

ATTACHMENT D
PARTICIPANTS' WRITTEN COMMENTS
Urban Agriculture Public Meeting / June 10, 2014
City of Tucson

The following written comments and questions were received from participants at the June 10, 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.

SMALL FARM ANIMALS

Comment: The existing setback distance of 50 feet for structures used for farm animals is too great. The proposed 20-foot regulation is much more reasonable.

Staff Response: The September 2014 draft proposes that animal shelters must be at least 20 feet from the main house on the adjacent property.

Question: Pygmy goat is a breed of meat goat. Does this exclude dwarf and mini-dairy goats?

Staff Response: Miniature goats are permitted.

Comment: Advocates of no-regulation ignore the needs of the animals for adequate living space. Cooped-up chickens and rabbits can easily be over crowded. Backyard small animals are rarely kept in structures which give them sufficient space. Often they are close to factory conditions. Same for goats. If no-regulation meat consumers are concerned about the quality of meat, they should consider that overcrowding raises stress hormones and affects the meat.

Staff Response: Thank you for your comments. The Animal Unit approach proposed in the September 2014 draft takes lot size and the type of animal into consideration when determining the maximum number of small farm animals permitted. The Animal Unit approach better ensures that there is adequate space for the animals. The September 16, 2014 draft requires an enclosed shelter when small farm animals are kept.

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Question: Why was "eight" picked for number of chickens allowed? It seems arbitrary. I currently have seven chickens. Lately I have been short on eggs because of a broody hen and due to the heat. Eight hens would not provide enough eggs for many families and communities. My seven hens are hardly providing enough eggs for just my husband and I.

Staff Response: The September 2014 draft proposes the Animal Unit approach to determine the maximum number of small farm animals permitted, which takes the lot size and the type of animal into consideration. As a result, 14 chickens would be permitted on a 7,000 square foot lot (a relatively typical lot size of a mid-town lot).

Comment: I think that difficulties should be handled case by case. The masses should not be regulated to prevent a few issues that may arise.

Staff Response: Thank you for your comments. One of the intents of the proposed standards (and, all of the other zoning regulations for that matter) is to establish a clear set of regulations, which provides certainty and consistency when implemented and enforced. Without adopted zoning regulations, the City's ability and effectiveness to address nuisances are greatly reduced.

Comment: Small animals should look at total weight of the animals to compensate for type of animals. Chickens and rabbits are not equal to goats or sheep.

Staff Response: The Animal Unit approach proposed in the September 2014 draft takes lot size and the type of animal into consideration when determining the maximum number of small farm animals permitted.

Comment: As a rabbit enthusiast your policy will prohibit me from raising the meat that rabbit keeping provides. Two females and a male are all you allow. There is no allowance for offspring even if they are present for only a few months. The proposed policy just shut me out of a very low impact food source! To promote the production of more food we need fewer regulations not more.

Staff Response: The September 2014 draft exempts rabbits, rodents, and invertebrates (e.g. worms) from the maximum number of small farm animals permitted requirements.

Question: Maybe since the set back is being reduced to about half, we could have half as many chickens? So 12 instead of 25 hens and 50 ft. set back.

Staff Response: The September 2014 draft proposes the Animal Unit approach to determine the maximum number of small farm animals permitted, which takes the lot size and the type of animal into consideration. As a result, 14 chickens would be permitted on a 7,000 square foot lot (a relatively typical lot size of a mid-town lot).

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Comment: Allow 16-24 chickens. Otherwise use animal unit guidelines.

Staff Response: The September 2014 draft proposes the Animal Unit approach to determine the maximum number of small farm animals permitted, which takes the lot size and the type of animal into consideration. As a result, 14 chickens would be permitted on a 7,000 square foot lot (a relatively typical lot size of a mid-town lot).

Comment: Numbers are too restrictive, especially with regard to rabbits and chickens.

Staff Response: The September 2014 draft proposes the Animal Unit approach to determine the maximum number of small farm animals permitted, which takes the lot size and the type of animal into consideration. As a result, 14 chickens would be permitted on a 7,000 square foot lot (a relatively typical lot size of a mid-town lot).

The September 2014 draft exempts rabbits, rodents, and invertebrates (e.g. worms) from the maximum number of small farm animals permitted requirements.

