

OLIVE STREET FARM NARRATIVE LETTER FOR PLANNED UNIT DEVELOPMENT CONCEPT SCHEMATIC APPLICATION

USE AND SCOPE OF PROJECT

The subject property is a 1.76 acre lot, currently zoned R-2 in the historic Kemp neighborhood. It has an existing roofed over concrete block basement (the side away from the street has ground level access) that has been used as a home since its construction in 1951. It also has a brick 2 car garage built in the 1960s that has been converted to living space (1 bedroom, 1 bath), apparently illegally around 1980 when the sewer system was installed. The property was recently purchased (12/10/2015) and the new owners are applying for a Planned Unit Development (PUD) permit to:

1. Subdivide to create two lots (8,000 sf and 7,000 sf) near the street for single family/duplex housing, and a 1.42 acre+/- lot to create an urban farm--a new land use code. The 7,000 sf lot will use R1 development standards to fit in with neighboring 60' lots and to fit between the neighboring lot and the existing house.
2. The urban farm land use code will allow limited commercial farming and livestock production, greenhouse and livestock outbuildings, an accessory dwelling for a farm worker, and a small private horseback riding club.

The owners are also planning to build a 1.5 story home on the existing concrete block foundation within the next two years as well as a 3-4 car garage shared by the inhabitants of the main house and accessory dwelling unit.

The owners lived most of their adult lives on a 64 acre farm in Vermont. They moved to the Denver area to be near their grandchildren, and purchased the subject property because the neighborhood and the large lot came as close as possible to their rural roots. They would like to continue their part time hobbies: vegetable gardening and teaching young people how to horseback ride and drive (their pony is currently stabled just west of Commerce City on the Platte River).

The Black Hawk Derby Subdivision included many 1+/- acre lots that until recently allowed for more rural activities as well as more than one housing unit per lot. Many properties have been subdivided into spaghetti lots due to the strict zoning regulations of one house and garage per lot. The lots along this portion of Olive Street are very deep, leaving wasted space in the back when subdivision occurs. Putting this potentially wasted space to agricultural use while retaining the R-2 character near the street is the main reason for this PUD application.

ADHERENCE TO COMMERCE CITY'S COMPREHENSIVE PLAN

Chapter 4 Land Use and Growth, Guiding Principle: Grow Commerce City in a balanced and compact pattern of neighborhoods and commerce centers, where residents have access to employment, services, and shopping.

LU 1—Maintain a balanced mix of land uses citywide and within Strategic Planning Areas.

Commerce City growth will occur in a manner that maintains a citywide balanced mix of jobs and housing, and that achieves additional jobs, retail, and services.

LU 2.1—Infill Development Promoted. Promote infill development and redevelopment to use utilities and services efficiency, to support multi-modal transportation, to revitalize neighborhoods, and to maintain prosperous businesses. Infill means development on vacant unplatted parcels scattered throughout the city, or in county enclave areas. *Although not technically infill development as it is a platted parcel, the unique size (1.76 acres) and configuration (deep, sloping downhill from the street) begs for it to be included as a unique property within an R-2 zone. The back portion of the property will be very difficult to develop into housing and unless given special consideration is likely to be underutilized at best and blight to the neighborhood at worst.*

LU 2a Infill Incentives Provide incentives for infill development and redevelopment (e.g., streamlined review process, rebates, or reduced fees) and an efficient and predictable development review process.

LU 2b LDC Amendments/Focus Areas Consider code amendments in Focus Areas that address infill development potential, including:... (b) Provide flexibility for infill development...Current standards may not be appropriate for infill in traditional neighborhoods or mixed use projects.

LU 3—Strengthen city neighborhoods as attractive, livable places. Commerce City's neighborhoods will continue to be its residential building blocks where people are proud to live. The city will ensure that all neighborhoods are attractive, livable places, with a mix of housing types and convenient services and transportation...

Chapter 7 Housing and Neighborhoods, Guiding Principle: Provide multiple types of housing serving a range of people and incomes in vibrant neighborhoods where people want to live.

HN 1—Reinvest in and rehabilitate aging housing stock. The city will reinvest in existing, aging housing stock to stabilize neighborhoods for current resident occupants, especially seniors aging in place.

HN 2—Increase housing types to meet current and future needs. Commerce City will expand the variety of housing types throughout quality neighborhoods for life-long living. Housing should accommodate students, families, singles, aging seniors, and people with disabilities, all at multiple-income levels.

Chapter 8 Redevelopment and Reinvestment, Guiding Principle: Promote new centers while maintaining the integrity of existing districts by continually renewing and re-investing in them.

