

# Urban Agriculture FAQ



City of Chicago  
Richard M. Daley, Mayor

*Interested in growing food for sale in the City of Chicago? Thinking about starting a community garden? Proposed changes to the Chicago Zoning Ordinance would allow agricultural uses like community gardens and commercial gardens or greenhouses in many parts of the city. Below is a list of frequently asked questions regarding the rules and regulations that growers should consider when planning an urban agriculture project.*

## **What is the difference between a community garden and a commercial garden or greenhouse?**

Community gardens are typically owned or managed by public entities, civic organizations or community-based organizations and maintained by volunteers. Plants grown on site are intended for personal use, for charity, or for community beautification purposes. Commercial gardens and greenhouses produce plants that are intended to be sold, either on a nonprofit or for-profit basis. Due to their commercial purpose, commercial gardens and greenhouses require a business license.

## **What would this zoning amendment do?**

The proposed zoning amendment will clearly define community garden and commercial garden and greenhouse uses in Chicago. It will identify where each use is permitted and establish regulations that minimize their potential impact on surrounding property and help maintain the character of Chicago's neighborhoods.

## **What is not addressed in the proposed zoning amendment?**

The proposed amendment does not modify any other codes dealing with composting, landscaping and screening, purchasing or leasing City owned property, business licenses or environmental contamination. There are existing codes that regulate these issues and they remain in full effect and may be applicable to your project.

## **Can surplus produce from a community garden be sold?**

Yes. A community garden is allowed to sell plants or produce grown on site as long as the sales are accessory or subordinate to the garden's primary purpose described above.

## **Is composting allowed at a community garden?**

Yes. Composting is allowed but only for plant material that is generated and used on site. The amount of compost material cannot exceed 25 cubic yards at any given time.

## **Can compost be donated or purchased to build the soil in a community garden?**

Yes. Because the soil at most new garden sites needs amending, compost, soil, wood chips, or other materials may be acquired to construct or enhance the growing space.

## **Can food scraps or other waste be donated from outside the garden for compost purposes?**

No. The acceptance of food and landscape waste at a given location is strictly regulated by city and state laws. Waste acceptance exceeds the intended purpose of a community garden.

## **Are hoophouses and similar shelters considered accessory buildings?**

No. Hoophouses and other fabric-based shelters are not considered accessory buildings as long as they are temporary and do not exceed 400 square feet.

## **Why is there a size limit for community gardens?**

The 18,750-square-foot size limit is intended to prevent a single community garden from dominating a given block or detracting from the block's existing residential or commercial character. The limit – equivalent to six standard city lots (25 x 125 feet) or 25 percent of a typical city block – provides an ample amount of space for most community-oriented growing activities. The limit does not apply to gardens located in Public Open Space (POS) districts.

**Can there be more than one community garden that is 18,750 square feet on a single block?**

Yes. The size limit applies to individual gardens, not to individual blocks.

**Do community gardens require fencing?**

No. However, gardens that have parking areas may be required to install fencing and other landscaping features according to the City of Chicago's Zoning Ordinance. Fences installed voluntarily or otherwise are required to have a building permit if they exceed five feet in height.

**Why are commercial gardens or greenhouses prohibited in all residential (R) and certain business (B1 & B2) zoning districts?**

B1 & B2 districts require that all commercial use activities be conducted indoors. R districts restrict commercial activity. The regulations reflect the purpose and intent of the Zoning Code.

**Are fences required for commercial gardens?**

Fences may be required, along with landscaping and screening, for certain parking areas and outdoor work areas. Fencing around outdoor growing areas may also be required depending on location and the specific activity taking place. Required fencing is not allowed to be chain-link.

**Is a permit required for a commercial garden or greenhouse?**

Yes. At a minimum, commercial gardens and greenhouses require building permits and zoning approvals prior to construction. Other forms of city review may be required depending on specific structures, activities, size, landscaping, licensing, public health and stormwater management issues. Many of these requirements are identified in the project design or permitting process, however, the applicant may be responsible to independently identify specific licenses or permits that may be required. State of Illinois permits or requirements may also be applicable.

**Is a business license required for a commercial garden or greenhouse?**

Yes. The type of license is determined by what is happening at the site. The Department of Business Affairs and Consumer Protection can help determine the specific type of business license that is required.

**Is parking required for a commercial garden or greenhouse?**

Yes. Off street parking is required for most commercial projects in Chicago. The required number of parking spaces is based on the number of employees working on site and not the square footage of the growing space. One off street parking space is required for every four employees. All off street parking areas will need to comply with the landscaping and screening requirements.

**Can a commercial garden or greenhouse be located on the roof of a building?**

Yes. Commercial gardens and greenhouses are allowed on rooftops in appropriate zoning districts.

**Can a commercial growing location accept food and landscape scraps to create compost?**

No. The acceptance of food or landscape waste is considered a waste handling use by the City's Municipal Code. Businesses that are considered waste handlers are subject to city and state laws involving their operation and location.

**Can fish or bees be raised for commercial or community purposes?**

Not currently. There are no specific rules that regulate fish and bees other than as an accessory use to educational facilities. The Department of Housing & Economic Development is working with other departments to develop rules and regulations that will allow these uses, possibly in 2011.

**Where can I get more information about the proposed zoning amendment?**

Contact the Department of Housing and Economic Development, Bureau of Planning and Zoning, at (312) 744-8563.



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