Comment: Re: concerns about regulating problems that don't yet exist as some people choose to interpret this position of the code – I don't see the code as a process of dictating how people should be living, but more as providing a framework for neighborly standards of conduct to avoid potential conflicts. There are differences between the clarification of limitations and the facilitation of articulating responsibility – I support the City in taking a positive, provocative approach in these matters, rather than focusing on the negative aspect inherent in being a member of society. As has been stated if it's not causing a problem, there shouldn't be a concern as there won't be a complaint – but the homeowner will be able to have standing under the ordinances to say "I'm conducting a legal, clearly valid activity – so since I'm in compliance, find a different problem to take issue with."

Staff Response: Thank you for your comments. One of the intents of the proposed standards (and, all of the other zoning regulations for that matter) is to establish a clear set of regulations, which provides certainty and consistency when implemented and enforced. Without adopted zoning regulations, the City's ability and effectiveness to address nuisances are greatly reduced. Additionally, the September 2014 draft attempts to address this and other related comments expressed at the public meetings by proposing more permissive standards than previously proposed, while adding greater clarity to the current standards.

Comment: I would propose that the raising of small farm animals be allowed in R1 & R2 with an influence on the animals being raised in a humane way.

Staff Response: The September 2014 draft allows the keeping of small farm animals in the R-1 and R-2 zones. Chapter 4 of the Tucson Code (the City's Animal Code) prohibits cruelty and neglect of animals. The keeping of small farm animals are subject to the animal cruelty and neglect prohibitions in the Tucson Code.

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Question: Limiting the number and size of animals is too restrictive. Limiting the number of fowl to 8 and the number of small farm animals to 3 doesn't allow for homesteaders to raise the livestock that they desire. Restricting goats to only miniature goats is burdensome and unnecessary. What difference does it make to the City if miniature or not?

Staff Response: The September 2014 draft proposes the Animal Unit approach to determine the maximum number of small farm animals permitted, which takes the lot size and the type of animal into consideration. As a result, 14 chickens, 2 goats, or combination of small farm animals provided 14 Animal Units are not exceeded would be permitted on a 7,000 square foot lot (a relatively typical lot size of a mid-town lot). Non-miniature goats are not included because they are generally seen as being incompatible with residential areas. The City currently permits large farm animals, of which goats are included, in accordance with Chapter 4 of the Tucson Code (the City's Animal Code).

Question: When does a chick become a member of a flock and when do my rabbits "count"? If my rabbit has 5 babies, I'm over limit. By what age do I need to process or sell them?

Staff Response: The September 2014 draft: 1) counts the total number of animals, regardless of age; and, 2) exempts rabbits, rodents, and invertebrates (e.g. worms) from the maximum number of small farm animals permitted requirements.

Question: Why weren't animal units used rather than the current proposal. It would allow for larger properties to have more animals. It appears to be the most equitable solution.

Staff Response: The September 2014 draft proposes the Animal Unit approach to determine the maximum number of small farm animals permitted, which takes the lot size and the type of animal into consideration.

Question: We have an "urban farm" that has been in production since 1950. The city has grown up around us. Do "grandfathered" rights protect us from new zoning regulations?

Staff Response: If documentation (i.e. permit) identifying the use permitted and date it was permitted, then "yes." If documentation cannot be provided, then "no."

Question: Why were only dwarf Nigerian goats included under small farm animals but not any of the other recognized miniature breeds or those of sheep and cattle?

Staff Response: First, other types of miniature goats are permitted. The September 2014 draft defines miniature goats as "Nigerian Dwarf, African Pygmy or other breeds that do not exceed 70 pounds at full size." Second, the definition of small farm animal – "[a]nimals that include miniature goats, rabbits, rodents,

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fowl, and other similar animals" (emphasis added) – is worded broadly enough for the City to at least consider miniature sheep and cattle. If a complaint were reported to the City regarding one of these miniature breeds, the City would research the potential nuisance level relative to miniature goats and other permitted small farm animals to determine whether they should be permitted.

Comment: In regards to the size of my coop – creating a fixed size of the coop I feel should be circumstantial. I am over 6 feet tall and like to keep my coop clean and be comfortable doing it. Also my neighbor's wall is 10 ft. tall and the coop cannot be seen unless you come in my back yard. I like having a long coop/run that my chickens can get some exercise while I'm at work until I can get home and take care of them.

