provide vitamins, minerals and other substances that may have positive health effects without added solid fats, sugars, starches or sodium. Healthy foods include vegetables, fruits, whole grains, fat-free or low-fat milk and milk products, seafood, lean meats and poultry, eggs, beans and peas, and nuts and seeds.
- **Key Recommendations**
 - The DGAs urge Americans to focus on consuming nutrient-dense foods and beverages. A healthy eating pattern limits intake of sodium, solid fats, added sugars, and refined grains and emphasizes nutrient-dense foods and beverages listed above.
- **Resources**
 - U.S. Department of Agriculture and U.S. Department of Health and Human Services. Dietary Guidelines for Americans, 2010. 7th Edition, Washington, DC: U.S. Government Printing Office, December 2010.

APPENDIX B: Policy Development Resources

Adapted from MRSC's "Local Government Policy-Making Process"

What Is Policy?

Formally adopted policy generally takes the form of a governing principle, plan, or course of action. In the public sector it generally evolves from a deliberative process, and is adopted by an ordinance or resolution.

Who Makes Policy?

Legislative bodies make public policy decisions; others perform the administrative task of implementing those policies.

- City or town councils
- County councils
- County commissioners

The council sets policy, but it is the county executive, the mayor, or city manager who actually sees that the policies are implemented. (MRSC)

Key Policy-Making Activities

Policy is about the future of your community. Policy-making is about visions, goals, choices, and possibilities. MRSC identifies the following key policy-making activities:

- **Creating a community vision:** A vision captures the dreams, aspirations and hopes of your community, and it is shaped by important community values. Does your community value health and a healthy food system? Some communities also develop strategic plans to help implement the vision statements.
- **Community goals and objectives:** Community goals identify components of the community vision and provide direction for implementation. Goals are qualitative statements; objectives are quantitative and measurable.
- **Comprehensive plan:** The comprehensive plan represents the community's policy for future growth. The plan assists in the management of the city or county by providing policies to guide decision-making. Washington State counties and cities are required to prepare comprehensive land use plans under the state's Growth Management Act.
- **Local services:** Local governments make key decisions about which services to provide to residents, at what service level, the manner in which these services will be provided. Counties provide a broad range of services, many of which are mandated by the state. While some local services are mandated by the state, others are a matter of policy choice, based upon desired levels of service and the costs of providing that service.
- **Budgets and capital facilities plans:** The budget defines the spending and service priorities for your community. Long-term financial plan projections often help reveal some of the costs or consequences of seemingly "inexpensive" short-term policy decisions.

The Policy-Making Process

- **Get the issue on the agenda:** Policy issues need the consent and support of elected officials to place them on the local agenda. Important information to provide: Explain why action is necessary and why this issue is more important than other issues that compete for time,

- attention, and resources. What is the problem that needs to be solved? What are the implications of not acting? What is at stake? Why is government involvement or action required? Can some else, such as a non-profit entity, address this problem?
- **Document existing conditions:** Issues get on the public agenda when there is a shared perception that a problem must be solved. Existing conditions provide a reference point against which possible actions are compared – this is the community food assessment or food policy audit.
- **Define goals and objectives:** Policy action requires public support or at least a working majority of the legislative body.
- **Generate alternatives.**
- **Identify key interest groups:** Who else cares about this issue? How will they be impacted? Which groups are logical allies? Who is likely to oppose the action?
- **Evaluate alternatives.**
- **Decide.**
- **Implement and monitor.**

Keep in mind the needs of elected officials.

- Elected officials want to know where various constituent groups stand on an issue.
- They must be responsive to their constituents, so concerns for “fairness” and “minority views” may outweigh issues of effectiveness or efficiency.
- Elected officials do not like surprises.
- Elected officials like to have choices.

Community Involvement

Effective policy-making cannot occur without public participation. Those who put in thoughtful time and effort have more influence on the outcome of the policy-making process. Communities can also work on food policy through advisory bodies known as Food Policy Councils (discussed in Section 1: Laying the Groundwork).

Resources

Municipal Research and Services Center of Washington, *Local Government Policy-Making Process* (Feb 1999) Report No 45.

