

Zoning Information Guide

"Planning with People for a Better Phoenix"



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

Community Garden Policy Guidelines

The checklist below was written to provide you with information related to community gardens in the City of Phoenix and will serve as a guide for the development of your Community Garden. The checklist addresses a wide range of possible improvements that you might choose to make on your community garden site. It can also guide you through the Zoning Adjustment public hearing process, if you choose to request sales of produce grown on site or need to modify development standards such as fence height and setbacks.

NOTES: Please see definitions below for help in understanding this document and the exhibit on the last page. Private gardens that are accessory to residential uses are permitted in all residential zoning districts and are not governed by this handout.

You are not required to make all of the listed improvements. Some improvements may require a use permit. You should review the complete checklist, decide how you wish to operate your community garden and which improvements apply to your site, then proceed with the next steps in the process.

The Zoning Ordinance can be found at <https://phoenix.municipal.codes/ZO>. For any questions regarding the Zoning Ordinance, contact zoning@phoenix.gov or (602) 262-7131, Option #6.

For information regarding applying for and obtaining building permits, please see <https://www.phoenix.gov/administration/departments/pdd.html> or call (602) 262-7131, Option #3.

For more information regarding community gardens, please see the following:

- City of Phoenix - Seed Library: <https://www.phoenixpubliclibrary.org/services/unique/seed-library>
- Tiger Mountain Foundation – <https://www.tigermountainfoundation.org>
- University of Arizona Cooperative Extension:
 - General Website: <https://extension.arizona.edu/local-offices/maricopa-county>
 - Urban Ag Production, Small-scale, Beginner Farmer Program: <https://extension.arizona.edu/programs/urban-ag-production-small-scale-beginner-farmer-program>
 - Master Gardener Program: <https://extension.arizona.edu/programs/master-gardener>
 - Educational Materials: <https://extension.arizona.edu/educational-materials>
- Arizona Department of Health Services - Arizona Sustainable Community Garden Resource Guide: <https://www.azdhs.gov/documents/preparedness/epidemiology-disease-control/environmental-health/brownfields/community-gardens-resource-guide.pdf>

It is recommended that community gardens grow fruits and vegetables that are organically produced, using no synthetic fertilizers or pesticides. These methods pose the least risk to personal and environmental health. The use of pesticides is governed by the U.S. Environmental Protection Agency (EPA) and the Arizona Department of Agriculture. For more information, please see the following websites:

- <https://www.epa.gov/pesticides>
- <http://cals.arizona.edu/apmc/psep.html>
- <https://www.azdhs.gov/preparedness/epidemiology-disease-control/environmental-health/index.php#pesticides-reports>

DEFINITIONS (for these and additional definitions please [Zoning Ordinance Section 202](#))

- Accessory use: A subordinate (secondary) use of a building, other structure, or use of land.
- Building permit: An authorization to construct a structure as issued by the Development Division of the Planning and Development Department. The cost is based on the evaluation of the work to be completed.
- Cold frame: An unheated outdoor structure consisting of a wooden or concrete frame and a top of glass or clear plastic, used for protecting seedlings and plants from the cold.
- Community garden: A private or public facility for the cultivation of fruits, vegetables, flowers and ornamental plants by more than one person. Accessory sales of products cultivated on-site are permissible within ten days of harvesting subject to approval of a use permit in accordance with Section 307 of the Zoning Ordinance.
- Farmers markets: A market held in an open area or in a structure where groups of individual sellers offer for sale to the public such items as fresh produce, seasonal fruits, fresh flowers, locally produced arts and crafts items (but not to include second-hand goods). Food and beverages dispensed from booths located on site is permitted as an accessory use.
- Greenhouse: A building made of glass, plastic, or fiberglass in which plants are cultivated.
- Green screen: Parallel galvanized steel wire (or equivalent) panels with a minimum of 3-inch separation and attached to vertical structures with climbing vegetation with adequate soil to enable complete coverage of the panel.
- Hoop house: A structure made of PVC piping or other material covered with a see-through material, constructed in a "half-round" or "hoop" shape.
- One foot-candle: Unit of measurement used to describe lighting levels.
- Processing area/storage area: An on-site area for processing and preparation of produce for distribution.
- Right-of-way: A strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, or similar exclusive public use.
- Setback: The required minimum distance between the building line and the related front, side, or rear lot line and over which no part of any building may extend, except as otherwise provided. When the property abuts a dedicated right-of-way, the distance shall be measured from the dedicated right-of-way line or future right-of-way line as shown on the street classification map. When the property abuts a private street, the distance shall be measured from the back of the tract or easement used for the private accessway.
- Use permit: An authorization to conduct a use or activity when such authorization is required by the Zoning Ordinance and when established according to the procedures in Section 307.

