

“There’s something not computing: We’re in an agricultural area, but there is all of this hunger.”—Lorraine Mai, *UlsterCorps*¹

2. URBAN AG IN KINGSTON TODAY

A brief history of community gardening and urban agriculture in Kingston; the policy context; identification of stakeholders

A Historic Market Town

As a crossroads of valleys and waterways, Kingston was farmed by the Native American Esopus tribe long before it was settled by the Dutch in 1652.¹ The city of Kingston sits at the convergence of Indian trails, fertile river valleys, and a safe, deep harbor on the Hudson River. The settlers farmed side-by-side with the Esopus Indians until disputes between them resulted in the Dutch construction of the Stockade district in 1658 upland from the farmed areas. The neighborhood that was later to become the focal point of Kingston and “thickly covered by dwellings and business places” by the end of the 19th century.²

There has been a continuous presence of farming in and around Kingston, which was an important “market town” since its founding and “enjoyed a dominant position in the New York agricultural market” through the 1820s, when the Delaware and Hudson Canal brought about a “market revolution” and changed the city to a more industrial mode as it became a hub of trading with markets to the south. Economic changes in the county throughout its history have occurred as trade – local, regional, and global – have been fostered through greater connections to metropolitan New York and beyond. The arrival of New York Thruway (I-87) in 1950s was accompanied by IBM headquarters, suburban sprawl, malls and a changing landscape. Since then, the Hudson Valley has lost farmland at a faster rate than the rest of New York State.

Farming Context

Surrounded by rich Ulster County farmland, Kingston continues to be a center, albeit less connected to its agricultural legacy. Between 1950 and 2007, Ulster County lost 2,051 (or 80.4%) of its farms, a total of 152,292 acres. By 2007, less than a third of the 1950 farmland remained.³ Nonetheless, farming remains an important sector of the local economy. In the last agricultural census (2007), Ulster County had the State’s second-highest sales of fruits, tree nuts, and berries (and ranked second in the State for apples). Other major crops for the county are pears and cabbages.



VIEW OF KINGSTON, 1819. FROM A PAINTING OF JOHN VANDERLYN THE ARTIST.

BY the kindness of Miss Kate Vanderlyn, of this city, I have been enabled to produce as a frontispiece for this book a copy of the sketch of Kingston and the Catskill Mountains, which was made in 1819 by her uncle, John Vanderlyn, the artist. The sketch was taken from the bluff of rocks a little to the east of the present junction of Wall and Fair streets. It presents in the foreground the fields, with their dividing fences, lying between the artist and St. James’ Street, which was then the most southerly street. Those fields appearing on the sketch, with the division fences, were then a part of the territory designated as the “Arm-bowery” (poor farm). They are now thickly covered with dwellings and business places. In the background are the lordly Catskills, with the village lying between.

The 1819 view of Kingston (above) by painter John Vanderlyn and the description from the 1888 History of Kingston depict a city that transitioned from agricultural to commercial and industrial in the space of the intervening decades.

¹ Sylvester, Nathaniel Bartlett (1880). *History of Ulster County, New York, with Illustrations and Biographical Sketches of its Prominent Men and Pioneers*. Philadelphia, PA: Everts & Peck.

² Schoonmaker, Marius (1888). *The History of Kingston, New York, from its Early Settlement to the Year 1820*. New York, NY: Burr Printing House.

³ United States Department of Agriculture, *Census of Agriculture 1950 and 2007*.