Staff Response: The September 2014 draft clarifies that the shelter only is subject to the setback requirements. The "run" can be the entire backyard provided the yard is fenced or screened and a shelter is provided. A coop can be up to 12 feet in height. When the coop is 6' or less and 16 sq. ft. or less in area, a setback from the property line is not required provided it is at least 20' from the main house on the adjacent lot. Coops larger than this must be set back from the property line in accordance with the underlying zoning – typically a minimum of 6'. The setback may be reduced with written consent from your neighbor.

Comment: Change definitions so small farm animals exclude fowl and have standard for fowl separately.

Staff Response: Thank you for your comment; however, staff is recommending that fowl remain a part of the small farm animal definition. In response to comments received at the public meetings, the standards have been made more permissive to facilitate the keeping of small farm animals.

Comment: 8 chickens (or fowl) is a very reasonable number of birds in R01. Don't reduce that number! 12 is a more reasonable number.

Staff Response: In response to numerous requests made at the public meetings to increase the number of small farm animals permitted and to change the method for determining the maximum number permitted, the September 2014 draft proposes the Animal Unit approach, which takes lot size and the type of animal into consideration when determining the maximum number of animals permitted. In general, the Animal Unit approach would allow more small farm animals than the previously proposed "8 chickens + 3 other small farm animals" approach.

Comment: Reducing the number of fowl permitted by 2/3rds from 24 to 8 is extreme, arbitrary and unfair, and makes no distinction between standard-sized hens and small bantam chickens. Bantams should be allowed in greater numbers at a 2 to 1 ratio to standards hens.

Staff Response: The September 2014 draft proposes the Animal Unit approach to determine the maximum number of small farm animals permitted, which takes the lot size and the type of animal into consideration.

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As a result, 14 chickens would be permitted on a 7,000 square foot lot (a relatively typical lot size of a mid-town lot).

Comment: The total of 8 allowed is too small to provide a family with a consistent supply of eggs year-round. The current limit of 24 hens has been reasonable, but if you feel the number must be reduced, consider a 1/3 reduction to 16.

Staff Response: The September 2014 draft proposes the Animal Unit approach to determine the maximum number of small farm animals permitted, which takes the lot size and the type of animal into consideration. As a result, 14 chickens would be permitted on a 7,000 square foot lot (a relatively typical lot size of a mid-town lot).

Comment: Reducing the distance a coop must be from another residence from 50 to 20 feet makes sense – but it should be the distance from a primary residence, not a guest house, or back-lot rental.

Staff Response: The September 2014 draft proposes this same recommendation.

Comment: I think that the size of the goats should be re-evaluated, full size goats are needed in order to get milk from them for food. Full size goats are still much smaller than each of my 200 lb. dogs and would not cause average increased problem for neighbors but would allow me to provide milk, yogurt and cheese for my family.

Staff Response: The proposed standards does not preclude the keeping of full-size goats, which are considered large farm animals. Full-size goats are allowed in compliance Chapter 4 (Animal Code) of the Tucson Code.

Comment: Instead of reducing the number of chickens by 2/3 it should if needed be only reduced by 1/3.

Staff Response: The September 2014 draft proposes the Animal Unit approach to determine the maximum number of small farm animals permitted, which takes the lot size and the type of animal into consideration. As a result, 14 chickens would be permitted on a 7,000 square foot lot (a relatively typical lot size of a mid-town lot).

Question: (1) Last time we were here, Adam said that if we were currently within code then we would continue to be in compliance. Is it possible to include a 50 ft./24 chicken provision in order to keep the old standard in addition to the new 20 ft. chicken limit?

Staff Response: The September 2014 draft may accomplish this through the revisions to the number of small farm animals and by maintaining the Animals Production, Crop Production, and General Farming in the

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zones they are currently permitted. On a 10,000 sf lot (approximately the minimum lot size needed to meet the current 50' setback requirement), 20 chickens would be permitted using the Animal Unit approach. More chickens would be permitted on lots larger than this.

Question: If the animal unit approach would allow more chickens on average per lot than the flat (8) number, can the flat number just be raised to a number like 12 to avoid the nuanced formula? Basically, I hope the choice isn't between the #8 and the unit approach.

