

SUSTAINABLE CODE AMENDMENTS: URBAN AGRICULTURE

Section 1: The Tucson Code, Chapter 23B, Unified Development Code, Article 4, is amended to read as follows:

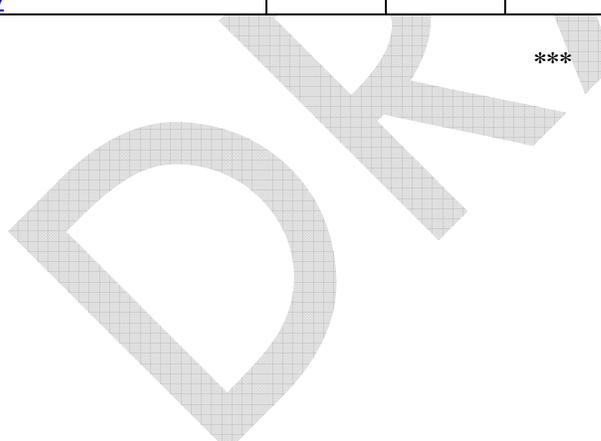
**ARTICLE 4, ZONES
SECTION 8, USE TABLES**

4.8.3 PERMITTED USES: RURAL AND SUBURBAN RESIDENTIAL ZONES

TABLE 4.8-1: PERMITTED USES – RURAL AND SUBURBAN RESIDENTIAL ZONES						
<i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSO Special Exception Procedure, Section 3.4.2						
LAND USE	RH	SR	SH	RX-1	RX-2	USE SPECIFIC STANDARDS
Agricultural Land Use Group With Land Use Class/Type:						
Animal Production:						
General		P	P	P		SR: 4.9.2.A.1.a, 2.b,3.a SH: 4.9.2.A.1.b, 2.b, 2.c, 3.b RX-1: 4.9.2.A.1.a, 2.a, 2.b, 3.a
Excluding Stockyard	P					RH: 4.9.2.A.1.a, 2.b,3.b and 4.9.13.l
Commercial Stables Only		P	P			SR: 4.9.2.A.1.b, 2.b & 4.c SH: 4.9.2.A.1.b, 2.c, & 4.c
Hog Ranch Only	S [1]					RH: 4.9.2.A.3.d and 4.9.13.l
Commercial Feedlot Only	S [1]					RH: 4.9.2.C.1 and 4.9.13.l
Stable or Riding School Only	P					RH: 4.9.2.A.1.b, 2.b, 4.b & 4.c and 4.9.13.l
Crop Production:	P	P	P	P	P	RH: 4.9.2.B.1 and 4.9.13.l SR, SH, RX-1, RX-2: 4.9.2.B.1
 With Food & Beverage Sales as an accessory use	P	P	P			RH: 4.9.9.A.2.a, 3-8 and 4.9.13.l SR, SH: 4.9.9.A.1, 2.c, 3, 4, 7
General Farming	P	P	P	P		4.9.2.B.1 and: RH: 4.9.2.A.1.a, 2.b, 3.b and 4.9.13.l SR: 4.9.2.A.1.a, 2.b, 3.a SH: 4.9.2.A.1.b, 2.b, 2.c, 3.b RX-1: 4.9.2.A.1.b, 2.a, 2.b, 3.a
Urban Agriculture:						
Community Garden	P	P	P	P	P	RH: 4.9.2.C.1 and 4.9.13.l SR, SH, RX-1, RX-2: 4.9.2.C.1
Urban Farm	P	P	P	P	P	RH: 4.9.2.C.2 and 4.9.13.l SR, SH, RX-1, RX-2: 4.9.2.C.1
Urban Farm	S [3]	RH: 4.9.2.C.2.g and 4.9.13.l				

TABLE 4.8-1: PERMITTED USES – RURAL AND SUBURBAN RESIDENTIAL ZONES						
<i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2						
LAND USE	RH	SR	SH	RX-1	RX-2	USE SPECIFIC STANDARDS
<u>Urban Farm (both P & S) with Food & Beverage Sales as an accessory use</u>	P	P	P			<u>SR, SH, RX-1, RX-2: 4.9.2.C.2.g</u> <u>RH: 4.9.9.A.2.a, 3-8 and 4.9.13.I</u> <u>SR, SH: 4.9.9.A.1, 2.c, 3, 4, 7</u>