GUIDE TO URBAN FARMING
in New York State



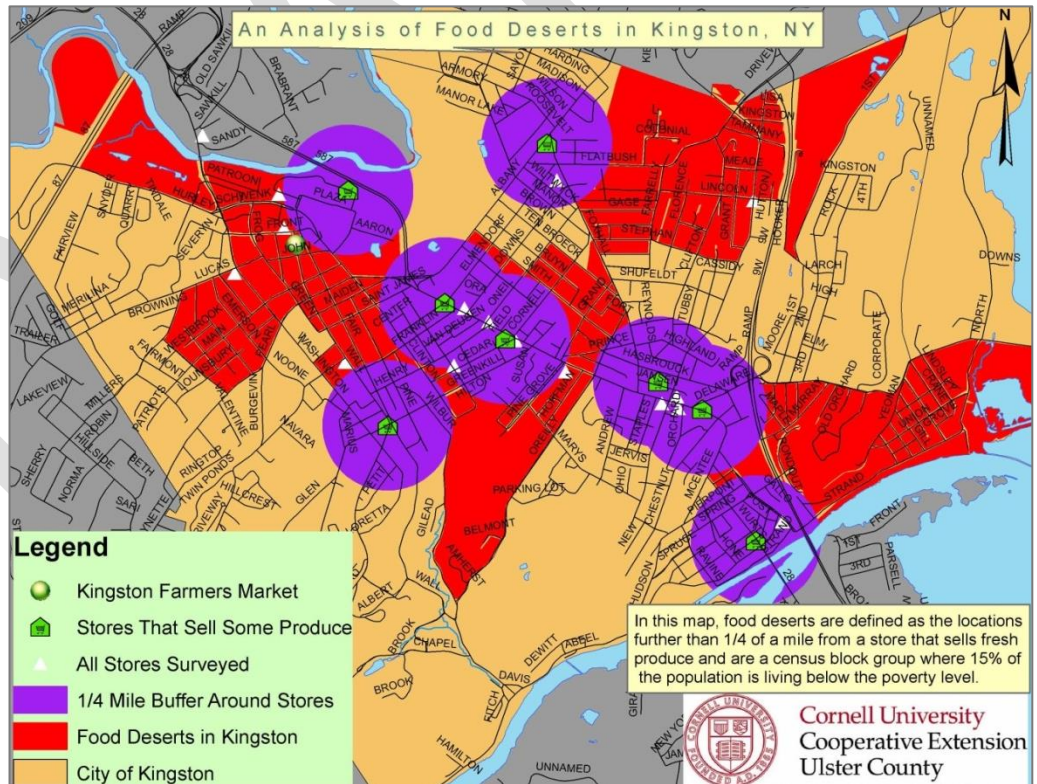
Published by the Cornell Small Farms Program
Edited by Hannah Koski
Free Download: www.nebeginningfarmers.org

The increasing popularity of buying local produce and direct sales has been a boon to farm profitability in New York and the region. Although the number of farms continued to decrease from 532 to 501 from 2002 to 2007, with an overall decrease of 8,213 acres, agricultural output doubled. There are 14 wineries and breweries in the county, which help attract tourists, along with at least 10 farmers' markets⁴, 40 farm stands and "pick-your-own" farms⁵, and new CSAs forming regularly, with at least 10 as of 2012.⁶

In New York State, the interest in urban farming parallels the trend across the U.S. Cornell Small Farms Program recently published a "Guide to Urban Farming in New York State" (Koski 2013)⁷, which provides useful guidance on a number of subjects related to this report for Kingston, as noted below. There are probably many urban farming organizations that haven't yet been counted by the Northeast Beginning Farmer's Project, which has thus far indexed over 40 on their website.⁸ These last two resources, in addition to the many best practices outlined in this report, will be of particular assistance to Kingston UA efforts.

A "Food Desert"

Although it sits in the midst of some of the most abundant farmland anywhere, the small City of Kingston in the Mid-Hudson Valley, New York, contains four large "food deserts," defined as "low income Census tracts where a substantial number or share of residents have low access to a supermarket or large grocery store." See Map 2.1, An Analysis of Food Deserts in Kingston, below. At least one in every five children in Kingston at times lacks adequate food to meet basic nutritional needs and 17.4 percent of the population meets the definition of "low-income" and "low-access" (CRREO 2012). Although Kingston boasts a variety of recreational resources, including a nature center and riverfront beach, many of the city's poorest residents live near only the smallest of its many parks, and many children cannot reach them without braving busy thoroughfares. With nearly a fifth of its population of 24,000 living in poverty and about 44 percent overweight or obese, Kingston may be seen as a case study of the inequities in American society.



