

FREE RESOURCE · JOHNNY AUTOSEED

The Local Food Growing Playbook

How to research what's legally possible at your address — zoning, permits, cottage-food law, HOA rules, and water rights.

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How to use this guide

This playbook covers five categories of rules that govern home food growing. Every jurisdiction is different — this guide tells you exactly what to look for and where, so you can find the answers specific to your address.

Work through the sections in order. Some will take 10 minutes. Others (especially HOA rules and water rights) may take a few calls. Don't skip sections — the rules interact with each other, and a win in zoning can still be blocked by HOA restrictions.

Start with Section 1 (Zoning). Your zoning code is the foundation. Everything else is secondary to it.

Use the checklists. Each section ends with a printable checklist. Fill it in as you go — you'll want the record later when you talk to contractors or HOA boards.

Write down names and dates. When you call a government office, log who you spoke to and when. This matters if you get conflicting information later.

This is your starting point. Rules change. Verify anything material before you build or invest.

Note: This guide is for residential and small-scale homestead situations. Commercial farming, market gardens, or food businesses at scale involve additional licensing that isn't covered here.

01

Zoning & Land Use

Your parcel's zoning designation controls what activities are legally permitted on your property. It's the single most important thing to look up — everything else builds on it.

- 1 Find your county GIS portal.** Go to your county government website and search for "GIS," "parcel viewer," or "property map." Most counties have an interactive map where you search by address and get your parcel details.

How to find it: Search Google for "[your county name] [state] parcel viewer" or "[your county] GIS map." Example: "Butte County CA parcel viewer" → buttegis.net

- 2 Read your zoning code.** Once you've found your parcel, look for a field labeled "Zoning," "Zone Class," or "Land Use Designation." You'll get a code like *R-1*, *A-2*, *R-A*, or *AG-40*. Write it down.

Common codes: *R-1* = Single Family Residential, *R-A* = Residential-Agricultural, *A-1* = Light Agricultural, *A-2* = General Agricultural, *MH* = Mobile Home

- 3 Look up your zone in the municipal code.** Go to municode.com (<https://municode.com>) and search for your city or county. Once there, search for your zone code to find the full list of permitted uses. Look under "permitted uses," "accessory uses," and "conditional uses."

What to search: "[zone code] permitted uses" or "[zone code] agricultural" or "home garden"

- 4 Check for "accessory uses" language.** Even zones that don't mention food production explicitly often allow it as an "accessory use" to the primary residential use. Look for language like "gardening for personal use," "keeping of domestic animals," or "small-scale food production."

- 5 If in doubt, call the planning department.** Ask: "My property is zoned [code]. Can I grow vegetables and fruit trees for personal consumption? Can I have a small greenhouse? Are there size limits?"

What to look for: Zones with "A" (agricultural) or "R-A" (residential-agricultural) in the code are almost always permissive for food growing. Pure *R-1* or *R-2* zones vary by jurisdiction — many allow gardening as an accessory use, but may restrict structures, commercial sales, and livestock.

USEFUL RESOURCES

- **municode.com** (<https://municode.com>) — searchable municipal codes for most US cities and counties
- Your county assessor or GIS portal — search "[county] parcel viewer"
- Your city or county planning department website (look for a "zoning" or "land use" section)

SECTION 1 CHECKLIST

- ☐ Found my county GIS / parcel viewer
- ☐ Located my parcel and written down my zoning code: _____
- ☐ Looked up my zone in the municipal code at municode.com
- ☐ Confirmed food gardening is permitted (as primary or accessory use)
- ☐ Noted any restrictions (size, structure, commercial sales, livestock): _____
- ☐ Called the planning department if unclear (name/date: _____)

02

Building & Land-Use Permits

Planning to build anything — a greenhouse, hoop house, raised-bed enclosure, cold frame, or chicken coop? Structures may require permits depending on size, materials, and whether they have a foundation. Check before you build. Unpermitted structures can be ordered removed.