Retail Trade Land Use Group With Land Use Class/Type:						
Artists/Artisans Workshop/Studio	S [2]					RH: 4.9.9.B.2 and 4.9.13.I
Feed store	S [1]					RH: 4.9.13.A.2 & I
Food and Beverage Sales	S [1]					RH: 4.9.9.A.10 and 4.9.13.I
Fuel dispensing	S [1]					RH: 4.9.13.A.2 & .I
General Merchandise Sales	S [1]					
<u>Swap Meets and Auctions:</u>						
<u>Farmers' Market, Small as an accessory use to permitted principal uses in the Agricultural, Civic, and Recreation Land Use Groups only</u>	P	P	P	P	P	<u>RH: 4.9.13.I and 6.6.5.C</u> <u>SR, SH, RX-1, RX-2: 6.6.5.C</u>
<u>Farmers' Market, Large as an accessory use to permitted principal uses in the Agricultural, Civic, and Recreation Land Use Groups only</u>	S [3]	S [3]	S [3]	S [3]	S [3]	<u>RH: 4.9.13.I and 6.6.5.C</u> <u>SR, SH, RX-1, RX-2: 6.6.5.C</u>



4.8.4 PERMITTED USES: URBAN RESIDENTIAL ZONES

TABLE 4.8-2: PERMITTED USES— URBAN RESIDENTIAL ZONES <i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2						
LAND USE	R-1	R-2	R-3	MH-1	MH-2	USE SPECIFIC STANDARDS
Agricultural Land Use Group With Land Use Class/Type:						
<u>Crop Production</u>	P	P	P	P	P	All zones: 4.9.2.B
<u>Urban Agriculture:</u>						
<u>Community Garden</u>	P	P	P	P	P	All: 4.9.2.C.1
<u>Urban Farm</u>	S [3]	All: 4.9.2.C.2.g (minimum 2-acre lot size required)				
<u>Urban Farm</u>	S [2]	All: 4.9.2.C.2.g (when proposed site is less than 2 acres, but not less than the zone's minimum lot size requirement)				

Retail Trade Land Use Group With Land Use Class/Type:						
<u>Swap Meets and Auctions:</u>						
<u>Farmers' Market, Small as an accessory use to permitted principal uses in the Agricultural, Civic, and Recreation Land Use Groups only</u>	P	P	P	P	P	All: 6.6.5.C
<u>Farmers' Market, Large as an accessory use to permitted principal uses in the Agricultural, Civic, and Recreation Land Use Groups only</u>	S [3]	All: 6.6.5.C				

4.8.5 PERMITTED USES: OFFICE ZONES

TABLE 4.8-3: PERMITTED USES – OFFICE ZONES				
<i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2				
LAND USE	O-1	O-2	O-3	USE SPECIFIC STANDARDS
Agricultural Land Use Group With Land Use Class/Type:				
<i>Urban Agriculture:</i>				
Community Garden	P	P	P	All: 4.9.2.C.1
Urban Farm	P	P	P	All: 4.9.2.C.2
Urban Farm	S [3]	S [3]	S [3]	All: 4.9.2.C.2.g

Retail Trade Land Use Group With Land Use Class/Type:				
Swap Meets and Auctions, limited to Farmers' Market (Small or Large) as an accessory use only	P	P	P	All: 6.6.5.C

4.8.6 PERMITTED USES: COMMERCIAL AND MIXED USE ZONES

TABLE 4.8-4: PERMITTED USES – COMMERCIAL AND MIXED USE ZONES						
<i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2						
LAND USE	C-1	C-2	C-3	OCR-1	OCR-2	USE SPECIFIC STANDARDS
Agricultural Land Use Group With Land Use Class/Type:						
<i>Urban Agriculture:</i>						
Community Garden	P	P	P	P	P	All: 4.9.2.C.1
Urban Farm	P	P	P	P	P	All: 4.9.2.C.2
Urban Farm	S [3]	All: 4.9.2.C.2.g				

Retail Trade Use Group With Land Use Class/Type:						

Swap Meets and Auctions		P	P	S [3]	S [3]	C-2, C-3, OCR-1, OCR-2: 4.9.9.FG
Farmer's Market (Small or Large)	P	P	P	P	P	All: 4.9.9.G
Vehicle Rental and Sales		P	P	P	P	C-2, C-3, OCR-1, OCR-2: 4.9.9.HG.1 and 2

4.8.7 PERMITTED USES: INDUSTRIAL ZONES

TABLE 4.8-5: PERMITTED USES – INDUSTRIAL ZONES*				
<i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2				
*Any Land Use Class not permitted or a Special Exception Use in any other zone, or permitted in the I-2 zone, may be permitted in the I-2 zone and shall comply with the dimensional standards determined to be most similar to the proposed use.				
LAND USE	P-I	I-1	I-2	USE SPECIFIC STANDARDS
Agricultural Land Use Group With Land Use Class/Type:			*	
<u>Urban Agriculture:</u>				
<u>Community Garden</u>	P	P	P	All: 4.9.2.C.1
<u>Urban Farm</u>	P	P	P	All: 4.9.2.C.2
<u>Urban Farm</u>	S [3]	S [3]	S [3]	All: 4.9.2.C.2.g

