



# Urban Agriculture Text Amendments

Planning Commission  
Study Session





# Urban Agriculture Timeline

- 2009 Sustainable Code project direction
- 2010 – 2014 various urban agriculture drafts developed
- 2012 – April 2014 – stakeholder committees review early draft culminating in a April 2014 draft – no consensus
- 2014 four public meetings – last meeting presented the September 2014 draft.
- 2015 – February, March, May, July Study Sessions





# Urban Agriculture Guidelines

- Create urban agriculture zoning standards per Plan Tucson
- Use local agricultural traditions
- Have reasonable mitigation standards
- Keep Chapter Four standards on animal cruelty and neglect and Neighborhood Preservation Ordinance standards on noise, odors, waste, offal, nuisances in place
- Do not make current civil infractions into misdemeanors
- Crop production remains a permitted use in residential zones



# Changes to the Unified Development Code

- 3.3 Zoning Compliance Review – *allows modification to animal numbers and accessory building setbacks.*
- 4.7 Zones Purpose – *clarifies urban agriculture exists in all zones.*
- 4.8 Use Tables – *lists the key urban agriculture principal uses.*
- 4.9 Use Specific Standards – *lists the specific standards for permitted urban agriculture uses for animal numbers and accessory buildings.*
- 7.4 & 7.6 Parking & Landscaping – *sets up parking and landscaping standards for urban agriculture uses.*
- 11.3 Definitions – *creates new definitions related to urban agriculture uses and issues.*
- Chapter Four (Animals and Fowl) - *cross-references to assure no conflicts with urban agriculture standards.*





# Issues

- Uses
  - Community Garden (principal or accessory use)
  - Urban Farm (principal use)
  - Farmers' Market (principal or accessory use)
- Accessory Uses
  - Gardens
  - Composting;
  - Greenhouses (principal, accessory, mechanical, passive)
  - Sale of products grown on-site
  - Keeping of Food Producing Animals





# Issues

- Composting
- Greenhouses (principal, accessory, mechanical, passive)
- Food Producing Animals Maximum Numbers
- Pen Setbacks
- Existing Pen Waiver
- Large Farm Animals
- 4H Exemption





# Enforcement

- PDSD enforces Unified Development Code and Neighborhood Preservation Ordinance.
- Police enforce Chapter Four Animals and Fowl ordinance.
- Chapter Four issues with cruelty and neglect - PDSD works with TPD and Pima Animal Control.
- May 2015 Draft includes uses, setbacks, pen sizes and maximum animal numbers.
- Code Enforcement reports very few chicken and urban agriculture issues (about .1% of all violations). Dog issues are the most prominent animal violation.





# Recommendation



- Set for public hearing on August 19, 2015
- Over two-year process involving committees and public meetings
- Animal welfare and public nuisance laws already exist
- Follows current standards and local practices
- Local practices may be current zoning violations but do not cause enforcement problems.





# Urban Agriculture Background Information





# What is Urban Agriculture?

- The practice of cultivating, processing, and distributing food in a town or city
- A policy that implements a food security strategy for the City of Tucson
- Tailored to better define the different scales and intensity (such as home garden, community garden, and urban farm) to be compatible with surrounding land uses



# Food Producing Animals Maximum Numbers

- Use the animal unit to regulate mix of species
- Numbers the same as the September 2014 Draft
- Allow for increased numbers with 50' Notice Procedure or written consent of adjoining property owner
- Must still meet all nuisance standards





# Chapter Four (Animals and Fowl)

- Removed maximum number regarding urban agriculture animals from Chapter Four
- Removed newer provisions on urban agriculture animals from Chapter Four
- Cross-reference setbacks and general provisions of Chapter Four in the UDC
- Do not change current rules on large animals or any Chapter Four setbacks





# Existing Pen Waiver

- Allows a simple and inexpensive procedure to review existing pens prior to the proposal
- Meant to be inexpensive alternative to 50' Notice Procedure and Design Development Option where no zoning violations exist
- Must meet basic building safety standards if it triggers a building inspection





# Composting

- Already is regulated under Chapter Sixteen (Neighborhood Preservation Ordinance)
- UDC cross-references Chapter Sixteen
- All nuisance issues are already covered by Chapter Sixteen





# Pen and Shelter Setbacks

- Small and large pen standards are the same as September 2014 Draft
- 20 foot setback from abutting dwelling n Chapter Four is cross-referenced in UDC
- Setbacks on all lots 36,000 square feet in area or greater is 50 feet for pens





# Community Garden as a principal and accessory use

- Area of land operated not-for-profit to grow and harvest food crops primarily for the use of its members
- Permitted in every zone
- Limited incidental sales
- Standards for keeping small farm animals, greenhouse, and composting





# Urban Farm as a principal use

- The growing and harvesting of agricultural products in a non-residential area
- Permitted in: office, mixed use, commercial, industrial, and special use zones
- Limited incidental sales
- Standards for keeping small farm animals, greenhouse, and composting





# Gardening as an accessory use

## Composting as an accessory use

- References Chapter 16, *Neighborhood Preservation*, to mitigate nuisances
- Requires setback per the underlying zoning (i.e. min. of 6' in residential zones)

## Greenhouse as an accessory use

- Distinction between passive and mechanical greenhouse for property line setback





# Urban Agriculture Sales

## Farmers' Market

- A common intermittent use
- Allowed as a principal use in mixed use, commercial, industrial, and some special use zones
- Allowed as an accessory use to churches, schools and similar uses in residential zones

## On-Site Sales as an accessory use

- Encourages neighborhood interaction but limits city-wide sale events to 4 times annually





# Food Producing Animals

## EXISTING CODE

- The “doghouse exemption interpretation” - A structure five feet or less in height and ten square feet or less in area may be at a zero (0) rear or side yard setback

## PROPOSED DRAFT

- Exemption for a food producing animal structure if six feet or less in height and sixteen square feet or less in area

## PROPOSED DRAFT

- Cross-references Chapter 4, welfare provisions and abutting dwelling setback in Chapter 23B, *UDC*.





# Keeping Food Producing Animals as an accessory use

- Allowed as an accessory use to residential uses, community gardens, and urban farms
- Creates setback and height standards for shelters of food producing animals
- Request to increase number of animals or decrease setback of shelter through 50' Notice Procedure
- Creates standards for animal density to resemble current local practices





# Large Farm Animals

- No changes from current standards recommended
- Pens, corrals, setbacks remain the same
- Main standards are in Chapter Four





# 4H Exemption

- Current proposal for exemption on food producing animals standards remains
- May not be needed if the current maximum numbers and pen standards are kept
- There is a current UDC exemption standard for large farm animals that is not under review