The purposes of this publication are to describe the local government policy-making process, outline effective roles for local officials, and to provide practical tips to make the local policy-making process more satisfying and productive.

Community Food Security Coalition and California Sustainable Agriculture Working Group, *Getting Food on the Table: An Action Guide to Local Food Policy*.

<http://www.foodsecurity.org/GettingFoodOnTheTable.pdf>

This guidebook is designed to support local efforts to promote community food security, by helping readers to understand the breadth of policies affecting their local food system, evaluate policy barriers and opportunities, develop innovative policy solutions, and identify useful resources.

: Policy Brief No. 19 Cutting Through the Red Tape.
: Food First/Institute for Food and Development Policy
: This document is a collection of resources for local food policy assembled from groups
: across the U.S. Many organizations, both local and national in scope, have developed
: tools, informational resources, or successful model policies that support an integrated,
: sustainable and equitable food system at the city or regional level. We have collected
: a sample of those experiences and resources to provide community advocates with
: practical tools and ideas for creating local food policy change.

: Food Access Policy and Planning Guide
: Northwest Center for Livable Communities, University of Washington – Department of
: Urban Design and Planning (December 2011)
: The Food Access Policy & Planning Guide was developed to support the efforts of cities
: funded by King County’s Let’s Do This program, funded by a federal Communities Putting
: Prevention to Work (CPPW) grant. The Guide is designed to assist these (and other)
: municipalities in improving their food environments by increasing access to healthy
: food for all residents. This guide outlines many strategies being used across the United
: States right now.

: Planning to Eat
: Food Systems Planning and Healthy Communities Lab, University at Buffalo, The State
: University of New York
: This policy brief includes a synthesis of recent best practices of local government policy
: and planning designed to strengthen community food systems.

APPENDIX C: Community Food Assessment

Community food assessment involves determining the current state of the food environment in order to develop responses to create a healthier food environment. It can promote community participation and involve different groups in identifying priorities for action.

Washington State Examples

- Columbia River Gorge Community Food Assessment, Gorge Grown Food Network
- Whatcom County Community Food Assessment, WSU Whatcom County Extension
- North Central Washington Regional Food System Baseline Assessment, Initiative for Rural Innovation and Stewardship (IRIS)

A new approach to community food assessment is to focus specifically on surveying the policies that affect nutrition through a **food policy audit**, a tool introduced by professors and graduate students in Urban Planning at the University of Virginia. This tool can help assess a community's existing food policy infrastructure and prioritize policy options based on importance and practicality. See the University of Virginia's Community Food Systems course resources website to find a food policy audit template that you can use to help facilitate the process of identifying priorities for local food policy change in your community.

Community Food Assessment Resources

How to Conduct a Food System Assessment from USDA Economic Research Service

What's Cooking in Your Food System: A Guide to Community Food Assessment from the Community Food Security Coalition

University of Virginia Community Food Systems Course Resources
<http://ien.arch.virginia.edu/courses/food-systems-resources>