GARDEN SECURITY

A Building Permit is required for a fence higher than 36-inches. Fencing must be consistent with all development standards in [Section 703](#) of the Zoning Ordinance,

- **Fencing Height**
All fences for community gardens are optional. The City of Phoenix requirements for fence height vary depending on the location of the proposed fence:
 - o Fences within or bounding the required front yard setback shall not exceed a height of 40 inches.
 - o Fences within or bounding the required front yard setback shall not exceed a height of 36 inches for Historic Preservation designated properties.
 - o Fences behind the required front yard setback line are limited to 6 feet unless a variance is granted.

- Fence Materials
 - o Block, wrought iron, wood, chain link, metal mesh, or a combination of these.
 - o Chain link fences with plastic or metal slats, sheeting and nondecorative corrugated metal shall not be used in multi-family or nonresidential development where visible from public streets or residential zoning districts.
 - o A natural hedge can be used as a fencing alternative or in conjunction with the man-made materials listed above.
 - o For safety reasons, it is recommended that the portion of fence visible from a street be constructed of a material that provides visibility of the garden from the street.
- Security Lighting
 - o All security lighting is optional.
 - o Building/Electrical permits may be required. Please contact the Residential Building team at (602) 262-8078
 - o Motion activated security lighting is permitted and can be mounted to a maximum height of 12 feet.
 - o All lighting must be shielded so that all lighting is focused down on the subject site and shielded so that it is not directly visible from adjacent properties. No illumination in excess of one-foot candle is permitted across the boundary of any residential property, public street or alley.
 - o Low-profile solar lighting that does not connect to an electrical circuit/junction box is permitted without a building/electrical permit.
- Security Alarms/Other Security Methods
 - o All security alarms are optional.
 - o An alarm permit is required by the City of Phoenix Police Department.
 - o Building/Electrical permits may be required. Please contact the Residential Building team at (602) 262-8078.
 - o Only silent alarms are permitted. Sound alarms are prohibited

STRUCTURES

- Structures
 - o May include tool sheds, shade ramadas, garden stands, barns, animal housing, hoop houses, cold frames, greenhouses, planting preparation houses or other similar structures.
 - o Structures less than 200 square feet do not require a building permit unless electrical, water, and/or sewer connections are required. Please discuss options for structures larger than 200 square feet and/or with electrical, water, or sewer connections with City staff.
 - o Can have multiple structures on-site. Building separation must meet building code requirements.
 - o Location – Within the buildable area as determined by the setbacks for the zoning district or as approved through the zoning adjustment public hearing process. See attached graphic on the last page of this document.
 - o Maximum height – A maximum height of 15 feet is permitted when located within a required rear or side yard, with a maximum height of 8 feet when located less than 5 feet from a street side property line. For more information, see Zoning Ordinance [Section 706.B](#) regarding residential accessory structures.
 - o Temporary portable toilets are permitted subject to Maricopa County regulations, contact them at (602) 506-6666 or septicquestions@maricopa.gov. It is recommended that if there are toilet facilities, accompanying hand-washing stations should be provided on-site.
 - o A permanent restroom requires building permits and is required to be connected to city sewer.
 - o For information regarding applying for and obtaining building permits, please see <http://www.phoenix.gov/pdd/development/permits> or call (602) 262-7131, Option #3.
- Garden Improvements
 - o Improvements may include benches, bike racks, raised/accessible planting beds, compost bins, picnic tables, garden art, rain barrel systems, barbecue grills, kids play areas, etc.
 - o Sales of product cultivated on site are subject to approval of a use permit.
 - o The keeping of animals and pollinators is governed by [Chapter 8](#) of the Phoenix City Code.