Retail Trade Land Use Group With Land Use Class/Type:			*	

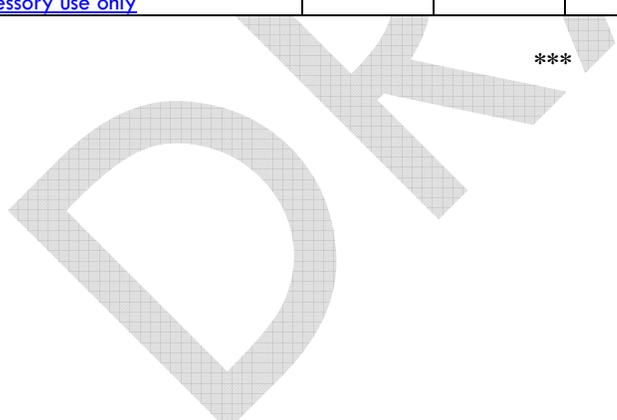
Swap Meets and Auctions	S [3]	S [3]	P	P-1, I-1, I-2: 4.9.9.FG and 4.9.13.Q
Auctions only		P		I-1: 4.9.9.FG and 4.9.13.Q
<u>Farmer's Market (Small or Large) only</u>	P	P	P	All: 4.9.9.G
Vehicle Rental and Sales	P	P	P	P-1, I-1, I-2: 4.9.9.HG

4.8.8 PERMITTED USES: SPECIAL USE ZONES (1) – OS, IR, P, & RV

TABLE 4.8-6: PERMITTED USES – SPECIAL USE ZONES (1): OS, IR, P, & RV ZONES					
<i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2					
LAND USE	OS	IR	P	RV	USE SPECIFIC STANDARDS
Agricultural Land Use Group With Land Use Class/Type:					
Animal Production:					
Excluding a Stockyard		P			IR: 4.9.2.A.1.a, .2.b, .3.b, & .3.c and 4.9.13.H
Hog Ranch		S [1]			IR: 4.9.2.A.3.d and 4.9.13.H
Stable or Riding School		P			IR: 4.9.2.A.2.b, & .4 and 4.9.13.H
<u>Crop Production</u>		P			IR: 4.9.2.B and 4.9.13.H
<u>With Food and Beverage Sales as an accessory use</u>		P			IR: 4.9.9.A.2.a & 3-9 and 4.9.13.H
General Farming		P			IR: 4.9.2.A.1.a, 2.b, 3.b, & .3.c, 4.9.2.B, and 4.9.13.H
Stockyard Operation:					
Commercial Feedlot		S [1]			IR: 4.9.2.C.1 and 4.9.13.H
Livestock Auction Yard		S [1]			IR: 4.9.2.C.2 and 4.9.13.H

TABLE 4.8-6: PERMITTED USES – SPECIAL USE ZONES (1): OS, IR, P, & RV ZONES <i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2					
LAND USE	OS	IR	P	RV	USE SPECIFIC STANDARDS
Urban Agriculture:					
Community Garden	P	P	P	P	All: 4.9.2.C.1
Urban Farm	S [3]	P	P	P	OS: 4.9.2.C.2.g (minimum 2-acre lot size required) IR, P, RV: 4.9.2.C.2
Urban Farm	S [2]	S [3]	S [3]	S [3]	OS: 4.9.2.C.2.g (when proposed site is less than 2 acres, but not less than the zone's minimum lot size requirement) IR, P, RV: 4.9.2.C.2.g
Urban Farm (P & S) with Food and Beverage Sales as an accessory use		P			IR: 4.9.9.A.2.a & 3-9 and 4.9.13.H

Retail Trade Use Group With Land Use Class/Type:					
General Merchandise Sales:					
Artists/Artisan Workshop/Studio only		S [2]			IR: 4.9.9.B.2 and 4.9.13.H
Feed Store only		S [1]			IR: 4.9.13.A.2 and 4.9.13.H
Swap Meets and Auctions, limited to Farmer's Market (Small or Large) as an accessory use only		P	P	P	All: 6.6.5.C