APPENDIX D: Washington State Legislature References

Agricultural Resource Lands: WAC 365-190-050

- (1) In classifying and designating agricultural resource lands, counties must approach the effort as a county-wide or area-wide process. Counties and cities should not review resource lands designations solely on a parcel-by-parcel process. Counties and cities must have a program for the transfer or purchase of development rights prior to designating agricultural resource lands in urban growth areas. Cities are encouraged to coordinate their agricultural resource lands designations with their county and any adjacent jurisdictions.
- (2) Once lands are designated, counties and cities planning under the act must adopt development regulations that assure the conservation of agricultural resource lands. Recommendations for those regulations are found in WAC 365-196-815.
- (3) Lands should be considered for designation as agricultural resource lands based on three factors:
 - (a) The land is not already characterized by urban growth. To evaluate this factor, counties and cities should use the criteria contained in WAC 365-196-310.
 - (b) The land is used or capable of being used for agricultural production. This factor evaluates whether lands are well suited to agricultural use based primarily on their physical and geographic characteristics. Some agricultural operations are less dependent on soil quality than others, including some livestock production operations.
 - (i) Lands that are currently used for agricultural production and lands that are capable of such use must be evaluated for designation. The intent of a landowner to use land for agriculture or to cease such use is not the controlling factor in determining if land is used or capable of being used for agricultural production. Land enrolled in federal conservation reserve programs is recommended for designation based on previous agricultural use, management requirements, and potential for reuse as agricultural land.
 - (ii) In determining whether lands are used or capable of being used for agricultural production, counties and cities shall use the land-capability classification system of the United States Department of Agriculture Natural Resources Conservation Service as defined in relevant Field Office Technical Guides. These eight classes are incorporated by the United States Department of Agriculture into map units described in published soil surveys, and are based on the growing capacity, productivity and soil composition of the land.
 - (c) The land has long-term commercial significance for agriculture. In determining this factor, counties and cities should consider the following nonexclusive criteria, as applicable:
 - (i) The classification of prime and unique farmland soils as mapped by the Natural Resources Conservation Service;
 - (ii) The availability of public facilities, including roads used in transporting agricultural products;
 - (iii) Tax status, including whether lands are enrolled under the current use tax assessment under chapter 84.34 RCW and whether the optional public benefit rating system is used locally, and whether there is the ability to purchase or transfer land development rights;
 - (iv) The availability of public services;
 - (v) Relationship or proximity to urban growth areas;

- (vi) Predominant parcel size;
 - (vii) Land use settlement patterns and their compatibility with agricultural practices;
 - (viii) Intensity of nearby land uses;
 - (ix) History of land development permits issued nearby;
 - (x) Land values under alternative uses; and
 - (xi) Proximity to markets.
- (4) When designating agricultural resource lands, counties and cities may consider food security issues, which may include providing local food supplies for food banks, schools and institutions, vocational training opportunities in agricultural operations, and preserving heritage or artisanal foods.
- (5) When applying the criteria in subsection (3)(c) of this section, the process should result in designating an amount of agricultural resource lands sufficient to maintain and enhance the economic viability of the agricultural industry in the county over the long term; and to retain supporting agricultural businesses, such as processors, farm suppliers, and equipment maintenance and repair facilities.
- (6) Counties and cities may further classify additional agricultural lands of local importance. Classifying additional agricultural lands of local importance should include, in addition to general public involvement, consultation with the board of the local conservation district and the local committee of the farm service agency. It may also be useful to consult with any existing local organizations marketing or using local produce, including the boards of local farmers markets, school districts, other large institutions, such as hospitals, correctional facilities, or existing food cooperatives. These additional lands may include designated critical areas, such as bogs used to grow cranberries or farmed wetlands. Where these lands are also designated critical areas, counties and cities planning under the act must weigh the compatibility of adjacent land uses and development with the continuing need to protect the functions and values of critical areas and ecosystems.

Growth Management Act: RCW 36.70A.020(8)

Planning goals.

- (8) Natural resource industries. Maintain and enhance natural resource-based industries, including productive timber, agricultural, and fisheries industries. Encourage the conservation of productive forest lands and productive agricultural lands, and discourage incompatible uses.

Growth Management Act: RCW 36.70A.030

Definitions.

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

- (1) “Adopt a comprehensive land use plan” means to enact a new comprehensive land use plan or to update an existing comprehensive land use plan.
- (2) “Agricultural land” means land primarily devoted to the commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by *RCW 84.33.100 through 84.33.140, finfish in upland hatcheries, or livestock, and that has long-term commercial significance for agricultural production.