- 1 Make a list of what you want to build.** Be specific: approximate dimensions, materials (metal frame, wood, PVC), foundation type (in-ground, concrete pad, gravel, no foundation), and whether it has utilities (electrical, water, heat).

Example list: 12×16 ft hoop house (PVC frame, plastic sheeting, no foundation) + 4×8 raised bed enclosures (wood frame, no foundation) + 6×8 chicken coop (wood, no foundation)

- 2 Call your city or county building department** (not the planning department — this is a different office). Describe each item and ask if it requires a permit.

Key question to ask: "What is the square footage threshold for a permit exemption for an accessory structure with no permanent foundation?"

- 3 Ask about setback requirements.** Even permit-exempt structures must typically be placed a minimum distance from property lines, fences, and the main structure. These setbacks apply even if you don't need a permit.

Common setbacks: 3–5 ft from side/rear property lines, 6–10 ft from main structure. Varies significantly by jurisdiction.

- 4 Ask about HOA approval requirements separately.** Even if the city doesn't require a permit, your HOA may require architectural approval before you build anything. Ask your building dept if there's an HOA disclosure requirement.

SCRIPT FOR CALLING THE BUILDING DEPARTMENT:

"Hi, I'm a homeowner at [address] and I want to put up a [describe structure — size, materials, foundation type]. Do I need a building permit for this? If not, are there setback requirements I still need to follow? And is there anything else I should know before I build?"

What to look for: Most jurisdictions exempt structures under 120 sq ft with no permanent foundation from permit requirements — but the threshold varies (some go as low as 80 sq ft, some as high as 200 sq ft). A poured concrete foundation almost always triggers a permit regardless of size. A gravel pad or compacted ground base is usually fine.

Watch out: Some jurisdictions count cumulative square footage — meaning a 100 sq ft greenhouse + 80 sq ft shed together may exceed the exempt threshold and require a permit. Ask about this specifically.

SECTION 2 CHECKLIST

- ☐ Listed all structures I want to build with dimensions and materials
- ☐ Called the building department (name/date: _____)
- ☐ Confirmed permit threshold: _____ sq ft
- ☐ Asked about setback requirements (noted: _____)
- ☐ Asked about cumulative square footage rules
- ☐ Noted any structures that DO require a permit: _____

03

Cottage-Food & Food Safety Laws

Planning to sell or share food you grow or process? State food-safety law applies from the moment money changes hands — and it varies a lot by state. Even gifting food in exchange for "donations" may trigger regulations in some states.

- 1 Find your state's cottage food law.** Search "[your state] cottage food law" — the state department of agriculture typically publishes a guide. The site cottagefoodlaws.com (<https://cottagefoodlaws.com>) also maintains an up-to-date state-by-state summary.

Example searches: *"California cottage food law AB 1616" · "Texas cottage food law HB 970" · "Colorado cottage food law"*

- 2 Check what products are covered.** State laws vary widely. Some cover only baked goods and jams. Others allow any "non-potentially-hazardous" food (anything that doesn't need refrigeration to stay safe). Read the specific list for your state.

Generally covered: *baked goods, jams/jellies, dried herbs, honey, roasted nuts, candy*
Generally NOT covered: *meat, dairy, eggs, fermented products, anything requiring refrigeration*

- 3 Check the sales channel restrictions.** Most cottage food laws require direct-to-consumer sales only. This means farmers markets, roadside stands, or door-to-door — not wholesale to grocery stores, restaurants, or online shipping across state lines.
- 4 Check the revenue cap.** Most states cap annual cottage food revenue. Common limits range from \$25,000 to \$75,000/year. Some states (California, Texas) have no cap or a very high cap.
- 5 Check if registration is required.** Some states require you to register with the state ag department before you start selling. Others have no registration requirement at all. Check yours and file if needed.
- 6 If you want to sell meat, dairy, eggs, or fermented goods** — these fall outside cottage food law in most states and require a licensed food processing facility. Contact your state department of agriculture for the applicable license.