Map 2.1: An Analysis of Food Deserts in Kingston, NY

Source: Cornell Cooperative Extension of Ulster County.

Map 2.1: An Analysis of Food Deserts in Kingston, NY. Source: Cornell Cooperative Extension

⁴ <http://webcache.googleusercontent.com/search?q=cache:u01Dm14CZAs:itsdb00mlteridusulvalley.com/dams/dams-Ulster.html+&cd=4&hl=en&ct=clnk&gl=us>

⁶ <http://www.hudson-river-valley.com/hm/Ulster/Link0681.html>, <http://www.valleytable.com/csas.php>

⁷ <http://nebeginningfarmers.org/publications/urban-farming/>

⁸ <http://nebeginningfarmers.org/2013/02/06/appendix/>

The Urban Agriculture Movement in Kingston

A few years ago, a related group of residents organized a government reform campaign and succeed in getting the municipality to commit funds to writing a new, widely inclusive new master plan (the “Comprehensive Plan”). Yet, City’s previous Comprehensive Plan, last updated in 1961, and its zoning code do not currently contemplate agricultural activities and in some cases may even prohibit them. Led by a group of interested citizens, the Pace Law School’s Land Use Law Center (the Center) is providing advice on how to proceed with amendments to these documents so that the City of Kingston supports local food production and allows it to flourish.

The current urban agriculture movement in Kingston has been propelled by many citizen activists. The Kingston Farmers’ Market was established in 2000 and has become a very popular destination. Another early development in Kingston’s food culture shift was the opening of the Queens Galley in 2007, a soup kitchen with a philosophy of dignity: fresh, chef-prepared, waiter-staffed meals. The newly-formed Kingston Land Trust, the Kingston Parks and Recreation Department, the Kingston City School District, and Cornell Cooperative Extension of Ulster County all began programs in 2008 and 2009 to support healthier food access and community farming. By 2013, a number of urban agriculture projects were initiated and underway. A timeline of these activities demonstrates the momentum and collaboration among them:



- **2000:** The **Kingston Farmers Market** is established, accepting EBT and focusing on local farms, eventually grows from 12 to over 30 vendors, bringing between 1000 to 2000 shoppers each Saturday, and extending its season from Memorial Day to mid-November.
- **2006:** **Kingston Citizens** is established with the goal of promoting transparency, accountability and participation in Kingston government.
- **2007:** The **Queens Galley** is established and serves over 750,000 meals to anyone without proof of need before **closing its doors in December 2013**. A likely result, the **Caring Hands Soup Kitchen** reported a 66 percent increase in the first two months of 2014.
- **2008:** **Kingston Land Trust** is formed, eventually becoming a 501(c)3 not-for-profit organization.
- **2008:** Kingston Citizens launch **Kingston Victory Gardens** project, including **City Hall Garden** (photo, above).
- **2010:** Creation of **South Pine Street City Farm** and with support for lease language from **Kingston Land Trust**.
- **2010-11:** **The Dig Kids** program is created by the Kingston Land Trust in partnership with **Kingston Cares** (a program of **Family of Woodstock**), the South Pine Street City Farm and with the support of **Kingston Parks and Recreation Department**.
- **2008(?)–12(?): Learn n’ Serve America Grants:** The Kingston Parks and Recreation Department to worked on installment and maintenance of gardens at eight of ten schools in the **Kingston City School District** which may be used during afterschool hours, as well as gardens on properties of the **YMCA**, Ulster County Mental Health Department and Kingston Housing Authority’s Rondout Gardens apartment complex which is located in a food desert.
- **2009-12:** The **YMCA** opens a **community gardens** (2009), a **greenhouse** (2011), and a **farm** (2012).
- **2010:** **Healthy Kingston for Kids** project at **Cornell Cooperative Extension of Ulster County**, which aims to reverse childhood obesity in Kingston, is funded by the Robert Wood Johnson Foundation
- **2011:** **Community Gardens Resolution** (#138 of 2011) is adopted by the **City of Kingston’s Common Council** with the recognition that “across NY, communities including Kingston are facing high obesity rates that stem from poor eating and lack of exercise...”
- **2011-12:** Healthy Snacks Policy is adopted as part of the **Kingston City School District’s Health and Wellness policy** and passage of a **Live Well Kingston Resolution** (#162 of 2013) by the Common Council, which requires healthy options to be provided wherever food is sold on municipal property and encourages a Healthy Meeting policy.
- **2013:** **Kingston Farmers’ Market in Midtown** is established.
- **2013-2014:** Cornell Cooperative Extension begins the process of forming a **Food Policy Council** for Ulster County.