RR 1—Increase focus on infill development. The city recognizes the benefits of infill to balance and retain the character of stable neighborhoods with increasing economic development opportunities.

RR 1.1 Historic City and Irondale Infill. The city will promote high-quality infill through incentives and infrastructure improvements on vacant properties in the Historic City and Irondale.

RR 3—Strengthen existing neighborhoods through reinvestment and assistance with renewal efforts.

RR 3.3—Appropriate Scale of Residential Redevelopment. Ensure that residential redevelopment in neighborhoods occurs at a scale that is appropriate for established, stable neighborhoods.

Chapter 10 Safety and Wellness, Guiding Principle: Increase the health and well-being of residents through healthy living...

SW 2—Promote regular physical activity by providing safe, convenient opportunities for recreation... The city will continue to improve the transportation network to facilitate non-vehicular use by people of all ages and abilities.

SW 4—Encourage increased access to healthy foods for all residents. ...The city will support measures to educate and encourage local food access in the community, including...small-scale food production.

SW 4.2—Local Food Production and Sale. The city will encourage small-scale urban agriculture such as...accessory greenhouses.

URBAN FARMING IN COMMERCE CITY

From https://en.wikipedia.org/wiki/Urban_agriculture:

The Council on Agriculture, Science and Technology (CAST) defines urban agriculture to include aspects of environmental health, remediation, and recreation:

Urban agriculture is a complex system encompassing a spectrum of interests, from a traditional core of activities associated with the production, processing, marketing, distribution, and consumption, to a multiplicity of other benefits and services that are less widely acknowledged and documented. These include recreation and leisure; economic vitality and business entrepreneurship, individual health and well-being; community health and well being; landscape beautification; and environmental restoration and remediation.

Modern planning and design initiatives are often more responsive to this model of urban agriculture because it fits within the current scope of sustainable design. The definition allows for a multitude of interpretations across cultures and time. Frequently it is tied to policy decisions to build sustainable cities.

From <http://seedstock.com/2014/05/27/10-american-cities-lead-the-way-with-urban-agriculture-ordinances/>:

Small growers and urban farms are springing up across the nation, but many cities lack the infrastructure, zoning laws and foresight to truly leverage this transition.

Over the past several years, however, city governments, often working with local stakeholder groups and food policy councils, are changing that. Urban agriculture ordinances help light the way for would-be urban farmers, providing guidance and a sense of legitimacy.

Greenhouse use

Commerce City already has a zoning code for greenhouses/nurseries in Article V, Sec. 21-5236:

- (1) Agricultural District. Off-site delivery of plant materials and the use and storage of all vehicles and equipment necessary for those activities are permitted.
- (2) Display and Storage. Merchandise, landscaping materials, and equipment shall be displayed or stored within an enclosed building or in an area of the property that has been fenced or landscaped to conceal the area from any public right-of-way. Neither storage nor display shall occur within 25 feet of public right-of-way or occupy required off-street parking spaces.
- (3) Vehicle Maintenance. Any repair or servicing of vehicles or equipment used in the operation of the business shall occur within an enclosed building. Repair and servicing shall be limited to normal maintenance and shall not include body repair or modification.
- (4) Growing Areas. Areas for the growing of plants and nursery stock may be permitted in greenhouses or in open areas as designated by the applicant.
- (5) Outdoor Storage. Outdoor storage shall meet all requirements for outdoor storage established for the underlying zoning district. The type and location of any materials to be stored on any site shall be determined at the time of development plan approval. Any materials approved for outdoor storage shall not cause a hazard or nuisance to the health, safety, or welfare of humans or animals.

This code shall apply in total to the new urban farm zone.

Accessory dwelling unit for farm worker

Currently the property has an existing “garage” that was illegally converted to living space at least since 2000 when records show sewer and electrical were charged separately from the main house. There is anecdotal evidence it was used as an apartment for the owner’s son as early as 1980 when the original sewer system was installed. Rather than demolish this existing housing unit, the applicants would like to legalize it as a residence for a farm worker.

Farm animals need 24/7 care and the farm in general benefits from close residential security. Having a farm worker within a stone’s throw of the barn and greenhouses assures that animals and farm are well provided for at a reasonable cost to the farm owner/operator. It also provides work and a home for a Commerce City resident.

Livestock housing and manure management

The below information should be used as guidelines for Urban Farm zone code development. Best management practices (BMPs) for manure handling and other farm activities should be regularly updated in the code or it should state that the latest BMPs for small farm operations shall be followed.

