



Roadside farm stands unleashed

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According to Knightsen farmer Ken Smith, "Probably to some degree, everybody is waiting for somebody else to go first."

What they are waiting for that "somebody else" to do is be the first roadside farm stand operator in East Contra Costa to expand the operation under the county's new law that took effect yesterday.

Under the new law, farmers no longer are restricted to selling only what they grow. They can sell other products grown or produced by other farms in the county. Depending on the size of their stand or market, up to 40 percent of their products can come from other farms. They can even sell a limited amount of non-farm products.

The new law grew out of a directive to the Contra Costa Agricultural Task Force, chaired by vintner and former supervisor Tom Powers, to recommend ways to improve farmers' economic viability.

After three years of study, the task force and later the county staff recommended overhauling regulations governing roadside stands in the county.

"Most of the farmers and ranchers in Contra Costa County operate comparatively small-scale operations and must compete and survive in a rapidly changing economy," Powers wrote in an introduction to the task force's report.

"Across the United States," the report continued, "small-scale farmers have been able to survive and thrive by capturing a greater share of each food dollar spent by marketing directly to the consumer and by establishing 'value-added' agricultural enterprises on their property. Through 'value-added' enterprises, a farmer adds value to the raw product by cleaning, freezing, drying, processing, bottling, canning, etc. The essence of this concept is to enable the farmer to convert an agricultural product into an item that can be sold directly to the consumer.

"We are recommending that certain regulations be updated to enable Contra Costa farmers and ranchers to directly market their products to local consumers and visitors, and to encourage the establishment of new agricultural enterprises based on the 'value-added' concept."

A county staff report accompanying the ordinance concurred with the task force's assessment.

"Agriculture contributes millions of dollars to the county's economy. However, the consolidation of California agriculture, globalization of food production, and increased farming costs, together with expanding urbanization has created significant economic pressure in the agricultural community. It has long been recognized that the retention of agricultural land is tied to the overall economic health of the local agricultural economy," the report stated.

"If business for local farmers or ranchers is not strong, the pressure to take agricultural land out of cultivation or grazing and convert the land to other uses increases. Contra Costa County is not immune to such pressures. According to the California Department of Conservation's Farmland Mapping and Monitoring Program, between 1984 and 2004, approximately 35,900 acres of agricultural land throughout Contra Costa County was converted to other uses or taken out of agricultural use.

Growers hope the law will allow East County farmers a chance to remain competitive and profitable enough that they can resist pressure to sell to developers, said Ken Hagen, president of the 42-member Harvest Time association, which comprises most of the roadside stands in the area.

"It will open the door to more opportunities for growers in the area to do more than what they currently are doing if they so wish," Hagen said.

"A majority of the growers, by the old ordinance, were operating illegally or outside that ordinance. It was actually over 40 years old and did not fit the current agriculture climate," he said.

Kathryn Lyddan, executive director of Brentwood Agricultural Land Trust, which worked with the task force and growers on drafting the new law, is optimistic about the changes. Growers need to be able to offer one-stop shopping just like grocers and others, she added.

"People can go to one supermarket and buy from all over the world. Consumers need some variety, maybe more than we have in our growing season," she said.

"We worked hard to create a balance. Primarily what will be sold will be grown in East Contra Costa, but we also promoted economic sustainability by allowing leeway on some other products," Lyddan said.

The new law defines three categories of markets, based on size:

- Farm market, the largest of the three at 1,500 to 3,500 square feet, located on the grower's property and selling farm and non-farm products, "value-added" products, of which no more than 20 percent can be from some other farm or be non-farm products.
- Farm stand, no larger than 1,500 square feet, can sell up to 40 percent of farm or non-farm products.
- Grower stand, no larger than 1,500 square feet and selling products strictly from the operator's farm.

No gasoline or tobacco products are allowed at any site. But the law gives operators the flexibility to partner with growers who don't have a stand to sell their products.

Hagen said the ordinance was modeled after the operations at Apple Hill, a popular El Dorado County outlet off Highway 50, where everything from apples and pumpkins, cider, pies and non-farm products such as crafts and music CDs are sold by a collection of growers.

"It's a good thing the board (of supervisors) left the back door open," Hagen added. "After a year of operation, the ordinance will be reviewed and we can modify what's not working. They didn't set it in stone. Hopefully, it'll be a win-win."

A random survey of some East County growers suggests Smith may be correct – that farmers are waiting for someone else to make the first move.

Dave Shipe, manager of Dwelley Farm's stand on Delta Road in Knightsen, predicted it probably would take a year before most growers choose to make any changes. The new law took effect at the beginning of their growing season when it was too late to adapt, he said.

"We've got to go through a full season and compare it to the last one. It'll take a year," he said.

Jan Smith, co-owner of Smith Farms, agreed with her brother, but added, "People will have to take a look and see if they want to make that long-term capital investment. It will vary from farm to farm. We are thinking about it.

"We are happy to see they are helping farmers find other ways to survive," she added.

But Jim Tachella, owner of Tachella's Family Farms on Walnut Boulevard in Brentwood, says he's in the dark. "Nobody has given us any rules or regulations. I don't know when the county is going to start or if it is going to enforce it," Tachella said as he emptied a bucket of apricots into a bin at his stand.

He said he was given a copy of the draft ordinance that the county planning commission recommended to the supervisors, but he has not seen the final version.

"You know just as much as I do," he told a reporter.

A copy of the law and the task force's recommendations to the county can be found at www.co.contra-costa.ca.us/depart/cd/current/advance/roadstand.htm while a listing of Harvest Time's members and their roadside stands as well as a map of their locations can be found at www.harvest4you.com.