Stakeholders in Kingston's Urban Agriculture

The following is a list of the types of individuals, groups, or organizations, including governments, involved in urban agriculture activities that influence decisions or are affected by them. In the recommendations for Phase 1, we suggest a comprehensive approach to identify participants in future organizational planning for urban agriculture.

Citizens: First and foremost, the citizens are the stakeholders in any activity that affects their quality of life. Every effort should be made to conduct outreach that increases public participation among the diverse individuals, groups, and cultural communities living in Kingston.

Urban Farmers and Gardeners: Individuals who currently or might potentially produce food for personal or community consumption, often as part of a broader set of community development goals. These may be landowners or tenants.

Land owners: These may be residents, businesses, religious institutions, schools, or government (and Kingston, Ulster County, New York State, New York City all own property in the city).

Funders: Private foundations that support urban agriculture and/or urban food systems programs. An interest in urban agriculture is growing within the philanthropic community. In our area, the Local Economies Project (LEP) of the New World Foundation recently announced its "Food Hub" project at the Gill Farm in Hurley, just a few miles outside of Kingston, support for the Farm2Table Copackers, and other related initiatives demonstrate the importance of philanthropy to food systems change.

Government Officials:

Officials at federal, state, and local government agencies are involved in making urban agriculture possible, even if individual departments or programs do not explicitly include urban agriculture including:

- provision of land for farming, equipment and supplies, from lumber to compost;
- contracting with urban agriculture organizations that provide programs and technical assistance;
- directly offering technical assistance, logistical support, and construction and maintenance help
- access to grant and loan programs

Federal Agencies:

- **USDA:** The United States Department of Agriculture (USDA) funds urban agriculture research and program development.
- **HUD:** The Department of Housing and Urban Development (HUD) funds programs such as the GreenThumb program in New York City through CDBG funding.
- **EPA:** The Environmental Protection Agency (EPA) provides programs and technical assistance to transform land with contaminated soils into safe sites for growing food. New York State Agencies

State Agencies:

- **Department of Agriculture and Markets:** Ag and Markets works to grow the state's food and agriculture industry. The agency supports programs to assist community gardens, enable low-income new Yorkers to purchase food from farmers markets, increase market demand for New York State food, and build the infrastructure needed by agricultural producers throughout the state.
- **Department of Environmental Conservation (DEC) and Office of Parks, Recreation and Historic Preservation (OPRHP):** DEC and OPRHP have provided funding for urban agriculture and identified urban agriculture as an action item in their last New York State Open Space Conservation Plan (2009). The DEC's Climate Smart Communities program is supportive of communities to take the Climate Smart Pledge (as Kingston did in 2009) and to undertake Climate Action Planning.
- **New York State Energy Research and Development Authority (NYSERDA):** Support for Climate Action Planning for Kingston was provided by NYSERDA. Additional funding for projects that provide related climate planning benefits are among their funding goals.