From <http://agriculture.nh.gov/publications-forms/documents/bmp-manual.pdf>:

Most farm animals need some shelter in the winter time, but their natural coats allow them to endure much colder temperatures than people can tolerate. When animal housing is designed for human comfort, it can actually be too warm and unhealthy for animals. Buildings with plugged air cracks and windows covered with double plastic are often poorly ventilated. This situation can result in a buildup of moisture and animal odors, creating an unhealthy environment.

A simple, three-sided shelter with an open front will meet the needs of many farm animals and is often the building of choice to raise healthy livestock. When designing a three-sided animal shelter, make sure the open side faces the south away from prevailing wind. Locate the structure on an elevated, well drained site and make it accessible for feeding and materials handling.

You will not need a pasture as long as you provide adequate purchased feed, have an exercise yard and develop a sound plan for manure management.

Suggested Space and Housing Guidelines for Fully Mature Farm Animals

Animal	Horse	Beef Cow	Dairy Cow	Dairy Goat	Pig	Sheep	Hen	Broiler	Turkey
Unit	1 horse	1 cow	1 cow	1 goat	1 pig	1 sheep	1 hen	1 broiler	1 turkey
Enclosed Housing Area/Animal	-Tie stalls 45 sq. ft.; 5' x 9' - Box stall 12' x 8' or 10' by 10'	75-100 sq. ft.	75-100 sq. ft.	20-25 sq. ft.	48 sq. ft. with exercise yard; 100 sq. ft. without exercise yard	20-25 sq. ft.	3-4 sq. ft.	3-4 sq. ft.	6 sq. ft.
Exercise Yard Area /Animal	200 sq. ft.	100-125 sq. ft.	100-125 sq. ft.	50 sq. ft.	200 sq. ft.	50 sq. ft.	10 sq. ft.	-----	20 sq. ft.
Pasture Area /Animal	1-2 acres	1-2 acres	1-2 acres	0.2-0.3 acres	12-14 sows/ acre/ rotational pasture	0.2-0.3 acres	-----	-----	100 sq. ft.
Type of Housing and Boundary Setback	Enclosed ventilated barn or open 3-sided barn Setback 50 ft.	Open front 3-sided barn Setback 50 ft.	Open front 3-sided barn, free-stall or enclosed stanchion barn Setback 50 ft.	Enclosed barn with removable side panels or windows Setback 50 ft.	Enclosed barn, huts, shed, hutches or lean-to Setback 50 ft.	Open front 3-sided shed Setback 50 ft.	Enclosed barn Setback 50 ft.	Enclosed barn Setback 50 ft.	Enclosed barn Setback 50 ft.
Fencing	Electric Wooden rail Woven wire	Barbed wire Electric Woven wire	Barbed wire Electric Woven wire	Electric Woven wire	Electric Plank rail	Electric Woven wire	Chicken wire	-----	Chicken wire
Family Needs	1 horse per family member	½ - 1 beef animal/year; raise 2 animals/yr to provide cont. supply	1-2 cows	2-3 goats	2 pigs per yr.	6 sheep	6 hens	24 broilers	12 turkeys

6/09

From: http://esc.rutgers.edu/fact_sheet/best-management-practices-for-horse-manure-composting-on-small-farms/:

Pile and shed composting are options for small horse farms. We recommend shed composting because of easier handling of the horse manure, aesthetics, and there is less likelihood of nutrient runoff and leaching issues. In addition, shed composting allows for batches to be kept separate ensuring pathogen reduction in the batch.

Regarding buffer zones from residences, general on-farm composting recommendations include distances of 50 feet from the property line and 150 feet from residences and businesses. It is also important that the area around the composting site allows access to the composting site all-year round and is well drained. Wet weather can cause soils to become muddy making it difficult to access and turn the piles. The use of asphalt or concrete around the composting site is preferred when cleanliness and aesthetics are important objectives. However, this option is more expensive and adds a permanent structure to the farm. Gravel beds are another option. There needs to be a way to provide water to the site in case the compost is too dry and water needs to be added.

Shed Composter: A shed composter consists of several three-sided bins. When designing the shed composter, make sure that the bucket of your front-end loader fits into the structure. The manure can be collected in one bin at a time or a storage area that already exists on the farm. When the manure pile in the bin reaches 5 feet high, the contents should be turned into the next bin and the first bin refilled. The pile height should not exceed 6 feet to ensure that the compost is aerated. Bins can be covered with a roof to reduce possible run-off. Because the bedding material is very absorbent, generally, no leachate is generated under the roof.

