



City of Revere
City Council

City Council Order No. 21-140

Date: June 21, 2021

Offered by Revere City Council

Be it ordained by the City of Revere as follows:

AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR URBAN AGRICULTURE, ACCESSORY USE RESIDENTIAL FARMS, AND COMMUNITY GARDENS, FARMS, AND FARMING ON MUNICIPAL PROPERTY.

WHEREAS, the City of Revere is committed to increasing access to fresh, locally grown, wholesome foods for all residents; and,

WHEREAS, as national leaders in innovative government practice, Revere on the Move and its local partners have established a wide and increasing variety of programs and resources for access to fresh food; and,

WHEREAS, state and national policies are encouraging home gardeners to produce their own food; and,

WHEREAS, there is local interest in additional community gardens, community farms, and small commercial farms; and,

WHEREAS, growing local foods eliminates both the need for fossil fuels in transporting food and the use of destructive chemicals that are part of large-scale food production operations; and,

WHEREAS, urban agriculture at a residential scale provides a valuable supplement to a family food budget; and,

WHEREAS, urban agriculture at a residential scale provides an invaluable opportunity for students to learn about nutrition and where food comes from; and,

WHEREAS, new technologies for growing food, including indoor growing technologies such as aquaponics and hydroponics are the basis for new agricultural opportunities, partnerships and research; now,

Now therefore, be it ordained by the City Council of the City of Revere as follows:

Chapter 17.16 Use Regulations is hereby amended by inserting a new section as follows:

Section 17.16.470 Urban Agriculture

A. Definitions:

1. Agriculture, Urban (Urban Agriculture): An umbrella term that describes a range of food

- growing practices that may include the keeping of chickens and/or bees, but does not include other livestock.
2. Arbor: An accessory structure consisting of an open frame, freestanding or attached to another structure, with horizontal and/or vertical lattice work often used as a support for climbing food or ornamental crops.
 3. Aquaculture: means the cultivation of aquatic animals in a recirculating environment to produce whole fish that are distributed to retailers, restaurants, and consumers.
 4. Aquaponics: The cultivation of fish and plants together in a constructed, re-circulating ecosystem utilizing natural bacterial cycles to convert fish waste to plant nutrients.
 5. Beekeeper: means a person or persons managing and maintaining honeybees in a hive or hives.
 6. Cold Frame: An unheated outdoor structure built close to the ground, NO higher than thirty-six (36") inches, typically consisting of, but Not limited to, a wooden or concrete frame and a top of grass or clear plastic, used for protecting seedlings and plants from cold weather.
 7. Colony: means a natural group of honeybees having a queen or queens.
 8. Composting: means a process of accelerated biodegradation and stabilization of organic material under controlled conditions yielding a product which can be safely used as fertilization.
 9. Comprehensive Farm Review: means an evaluation by the Food Justice staff of Revere on the Move for the overall design and siting of an Urban Farm and Farm Structures. Activities defined as Urban Agriculture must conform to the Zoning Code, specifically this ordinance, in all respects, and must be processed and approved by the Inspectional Services Department for the City of Revere.
 10. Community Garden: Land that is gardened by a group of individuals sharing responsibility for the site either independently or under the auspices of the City of Revere or Nonprofit organization with a primary purpose of providing space for members of the community to grow plants for beautification, education, and recreation for personal use. Sales, processing and storage of plants or plant products are prohibited on-site, except at farmers markets. In all zones, community gardens on all public and private lands are subject to compliance with all applicable provisions of the garden rules set forth by the City of Revere and adapted by each community garden space and its leadership team.
 11. Controlled Environment Agriculture (CEA): means an agricultural technology that enables the grower to manipulate the environment to desired growing and/or cultivation conditions.
 12. COOP: An enclosed shelter in which a chicken inhabits.
 13. Farm: The area of a residential or commercial lot designated for activities and uses defined as Urban Agriculture. The cultivation and tillage of the soil, the production, planting, caring for, treating, growing, and harvesting of any agricultural, aquaculture, floricultural or horticultural commodities, the keeping and raising of hens and/or honeybees, sales subject to compliance of local, state, and federal regulations. Farming shall include aquaculture, aquaponic, hydroponic, rooftop farms on residential property.
 14. Farmers Market: A public market administered by a market manager and held multiple times per year to connect and mutually benefit local farmers, communities, and shoppers. Vendors may include local farmers, farmers' cooperatives and producers selling any of the following: whole produce; value-added agricultural products that fall under Massachusetts