What to look for: The key question is whether your products are "non-potentially-hazardous" (NPH) — meaning they don't need refrigeration to be safe. NPH products have the most

permissive treatment under cottage food law. Anything that needs refrigeration typically requires a commercial kitchen license.

USEFUL RESOURCES

- **cottagefoodlaws.com** (<https://cottagefoodlaws.com>) — state-by-state cottage food law summaries
- Your state Department of Agriculture website — search "cottage food" or "home food processing"
- Your local small business development center (SBDC) — free advice on food business licensing

SECTION 3 CHECKLIST

- ☐ Found my state's cottage food law and read the official guide
- ☐ Confirmed my products are covered under the law
- ☐ Noted sales channel restrictions (direct-to-consumer only? _____)
- ☐ Noted annual revenue cap: \$_____
- ☐ Checked if registration is required (yes / no / not applicable)
- ☐ Registered with state ag department if required (date: _____)

04

HOA & CC&R Restrictions

If you're in a planned community or subdivision, the HOA's covenants, conditions, and restrictions (CC&Rs) layer on top of all other rules. Your HOA can restrict or prohibit visible gardens, structures, composting, and chickens — even where the city and county say it's fine.

- 1 Confirm if you have an HOA.** If you're not sure, check your closing documents or ask your county recorder's office. Your title report will list any recorded CC&Rs on your property.
- 2 Request the CC&Rs and architectural guidelines in writing.** Call or email your HOA management company and request: (1) the current CC&Rs, (2) any bylaws, and (3) any separate architectural review guidelines. They're legally required to provide them.

Sample request email: *"Please send me the current CC&Rs, bylaws, and architectural review guidelines for [HOA name]. I'd like to review the rules related to landscaping and accessory structures. Thank you."*

- 3 Read specifically for gardening-adjacent language.** HOAs rarely say "no vegetable gardens" explicitly. Search the documents for: "landscaping," "yard maintenance," "front yard," "structures," "storage," "animals," "composting," "fencing," and "visibility from the street."

- 4 Check your state's override laws.** Several states limit HOA power to prohibit edible gardens:

California: *Civil Code §4750 — HOAs cannot prohibit vegetable gardens in the backyard*

Florida: *§720.3075 — HOAs cannot prohibit vegetable gardens in certain areas*

Colorado: *§38-33.3-106.7 — HOAs cannot prohibit food growing in areas not visible from street*

Nevada, Texas, Oregon, Washington: *Varying protections for certain plants and water-wise landscaping*

- 5 Look for the variance process.** Even if the standard rules say no, most HOAs have an architectural review committee (ARC) that can approve exceptions. Ask if a variance application process exists before assuming you're blocked.
- 6 Attend an HOA meeting.** If you're planning significant changes, showing up to a board meeting and explaining your vision in person often goes better than a written request alone.

What to look for: Pay close attention to language about "visibility from the street" — many HOAs restrict things in the front yard that are perfectly fine in the backyard. If your garden plan is entirely in the backyard and not visible from the street or neighboring properties, your path to approval is much easier.

SECTION 4 CHECKLIST

- ☐ Confirmed whether my property has an active HOA
- ☐ Requested CC&Rs and architectural guidelines (date requested: _____)
- ☐ Read CC&Rs for gardening-related language (noted: _____)
- ☐ Checked my state's laws regarding HOA restrictions on food gardens
- ☐ Identified whether a variance process exists
- ☐ Noted HOA contact name and email for follow-up: _____

05

Water Use Rules

Water is often the last thing people research and the first thing that causes compliance issues — especially in the western US. Irrigation restrictions, greywater reuse, and rainwater harvesting all have their own separate rules at the state, county, and district level.

- 1 **Find your water district** — this is not the same as your city. Your water district manages the actual water supply. Look at your water bill for the district name, or search "[your city] water district." Call them and ask about outdoor irrigation restrictions.