For turning, a front-end loader (skid loader with 1/3 yd³ bucket or tractor loader with 1 yd³ bucket) transfers the compost from one bin into another bin. The purpose of turning is to move the outer portions of the pile into the hotter inner portions of the pile for pathogen and weed seed reduction, to homogenize the pile, and to aerate the pile to some degree. Turning has only a partial effect on aeration because the oxygen is used quickly after turning and the oxygen content in the inner portions of the pile decreases within hours after turning. That is why both moisture and particle size are important. Generally, the requirement for the turning frequency to ensure pathogen reduction in windrows is 5 times in 15 days while keeping the temperatures above 131oF (USDA, 2002). Since it is not realistic for farmers on small farms to turn the piles 5 times during the first 15 days, weekly turning is suggested. This reduces pathogens in the compost,; however, it does not comply with the requirements for compost used in organic agriculture.

After 3–4 months, compost turning can be reduced to once per month. At that time, the compost from two bins can be combined in one bin to compensate for volume reduction, which results as the material decomposes through the compost process. If necessary, water can be added during turning to adjust the moisture content to 55–60%.

Towards the end of the composting process, the moisture content does not need to be adjusted to 55–60% because a lower moisture content is preferable when the compost is stored, transported, or used. If the bins are full before 9 months, the compost should be moved outside the bins to a dry, well-drained area. It is preferred that the compost is moved outside the roofed area after 3–6 months at the earliest. Possibly if stored outside, the compost should be covered loosely with a tarp or fleece until it is used. There are certain fleeces available that prevent rain from entering the compost but allow gas and water vapor exchange.

The sizing of the shed composter depends on the amount of horse manure collected. The amount collected from one horse can vary considerably. In addition to feces and urine, about 8 lb–15 lb of spoiled bedding is disposed per day per animal. Based on the above listed ranges for feces and urine and spoiled bedding, one horse produces a total of 50–83 lb/day. This equals about 1.5–3 ft³/day per horse. Area requirements [should assume] a volume reduction of 50% during the first 3 months and a pile height of 4 feet.

If managed appropriately (sufficient aeration), odors released from composting horse manure on small farms are less of an issue. However, stronger odors are expected when the horse manure compost is turned. If wood shavings are used as bedding material, and if the composting is operated properly, after several turnings the compost releases an earthy smell during turning.

Bioaerosols [airborne particles, which may contain bacteria, fungi, and parts and products of organisms and feedstock materials], primarily *Aspergillus fumigatus* are of potential concern to the health of operators of composting facilities and the neighboring communities. Typically, the general public is not affected, but immune compromised, asthmatic and allergic persons may be at risk. However, our measurements confirmed that *Aspergillus fumigatus* spores (indicator for bioaerosols) are predominantly released when the compost is turned. After turning, if the compost is at rest, the levels are quickly reduced to typical farm background levels. It is suggested that persons at risk avoid the compost area during turning. Be aware of wind speed and direction during turning, which is when most odors and other airborne materials would be released. Be considerate of neighbors and don't turn when they are most likely to be outdoors. As with other dust generating operations on the farm, wearing a dust mask might be useful.

Horse manure composting contributes to the reduction of non-point source pollution from horse manure and results in a useful soil conditioner. However, appropriate Best Management Practices need to be followed for proper composting and a good composting quality.

Complaint process

The Commerce City Police Department handles neighborhood noise complaints and safety concerns along the public right of way. Neighborhood Services (NS) handles all other complaints from neighbors about the urban farm. Below is a suggested complaint form that should be available online and at the civic center.

SAMPLE COMPLAINT FORM

Date of Complaint: _____ # _____ (Assigned by NS)

Commerce City Neighborhood Services Complaint Form

Property Owner Information: (Person whom complaint is made against)

Name: _____ Address: _____

City/Town: _____ State: _____ Zip Code: _____ Phone: _____

If known, times during the week when the property owner may be at the property: _____

Site Location of Alleged Mismanagement: Address: _____

City/Town: _____

Directions to site from a major highway: Required: Please be specific: _____

Description of Alleged Mismanagement: Describe the mismanagement; e.g. odors, water quality, etc. Include the number & type(s) of animals involved, names of nearby wetlands, streams or rivers, proximity to neighboring properties, runoff issues, type of material involved; manure, compost, chemical fertilizer. Attaching a map, photographs or a diagram is helpful.

Complainant Information (person making complaint):

Name: _____ Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ Fax: _____ Email: _____

Print Name: _____ Signature(required): _____

Do you wish your name to be kept confidential by NS: ☐ Yes ☐ No **see note

For NHDAMF Office Use: Date Complaint Received: _____

Inspector: _____

On Site Inspection Date: _____

Comments: _____

A complaint MUST be submitted in writing and signed by the complainant BEFORE a site visit can be done.

**We can not guarantee that complainant information can be kept confidential. Forward this complaint form to: