

**Sustainable Code Committee**  
Minutes  
May 15, 2013  
3:00 PM  
Joel D. Valdez Main Library  
101 N. Stone Ave., 4<sup>th</sup> floor conference room

**1. Welcome and Introductions**

Attendees:

*City Staff:* Adam Smith (PDSO), Frank Dillon, (PDSO)

*Committee Members:* Rob Kulakofsky, Merrill Eisenberg, Cathy Blough, Jason Wong, Hank Krzysik, Katie Banister, Joseph Mayer, Shawn Cote.

*M/C Aides:* Diana Rhoades (Ward 1), Bonnie Medler (Ward 6)

*Audience:* Tres English, Casey Townsend, Colette Altaffer

**2. Proposed Revisions to the Urban Agriculture Text Amendments**

The committee's discussion followed the order of issues as organized in the "Proposed Revisions to the March 2013 Draft Urban Agriculture Amendments" handout.

**1. General**

**Proposal #1 – Create a definition of “composting”**

Sustainable Code Committee (SCC) Recommendation – The committee recommended the following changes to the proposed definition of composting:

“The biological process of breaking up organic waste such as food waste, manure, leaves, grass trimmings, paper, ~~worms,~~ and coffee grounds, etc., into a humus-like substance by various micro-organisms including bacteria, fungi, worms, and actinomycetes ~~in the presence of oxygen.~~”

**Proposal #2 – Create a definition of “incidental”**

SCC Recommendation – The committee did not have any changes to the proposed definition.

## **2. Home Garden Sales**

**Proposal #1: Revise proposed Sec. 4.9.7.E.15 to clarify home garden sales are limited to no more than 4 advertised events per year and to define what an advertised event is.**

- A. SCC Recommendation – To make the following change to the proposed revision

“Shall be limited to no more than four advertised events per year. An event shall not occur more than three consecutive days. For the purposes here, an “advertised event” is one in which the homeowner or organizer advertises the home garden sales online, in the newspaper, or signs posted off-site in the neighborhood.”

- B. The committee discussed increasing the number of advertised events permitted each year. Colette Altaffer, neighborhood representative, informed the committee that the Mayor and Council were currently considering proposed amendments to the City’s yard sale regulations and that four is the latest proposed maximum number of yard sales being considered. She said proposing more than this would likely result in neighborhood opposition.

SCC Recommendation – After further discussion, it was agreed to table this issue until the yard sale amendment was resolved by the Mayor and Council, which will likely be in June or July.

**Proposal #2: Delete the use-specific standard required of Home Occupation: Home Garden Sales that restricts the following: “Goods related to the home occupation shall not be visible from the street” (Sec. 4.9.7.E.6)**

SCC Recommendation – The committee agreed with the revision as presented by staff.

**Proposal #3: To clarify that home garden sales is permitted as an accessory use as well as a home occupation.**

SCC Recommendation – The committee agreed with the revision as presented by staff.

## **3. Community Gardens**

**Proposal #1: Revise the definition of community gardens to allow community gardens on privately-owned property.**

SCC Recommendation – The committee agreed with the revision as presented by staff.

#### **4. Urban Farm**

**Proposal #1 – Revise the definition of “urban farm” to allow: A) non-profits to operate an urban farm; and, B) greenhouses.**

SCC Recommendation – The committee agreed with the revision as presented by staff.

#### **Comparison of the proposed Urban Farm and existing Crop Production uses.**

Staff presented a comparison of the two uses.

It was generally agreed that there should not be two different uses/definitions.

The committee was not concerned whether urban farms allowed the growing and harvesting of fiber and flowers – two items currently only permitted in the Crop Production use.

SCC Recommendation – Ask staff to draft a proposed consolidation of the Urban Farm and Crop Production uses with particular attention to tailoring the use specific standards to address neighborhood compatibility concerns. The proposed consolidation will be discussed at the June SCC meeting.

#### **5. Farmers’ Markets**

**Proposal #1 – Consolidate the proposed Permanent Farmers’ Market use into the existing Food and Beverage Sales use.**

SCC Recommendation – The committee agreed with the revision as presented by staff.

**Issues #2 – A) Increase the number of days a Seasonal Farmers’ Market is permitted to operate; B) Tailor the Seasonal Farmers’ Market use specific standards to be more restrictive when the market is in a residential area and less restrictive when in a non-residential area.**

Note: These are still under consideration. Staff will prepare a proposal for committee review in June.

## **6. Aquaponics and Hydroponics**

The issues with the proposed aquaponic and hydroponic regulations are under consideration. Staff is going to consult with Casey Townsend (Tucson AquaPonics Project) when preparing a proposal for committee review in June.

### **3. Discussion of the Proposed Small Farm Animal Regulations**

Staff presented the current and proposed regulations pertaining to small farm animals.

#### **Topic #1: Animals in the Front Yard**

- Dogs and cats are permitted in the front yard. Why not chickens?
- Allow small farm animals in the front yard.

#### **Topic #2: Proposed Setback**

- Many of the pre-fabricated chicken coops are taller than 5 feet, and therefore, will not qualify under the “doghouse” exemption. The dimensions for the “doghouse” exemption should be revised to accommodate a typical pre-fabricated chicken coop.
- CC&Rs often regulate whether such structures are permitted; and if permitted, the required setbacks.
- The proposal should allow a zero foot setback, particularly when the coops are located as far as possible from residences (both on-site and those residences on adjacent lots).
- Bolster the connection between the UDC and the Neighborhood Preservation Ordinance in the Tucson Code.

#### **Topic #3: “12+ Chicken Notice Requirement”**

- Requiring notice to adjacent property owners is problematic for the following reasons: 1) simply “finding” the neighbors can be difficult if they choose not to respond to written notice; and, 2) the notice doesn’t allow adjacent property owners to protest or appeal a property owner from having more than 12 chickens, which may frustrate property owners and question why notice is sent out in the first place.
- Delete the notice requirement.

#### **Topic #4: Number and Types of Animals Permitted**

- Differentiate between adult and baby chickens. Base the maximum permitted on the number of adult chickens.
- What about the property owner that meets the permitted number, but not raising/treating the animals responsibly?
- Base the Animal Unit System on lot size rather than zone.

#### **4. Call to the Audience**

There were 2 speakers: Colette Altaffer and Tres English.

Colette Altaffer:

- Suggested that someone from the Arizona Game and Fish Department come speak to the committee
- There is a growing number of wild animals in the central city due to drought conditions
- Wild animals will be further attracted to the city by the growing of gardens and raising of farm animals, which could increase the number of conflicts between wild animals and people.
- Basing the number of animals permitted on lot size should be looked at more closely.
- The top issue among neighborhood association representatives according to a recent poll is a lack of trust with the City, largely due to a lack of enforcement of existing codes.
- Expressed concern that mismanagement by one owner could lead to an incident of bird flu or swine flu and potential cross over into the human population. It would be difficult to track down the source.

Tres English: Emphasized the importance of addressing the potential nuisances rather than prescribing numbers, which often times don't allow flexibility to accommodate good projects.

#### **5. Next Steps**

The next committee meeting is Wednesday, June 19<sup>th</sup> at 3 pm at the Joel D. Valdez Main Library (101 N. Stone Ave., 4<sup>th</sup> floor conference room).

The meeting concluded at 4:55.