



# Town of San Anselmo

525 San Anselmo Avenue  
San Anselmo, CA 94960

## Staff Report

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**TO:** Town Council

10/11/2022

**Item #: 4.**

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**FROM:**

Dannielle Mauk, Director of Community Services

**SUBJECT:**

San Anselmo Community Gardens Draft Bylaws and Rules

**RECOMMENDATION**

Staff recommends that Town Council review and adopt the attached revised bylaws and rules for the San Anselmo Community Gardens at Robson-Harrington Park.

**BACKGROUND**

The Robson Harrington Park community gardens are located in a public park. The gardens were created in the 1970's after the Town received the land and building for use as public space. The Town has operated under several agreements with an independent community garden board, and last entered into an agreement in 1993 with the garden board to manage and operate the gardens.

Staff is proposing that the Town assume coordination and management of the garden program by replacing the existing agreement with a set of bylaws and rules that will provide consistency and transparency for the management of the community gardens. If approved, the gardens would be managed by the Recreation Department with oversight by the Parks and Recreation Commission, and a steering committee formed much like what exists with the Dog Park Steering committee.

At the August 23, 2022, Town Council meeting, the Council reviewed the proposed community garden bylaws and rules and suggested a series of changes which are demonstrated in the attached "track changes" version and addressed later in this report. Council also directed staff to hold a community meeting to discuss the community garden program at Robson-Harrington Park and the proposed garden bylaws and rules.

**DISCUSSION**

A special Parks and Recreation Commission meeting was held on September 29, 2022, with the goal of inviting the community in the discussion about the community garden program. The meeting notification was placed on the Town website, included in the Town Manager's newsletter, mailed to all homes within 300 ft of Robson-Harrington Park, emailed to the members of Friends of Robson and emailed to the community gardeners and to residents on the waitlist for the community gardens, interested members of the public were encouraged to attend and provide input and feedback.

The agenda for the special meeting included: a brief history of the Robson gardens; an update on the Robson community garden; transition of oversight to the Town; and a review of the draft garden bylaws and rules. Attendees were given an opportunity to provide comments and feedback after each presentation. The meeting was a success.

More than 30 residents attended, and staff received positive feedback about the community gardens and the draft bylaws and rules. The minutes from the special meeting, which are attached (Attachment 1), provide considerable detail on the comments from neighbors, gardeners and other interested parties who attended.

## ANALYSIS

At the Council meeting on August 23<sup>rd</sup>, members of the Council made several suggestions for revisions to the proposed bylaws and rules. The garden bylaws and rules have been revised based on feedback from Town Council and the community. The revised garden bylaws and rules were presented and discussed at the special meeting. The revisions address the following suggestions made by Council members at the August 23<sup>rd</sup> meeting:

- 1) Provide a means to coordinate with Friends of Robson. Bylaws now read under Governance: "A member of the Steering Committee shall be designated as a liaison with the Friends of Robson Park."
- 2) Clarify that garden members must continue to be residents of San Anselmo to retain their garden membership. Bylaws now read under Garden Membership: "New members of the garden must be residents of San Anselmo, and they must continue as residents to retain their membership."
- 3) Clarify the ways in which the ten additional plots will be created. The bylaws under Garden Description now read: "This may be accomplished in a variety of ways, including creating new plots in empty spaces in the garden, dividing existing plots, sharing plots, or reconfiguring plots."
- 4) Provide a right to appeal if a gardener's membership privileges are revoked. The garden rules under Failure to Address Noncompliance now read: "A gardener whose membership privileges have been revoked may file an appeal with the Parks and Recreation Commission within 30 days of the date that notice of the revocation is mailed."
- 5) There was a question raised as to the need for the three bullet points under the Code of Conduct in the garden rules. They were included to address behavior that has occurred in the past.

For ease of reference, redline versions of the bylaws and rules are included so you can readily see the changes from the versions presented at the August 23<sup>rd</sup> meeting (Attachment 2). Final (clean) versions of the garden bylaws and rules are also included (Attachment 3).

The Recreation Department will work closely with the Public Works Department on maintenance of the community garden and plot inspections. The Town will also work to preserve the historic garden walls and terra cotta pieces throughout the garden.

## FISCAL IMPACT

Currently, the gardeners have an independent account that pays for water usage and annual mulching supplies. Moving forward, the balance of this account will be transferred to the Town, and all dues will be collected by the Town and deposited into a town account. Disbursements from this account must be approved by the Director of Community Services. This account will pay for the above expenses and any surplus will be used towards maintenance of the gardens, including adding and dividing plots within the garden.

## CEQA AND CLIMATE ACTION PLAN CONSISTENCY

The Council's adoption of the San Anselmo Community Garden bylaws and rules is not a project under the California Environmental Quality Act (CEQA), because it does not involve an activity that has the potential to cause a direct or reasonably foreseeable indirect physical change in the environment (Pub. Res. Code § 21065). Even if it could be considered a project, it would be exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3), the "common sense exemption", because it can be seen with certainty that there is no possibility that the adoption of the bylaws and rules may have a significant effect on the environment.

The Community Garden bylaws and rules are consistent with the Town's Climate Action Plan 2030 (CAP) because they ensure that the Town will have oversight of the gardens, which will allow the Town to regulate water use and support potential carbon sequestration in compliance with policies set forth in the CAP. Specifically, CAP policy W-2 provides for the reduction of water use in municipal facilities through repairing fixtures and using recycled water where feasible. In addition, Town management of the Community Garden may present an opportunity for the Town to encourage carbon sequestration as set forth in CAP Policy S-1 if gardeners utilize no-till gardening and healthy soils management.

## CONCLUSION

Staff recommends that Town Council review and adopt the attached revised bylaws and rules for the San Anselmo Community Gardens at Robson-Harrington Park (Attachment 3).