Staff Response: The September 2014 draft proposes the Animal Unit approach to determine the maximum number of small farm animals permitted, which takes the lot size and the type of animal into consideration. As a result, 14 chickens would be permitted on a 7,000 square foot lot (a relatively typical lot size of a mid-town lot).

Comment: Change the regulations to animal units, based on the space available to the animals. The preferred regulatory approach should be nuisance regulation, not arbitrary numbers.

Staff Response: The September 2014 draft proposes the Animal Unit approach to determine the maximum number of small farm animals permitted, which takes the lot size and the type of animal into consideration. As a result, 14 chickens would be permitted on a 7,000 square foot lot (a relatively typical lot size of a mid-town lot).

URBAN FARMS

Comment: Primary use should be allowed for animal or crop production. Specifically a property that is abandoned or the residence destroyed and a neighbor buys that lot for those purposes.

Staff Response: The September 2014 draft maintains the Animal Production, Crop Production, and General Farming uses as they are currently permitted today. If the property is zoned rural or suburban, one of these uses could become the principal use of the property.

Comment: The State of Arizona has specifically denied cities and counties the ability to regulate agriculture and gardens and the sale of agriculture products. The State Agriculture Protection Act allows home gardening and small agriculture without regulation.

Staff Response: The City Attorney's Office reviewed the State statutes and finds that they do not preclude the City from adopting agricultural-related zoning regulations.

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Comment: Greenhouses – Is 12 ft. height from base to peak? For larger lots, > 3 acres, this should be higher, especially if one is to create a principal use urban farm for mid-scale production. Need taller greenhouse (20-25 ft.) for commercial style production.

Staff Response: Yes, accessory greenhouses are limited to 12 feet in height as measured to its highest point. When the greenhouse is a principal structure on the property then the maximum height permitted by the zone applies (e.g. in the RH, SR, SH, and RX-1 zones = 30'). In nonresidential zones, the 12' cap does not apply, but is subject to the maximum height permitted by the underlying zone (most nonresidential zones allows at least 30' in height).

Comment: Why would there be regulations regarding the square footage of accessory structures? i.e., the 25% rule for home occupations. Thank you for the meetings!

Staff Response: The 25% rule is to ensure that the accessory structure remain accessory to the principal structure. Note: The September 2014 draft exempts outdoor gardens from this 25% rule.

Comment: No difference between Urban Farm and Crop production as defined. Change Urban Farm to include increased # of small animals in addition to crop production.

Staff Response: The September 2014 draft proposes a revision (see below) to the definition of Urban Farm to better distinguish it from Crop Production.

Urban Farm is defined as the “growing and harvesting of agricultural products to provide food, fiber, or horticultural vegetation for ornamental purposes in urban areas. Compatibility standards apply to mitigate potential nuisances to nearby residential and nonresidential development. Typical uses include the growing of field crops, fruit and nut orchards, nurseries, and greenhouse operations.”

The differences between these two uses are also seen in the zones each use is permitted and the applicable standards (i.e. the Urban Farm standards are more restrictive because of the use's likely proximity to residences and businesses.

Comment: Just because we haven't turned our neighbor's illegal chickens into the enforcement cops, doesn't mean that there are no problems. Recently they left for 10 days during 110 degrees heat – the smell over Memorial Day weekend was so bad we could not use our yard. The poor chickens.

Staff Response: Staff strongly recommends that you report this to the City if it happens again.

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Question: I live out by Ryan Airfield and have a large garden (not quite a farm). I also have 3 milking goats. If I have been keeping these practices for the last 15 years will I be grandfathered in?

Staff Response: The scenario you describe does not sound like it would violate the current or proposed regulations; so, grandfathering may not be an issue. In general, a use can only be grandfathered if there is a permit indicating that the use complies with the zoning regulations in effect at the time. This issue is further complicated by the fact that, with the exception of dogs, the City does not require the licensing of animals. Consequently, there is no way for the City to know the number of animals being kept at any one time.

Comment: Re: concerns about enforcement / public process – makes sense to be as permissive as possible, and I do believe the City's efforts are towards that end – the focus should be on establishing clear standards with reference to the appropriate nuisance ordinances and public safety requirements within which these activities are being conducted.