- Cottage Law such as jams, jellies, and pickles; prepared food; all agricultural, horticultural and aquacultural products including but Not limited to whole produce; plants flowers; meats; dairy products; shellfish and finfish; and other food related products.
15. Farm Stand: A temporary structure such as a table, stall or tent, for the display and sale of clean, whole, unprocessed produce, eggs, or honey grown on-site.
 16. Farm Structures: Structures that may include but are Not limited to sheds (tool and packing), compost bins, rain buckets, shade pavilions, Farm Stands, trellises or other vertical supports for growing crops, and structures used to extend the growing season such as Greenhouses, Hoop Houses, Cold Frames, Freight Containers, and similar structures.
 17. Freight Container: means a standardized reusable steel box previously used for the storage and movement of materials and products within an intermodal freight transport system and repurposed for a Controlled Environment Agriculture (CEA) use, such as Hydroponics and/or Aquaponics.
 18. Gardens: A planned space, set aside for the display, cultivation, and enjoyment of plants including vegetables, flowers, and fruits for private/personal use.
 19. Garden, Home/Yard: An accessory use on a residential lot to grow plants for consumption, beautification, or recreation for personal use. The garden may be outdoors, in an accessory greenhouse or on the roof of a structure. The ownership, care and control is the responsibility of a resident of the dwelling on the lot. Sales are prohibited except at Farmers Markets.
 20. Greenhouse: A structure, primarily of transparent material, in which temperature and humidity can be controlled for the cultivation or protection of plants or other agricultural products. All greenhouse structures are subject to setback and dimensional requirements of this title for accessory structures and building code requirements.
 - a) Greenhouse, Commercial: The primary use of a lot is commercial urban agriculture.
 - b) Greenhouse, Community: Urban agriculture or green house operated by a Nonprofit agency or the City of Revere.
 21. Ground Level Urban Farm: means the use of a lot on the ground plane for Urban Agriculture for commercial or residential purposes, whether for profit or nonprofit.
 22. Hens: Mature egg-laying female chickens.
 23. Hive: means a manufactured receptacle or container prepared for the use of honeybees that includes movable frames, combs and substances deposited into the hive by honeybees intended for the housing of one bee colony.
 24. Honeybee: A common domestic honeybee, *Apis mellifera* species.
 25. Hoop house: A temporary accessory structure typically made of, but Not limited to piping or other material covered with translucent material for the purposes of growing food or ornamental crops.
 26. Hydroponics: The cultivation of plants in nutrient solution of minerals in water rather than soil, for distribution to retailers, restaurants and consumers.
 27. Local: means from Massachusetts, New England States and New York State.
 28. Open Air Rooftop Farm: means an unenclosed area of a rooftop that is used for Urban Agriculture for commercial purposes, whether for profit or nonprofit.

29. Raised Bed: means a method of cultivation in which soil is placed over a geotextile barrier, and raised and formed into three (3) to four (4) foot wide mounds. The soil may be enclosed by a frame generally made of untreated wood. Raised beds are Not considered a Structure.
30. Roof Level Urban Farm: means the use of a roof for Urban Agriculture for residential or commercial purposes, whether for profit or nonprofit.
31. Rooftop Greenhouse: means a structure located on a roof, primarily of transparent material, in which temperature and humidity can be controlled for the cultivation or protection of plants or other agricultural products in which plants are cultivated year-round.
32. Urban Agriculture: means the use of a lot for the cultivation of food and/or horticultural crops, Composting, Aquaponics, Aquaculture, and/or Hydroponics on City, commercial, or residential property. Such use may include the Accessory Keeping of Animals or Bees where allowed by underlying zoning.
33. Urban Farm, Ground Level, Large: means Ground Level Urban Farm with a farm area greater than one (1) acre that is used for Urban Agriculture for commercial purposes, whether for profit or Nonprofit.
34. Urban Farm, Ground Level, Medium: means a Ground Level Urban Farm with a Farm Area greater than or equal to ten thousand (10,000) square feet but NO greater than one (1) acre that is used for Urban Agriculture for commercial purposes, whether for profit or Nonprofit.
35. Urban Farm, Ground Level, Small: means a Ground Level Urban Farm with a Farm Area less than ten thousand (10,000) square feet that is used for Urban Agriculture for commercial or residential purposes, whether for profit or Nonprofit.
36. Urban Farm, Roof Level, Large: means a Roof Level Urban Farm with a Farm Area greater than one (1) acre that is used for Urban Agriculture for commercial purposes, whether for profit or Nonprofit.
37. Urban Farm, Roof Level, Medium: means a Roof Level Urban Farm with a Farm Area greater than or equal to five thousand (5,000) square feet but NO greater than one (1) acre that is used for Urban Agriculture for commercial purposes, whether for profit or Nonprofit.
38. Urban Farm, Roof Level, Small: means a Roof Level Urban Farm with a Farm Area less than five thousand (5,000) square feet that is used for Urban Agriculture for commercial or residential purposes, whether for profit or Nonprofit.
39. Vertical Agriculture: means an exterior building wall or other vertical structure designed to support the growing of agricultural or horticultural crops.

