

PROPOSED KEEPING OF SMALL FARM ANIMALS REGULATIONS

(Proposed New Section 6.6.5.F)

F. Keeping of Small Farm Animals.

1. In those zones where the Animal Production use is permitted, the permitted activities and standards allowed by the Animal Production use shall supersede when in conflict with the requirements of this Section 6.6.5.F.
2. Permitted Zone/Use: The keeping of small farm animals is permitted as an accessory use to:
 - a. Any residential use permitted by the underlying zone, including permitted residential uses in a nonresidential zone;
 - b. Community garden; or,
 - c. Urban Farm.
3. The keeping of small farm animals shall be conducted in accordance with this Section 6.6.5.F and Chapter 4, Animals and Fowl, of the Tucson Code. In the case of a conflict, the standards of this section shall control.
4. Types of Animals Permitted & Prohibited.
 - a. Small farm animals as defined in Section 11.4.7 (Farm Animals, Small) are permitted.
 - b. Large farm animals as defined in Section 11.4.7 (Farm Animals, Large) are prohibited.
 - c. Fish of any size for commercial and noncommercial use are not regulated by this proposal.
 - d. Uncastrated male goats older than 5 months are prohibited.
 - e. Roosters are prohibited.
5. Maximum Number of Small Farm Animals Permitted
 - a. Animal Units as defined in Section 11.4.2 are used as a basis for determining the maximum number of small farm animals permitted.
 - b. Animal units are assigned as follows:

<u>Small Farm Animal</u>	<u>Units per Animal</u>
<u>Chickens</u>	<u>0.1</u>
<u>Ducks</u>	<u>0.2</u>
<u>Turkeys</u>	<u>0.4</u>

Comment [AU1]: From Ruth Beeker (12/5/13) – “On a different note, but one not easier to resolve: I do not see being able to get a compromise on the farm animal topic in a short period of time. Not only is there the number of animals, there is a major concern that we are setting up a situation which is legal but has the potential to cause problems which could destroy quality of life in the immediate area with no enforceable remedy. I think we need lots more public input than that from the 4 of us on this committee in order to come up with the animal portion of any proposed new ordinance. Having been a person who participated in something much less controversial, the recent changes in the NPO regulation yard sales which finally did get passed, and the size of work vehicles allowed in neighborhoods which M/C has sent back to the drawing boards for the third time, it seems unproductive to move forward with something that does not have support from our total committee. I propose that our committee separate the plant production topics out to be one proposal which can be sent to PC with committee support with a little more work on the final details [emphasis added]. That I personally see as something that I could support. Then the advocates for small farm animal food production can work with the larger community to see what feedback they get and what support they can engender. Right now I am not willing to support any small farm animal ordinance without much more community input.”

Comment [AU2]: Would also have to comply with the additional conditions detailed in the 12/5 Urban Ag: Issues to be Resolved, i.e. 1) must be accessory to growing of produce, 2) permission from property owner required, 3) must be in separate, fenced-off area, 4) must be tended at least 2 times per day, 5) sign must posted with contact info.

Comment [AU3]: Under consideration.

Comment [AU4]: The maximum number of animals permitted is still under consideration.

<u>Dwarf Goat (female or neutered male only)</u>	<u>0.5</u>
<u>Rabbits</u>	<u>0.1</u>
<u>Rodents (guinea pigs)</u>	<u>0.1</u>

- c. For the purposes here, animals of laying or breeding age only are included when determining the maximum number of animals permitted.
- d. The maximum number of animals permitted is the lesser of 0.2 Animal Units per 1,000 square feet of gross site area or a maximum total Animal Units as follows:

<u>Gross Site Area</u>	<u>Maximum Number of Total Animal Units Permitted</u>
<u>Less than 16,000 sf</u>	<u>2.4</u>
<u>16,000 sf to 143,999 sf</u>	<u>3.6</u>
<u>144,000 sf or more</u>	<u>4.8</u>

6. Location Requirements

- a. Animal shelters may have a zero side or rear perimeter yard when the shelter is:
 - i. Six (6) feet or less in height;
 - ii. Sixteen (16) square feet or less, excluding unenclosed pens, in area;
 - iii. Twenty (20) feet or more from any habitable space on adjacent properties as measured from the nearest point of the enclosed shelter to the nearest point of the affected habitable space. [The setback requirement of this section may be reduced or waived if written consent is provided by the owner of the affected residential dwelling. This requirement shall be verified and enforced through the issuance of a permit by the city; and,
 - iv. Screened by a six foot tall fully opaque nonvegetative screen such as a fence or wall.

- b. Animal shelters that exceed the dimensional limits in Section 6.6.5.F.6.a.i & .ii shall be at least 20 feet from any habitable space on adjacent properties as measured from the nearest point of the enclosed shelter to the nearest point of the affected habitable space and comply with the perimeter yard requirements in accordance with Section 6.6, Accessory Uses, Buildings and Structures. [The setback and perimeter yard requirements of this section may be reduced or waived if written consent is provided by the owner of the affected residential dwelling. This requirement shall be verified and enforced through the issuance of a permit by the city.

Comment [AU5]: Under consideration. Previous draft required 20' from principal residence, excluding porches and overhangs.

Comment [AU6]: Under consideration. Neighborhood reps oppose setback modifications via neighbor sign-off.

Comment [AU7]: Under consideration. Previous draft required 20' from principal residence, excluding porches and overhangs.

Comment [AU8]: Under consideration. Neighborhood reps oppose setback modifications via neighbor sign-off.

7. Maximum Height Permitted. Animal shelters shall be no taller than 12 feet.
8. Animals shall be kept within a fenced area or shelter at all times.
9. Animal shelters are permitted in the side or rear yard only.
10. Additional parking, off-street loading, and landscaping and screening beyond what is required of the principal use are not required.

Comment [AU9]: Revised per 11/13 task force meeting. Proposal now prohibits in the front yard.

From Sec. 11.4.9 Definitions - H

Habitable space

A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces. (Source: 2012 International Building Code)

Comment [AU10]: Definition added based on change to the setback requirements shown in Sec. 6.6.5.F.6 above.

DRAFT