Staff Response: Thank you for your comment. Staff hopes that the September 2014 draft adequately meets this standard.

FARMERS' MARKETS

Comment: 5 PM crossing time unreasonable: Growers & buyers have daytime jobs. 7 – 8 PM makes more sense.

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.

Comment: Regulation regarding hours of operation should consider Tucson climate and daily schedule of working class. Extend hours later than 5 PM.

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.

Comment: The restrictions – stop at 5 PM – are not logical. Later hours may be better for growers, who hold daytime jobs, and shoppers the same.

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.

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Comment: In regards to the restricted hours for residential farmers' markets. 1) Markets will only be viable if they can be held at times when customers can shop (i.e. not during work hours) 2) Climate in Tucson, esp. in summer, requires outdoor markets to be early / later in the day. 3) There is a finite number of producers currently selling at markets. They can't all sell only at weekend markets. Weekday evening markets are critical to the diversity and viability of farmers' markets in Tucson.

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.

Comment: If liquor stores can sell after 5 PM then so should veggies! We want healthy barrios now!! Accessibility to healthy food for working families after 5 PM.

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.

Question: Time limits on site sales. 7 – 5 PM limit unreasonable. Tucson esp. in summer activities in early morning / evening hours. Weekends should not be restricted to early cutoff in evening. What about access to people who are working during 7 – 5 PM business day? Why not 7 – 7 during weekdays?

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.

Question: Does the 300 ft. apply to the edge of the parking lot to the residential neighborhood or from the farmers' market itself to the neighborhood?

Staff Response: It is measured from property line to property line as the crow flies.

Comment: Local farmers' markets are the natural outlet for local foods. Let's not inhibit them.

Staff Response: The September 2014 draft eliminates or reduces previously proposed standards in the hope that farmers' markets will not be inhibited.

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Comment: Is there a grid-type breakdown of not just the above categories, but each within the subcategories of principal/accessory use as well as the different zones (residential/commercial, etc.) It may help people visualize those distinctions and possibly alleviate some concerns.

	Principal	Accessory
Zone		
Topic		
Etc.		

Staff Response: No, there is not a breakdown as described, but I like the idea. Staff will consider preparing such a chart when preparing materials for the public meeting in October.

COMMUNITY GARDENS

Comment: Sales should be allowed for produce sold on-site AND in the yards of garden members.

Staff Response: The September 2014 draft revises the proposed standards to facilitate on-site sales by redefining the term “advertised event” to exclude events that are advertised via signs posted on-site or in the neighborhood only or posted online accessible by members or subscribers only from the cap of no more than four events per year.

Comment: Community gardens are the only places where apartment dwellers and super-small-lot home owners can garden. Thankfully we have a vibrant community garden-wise. These gardens are a necessity to urban-raised food.

Staff Response: Thank you for your comment.

Comment: Wonderful to see the relative access granted to this category – will be interesting to see how the other topics integrate and evolve with regards to this central idea of urban agriculture with community gardens as a sort of stable hub for all these activities,

Staff Response: Thank you for your comment.

OTHER

Question: Why is there no distinction either geographically or parcel size for residential zones? These problems would affect properties in the center of town the same as larger properties on the outskirts of town (which were annexed after agricultural activities had been going on.)

Staff Response: The September 2014 draft maintains the Animal Production, Crop Production, General Farming, and Stockyard Operations as currently permitted in the rural and suburban zones – those zones

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typically found on the outskirts of town where agricultural activities have been going on. As a result, the potential for infringing on current agricultural activities, and, thereby, creating nonconforming uses, has been eliminated in these areas.

Comment: Please increase the number of allowed advertised sales of vegetables and eggs to something much higher than 4 or eliminate this regulation entirely.

Staff Response: The September 2014 draft revises the proposed term “advertised event” to exclude events that are advertised via signs posted on-site or in the neighborhood only or posted online accessible by members or subscribers only from the cap of no more than four events per year.

Question: How does ordinance address fish farming in residential zones?

Staff Response: The September 2014 draft is silent on fish farming. However, the draft does permit aquaponics* and excludes fish from the proposed keeping of small farm animal standards.

*Aquaponics is a “system of aquaculture in which the waste produced by farmed fish or other aquatic animals supplies nutrients for plants grown hydroponically, which in turn purify the water. Aquaponics is conducted in a constructed, automatic re-circulating system.”