- (3) "City" means any city or town, including a code city.
- (4) "Comprehensive land use plan," "comprehensive plan," or "plan" means a generalized coordinated land use policy statement of the governing body of a county or city that is adopted pursuant to this chapter.
- (5) "Critical areas" include the following areas and ecosystems: (a) Wetlands; (b) areas with a critical recharging effect on aquifers used for potable water; (c) fish and wildlife habitat conservation areas; (d) frequently flooded areas; and (e) geologically hazardous areas. "Fish and wildlife habitat conservation areas" does not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of and are maintained by a port district or an irrigation district or company.
- (6) "Department" means the department of commerce.
- (7) "Development regulations" or "regulation" means the controls placed on development or land use activities by a county or city, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, planned unit development ordinances, subdivision ordinances, and binding site plan ordinances together with any amendments thereto. A development regulation does not include a decision to approve a project permit application, as defined in RCW 36.70B.020, even though the decision may be expressed in a resolution or ordinance of the legislative body of the county or city.
- (8) "Forest land" means land primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, including Christmas trees subject to the excise tax imposed under *RCW 84.33.100 through 84.33.140, and that has long-term commercial significance. In determining whether forest land is primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, the following factors shall be considered: (a) The proximity of the land to urban, suburban, and rural settlements; (b) surrounding parcel size and the compatibility and intensity of adjacent and nearby land uses; (c) long-term local economic conditions that affect the ability to manage for timber production; and (d) the availability of public facilities and services conducive to conversion of forest land to other uses.
- (9) "Geologically hazardous areas" means areas that because of their susceptibility to erosion, sliding, earthquake, or other geological events, are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns.
- (10) "Long-term commercial significance" includes the growing capacity, productivity, and soil composition of the land for long-term commercial production, in consideration with the land's proximity to population areas, and the possibility of more intense uses of the land.
- (11) "Minerals" include gravel, sand, and valuable metallic substances.
- (12) "Public facilities" include streets, roads, highways, sidewalks, street and road lighting systems, traffic signals, domestic water systems, storm and sanitary sewer systems, parks and recreational facilities, and schools.
- (13) "Public services" include fire protection and suppression, law enforcement, public health, education, recreation, environmental protection, and other governmental services.
- (14) "Recreational land" means land so designated under **RCW 36.70A.1701 and that, immediately prior to this designation, was designated as agricultural land of long-term commercial significance under RCW 36.70A.170. Recreational land must have playing fields

- and supporting facilities existing before July 1, 2004, for sports played on grass playing fields.
- (15) “Rural character” refers to the patterns of land use and development established by a county in the rural element of its comprehensive plan:
 - (a) In which open space, the natural landscape, and vegetation predominate over the built environment;
 - (b) That foster traditional rural lifestyles, rural-based economies, and opportunities to both live and work in rural areas;
 - (c) That provide visual landscapes that are traditionally found in rural areas and communities;
 - (d) That are compatible with the use of the land by wildlife and for fish and wildlife habitat;
 - (e) That reduce the inappropriate conversion of undeveloped land into sprawling, low-density development;
 - (f) That generally do not require the extension of urban governmental services; and
 - (g) That are consistent with the protection of natural surface water flows and groundwater and surface water recharge and discharge areas.
- (16) “Rural development” refers to development outside the urban growth area and outside agricultural, forest, and mineral resource lands designated pursuant to RCW 36.70A.170. Rural development can consist of a variety of uses and residential densities, including clustered residential development, at levels that are consistent with the preservation of rural character and the requirements of the rural element. Rural development does not refer to agriculture or forestry activities that may be conducted in rural areas.
- (17) “Rural governmental services” or “rural services” include those public services and public facilities historically and typically delivered at an intensity usually found in rural areas, and may include domestic water systems, fire and police protection services, transportation and public transit services, and other public utilities associated with rural development and normally not associated with urban areas. Rural services do not include storm or sanitary sewers, except as otherwise authorized by RCW 36.70A.110(4).
- (18) “Urban governmental services” or “urban services” include those public services and public facilities at an intensity historically and typically provided in cities, specifically including storm and sanitary sewer systems, domestic water systems, street cleaning services, fire and police protection services, public transit services, and other public utilities associated with urban areas and normally not associated with rural areas.
- (19) “Urban growth” refers to growth that makes intensive use of land for the location of buildings, structures, and impermeable surfaces to such a degree as to be incompatible with the primary use of land for the production of food, other agricultural products, or fiber, or the extraction of mineral resources, rural uses, rural development, and natural resource lands designated pursuant to RCW 36.70A.170. A pattern of more intensive rural development, as provided in RCW 36.70A.070(5)(d), is not urban growth. When allowed to spread over wide areas, urban growth typically requires urban governmental services. “Characterized by urban growth” refers to land having urban growth located on it, or to land located in relationship to an area with urban growth on it as to be appropriate for urban growth.
- (20) “Urban growth areas” means those areas designated by a county pursuant to RCW 36.70A.110.