Ulster County Government:

The Ulster County Executive has been supportive of programs concerning public health and wellness, including "Healthy Ulster," overseen by the **Ulster County Department of Health**, farmland protection

and recreation, trails and “Complete Streets planning overseen by the **Ulster County Planning Department.**

Kingston City Government

- Conservation Advisory Council
- Planning Department
- Parks and Recreation Department

Kingston City School District

- District Wide Parents’ Council: DEFINITION
- Food Service Committee: DEFINITION
- Parent-Teacher Organizations and Associations

Supportive Community Organizations and Non-Governmental Organizations that provide training, materials, and funding to gardeners and farmers, conduct research and outreach, and encourage elected officials and city agency staff members to develop policies and programs that support urban agriculture. Their work generally includes:

- technical assistance and training for farmers and gardeners,
- funding and resources for programs and site improvements,
- advocacy and policy work,
- environmental education services,
- facilitation of systems to increase the quantity of food grown, marketed, and distributed
- networking and outreach events for urban farmers and gardeners

These organizations include, but are not limited to:

- Kingston Farmers’ Market
- Kingston Land Trust
- YMCA of Kingston and Ulster
- Kingston Urban Agriculture Committee
- Cornell Cooperative Extension
- Rondout Valley Growers Association
- Cornell Cooperative Extension
- American Farmland Trust
- Open Space Institute
- Glynwood Center
- Scenic Hudson
- Trust for Public Land
- New World Foundation
- Hudson Valley Agri-Business Development Corporation

Existing Policy Climate

There are relevant policies at the state, county, and local level that can support an urban agriculture program for Kingston. While many of them mention the need for urban agriculture, there is no one, coherent mechanism that supports or organizes the effort. Additional policy and regulatory review beyond the scope of this report may be necessary for Phase 2, including specific definitions and regulations of agriculture in New York State law. Other areas of research should include apiary laws, slaughtering and meat inspection laws, animal cruelty laws, and rules associated with food distribution, processing and handling that could inform local “food systems change.” These will be directly addressed in the Phase 2 study, if it is funded.

It is important to clarify the structure of policies and regulations that govern urban agriculture in Kingston and New York State. New York’s General Municipal Law directs comprehensive plans to consider agricultural uses, historic and cultural resources, coastal and natural and scenic resources and sensitive environmental areas. In addition to the specific elements of the city’s zoning and related aspects of the code, the context of these local laws includes state law, county health regulations and municipal law associated with land use and food production in New York. Likewise, any other plans developed by the City of Kingston should be coordinated with these urban agriculture recommendations.

The purpose of this review is to identify the policies are that act as barriers or potential supports for implementing urban agriculture in Kingston.

Comprehensive Planning

The City of Kingston is in the process of creating a new comprehensive plan after over 50 years of revising zoning and making changes to its vision for the city based on the 1961 Comprehensive Development Plan (<http://ci.kingston.ny.us/content/4463/default.aspx>). Section 28-a of New York State General City Law enables cities “to undertake city comprehensive planning and to regulate land use for the purpose of protecting the public health, safety and general welfare of its citizens.” It furthermore states that “[T]he participation of citizens in an open, responsible and flexible planning process is essential to the designing of the optimum city comprehensive plan.”

Open Space Planning

The New York Open Space Plan (2009), a document typically updated every 5 years, is co-authored by the Department of Environmental Conservation and the Office of Parks, Recreation and Historic Preservation. It explicitly calls for greater support of urban agriculture.⁹ Based on this, the Office of Parks, Recreation and Historic Preservation has provided funding for New York City urban agriculture initiatives. The plan specifically recommends providing funding support for farming opportunities in low-income areas, on vacant public and private land, on “underutilized” parkland for farming and educational purposes, for brownfield areas, and for assisting in the remediation of toxic sites of potential community gardens and farms. The plan emphasizes that “This is especially important in cases where municipal park agencies have limited resources and community-based not-for-profits lack the funding match requirement yet have the labor resources to maintain successful permanent community garden sites.”

Box 2.1: NY State Open Space Plan (2009) Support for Urban Farming

The New York State Open Space Plan encourages urban agriculture efforts and could be a valuable policy-based resource for state grant proposals by urban agriculture groups.