ON-SITE STORAGE

- Tractors, lawnmowers, and other machinery and gardening equipment stored on-site must be screened from view from adjacent properties and from the street.
- Fuel for equipment used on-site should be stored in an enclosed, ventilated and locked structure when the site is unattended.
- Hazardous Materials
 - All garden fertilizers, pesticides, and herbicides, organic or inorganic, including those defined as “natural”, shall be stored in their original container and liquids should have childproof caps, if available. Additionally, these materials should be stored according to the label instructions.
- Store bags or receptacles off the ground. Containers must be sealed to prevent pest/rodent issues.
- Buildings and structures shall be locked and clearly labeled as a fertilizer, pesticide, or hazardous storage areas.
- Synthetic pesticides or herbicides may be applied in accordance with state and federal regulations.
 - Material Safety Data Sheets (SDS) on all products shall be readily available on-site.
 - Depending on the amount of product stored or for some processes, including composting in proximity to combustible product storage, a permit from the Phoenix Fire Department may be required for use. A general inspection can be requested by calling the Phoenix Fire Prevention Main Line and placing a request at 602-262-6771. There is a fee associated with the general inspection.

COMPOST

- On-Site Storage and Use of Compost and Organic Matter. All compost and/or organic matter on the site:
 - Compost bins must not be visible from adjacent public right-of-way (i.e., shielded from view by shrubbery or an enclosure).
 - Shall be managed to prevent rodents and pests.
 - Shall be maintained to prevent odors.
 - Shall be located to prevent leachate (the water that has come in contact with the compost) from flowing onto adjacent property or into natural or human-made storm channels.
 - All composted materials must be utilized on-site and cannot be transported off-site.
 - Shall not use cat, dog, or human feces in compost areas.

MAINTENANCE OF SITE

- Property shall be maintained free of high grass, weeds, or other debris. Trash and debris should be removed at least once a week or anytime necessary to keep the property looking well maintained and in compliance with the codes and regulations of the Neighborhood Services Department.
- Mechanical equipment normally used, or associated with, lawn and garden maintenance may be operated between the hours of 7 a.m. - 6 p.m. in a residential zoning district.
- The property, garden stands, and storage should be properly maintained in good working condition throughout the life of the use.
- Contact the Public Works Department for eligibility regarding solid waste and recycling services at (602) 262-6251 or solid.waste@phoenix.gov Please tell the operator that you desire information regarding community gardens.

SIGNAGE

- One non-illuminated sign, no larger than 6 square feet is permitted. Signs should be placed within the property boundaries. No sign shall be posted higher than 6 feet, measured at the top of the sign.
- Gardens on corner parcels are permitted one additional sign.
- Garden sign must include a garden name that is visible to the public with a phone number and/or email contact.

DRAINAGE

- The site must be designed and maintained to prevent water from irrigation, storm water and/or other activities and/or fertilizer from draining onto adjacent property or right-of-way, such as berming around the edges of the property.
- The site will be designed and maintained to prevent ponding of water that could contribute to the breeding of mosquitos.
- On-site composting area shall be designed to minimize potential run-off onto adjacent properties or right-of-way.

SALE OF PRODUCTS ON-SITE

- Per Zoning Ordinance Section [608.E.24](#), accessory sales of products cultivated on site within ten days of harvesting are subject to approval of a use permit pursuant to Section 307. On-site operational conditions and improvements may be stipulated as a condition of use permit approval.
- Sale days, hour of operations, additional parking, and/or other operational standards may be stipulated as part of the Zoning Adjustment process.
- A food handler's card is not required for the sale of **uncut** fruits and vegetables. Refer to the Maricopa County Environmental Services regulations at <http://www.esd.maricopa.gov>. It is recommended that people involved with community gardens should familiarize themselves with fresh produce food safety issues. Additional information can be found online at <https://agriculture.az.gov/trainingassistance/food-safety>
- Sale of value-added products (e.g., salsa made from vegetables) is not permitted.

