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# Bill would create Right to Farm Act exemption for Detroit

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Gary Wozniak runs the RecoveryPark farm project in Detroit. "This is a once-in-a-lifetime opportunity to imagine our own future and make it happen," he says of the legislation due to be introduced this week that would open up the state's Right to Farm Act. / 2010 photo by JOHN GALLAGHER/Detroit Free Press

By **Dawson Bell**  
Detroit Free Press  
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LANSING -- A recurrent but so far elusive strategy for the rejuvenation of Detroit -- turning tracts of abandoned property into farmland -- may get a boost soon in the Legislature, where a bill to restore the city's right to regulate agriculture is slated for introduction this week.

The legislation, cosponsored by state Sens. Virgil Smith, D-Detroit, and Joe Hune, R-Whitmore Lake, would exempt the city from a provision in the state's Right to Farm Act that precludes municipalities from exercising zoning or regulatory authority over farms.

Advocates of urban agriculture blame the provision for making it practically impossible to convert Detroit's abundant fallow land for

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use by commercial farmers, because the city is reluctant to cede regulatory control when issues -- like traffic and farm odors -- might arise.

### Changing the law

**At issue:** Applying Michigan's Right to Farm Act in Detroit

**The problem:** Detroit officials want to allow some farm operations, but want to retain some control over issues that might arise with farming in urban neighborhoods, such as odor and traffic control. But once they permit a farm operation, the Right to Farm Act prevents further regulation.

**What's happening:** State Sen. Virgil Smith is introducing a bill that would exempt a city with a population of 600,000 or more, meaning Detroit, from two sections of the law that pre-empt local ordinances and regulations that could otherwise be applied to farm operations.

**Pushback:** The Michigan Farm Bureau is reluctant to open the door to exceptions, but says a solution is possible.

"We've got a lot of open space," Smith said. "This is one way to create economic activity (on it) without taking away the city's ability to zone ... and control conflicts."

Tonia Ritter, state governmental affairs manager for the Michigan Farm Bureau, the state's most influential agricultural lobby, said last week her group "supports agriculture of every size and scope ... and place."

But Ritter said the Farm Bureau is concerned about unintended, negative consequences that could result from opening up the Right to Farm Act.

### State bill to amend Farm Act could create jobs in Detroit

Gary Wozniak thinks the City of Detroit is uniquely situated to lead a 21st-Century revolution in urban land use.

It would dramatically expand commercial agriculture on tracts left desolate by suburban flight and decay and could lead to the development of a vibrant industry that would employ thousands of Detroiters.

"There are not other cities anywhere in the world that have the available land to pilot a project like this," said Wozniak, development [officer](#) of the SHAR Foundation, a Detroit nonprofit that connects addicts and ex-cons to work, and runs the RecoveryPark farm project.

"This is a once-in-a-lifetime opportunity to imagine our own future and make it happen."

Detroit also has an available work force and interested agricultural entrepreneurs, he said.

And he supports legislation scheduled for introduction this week at the state Capitol that he says could unleash that dynamism.

The legislation, developed by state Sen. Virgil Smith, D-Detroit, would exempt Detroit from restrictions in the state's Right to Farm Act that preclude municipal oversight and regulation of commercial agriculture.

The act, passed in 1981 and amended in 1999, was aimed at protecting traditional farm operations from harassment by suburbanites who move to the country, then complain about how it

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smells. It exempts generally accepted farm practices from regulation by municipal ordinance and zoning and gives the state Department of Agriculture the authority to mediate disputes.

The effect of Right to Farm in urban areas, however, has been to make city officials wary of approving commercial farm operations out of concern that they would be powerless to address resident complaints about noise, odors or pollution.

Smith's bill, cosponsored by Sen. Joe Hune, a Livingston County Republican and chairman of the Senate Agriculture Committee, would restore municipal oversight. Draft language of the bill limits its application to a city with a population of more than 600,000 -- meaning only Detroit.

Wozniak's [vision](#) for urban agriculture is sweeping.

He said it could provide thousands of jobs, in fields and processing facilities and much of the food consumed by Detroiters. The city's farmers would have some innate advantages over rural counterparts, he said, including year-round access to labor and abundant fresh water.

A Michigan State University study of Detroit agriculture suggested that putting 5,000 acres under tillage could provide up to 28,000 jobs and 70% of the city's food needs, Wozniak said.

In order to remove the Right to Farm barrier, however, advocates and enthusiasts probably will have to assuage the concerns of the Michigan Farm Bureau, which fought hard for the law.

Tonia Ritter, the group's manager of state government affairs, said last week the Farm Bureau is concerned that efforts to encourage urban agriculture could lead to significant weakening of protections for farmers.

"We've had some difficulty understanding what the city's concerns are" with Right to Farm, Ritter said. All farmers in Michigan, wherever they are located, are required to adhere to anti-pollution and nuisance standards, she said.

But the farm lobby is "more than willing to talk about options" to facilitate urban farming, Ritter said, possibly with standalone legislation rather than amendment to the Right to Farm Act.

Smith said he thinks concerns about gutting Right to Farm can be addressed and agricultural opportunities opened up in Detroit.

"I don't know what will happen," Smith said. "I know some people have expressed concern about turning Detroit into a plantation. That's not going to happen. This isn't about sharecropping. It's about creating economic activity."

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