Comment: It is not necessary to limit the number of chickens on your home property. Whether or not maintaining chickens should be allowed should be based on nuisance rules already in place for the City. Do not reduce the number of allowed chickens!

Staff Response: Nuisance standards tend to be subjective in nature (odor and noise, especially); and, therefore, more difficult to objectively measure and more difficult for the City to enforce. The propose standards attempt to create an objective set of standards to address the issues raised by using nuisance-related standards only.

Comment: Adopt zoning and land use regulations that promote and facilitate locally produced food... and safe, equitable growth and distribution of locally produced food. Not just regulate and negatively impact the economy.

Staff Response: Thank you for your comment.

Question: How does urban agriculture affect property values in residential areas?

Staff Response: Further research is needed to see if such a study has been done.

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Question: Since the majority of fans and heaters used with greenhouses are 60 DB or lower at the source, which is under the 70 DB residential level set in 16.31 why is it necessary to regulate setbacks, screening and sound baffles along with those required with hydroponic and aquaponic systems?

Staff Response: If this is the case, then greenhouses with heating and cooling systems that fall within permitted decibel limits will not have to set back more than what is required by the underlying zone. The proposed standard provides a level of protection to better ensure that that mechanically heated or cooled greenhouse does not negatively affect nearby residences and businesses.

Also, hydroponic and aquaponic systems are not subject to the same setback, screening, and noise attenuation standards as mechanically heated or cooled greenhouses. In fact, the September 2014 draft acknowledges these a permitted uses and goes so far as to allow vertical aquaponic systems mounted on perimeter walls and fences.

Comment: When email is viewed on a mobile device it looks like spam or other mail might not want to open.

Staff Response: Staff will have to consult the City's IT Department to see if this can be remedied.

Comment: Add Accessory and Principal to definition list.

Staff Response: Definitions of accessory and principal are already in the Unified Development Code. They have been added to the September 2014 draft for informational purposes.

Comment: I wish the government would get out of my private life.

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 clarifies and attempts to facilitate agricultural-related activities more than currently permitted.

Comment: Greenhouses – RH & SR – Revisit setbacks – too prohibitive

Staff Response: The September 2014 draft proposes reducing the setback from the currently required 200 feet to that required by the underlying zone for passive greenhouses (in the RH &SR zones, the setback would be 25' when adjacent to other residential zones) and, for mechanically heated or cooled greenhouses, the setback would dependent on meeting the City's Noise Ordinance.

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Comment: I have read your comparison of existing vs. proposed policy. In a few cases the new policy promotes and facilitates your goal. But every time you put up additional barriers you reduce participation. It looks to me like we are headed toward a net reduction in food production and that sustainability is equally threatened.

Staff Response: Staff hopes that the changes proposed in the September 2014 draft get closer to promoting and facilitating urban agriculture.

Comment: It doesn't have to be neighborhood associations vs. urban agriculturalists. The president of our association is all of 30 years old and he and his wife raise chickens. They also raise their own vegetables.

Staff Response: Staff agrees.

Comment: I like the "how-to" class idea. I'd like to see these classes in as many parts of town as possible.

Staff Response: Thank you for your comment. Staff, in collaboration with groups like the Community Food Bank, will certainly try to do this.

Comment: An urban model to consider: The City of Tomorrow in England. Also call "Incredible Edible Tomorrow." The City has widespread urban agriculture in place.

Staff Response: Thank you for the reference. Staff will research this to see how it may inform future draft proposals.

Comment: For those who have concerns about what may / may not happen, I'd like to suggest an Urban Agriculture Corps. These volunteers could engage with friends, neighbors, coworkers, colleagues, etc. to dispel the myths around what we do. (We might even recruit a new urban agriculture practitioner or two?)

Staff Response: Thank you for your suggestion. This is something that can be considered during the implementation and education component of this project that will take place following the adoption of the new standards.

Comment: I see this as an attempt to regulate "sustainability." Not increase "sustainability."

Staff Response: Noted. Staff took your comments and comments like yours expressed at the public meetings to heart when preparing the September 2014 draft. It is more permissive than the April 2014 draft; yet, it still includes compatibility standards to mitigate any potential nuisances to nearby residences and businesses.