(21) “Wetland” or “wetlands” means areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from nonwetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from nonwetland areas created to mitigate conversion of wetlands.

Growth Management Act: RCW 36.70A.060

Natural resource lands and critical areas — Development regulations.

(1) (a) Except as provided in *RCW 36.70A.1701, each county that is required or chooses to plan under RCW 36.70A.040, and each city within such county, shall adopt development regulations on or before September 1, 1991, to assure the conservation of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170. Regulations adopted under this subsection may not prohibit uses legally existing on any parcel prior to their adoption and shall remain in effect until the county or city adopts development regulations pursuant to RCW 36.70A.040. Such regulations shall assure that the use of lands adjacent to agricultural, forest, or mineral resource lands shall not interfere with the continued use, in the accustomed manner and in accordance with best management practices, of these designated lands for the production of food, agricultural products, or timber, or for the extraction of minerals.

(b) Counties and cities shall require that all plats, short plats, development permits, and building permits issued for development activities on, or within five hundred feet of, lands designated as agricultural lands, forest lands, or mineral resource lands, contain a notice that the subject property is within or near designated agricultural lands, forest lands, or mineral resource lands on which a variety of commercial activities may occur that are not compatible with residential development for certain periods of limited duration. The notice for mineral resource lands shall also inform that an application might be made for mining-related activities, including mining, extraction, washing, crushing, stockpiling, blasting, transporting, and recycling of minerals.

(2) Each county and city shall adopt development regulations that protect critical areas that are required to be designated under RCW 36.70A.170. For counties and cities that are required or choose to plan under RCW 36.70A.040, such development regulations shall be adopted on or before September 1, 1991. For the remainder of the counties and cities, such development regulations shall be adopted on or before March 1, 1992.

(3) Such counties and cities shall review these designations and development regulations when adopting their comprehensive plans under RCW 36.70A.040 and implementing development regulations under RCW 36.70A.120 and may alter such designations and development regulations to insure consistency.

(4) Forest land and agricultural land located within urban growth areas shall not be designated by a county or city as forest land or agricultural land of long-term commercial significance under RCW 36.70A.170 unless the city or county has enacted a program authorizing transfer or purchase of development rights.

Growth Management Act: RCW 36.70a.070(5)

Comprehensive plans — Mandatory elements.

- (5) Rural element. Counties shall include a rural element including lands that are not designated for urban growth, agriculture, forest, or mineral resources. The following provisions shall apply to the rural element:
 - (a) Growth management act goals and local circumstances. Because circumstances vary from county to county, in establishing patterns of rural densities and uses, a county may consider local circumstances, but shall develop a written record explaining how the rural element harmonizes the planning goals in RCW 36.70A.020 and meets the requirements of this chapter.
 - (b) Rural development. The rural element shall permit rural development, forestry, and agriculture in rural areas. The rural element shall provide for a variety of rural densities, uses, essential public facilities, and rural governmental services needed to serve the permitted densities and uses. To achieve a variety of rural densities and uses, counties may provide for clustering, density transfer, design guidelines, conservation easements, and other innovative techniques that will accommodate appropriate rural densities and uses that are not characterized by urban growth and that are consistent with rural character.
 - (c) Measures governing rural development. The rural element shall include measures that apply to rural development and protect the rural character of the area, as established by the county, by:
 - (i) Containing or otherwise controlling rural development;
 - (ii) Assuring visual compatibility of rural development with the surrounding rural area;
 - (iii) Reducing the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area;
 - (iv) Protecting critical areas, as provided in RCW 36.70A.060, and surface water and groundwater resources; and
 - (v) Protecting against conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170.
 - (d) Limited areas of more intensive rural development. Subject to the requirements of this subsection and except as otherwise specifically provided in this subsection (5)(d), the rural element may allow for limited areas of more intensive rural development, including necessary public facilities and public services to serve the limited area as follows:
 - (i) Rural development consisting of the infill, development, or redevelopment of existing commercial, industrial, residential, or mixed-use areas, whether characterized as shoreline development, villages, hamlets, rural activity centers, or crossroads developments.

