

MEMORANDUM

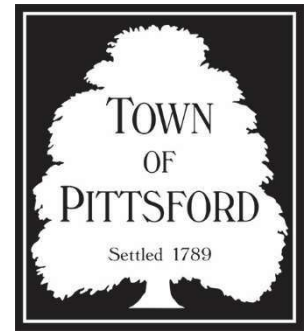
To: NYS Climate Smart Communities

CC:

From: April Zurowski

Date: June 16, 2022

Regarding: CSC PE6 Action: Policies for Local Food Systems



The Town of Pittsford Zoning Code was revised in its entirety on September 18, 2012.

One section that was implemented in the past and is planned to remain in the future is Chapter 185 Article XVII Section 114, which describes the Town's regulations on the sale of produce in residential districts, see attached. This section of code allows for summertime produce stands, Christmas tree stands, and year-round sale of honey, pumpkins, squash, and apples. In addition to promoting farmer's market stands within the Town Zoning Code, the Town also promotes yearly produce stands on the Town website, seen here:

<https://www.townofpittsford.org/stands-markets>.

The Town also authorizes rural farming in multiple different Zoning Districts per Town Code. Farming is encouraged in Agricultural, Rural Residential, and Rural Residential South Pittsford Districts. Farming regulations in these districts can be seen in Chapter 185 Article III, Article VIII, and Article VIIIA, respectively.

§ 185-114. Sale of produce in residential districts.

A. Purpose. It has been the custom for farmers and gardeners in the Town to sell or offer for sale from their residential premises produce grown by them on their residential premises. This custom is beneficial both to those who sell and those who buy such produce, and the Town has no objection to such sales, subject to reasonable regulation. The Town Board finds that such sales of produce in residential areas are incidental to the primary use of the premises. The purpose of this section is to provide reasonable regulation of these sales, so as to make them compatible with the primary residential use of the premises.

B. Definitions. As used herein, the following words and phrases shall have the meanings indicated:

GROWN ON THE PREMISES — Produce resulting from the tillage of the soil of the premises, or produced naturally from trees or vines growing in and on the soil of the premises, or grown for a majority of the life of the produce in a greenhouse on the premises.

PREMISES — The land owned and/or leased by a Town resident from which the sale or offer of sale is made.

PRODUCE — Fresh fruits, vegetables and flowers.

TEMPORARY STAND — A structure not attached or affixed to the premises except by the force of gravity and capable of assembly and disassembly with simple hand tools.

C. Regulations.

- (1) Produce may be sold from premises, in a residential district in the Town by a resident of the Town, where such produce is grown on the same premises from which the sale or offer for sale is made.
- (2) Such sales may take place only during the period of May 1 through November 30 each year, except that apples, pumpkins, squash and honey grown on the premises may be sold year-round, and Christmas trees may be sold during the Christmas season.
- (3) One temporary stand for the sale of such produce may be used.
- (4) Nothing herein contained shall be applicable to the sale of livestock or the bulk sale of produce grown on premises used as a farm or truck garden.