Section 2. Section 17.16.040 Generally - Table of Uses is hereby amended by inserting the following urban agricultural uses:

ACCESSORY RESIDENTIAL USES																		
<u>Use</u>	<u>RA</u>	<u>RA1</u>	<u>RB</u>	<u>RB1</u>	<u>RC</u>	<u>RC1</u>	<u>RC2</u>	<u>RC3</u>	<u>PDD1</u>	<u>PDD2</u>	<u>NB</u>	<u>GB</u>	<u>GB1</u>	<u>CB</u>	<u>HB</u>	<u>TED</u>	<u>LI</u>	<u>IP</u>
Keeping of Hens: 10, 15, 16	YES	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Keeping of Honey Bees: 11, 15, 16	YES	YES	YES	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
Urban Ground Level Yard Farm, Small: 12, 15, 16, 17	YES	YES	YES	YES	YES	YES	NO	YES	YES	YES	YES	YES	YES	NO	YES	YES	YES	YES
Urban Ground Level Yard Farm, Medium: 12, 15, 16, 17	SP	SP	SP	SP	SP	SP	NO	SP	YES	YES	YES	YES	YES	NO	YES	YES	YES	YES
Urban Ground Level Yard Farm, Large: 12, 15, 16, 17	SP	SP	SP	SP	SP	SP	NO	SP	YES	YES	SP	SP	SP	NO	YES	YES	YES	YES
Urban Roof Level Farm, Small: 13, 15, 16, 17	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
Urban Roof Level Farm, Medium: 13, 15, 16, 17	NO	NO	SP	SP	SP	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
Urban Roof Level Farm, Large: 13, 15, 16, 17	NO	NO	NO	NO	NO	SP	SP	SP	YES	YES	NO	SP	SP	NO	YES	YES	YES	YES
Home/Yard Garden	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
INSTITUTIONAL USES																		
<u>Use</u>	<u>RA</u>	<u>RA1</u>	<u>RB</u>	<u>RB1</u>	<u>RC</u>	<u>RC1</u>	<u>RC2</u>	<u>RC3</u>	<u>PDD1</u>	<u>PDD2</u>	<u>NB</u>	<u>GB</u>	<u>GB1</u>	<u>CB</u>	<u>HB</u>	<u>TED</u>	<u>LI</u>	<u>IP</u>
Community Garden on Municipal Property: 18	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
BUSINESS USES																		
<u>Use</u>	<u>RA</u>	<u>RA1</u>	<u>RB</u>	<u>RB1</u>	<u>RC</u>	<u>RC1</u>	<u>RC2</u>	<u>RC3</u>	<u>PDD1</u>	<u>PDD2</u>	<u>NB</u>	<u>GB</u>	<u>GB1</u>	<u>CB</u>	<u>HB</u>	<u>TED</u>	<u>LI</u>	<u>IP</u>
Commercial Greenhouse: 14, 16	NO	NO	NO	NO	NO	YES	YES	NO	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
Community Greenhouse: 15, 16, 17	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES

Section 3. Section 17.16.040 Generally - Table of Uses is hereby amended by inserting the following footnotes relative to permitted urban agricultural uses:

(10) Hens shall be subject to the following rules: 1) Hens may be kept on residential properties only; 2) ownership, care and control of the hens shall be the responsibility of a resident of the dwelling on the lot; 3) a maximum of 6 hens may be kept on a lot, although Health regulations may further limit the number and/or manner of keeping of hens on lots; 4) No roosters may be kept on lots in Revere; 5) hen houses are subject to accessory structure setback and dimensional controls of this Title; 6) hens and henhouses are not permitted within front yards or in side yards that abut streets. 7) Chicken coops on shared porches, balconies, decks and rooftops, on shared ownership lots such as duplex condominiums, two-family structures, and multifamily structures shall not be allowed 8) The Board of Health shall establish regulations for the management and disposal of chicken waste. 9) The Board of Health shall establish regulations for the slaughtering of chickens. 10) The Board of Health shall issue licenses and develop license application requirements for the keeping of hens.