Growth Management Act: RCW 36.70A.170

Natural resource lands and critical areas — Designations.

- (1) On or before September 1, 1991, each county, and each city, shall designate where appropriate:
 - (a) Agricultural lands that are not already characterized by urban growth and that have long-term significance for the commercial production of food or other agricultural products;
 - (b) Forest lands that are not already characterized by urban growth and that have long-term significance for the commercial production of timber;
 - (c) Mineral resource lands that are not already characterized by urban growth and that have long-term significance for the extraction of minerals; and
 - (d) Critical areas.
- (2) In making the designations required by this section, counties and cities shall consider the guidelines established pursuant to RCW 36.70A.050.

Growth Management Act: RCW 36.70A.177

Agricultural lands — Innovative zoning techniques — Accessory uses.

- (1) A county or a city may use a variety of innovative zoning techniques in areas designated as agricultural lands of long-term commercial significance under RCW 36.70A.170. The innovative zoning techniques should be designed to conserve agricultural lands and encourage the agricultural economy. Except as provided in subsection (3) of this section, a county or city should encourage nonagricultural uses to be limited to lands with poor soils or otherwise not suitable for agricultural purposes.
- (2) Innovative zoning techniques a county or city may consider include, but are not limited to:
 - (a) Agricultural zoning, which limits the density of development and restricts or prohibits nonfarm uses of agricultural land and may allow accessory uses, including nonagricultural accessory uses and activities, that support, promote, or sustain agricultural operations and production, as provided in subsection (3) of this section;
 - (b) Cluster zoning, which allows new development on one portion of the land, leaving the remainder in agricultural or open space uses;
 - (c) Large lot zoning, which establishes as a minimum lot size the amount of land necessary to achieve a successful farming practice;
 - (d) Quarter/quarter zoning, which permits one residential dwelling on a one-acre minimum lot for each one-sixteenth of a section of land; and
 - (e) Sliding scale zoning, which allows the number of lots for single-family residential purposes with a minimum lot size of one acre to increase inversely as the size of the total acreage increases.
- (3) Accessory uses allowed under subsection (2)(a) of this section shall comply with the following:
 - (a) Accessory uses shall be located, designed, and operated so as to not interfere with, and to support the continuation of, the overall agricultural use of the property and neighboring properties, and shall comply with the requirements of this chapter;

- (b) Accessory uses may include:
 - (i) Agricultural accessory uses and activities, including but not limited to the storage, distribution, and marketing of regional agricultural products from one or more producers, agriculturally related experiences, or the production, marketing, and distribution of value-added agricultural products, including support services that facilitate these activities; and
 - (ii) Nonagricultural accessory uses and activities as long as they are consistent with the size, scale, and intensity of the existing agricultural use of the property and the existing buildings on the site. Nonagricultural accessory uses and activities, including new buildings, parking, or supportive uses, shall not be located outside the general area already developed for buildings and residential uses and shall not otherwise convert more than one acre of agricultural land to nonagricultural uses; and
- (c) Counties and cities have the authority to limit or exclude accessory uses otherwise authorized in this subsection (3) in areas designated as agricultural lands of long-term commercial significance.
- (4) This section shall not be interpreted to limit agricultural production on designated agricultural lands.

Right to Farm Law: RCW 7.48.300

Agricultural activities and forest practices — Legislative finding and purpose.

The legislature finds that agricultural activities conducted on farmland and forest practices in urbanizing areas are often subjected to nuisance lawsuits, and that such suits encourage and even force the premature removal of the lands from agricultural uses and timber production. It is therefore the purpose of RCW 7.48.300 through 7.48.310 and 7.48.905 to provide that agricultural activities conducted on farmland and forest practices be protected from nuisance lawsuits.

