

**PARTICIPANTS' WRITTEN COMMENTS AND STAFF'S RESPONSES**  
**Urban Agriculture Public Meeting / July 23, 2014**  
**City of Tucson**

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**The following written comments and questions were received from participants at the July 23, 2014, Public Meeting on the City's effort underway to revise zoning regulations on community gardens, farmers markets, small urban animals, and urban farms. Participants were asked to specify which category each of their comments pertained to, or to specify "other." Please note when a category was not specified, or there were multiple comments on one comment card, staff made a judgment about how to categorize comments.**

*Transcribed by Office of Integrated Planning staff.*

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**SMALL FARM ANIMALS**

**Comment:** Si varios vecinos tienen animales en mi vecindario y huertas y nadie se queja podríamos recolectar firmas de todos. Los vecinos para poder tener como prueba para la ciudad que todos estamos de acuerdo en tener animales. Espero me puedan responder en la próxima Junta.

[*Staff English translation:* If several neighbors have animals in my neighborhood and gardens and nobody complains, can we gather signatures from the neighbors to give to the City that they have no problems with the animals and that the noise isn't a bother. Waiting for a response at the next meeting.]

**Staff Response:** The City's zoning regulations cannot be bypassed through neighborhood sign-off. In order for any specific geographical area, whether it be a neighborhood or other select properties, to be exempt from certain zoning regulations, the area would have to be rezoned to another zone that is more permissive or with an overlay zone that exempts or allows modifications to certain zoning regulations.

However, sign-off from a neighbor agreeing to a reduced setback for the animal shelter is permitted.

Since the City's zoning regulations is enforced mainly through complaints filed by nearby property owners, the likelihood of violations being reported in your neighborhood may be slight.

**Comment:** Animals on private property that are properly maintained must be left AS IS!

**Staff Response:** The problem with this approach is that many people keeping small farm animals, particularly chickens, are likely in violation of current zoning regulations – namely, the requirement that animal shelters must be at least 50' from every property line. The City acknowledges that many of these same people have been keeping small farm animals with little to no incident. One of the main purposes of the proposed regulations is to revise the current regulations to facilitate the keeping of small farm

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animals, while implementing standards to mitigate any potential nuisances for nearby residents and businesses.

**URBAN FARMS**

**Comment:** Why the City of Tucson wants to control our own sources of food by limiting us with the production of our own food? Who is going to be benefitted with all this regulations or restriction? Thanks.

**Staff Response:** The proposed urban agricultural standards actually remove, or greater reduce, the regulatory barriers and obstacles currently required. The number and length of the proposed regulations is largely due to the fact that the current standards are based on a time when "agriculture" was associated with "rural" areas. Accordingly, the agricultural standards in the UDC are designed for larger commercial-agricultural operations. The proposed standards acknowledges that urban agriculture is an activity that has been occurring in some parts of town with little, to no, incidents for years (albeit in violation of the City's zoning regulations in some instances). The proposal removes many of the regulatory barriers and obstacles currently required to facilitate urban agriculture in the City.

**Comment:** What can the city do to encourage households to grow their own food in backyard gardens? I suggest allowing urban farmers to register their gardens in return for a concrete benefit such as "free water" in June because July is traditionally the highest revenue month of the year. The free water in June would be negligible in considering the cost of growing your own food.

**Staff Response:** One way is to remove or reduce regulatory barriers and obstacles, which is the primary goal of this proposal. Your idea of "free water" in June is outside the parameters of this project since revisions to the City's zoning regulations only is being considered at this time. This idea would have to be considered for authorization by Tucson Water.

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**FARMERS' MARKETS**

**Comment:** Cut off at 5 pm for market is not appropriate, that's when the sun begins to cool.

**Staff Response:** The September 2014 draft revises the proposed hours of operation for farmers' markets in residential zones to from sunrise to sunset to address seasonal weather/daylight changes and to accommodate typical work hours. Hours of operation in nonresidential zones are not restricted.

**Comment:** El tiangis is different than a farmers market. Our people have engaged in transactions for over one thousands in the Americas

**Staff Response:** The September 2014 draft makes it possible for farmer's markets and tianguis to operate in more zones and with fewer restrictions than what is currently permitted.

**COMMUNITY GARDENS**

*[None of the comments received appeared to be specifically about "community gardens."]*

**Staff Response:** No response required.

**OTHER**

**Comment:** Free-market capitalism means free-market, anytime and anyplace. Stop regulating the market. It's unpatriotic.

**Staff Response:** Noted. Zoning laws were borne, in part, because some private development was/is being done in such a way that it poses public health and safety issues. The proposed standards in many ways clarify and attempt to facilitate agricultural-related activities more than currently permitted.

**Comment:** Tucson's lifeline was and is still agriculture. There are ranches in Tucson where people still proudly celebrate their heritage and cultural and traditional ties with Mother Earth and each other. These people are multicultural and insist in continuing to exercise their lifestyle and innate rights to live freely and enjoy a fulfilling quality of life. In particular, the South West side of Tucson where our barrios are.

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**Staff Response:** Thank you for your comments. The September 2014 draft makes it possible for agricultural-related uses and activities to operate in more zones and with fewer, if any, restrictions than what is currently permitted.

**Comment:** Consider creating a manure/compost market (rather than legislating animals by output) -> it's a resource that results.

**Staff Response:** Thank you for your comments. The September 2014 draft does not preclude the creation of such a market.

**Comment:** Focus on public health; food deserts and ability to create sustainable communities - > consider large families/ community networks, affordability, etc.

**Staff Response:** Thank you for your comments. The proposed urban agriculture standards is one part of a larger effort being taken by the City to create a more sustainable City. Specific to the City's zoning regulations, the City is working on removing regulatory barriers and obstacles to facilitate urban agriculture, solar development, and other miscellaneous "green" technologies. Through a grant from the Department of Energy, the City is developing and/or implementing numerous other sustainable programs and policies.

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**Comment:** Try to avoid language that replicates the right-wing immigration discourse of coyotes and disease.

**Staff Response:** Further clarification is needed. What specifically in the draft proposal "replicates the right-wing immigration discourse"?

**Comment:** When considering lot size, consider land devoted to structures / house and not only lot itself – average home size varies greatly by neighborhood when lot size is similar.

**Staff Response:** Point taken. Some challenges whenever developing zoning regulations includes anticipating unintended consequences and keeping the regulations as simple and clear as possible to better ensure compliance and more effective enforcement. Unfortunately, not every situation can be accommodated. Sometimes the best that can

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be done is aim to develop regulations that apply to as many situations as possible and rely on zoning determinations for irregular or anomalous situations.