Connecting to Our Food & Our Neighborhoods

State law defines community gardens as “public or private lands upon which citizens of the State have the opportunity to garden on lands on which they do not individually own.” There are well over 1,000 registered or permitted community gardens in New York’s cities and many more cases where residents have rescued derelict private or public lots in an effort to build more livable neighborhoods. In many of New York’s cities, not-for-profit urban farms provide access to fresh fruits and vegetables, knowledge of agriculture and nutrition, economic opportunities and healthier environments to the communities they serve.

Farmers’ Markets

Urban agriculture has benefitted from the rapid growth and popularity of our State’s nearly 400 open-air farmers markets, many of which operate in low-income neighborhoods with support from the State’s Farmers Market Nutrition Program. Farmers’ markets are frequently located in public open spaces such as parks, school yards, and even at community gardens and urban farms, and are typically sponsored by municipalities and community-based organizations. They can provide: urban farms with marketing opportunities that encourage youth and adult entrepreneurship in agriculture; infrastructure programs that enable construction and improvement of permanent farmers’ market facilities; and can create new semi-permanent open air market sites to ensure community access to fresh, nutritious locally grown produce while supporting both rural farmland and community gardening, open space protection efforts.

Community supported agriculture (CSA) programs, urban farm stands, and mobile markets that bring local produce to underserved neighborhoods also have proven critical to preserving rural and urban farmland. The majority of New York’s community gardens and urban farms are in low-income and minority communities. However, there is also increasing interest in food producing community gardens in rural areas where land is available, but access to retail outlets for fresh fruits and vegetables is limited.

⁹ Page 39

Zoning Laws in New York

Zoning governs the way land in a municipality is used and developed. Its goal is to carry out the municipality's long range land use objectives. Zoning regulates how property may be used, the siting of development on the land, and the density of development on the property. In New York, cities, towns and villages are authorized by state statutes.¹⁰ The major types of zoning include residential, commercial industrial agricultural and historic commercial, industrial, agricultural and historic areas. The section below identifies the zoning designations in the City of Kingston and provides an analysis in relation to urban agriculture issues.

New York's zoning enabling statutes (the state statutes which give cities, towns and villages the power to enact local zoning laws) all require that zoning laws be adopted in accordance with a comprehensive plan. The comprehensive plan should provide the backbone for the local zoning law.

Ulster County Open Space Plan

In 2007, Ulster County adopted an Open Space Plan an element of the Ulster County Comprehensive Plan. It addressed seven resource areas, including agriculture as part of "working landscapes" resources. About 14% of land in the county is agricultural. In the Rondout and Esopus valleys, there are some of the most productive agricultural soils in the state. The plan recognizes that "Protecting agriculture – family farms, food security, food production capacity, and access to locally grown food – is a critical component of sustainability, particularly as energy and transport costs escalate."

"In addition, tourism are two of the top revenue sources in NYS and important to the C's economy. UC has particularly rich natural and historic resources that continue to offer the potential for new, value-added and environmentally-friendly forms of agriculture, tourism and economic development."

Green Infrastructure Plan

The term "green infrastructure" refers to a set of approaches and technologies that maintain, restore or mimic the natural flow of water in the landscape. GI practices target the sediments and certain other pollutants that wash off of impervious area in these smaller rain events or in the first part of a larger storm (the initial runoff during a storm, known as the first flush.) The Hudson Valley Regional Council (HVRC) received funding from the American Recovery and Reinvestment Act of 2009 to conduct a green infrastructure (GI) planning project in 2010-2011. The results of the work was a set of 10 conceptual and project plans to facilitate ongoing planning, construction, and maintenance of green infrastructure projects on each site. Some of the plans have already been used in seeking grant funding for further planning and construction, as described in the individual reports, such as the Kingston Library and the Sophie Finn school grounds.