Right to Farm Law: RCW 7.48.305

Agricultural activities and forest practices — Presumed reasonable and not a nuisance — Exception — Damages.

- (1) Notwithstanding any other provision of this chapter, agricultural activities conducted on farmland and forest practices, if consistent with good agricultural and forest practices and established prior to surrounding nonagricultural and nonforestry activities, are presumed to be reasonable and shall not be found to constitute a nuisance unless the activity or practice has a substantial adverse effect on public health and safety.
- (2) Agricultural activities and forest practices undertaken in conformity with all applicable laws and rules are presumed to be good agricultural and forest practices not adversely affecting the public health and safety for purposes of this section and RCW 7.48.300. An agricultural activity that is in conformity with such laws and rules shall not be restricted as to the hours of the day or day or days of the week during which it may be conducted.
- (3) The act of owning land upon which a growing crop of trees is located, even if the tree growth is being managed passively and even if the owner does not indicate the land’s status as a working forest, is considered to be a forest practice occurring on the land if the crop of trees is located on land that is capable of supporting a merchantable stand of timber that is not being actively used for a use that is incompatible with timber

growing. If the growing of trees has been established prior to surrounding nonforestry activities, then the act of tree growth is considered a necessary part of any other subsequent stages of forest practices necessary to bring a crop of trees from its planting to final harvest and is included in the provisions of this section.

- (4) Nothing in this section shall affect or impair any right to sue for damages.

RCW 43:70, 9A.88.010: Breastfeeding

- (3) The legislature encourages state and local governmental agencies, and private and public sector businesses to consider the benefits of providing convenient, sanitary, safe, and private rooms for mothers to express breast milk.

Sec. 2 RCW 9A.88.010 and 1990 c 3 s 904 are each amended to read as follows:

- (1) A person is guilty of indecent exposure if he or she intentionally makes any open and obscene exposure of his or her person or the person of another knowing that such conduct is likely to cause reasonable affront or alarm. **The act of breastfeeding or expressing breast milk is not indecent exposure.**

Creates a new section added to chapter 43.70 RCW to read as follows:

- (1) An employer may use the designation “infant-friendly” on its promotional materials if the employer has an approved workplace breastfeeding policy addressing at least the following:
 - (a) Flexible work scheduling, including scheduling breaks and permitting work patterns that provide time for expression of breast milk;
 - (b) A convenient, sanitary, safe, and private location, other than a restroom, allowing privacy for breastfeeding or expressing breast milk;
 - (c) A convenient clean and safe water source with facilities for washing hands and rinsing breast-pumping equipment located in the private location specified in (b) of this subsection; and
 - (d) A convenient hygienic refrigerator in the workplace for the mother’s breast milk.
- (2) Employers seeking approval of a workplace breastfeeding policy must submit the policy to the department of health. The department of health shall review and approve those policies that meet the requirements of this section. The department may directly develop and implement the criteria for “infant-friendly” employers or contract with a vendor for this purpose.
- (3) For the purposes of this section, “employer” includes those employers defined in RCW 49.12.005 and also includes the state, state institutions, state agencies, political subdivisions of the state, and municipal corporations or quasi-municipal corporations.

**County and City Comprehensive Solid Waste Management Plans:
RCW 70.95.090**

Each county and city comprehensive solid waste management plan shall include the following:

- (1) A detailed inventory and description of all existing solid waste handling facilities including an inventory of any deficiencies in meeting current solid waste handling needs.
- (2) The estimated long-range needs for solid waste handling facilities projected twenty years into the future.

