

From: [Grant Thompson](#)
To: [City Council and Mayor](#)
Subject: Ames City Council - Consideration of Alternative Protections for Vegetable Gardens
Date: Tuesday, December 13, 2022 1:32:04 PM

[External Email]

Hello Ames Mayor and Council Representatives,

I am forwarding to this email list an email that I originally sent to Council Reps. Rollins and Betcher on Nov. 18th, 2022 for your consideration.

---- Forwarded message ----

Ward 3 Rep. Rollins and Ward 1 Rep. Betcher,

My name is Grant Thompson and I live at 3207 Oakland St (Ward 3). I used to live at 407 Pearson Ave (Ward 1) when I worked with you, Gloria on the garage matter in 2021-2022.

I have another item that I am wanting to test the waters with and see if this might be something that Council would consider. In this circumstance, the issue has already been before the Planning Department and the Zoning Board of Adjustment, which have not considered the case favorably. I understand if that issue alone makes it less desirable for Council, however, I (and many of my neighbors) think the City's stance is not in the interest of the Ames community.

Background, up front: Ames has a very broad definition of what is a "fence" and restricts fences to a maximum height of 4 feet anywhere in front of a house. This also applies to vegetable gardens even in areas of (absurdly) high deer pressure, where a fence is the best option to protect a garden.

Question for Council: Can Ames consider separate language for fence enclosed vegetable gardens with taller fencing allowances? Conceivably, this could include area limits (gardens up to X-size), quality material requirements (looks like this, not that), and up to permitting review to ensure that gardens are not garbage and that such features are not eye-sores.

Fit with Ames: Ames, in part, is the community it is, because of ISU, which at its roots is an agricultural school in an agricultural state. Converting lawns to vegetable gardens is a better use of the space, teaches valuable skills to family members and models such to neighbors. Gardens have historically been encouraged and even been patriotic (i.e., WWII victory gardens). Gardens are a means of supporting family health, wellness, and budgets. Gardens can reduce food-miles and associated carbon emissions. Gardening (and generally doing anything) in a front yard can increase contact with neighbors and increase pro-social, community connections. There are many ideas expressed in the Ames 2040 plan that are compatible with home gardens with appropriate and effective fencing.

Spatial inequality re: gardens in Ames: If there's sufficient space for a vegetable garden, then not all properties are equally suited. As an example in my case, I have a backyard that is densely shaded and not suitable for a garden. My front yard faces south and gets the best sun exposure, as does any house with a SE-S-SW exposure. Since house facing determines front/side/back yard spaces, which relates to zoning code and fence heights, homes that face SE-S-SW are at a relative disadvantage to taking advantage of better sun exposure when required to have lower fence heights.

Deer pressure: Parts of Ames, west Ames in particular, have strong deer pressure related to the topography and waterways that are part of our city. I have deer in my yard on a daily basis and routinely see herds of 6-10+. Having a garden anywhere requires a fence to keep wildlife out. A 4' fence does nothing to deter deer and makes a garden virtually impossible.

My present situation: In July I started my vegetable garden after consulting the City website and not finding a fence permit required or a clear presentation of fencing requirements. I mention the permit thing in particular because in my experience and subsequent research Ames is an outlier and is the only community in 20+ I've looked into in Story and Polk county (including smaller more resource-limited communities) that does not have a fence permit and/or does not have a community hand-out explaining fence requirements.

City staff were able to cut/paste a violation document to me efficiently, but City staff don't find it an effective use of time to proactively communicate requirements to residents, per a conversation with Mr. Diekmann after the ZBA hearing.

I built my garden in my front yard, back from the street, out of vision clearances, from cedar and have tried my best to make it as attractive as possible because of its location. Because of the slope in my yard, it varies from 6' to 8' tall (which exceeds the 4' limit that is poorly communicated by the City).

I've had a plethora of positive interactions with neighbors, many stopping to introduce themselves to us since we had just moved in a couple months before. After being served notice by the City, 14 neighbors wrote support letters on my behalf. 6 showed up in support of my case at the ZBA meeting and 2 spoke. All voice their support for 1) front yard gardens; 2) taller limits for fence protection given the deer issue; 3) not finding the structure looks like a "fence"; and 4) appreciating the investment and neighborly touch it brings to our community.

I invite you to an in-person meeting. And I can show you on Google Streetview our garden when it was captured in-progress this summer:
<https://www.google.com/maps/@42.0282562,-93.660857,3a,75y,353.49h,84.85t/data=!3m6!1e1!3m4!1sV5eqcMcBNOHrGobu1lfadA!2e0!7i16384!8i8192>

If you want to investigate the issue further, the documentation is in the ZBA meeting records and can be obtained from Mr. Diekmann.

Zoning code, slippery slopes, and avoiding the bad: I understand the need for city code to ensure safe, quality spaces in the community that lead to better development and good values. However, I think the current situation, its application and interpretation are an example of how city code, written to avoid bad situations, are mis-applied to good ones and use the slippery slope argument (if this, then where do we draw the line) as justification.

Thank you for your consideration of this issue.

At present, Council consideration is my option, or I will be required to cut our garden down to 4' high, which due to deer pressure, essentially makes it worthless.

-Grant Thompson
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