Questions to ask: *"Are there seasonal outdoor irrigation restrictions? Do drought stages affect when and how much I can irrigate? Are drip irrigation or subsurface systems treated differently from overhead sprinklers?"*

- 2 **Research greywater reuse for your state.** Greywater is water from sinks, laundry, and showers (not toilets) that can often be reused for subsurface irrigation. Rules vary significantly:

California: *Legal with a simple permit for laundry-to-landscape; no permit for systems under 250 gpd*

Arizona: *Highly permissive — greywater reuse actively encouraged*

Oregon, Washington: *Legal with permit for subsurface systems*

Some eastern states: *May prohibit or heavily restrict greywater reuse*

Search: "[your state] greywater reuse law" or check your state health department

- 3 **Research rainwater harvesting for your state.** Most states now allow limited residential rainwater collection. Common restrictions include maximum tank size (50–110 gallons in some states), required first-flush diverters, and end-use limits (irrigation only).

Very permissive: *Arizona, Texas, Hawaii — active encouragement and rebates*

Permissive with limits: *California (up to 5,000 gallons), Oregon (limited), most eastern states*

Restrictive: *Colorado (legal since 2016 but limited to 110 gallons; rights-based water law)*

Search: "[your state] rainwater harvesting law"

- 4 **Check your municipality for rebates.** Many cities and water districts offer rebates for drip irrigation systems, rainwater barrels, and greywater systems. These can offset your setup costs significantly.

Where to check: Your water district website (look for "rebates" or "conservation"), local utility, or [epa.gov/watersense](https://www.epa.gov/watersense) (<https://www.epa.gov/watersense>)

What to look for: Even where greywater and rainwater systems are legal, there are usually system-type requirements. Subsurface drip irrigation from greywater is almost always treated more permissively than surface application. When in doubt, a subsurface system is the safe default.

USEFUL RESOURCES

- [epa.gov/watersense](https://www.epa.gov/watersense) (<https://www.epa.gov/watersense>) — water-efficient practices and rebate finder
- oasisdesign.net (<https://oasisdesign.net>) — greywater and rainwater system design resources
- Your state department of environmental quality (DEQ) or health department — greywater permits
- Your local water district — conservation rebates and irrigation rules

SECTION 5 CHECKLIST

- ☐ Identified my water district and called about irrigation restrictions
- ☐ Noted seasonal/drought restrictions: _____
- ☐ Researched my state's greywater laws and noted what's allowed
- ☐ Researched my state's rainwater harvesting limits: _____ gallons
- ☐ Checked my utility for rebates on drip irrigation, rainwater, or greywater systems



Master Research Checklist

Use this page to track your progress across all five categories before you build, plant, or invest.

01 Zoning & Land Use

- ☐ Found parcel on county GIS
- ☐ Written down zoning code
- ☐ Looked up permitted uses
- ☐ Confirmed gardening allowed
- ☐ Noted any restrictions

02 Building Permits

- ☐ Listed structures to build
- ☐ Called building department
- ☐ Confirmed permit threshold
- ☐ Got setback requirements
- ☐ Noted permit-required items

03 Cottage-Food Laws

- ☐ Found state cottage food law
- ☐ Confirmed products covered
- ☐ Noted sales restrictions
- ☐ Noted revenue cap
- ☐ Registered if required

04 HOA & CC&Rs

- ☐ Confirmed HOA status
- ☐ Got CC&Rs and guidelines
- ☐ Read for garden language
- ☐ Checked state override laws
- ☐ Found variance process

05 Water Use Rules

- | | |
|---|--|
| ☐ Found water district contact | ☐ Got irrigation restrictions |
| ☐ Researched greywater law | ☐ Researched rainwater limits |
| ☐ Checked for rebates | |

Once you've completed this checklist — you'll know exactly what's possible at your address, what requires permits, and what's off the table without additional approvals. That's the information you need before any purchase, build, or lease decision.

RESEARCH SERVICE · JOHNNY AUTOSEED

Want us to do this research for you?

We go through all five categories for your specific address, talk to the right offices, and deliver a custom written playbook: what's allowed, what needs permits, and exactly how to get started.

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