Kingston Combined Sewer Overflow Long Term Control Plan (CSO LTCP)

In 2010, the CSO LTCP Study was performed to evaluate whether the City of Kingston's combined sewer system meets the requirements of the USEPA CSO Control Policy and if additional CSO control measures are necessary, to develop and evaluate CSO control alternatives to achieve compliance with the policy. Kingston's Combined Sewer System (CSS) is a high performing system. The system captures for treatment 89 percent of wet weather flows for full treatment at the Wastewater Treatment Facility (WWTF), exceeding the USEPA CSO Policy criteria of 85 percent capture. The CSS has four (4) CSOs: Hasbrouck, Broadway, Wilbur and Hunter. The Hasbrouck CSO collects the majority of the stormwater in Kingston and has had trouble handling the capacity in recent years as the storm events have become more intense. While the report recognizes the role green infrastructure could play in mitigating this problem, it says that it "is not likely to control enough run-off to reduce Hasbrouck overflows to the 4 to 6 events per year used as a target for these evaluations." Nonetheless, urban agriculture has the potential to mitigate stormwater runoff at a site specific level and should be understood as an opportunity to support better ecosystem health.

Kingston Parks and Recreation Master Plan

Prepared in 2012 and presented as a draft in January 2013, the Parks and Recreation Master Plan is a guide for decision-making and development of the parks, recreational facilities and services in Kingston. It mentions

¹⁰ For cities, the authority for adopting local zoning regulations is set forth in New York State's "enabling" laws, General City Law §20(24):

agriculture as an aspect of open space in Kingston, but not among its recommendations. It cites efforts to locate a community garden in Cornell Park: “the park is a good candidate site for a community garden and some fruit trees” (page 35). There are no specific recommendations on how the City can support this.

Beginnings of Urban Agriculture Policy in Kingston: The Community Garden Resolution

In 2011, the City of Kingston’s Common Council passed a Resolution (Resolution #138 of 2011) supporting Community Gardens with the recognition that “across NY, communities including Kingston are facing high obesity rates that stem from poor eating and lack of exercise...” and that “access to healthy, fresh food is often limited, especially in low-income areas, including neighborhoods in the City of Kingston.”

The resolution noted that it was a “priority for local leaders to promote active living, healthy eating, and overall wellness in their communities,” and that they recognized that “community gardens provide an opportunity for citizens to grow their own healthy food, and for connections to be made between gardens and local farmers, Farmer’s Markets, food pantries and schools in order to share resources, expertise and support for the local food economy” and that “community gardens have been proven to provide such benefits to the community as: increase property value, beautification of neighborhoods, reduced heat from city streets and parking lots, preservation of open space, recreational and fitness opportunities, community engagement and unification, reduced crime, connection to the outdoors.” In the resolution, the Common Council also explicitly acknowledged that “the proliferation of community gardens can open up opportunities for grant funding,” a common rationale for planning initiatives.

Further support for local food systems change and this project was provided in the Live Well Resolution of 2013 (#162) Mayor Gallo’s Live Well Proclamation, encouraging citizens “to participate in the activities of Live Well Kingston, which promotes active streets and parks, better access to healthy food, eating well, being safe, and overall active and healthy living in order to create better quality of life for all residents.”

The Kingston Conservation Advisory Council

There are over 300 CACs in New York, created by action of the local city, town or village legislative body pursuant to state enabling authority. CACs advise the municipality on natural resource issues and are authorized to prepare an open space inventory and map for adoption by the local governing body. Following adoption, CACs are authorized to conduct advisory environmental reviews of projects before the municipal planning board which may impact the lands described in the open space plan.¹¹ The CAC has embarked on an open space mapping and natural resource inventory project that could provide support for urban agriculture.

As a volunteer-driven, advisory body, the CAC has limited resources to implement the many environmental initiatives in Kingston. The Climate Action Plan (2010), the Tidal Flooding Task Force Report (2013), and an ongoing, year-long effort to conduct an open space resources survey and “Natural Resources Inventory” are all based on volunteer efforts. The benefits that these and the urban agriculture work can yield are unlikely to be realized if additional resources aren’t invested in them.

¹¹ Article 12-F Section 239-x of the State of New York General Municipal Law states that local legislatures may create a conservation advisory council (CAC) to advise in the development, management and protection of its natural resources. (See http://www.nysaccny.org/article_12-f.pdf.) This legislation also directs CACs to create an open areas inventory and map. These are defined in Section 239-y