4.8.9 PERMITTED USES: SPECIAL USE ZONES (2) – NC, RVC, & MU

TABLE 4.8-7: PERMITTED USES – SPECIAL USE ZONES (2): NC, RVC, AND MU ZONES <i>P = Permitted Use S = Permitted as Special Exception Use</i> [1] Mayor and Council Special Exception Procedure, Section 3.4.4 [2] Zoning Examiner Special Exception Procedure, Section 3.4.3 [3] PDSD Special Exception Procedure, Section 3.4.2				
LAND USE	NC	RVC	MU	USE SPECIFIC STANDARDS
Agricultural Land Use Group With Land Use Class/Type:				
Animal Production:				
Excluding Commercial Stables			P	MU: 4.9.2.A.1.a, 1.c, 2.a, 2.b, & 3.a
Commercial Stables Only			S [2]	MU: 4.9.2.A.1.b, .2.b, & .4.c and 4.9.5.C.6
<u>Urban Agriculture:</u>				
<u>Community Garden</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>All:</u> 4.9.2.C.1
<u>Urban Farm</u>	<u>S [3]</u>	<u>S [3]</u>	<u>P</u>	<u>NC, RVC:</u> 4.9.2.C.2 (minimum 2-acre lot size required) <u>MU:</u> 4.9.2.C.2
<u>Urban Farm</u>	<u>S [2]</u>	<u>S [2]</u>	<u>S [3]</u>	<u>NC, RVC:</u> 4.9.2.C.2.g (when proposed site is less than 2 acres, but not less than the zone's minimum lot size requirement) <u>MU:</u> 4.9.2.C.2.g

Retail Trade Use Group With Land Use Class/Type:				

<u>Swap Meets and Auctions, limited to Farmer's Market (Small or Large) as an accessory use only</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>All:</u> 6.6.5.C
Vehicle Rental and Sales			S[2]	MU: 4.9.5.C.6 and 4.9.9.HG.1, .2
Additional Permitted Accessory Uses				
Salvaging and Recycling as an accessory use to any permitted Retail Trade uses	P	P	P	All: 4.9.5.G.1 & .3

Section 2: The Tucson Code, Chapter 23B, Unified Development Code, Article 4, is amended to read as follows:

**ARTICLE 4, ZONES
SECTION 9, USE SPECIFIC STANDARDS**

4.9.2 AGRICULTURAL USE GROUP

B. ~~Crop Production~~

~~Any greenhouse heating plant or cooling fan shall be located a minimum of 200 feet distant from every lot line.~~

BC. Stockyard Operation

C. Urban Agriculture

1. Community Garden

a. Permitted Activities and Uses. The following activities and uses are permitted on an Urban Farm use:

i. Growing and harvesting of agricultural products;

ii. Raising of small farm animals is permitted as an accessory use only in accordance with Section 6.6.5.F;

iii. Greenhouses are permitted as an accessory or principal structure. When an accessory structure, greenhouse(s) are required to comply with Section 6.6.5.E. When a principal structure, greenhouse(s) are required to comply with all applicable dimensional and development standards required by the zone. Additionally, greenhouses with mechanical heating or cooling as defined in Section 11.4.8, Definitions – G, Heating plants or cooling fans associated with greenhouses shall be located a minimum distance from every property line or mitigated by screening or other treatment in order to comply with Section 16-31, Excessive Noise, of the Tucson Code. Compliance with this standard may require the heating or cooling systems and/or greenhouse to have a greater perimeter yard than that required by the zone. Applicants must demonstrate compliance with this standard prior to issuance of a building permit. Passive greenhouses, including those that are cooled solely by an evaporative cooler, are not required to provide a wider perimeter yard than that required by the zone;

iv. Composting is permitted as an accessory use only in accordance with Section 6.6.5.B;

v. Sale of products grown on-site is permitted as an accessory use only in accordance with Section 6.6.5.G;

vi. Accessory structures, including those associated with the sale of products grown on-site (such as booths and canopies), are exempt from Sec.

6.6.1.C and may be located in front of the principal community garden use; and,

vii. Outdoor activity, including the outdoor display of products grown on-site, in permitted.

b. Community gardens are exempt from the requirements of Sections 7.4, Motor Vehicle and Bicycle Parking, 7.5, Off-Street Loading, and 7.6, Landscaping and Screening. However, if screening is provided, it shall be no greater than six feet in height and be no more than 40% opacity.

b. Review and Approval Procedure. Community gardens are reviewed and considered for approval in accordance with Section 3.3.3, PDSO Director Approval Procedure. The Director may require conditions of approval as necessary to protect the health, safety, or welfare of any property impacted by the community garden.