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Comment: The only thing that needs definition is sustainability. One would only have to show that they meet that definition to allow them to continue doing any of these things.

Staff Response: Sustainability is a complex and highly debated topic that has much broader application than to the proposed standards presently under consideration. Similar to another stakeholder's comment about using nuisance standards as the only means of regulating agricultural-related activities, to regulate an activities consistency or inconsistency with a definition of "sustainability" would be subjective in nature; and, therefore, would be more difficult to objectively measure and more difficult for the City to enforce. The propose standards attempt to create an objective set of standards to address the issues raised by using nuisance-related standards only.

Question: If the sustainable code project does not pass will the current zoning codes remain in place or will a new code be drafted?

Staff Response: If the proposal is not adopted by the Mayor and Council, then the current zoning regulations will remain in effect.

Comment: On-site sale of produce: I think the onsite sale of produce should be permitted more frequently than yard sales – at least once a week – because produce is perishable. To equate them to a yard sale is silly because you can't just throw a tarp over a crate of carrots and sell it the next day so I have to bring everything in anyway. I already sell weekly. Also I sell in the evening when people come home from work so I think the hours should go later.

Staff Response: The September 2014 draft revises the proposed term "advertised event" to exclude events that are advertised via signs posted on-site or in the neighborhood only or posted online accessible by members or subscribers only from the cap of no more than four per year.

Comment: There is cognitive dissonance going on: living in the city may not be compatible with back-to-the-land ideas. The average city backyard may not be the place for raising meat-producing animals. Pigs have been raised in bathtubs – but how do the pigs like it? Sacrificing animals' well-being so we can feel good about our food is a contradiction. If we want to eat meat, we must do the raising in the most humane manner.

Staff Response: Staff agrees. To this end, Chapter 4 of the Tucson Code prohibiting animal cruelty and neglect would still apply and the method for determining the number of small farm animals permitted take lot size and the type of animal into consideration.

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Comment: Air quality – what about the Border Patrol and liquor, _____, driving through our barrios, power plants, etc. polluting our air. Deal with the real problem not the solution.

Staff Response: Thank you for your comment; however, the issues you raised are outside the parameters of this project and are more appropriately addressed at the regional and federal level.

Comment: Saw no mention of bee-keeping regulations or standards.

Staff Response: Correct, bee-keeping is not included in the proposed standards because they are already regulated in the Tucson Code, Section 11-3 (Apiaries).

Question: How well do the proposed regulations fit with existing urban agriculture use? Has a survey been done? If so are results posted? Ex: If most keepers of backyard fowl keep 10 – 12 chickens with no complaints why suddenly limit them to only eight?

Staff Response: 1) The September 2014 draft maintains the Animal Production, Crop Production, General Farming, and Stockyard Operations as currently permitted in the rural and suburban zones. As a result, the potential for infringing on current agricultural activities in these zones, and, thereby, creating nonconforming uses, has been eliminated in these areas. 2) No, a survey has not been done to staff's knowledge. Doing so would be difficult since the City does not require permits when chickens and other small farm animals are being kept; and, consequently, does not know how many people keep chickens and how many chickens are being kept. Also, since many coops likely do not comply with current zoning regulations given the 50' setback from every property line requirement, people would understandably be reluctant to participate in such a survey. Groups, such as Tucson CLUCKS, has possibly conducted an informal survey, but if they have, the results have not been shared with staff. 3) The September 2014 draft proposes the Animal Unit approach to determine the maximum number of small farm animals permitted, which takes the lot size and the type of animal into consideration. This revised change will allow significantly more animals than the April 2014 draft proposal. For example, 14 chickens would be permitted on a 7,000 square foot lot (a relatively typical lot size of a mid-town lot). This coupled with the proposed revision to reduce the setback requirement from 50' from every property line to 20' from the adjacent residence will make the keeping of small farm animals in compliance with the zoning regulations more feasible.

Comment: Also good to see a nuisance-driven approach with these issues. May be helpful to try to offer the other categories framed in such a manner as well – to ensure that the emphasis is properly understood by those who more easily glean the information from a visual, than textual form. (A "concept map" that shows an example in the actual context of the city.)

Staff Response: Thank you for your comments. Staff will continue to explore ways of presenting the information in a way that easily understood by the public.