(11) Honey Bees shall be subject to the following rules: 1) Honey bees may be kept on residential properties only; 2) ownership, care and control of the honey bees shall be the responsibility of a resident of the dwelling on the lot; 3) a maximum of 2 bee colonies may be kept on a lot, although

Health regulations may further limit the number and/or manner of keeping of honey bees on lots; 4) a free standing bee hive shall be NO greater than twenty (20) cubic feet in volume; 5) the maximum height of a beehive or apiary shall be five (5) feet. This height limitation shall not apply to fences or other structures intended to separate a beehive or apiary from adjacent uses, which shall remain subject to applicable provisions of the Zoning Ordinance, Title 17; 6) Honey bees and bee keeping materials are not permitted in front yards or in side yards that abut streets; 7) where any beehive is located within ten (10) feet of a public street, park, school grounds, walkway, or bikeway, a sign legible from the public way indicating that a beehive is present nearby shall be maintained so that it is readable from the public way; 8) where any beehive is located on a shared porch, balcony, or rooftop, or any shared structure or lot, a sign indicating that a beehive is present shall be located at the entrance to such area; 9) the keeping of honey bees may only be allowed in compliance with the Board of Health regulations for the keeping of bees and such regulations shall be enforceable by the Board of Health and/or the Department of Municipal Inspections; 10) any beekeeper that violates any provisions of this chapter or any rules and regulations promulgated hereunder shall be subject to the penalties set forth in Chapter 1.12 and 1.16 of the Revere Revised Ordinances. 11) The Board of Health shall issue licenses and develop license application requirements for the keeping of bees.

(12) Farm shall be subject to the following rules: 1) Farms may be kept on residential properties only; 2) ownership, care and control of the farm shall be the responsibility of a resident of the dwelling on the lot; 3) Land devoted to agricultural use shall be well maintained, regularly cleared of debris and free of excessively tall weeds and grass in accordance with City of Revere health regulations; 4) farms may include greenhouses as accessory structures, subject to applicable setbacks of this Title; 5) Accessory structures to an agricultural use shall also be well maintained in accordance with City of Revere health regulations.

(13) Urban Farm, Roof Level, shall be subject to the following rules: 1) Small Roof Farms may be kept on residential properties only; 2) ownership, care and control of the farm shall be the responsibility of a resident of the dwelling on the lot; 3) the use of Small, Medium, Large Urban Farms Roof Level on nonprofit or commercial property is permitted as long as owners are within compliance with the building/safety fire codes.

(14) Commercial farming/greenhouse, including but Not limited to hydroponic and aquaponic farming is permitted on municipal land, in municipal buildings, on roofs of municipal buildings and/or in greenhouses on municipal land. Products from such farms may be sold off-site, or sold on-site subject to the provisions of footnote (15).

(15) On-site sale of products from these users are allowed subject to the following provisions: 1) Sales of products shall be permitted between the hours of 9:00am and 6:00pm, May 1 - Oct. 31 of each year; 2) Sales of products shall be permitted Not more than (3) days per week and Not more than (25) days per year; 3) Retail sales display areas shall Not exceed fifty (50) square feet; 4) One farmstand is allowed per lot; however, NO sales display or structure shall be located on a public sidewalk, street or block vehicle and pedestrian flow; 5) Sales display, structure, and signage must be stored out of site while Not in use; 6) Signage shall be limited to one (1) sign and Not exceed six (6) square feet; and 7) Proof of annual soil testing must be posted during all sales of products.

(16) Farms and Greenhouses shall be subject to building code requirements and any applicable rules and regulations established by the Health Department of the City of Revere.

(17) Hoop houses, cold frames or other similar structures shall be allowed as accessory structures subject to the building code and subject to the following provisions: 1) they shall Not exceed a maximum height of six and one-half (6 ½) feet; 2) the cover shall be removed and stored when

plants are Not being cultivated.

(18) Community gardens on municipal property shall be in compliance with the City of Revere Community Garden Grower Rules and Regulations.

May 24, 2021	Ordered to a first reading.
June 21, 2021	Ordered to a second reading, as amended.
June 21, 2021	Ordered on a second reading, as amended.
June 21, 2021	Ordered on a third and final reading, as amended.
June 21, 2021	Ordered Engrossed and Ordained on a Roll Call.

In City Council, June 21, 2021 ORDERED ENDROSSED AND ORDAINED on a Roll Call: Councillors Giannino, Guinasso, McKenna, Morabito, Novoselsky, Powers, Rotondo, Serino, Visconti, and Council President Zambuto voting "YES". Councillor Keefe was absent. Attest: Ashley E. Melnik, City Clerk

Approved by:

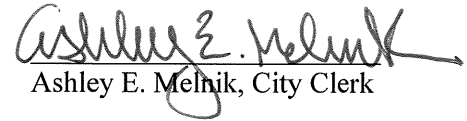


Mayor Brian M. Arrigo

07/09/2021

Date

Attest:



Ashley E. Melnik, City Clerk