



## URBAN AGRICULTURE & INNOVATIVE PRODUCTION POLICY PROJECT

# Zoning and Land Use

## Local Policy Barriers and Strategies for Urban Agriculture

Zoning and land use policies can either support or hinder urban agriculture and innovative production. Land use law broadly refers to the set of laws and regulations that address how land is used. At the local level, land use is typically governed by a set of ordinances included in the zoning code. Zoning codes lay out which uses or activities are allowed in which areas of a city. These uses might be allowed “by-right,” or automatically; “conditionally,” or requiring permission from a city; or under a specific set of conditions where a city makes an exception to the rules, usually called a “variance.”

### How Zoning Codes are Created and Updated



**CITY HIGHLIGHT**

**Detroit’s Animal Keeping Ordinance**

The City of Detroit’s Animal Keeping Ordinance allows residents to keep poultry and bees within city limits, provided they follow specific guidelines. After more than a decade of community organizing, listening sessions, and policy drafting, this ordinance went into effect January 2025 and reduces a common zoning barrier by explicitly permitting animal husbandry in urban areas, where such activities had previously been banned under the letter of the law but widely practiced due to broad community interest and infrequent enforcement by the city. This zoning update provides much-needed clarity and protection for Detroit’s urban farmers.

# Zoning and Land Use Barriers and Policy Strategies

Urban farmers and gardeners who wish to grow food, raise animals, or build farm infrastructure within city limits encounter many barriers in zoning ordinances. This is particularly true when policymakers write zoning codes without explicitly considering urban agriculture as a city land use. However, land use policy reform can provide an important opportunity to support local food production in our cities.

Here are a few common zoning barriers faced by urban producers, alongside strategies that city policymakers can consider to better support urban agriculture.

## COMMON BARRIERS FOR FARMERS

**The zoning code unreasonably restricts common agricultural practices**, such as on-site sales, animal husbandry, and construction of season extension structures.

**Discretionary zoning laws leave room for uneven enforcement**, e.g. issuing a weed overgrowth citation to a farmer using cover crops.

**The zoning code does not explicitly define terms and land uses relevant to urban agriculture**, which can cause legal ambiguity around which practices are allowed in which zoning districts.

## STRATEGIES FOR POLICYMAKERS

Explicitly permit common agricultural land uses so these activities can be regulated in accordance with community needs.

Exempt urban farms and gardens from certain code enforcement penalties.

Write explicit rules about urban agriculture, with clear definitions for key terms.

## Best Practices for Farmers to Navigate the Zoning Code

- ▶ **Know your zoning code.** Learn how your city's zoning code applies to your farm or operation.
- ▶ **Read the definitions.** Scan the zoning code's definitions section for key terms, like *accessory structure* or *animal husbandry*, to know which practices your city allows.
- ▶ **Ask for help or clarification.** Reach out to the department responsible for zoning in your city (usually the planning department) for information about applying for any permits needed or for clarification when the language in the code is ambiguous.
- ▶ **Explore options for flexibility.** Consider applying for special use permits or variances for agricultural practices that the zoning code does not allow by-right in your district.
- ▶ **Participate in zoning code updates.** Engage with your city council to offer suggestions for how to improve the zoning code to support urban producers.



This fact sheet is part of a series of resources on legal topics related to urban agriculture and innovative production. It was produced with support from the Office of Urban Agriculture and Innovative Production at the U.S. Department of Agriculture.

### Want to learn more?

View the whole project at [cafs.vermontlaw.edu/projects/urban-agriculture-and-innovative-production](https://cafs.vermontlaw.edu/projects/urban-agriculture-and-innovative-production) or scan the QR code.



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