HOURS OF OPERATION

- In residential zoning districts, operations are restricted to sunrise (7:00 a.m.) to sunset (6:00 p.m.).
- Handheld mechanical equipment (no gas/electric power) may be utilized before sunrise (6:00 a.m.) during May through September of each year.

PARKING

- Parking requirements and additional parking may be established as part of the Zoning Adjustment public hearing process.
- All on-site parking and maneuvering areas shall be dustproofed, per the requirements of Section [702.B.3](#) of the Zoning Ordinance.
- Alternative dustproofing materials may be proposed, subject to approval as described in the Request To Use Alternative Dustproofing Materials process packet. For further information, please review the process packet available online at <https://www.phoenix.gov/administration/departments/pdd/planning-zoning/zoning-applications.html>

Upon request this publication will be made available in alternate formats including large print, Braille, audiotape or computer disk to accommodate a person with a disability if given reasonable advance notice. Please contact Saneeya Mir at voice 602-686-6461 or via the TTY 7-1-1

SETBACKS

FENCE HEIGHT

Within Front Yard Setbacks:

Up to 36 inches: Permitted by right
36-40 inches: By right and building permit required
Over 40 inches: Building and Use permits required

Historic properties/districts:

36 inches maximum in the front setback. Contact the Historic Preservation Office for additional details.

Behind Front Yard Setbacks:

Up to 6 feet: Permitted by right
Over 36 inches: By right and building permit required
Over 6 feet: Building and Use permits required

See Chapter 6 of the Zoning Ordinance for building setback requirements for each zoning district.

See Section 703 of the Zoning Ordinance for additional information and guidelines.

Planned communities may have different setbacks, contact Planning & Development Dept for details.

COMPOSTING & PLANTING

--- Composting and planting area
3 (three) feet minimum setback from the property line

SHEDS & STORAGE STRUCTURES

--- Structure placement area
5 (five) feet minimum setback from side & rear property lines.

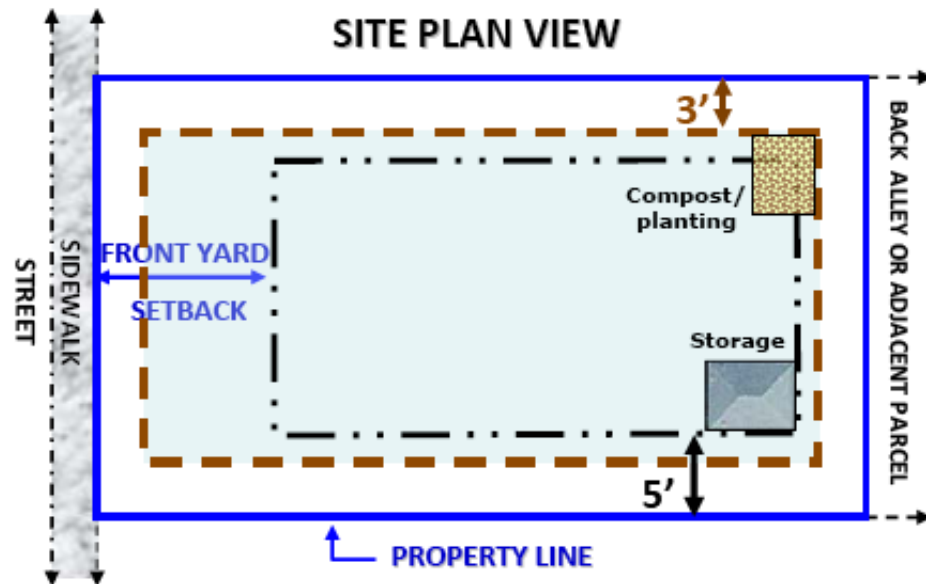
Sheds/storage are not permitted within the required front yard setback.

Structures less than 200 square feet in size:

- No building permit required

See Section 706 of the Zoning Ordinance for additional information on setbacks and height standards.

Community Gardens (CG) Setback Basics



SIDE YARD & REAR FENCING (AT THE PROPERTY LINE)