- (3) A program for the orderly development of solid waste handling facilities in a manner consistent with the plans for the entire county which shall:
 - (a) Meet the minimum functional standards for solid waste handling adopted by the department and all laws and regulations relating to air and water pollution, fire prevention, flood control, and protection of public health;
 - (b) Take into account the comprehensive land use plan of each jurisdiction;
 - (c) Contain a six year construction and capital acquisition program for solid waste handling facilities; and
 - (d) Contain a plan for financing both capital costs and operational expenditures of the proposed solid waste management system.
- (4) A program for surveillance and control.
- (5) A current inventory and description of solid waste collection needs and operations within each respective jurisdiction which shall include:
 - (a) Any franchise for solid waste collection granted by the utilities and transportation commission in the respective jurisdictions including the name of the holder of the franchise and the address of his or her place of business and the area covered by the franchise;
 - (b) Any city solid waste operation within the county and the boundaries of such operation;
 - (c) The population density of each area serviced by a city operation or by a franchised operation within the respective jurisdictions;
 - (d) The projected solid waste collection needs for the respective jurisdictions for the next six years.
- (6) A comprehensive waste reduction and recycling element that, in accordance with the priorities established in RCW 70.95.010, provides programs that (a) reduce the amount of waste generated, (b) provide incentives and mechanisms for source separation, and (c) establish recycling opportunities for the source separated waste.
- (7) The waste reduction and recycling element shall include the following:
 - (a) Waste reduction strategies;
 - (b) Source separation strategies, including:
 - (i) Programs for the collection of source separated materials from residences in urban and rural areas. In urban areas, these programs shall include collection of source separated recyclable materials from single and multiple-family residences, unless the department approves an alternative program, according to the criteria in the planning guidelines. Such criteria shall include: Anticipated recovery rates and levels of public participation, availability of environmentally sound disposal capacity, access to markets for recyclable materials, unreasonable cost impacts on the ratepayer over the six-year planning period, utilization of environmentally sound waste reduction and recycling technologies, and other factors as appropriate. In rural areas, these programs shall include but not be limited to drop-off boxes, buy-back centers, or a combination of both, at each solid waste transfer, processing, or disposal site, or at locations convenient to the residents of the county. The drop-off boxes and buy-back centers may be owned or operated by public, nonprofit, or private persons;
 - (ii) Programs to monitor the collection of source separated waste at nonresidential sites where there is sufficient density to sustain a program;

- (iii) Programs to collect yard waste, if the county or city submitting the plan finds that there are adequate markets or capacity for composted yard waste within or near the service area to consume the majority of the material collected; and
 - (iv) Programs to educate and promote the concepts of waste reduction and recycling;
 - (c) Recycling strategies, including a description of markets for recyclables, a review of waste generation trends, a description of waste composition, a discussion and description of existing programs and any additional programs needed to assist public and private sector recycling, and an implementation schedule for the designation of specific materials to be collected for recycling, and for the provision of recycling collection services;
 - (d) Other information the county or city submitting the plan determines is necessary.
- (8) An assessment of the plan's impact on the costs of solid waste collection. The assessment shall be prepared in conformance with guidelines established by the utilities and transportation commission. The commission shall cooperate with the Washington state association of counties and the association of Washington cities in establishing such guidelines.
- (9) A review of potential areas that meet the criteria as outlined in RCW 70.95.165.

WAC 173-350-220 Composting Facilities

- (1) Composting facilities – Applicability.
- (a) This section is applicable to all facilities or sites that treat solid waste by composting. This section is not applicable to:
 - (i) Composting used as a treatment for dangerous wastes regulated under chapter 173-303 WAC, Dangerous waste regulation;
 - (ii) Composting used as a treatment for petroleum contaminated soils regulated under WAC 173-350-320;
 - (iii) Treatment of liquid sewage sludge or biosolids in digesters at wastewater treatment facilities regulated under chapter 90.48 RCW, Water pollution control and chapter 70.95J RCW, Municipal sewage sludge — Biosolids;
 - (iv) Treatment of other liquid solid wastes in digesters regulated under WAC 173-350-330; and
 - (v) Composting biosolids when permitted under chapter 173-308 WAC, Biosolids management.
 - (b) In accordance with RCW 70.95.305, the operation of the following activities in this subsection are subject solely to the requirements of (c) of this subsection and are exempt from solid waste handling permitting. An owner or operator that does not comply with the terms and conditions of (c) of this subsection is required to obtain a permit from the jurisdictional health department and shall comply with all other applicable requirements of this chapter. In addition, violations of the terms and conditions of (c) of this subsection may be subject to the penalty provisions of RCW 70.95.315.



Washington State Department of
Health
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