2. Urban Farm

a. Permitted Activities and Uses. The following activities and uses are permitted on an Urban Farm use:

i. Growing and harvesting of agricultural products;

ii. Raising of small farm animals is permitted as an accessory use only in accordance with Section 6.6.5.F, with the following exception. Exception: For sites more than 300 feet from a residential use or zone, the maximum number of Animal Units permitted is 4.8. For sites within 300 feet of a residential use or zone, then the maximum number of Animal Units permitted is 2.4.;

iii. Greenhouses are permitted as an accessory or principal structure. When an accessory structure, greenhouse(s) are required to comply with Section 6.6.5.E. When a principal structure, greenhouse(s) are required to comply with all applicable dimensional and development standards required by the zone. Additionally, greenhouses with mechanical heating or cooling as defined in Section 11.4.8, Definitions – G, Heating plants or cooling fans associated with greenhouses shall be located a minimum distance from every property line or mitigated by screening or other treatment in order to comply with Section 16-31, Excessive Noise, of the Tucson Code. Compliance with this standard may require the heating or cooling systems and/or greenhouse to have a greater perimeter yard than that required by the zone. Applicants must demonstrate compliance with this standard prior to issuance of a building permit. Passive greenhouses, including those that are cooled solely by an evaporative cooler, are not required to provide a wider perimeter yard than that required by the zone;

iv. Composting is permitted as an accessory use only in accordance with Section 6.6.5.B;

v. Sale of products grown on-site is permitted as an accessory use only in accordance with Section 6.6.5.G;

vi. Accessory structures, including those associated with the sale of products grown on-site (such as booths and canopies), are exempt from Sec. 6.6.1.C and may be located in front of the principal urban farm use; and,

vii. Outdoor activity, including the outdoor display of products grown on-site, is permitted.

b. Minimum Lot Size Required

i. A minimum lot size of two (2) acres is required when an Urban Farm is located in the R-1, R-2, R-3, MH-1, MH-2, OS, NC, or RVC zone.

ii. The minimum lot size may be less than two (2) acres when processed in accordance with the special exception procedure as provided in the applicable permitted use table.

c. Nuisance Mitigation. Urban Farms are required to comply with the following standards is required:

i. *Dust, Fumes, Vapors, Gases, and Other Forms of Air Pollution:* No emission shall be permitted that can cause damage to health, animals, vegetation, or other forms of property or that can cause any excessive soiling of the air.

ii. *Illumination:* Illumination of buildings and open areas shall be located and directed so as to eliminate glare toward streets and adjoining properties and shall comply with the requirements of the Tucson Code, Chapter 6, (Outdoor Lighting Code).

iii. *Liquids and Solid Waste:* No waste shall be discharged into the streets, drainage-ways, or on property possibly creating a danger to the public health and safety, and no waste shall be discharged in the public sewage system that might endanger the normal operation of the public sewage system.

iv. *Noise.* The sound level of any individual operation shall not exceed the levels permitted in Section 16-31, Excessive Noise, of the Tucson Code.

v. *Odor.* Emission of odorous gases or other odorous matter shall not be permitted in such quantities as to be offensive to owners or occupant of adjoining property or in such a manner as to create a nuisance or hazard beyond the property lines.

vi. *Vibration.* No vibration shall be permitted that is discernible beyond the property lines to the human sense of feeling for a duration of three minutes or more in any one hour of the day between the hours of 7:00 a.m. and 7:00 p.m. or of a duration of 30 seconds or more in any one hour between the hours of 7:00 p.m. and 7:00 a.m.

vii. *Heavy Machinery.* The use of heavy machinery (e.g. tractors, plows, etc.) is permitted, is restricted to use between 7 a.m. and 7 p.m., and must be in compliance with the other nuisance mitigation requirements as applicable.

- d. Parking Required. Motor vehicle parking is required at one (1) space per 300 square feet gross floor area of building used for administrative and professional office space only. Bicycle parking is not required.
- e. Off-Street Loading Exempted. Off-street loading is not required.
- f. Landscaping and Screening Required. Landscaping and screening is required in accordance with Section 7.6, *Landscaping and Screening*.
- g. Special Exception Requirement. When permitted as a special exception use, a management plan is required that includes a description and location of all proposed agricultural uses and structures and demonstrates and demonstrates compliance with the nuisance mitigation requirements in accordance with Section 4.9.2.C.2.c and that all farm development, structures, and operations are compatible with the character of the neighborhood. Modifications to the nuisance mitigation requirements (Section 4.9.2.C.2.c) may be approved based on a finding that the intent of the standard has been met.
- h. Additional Conditions Permitted. The Director may require conditions of approval as necessary to protect the health, safety, or welfare of any property impacted by the urban farm.

4.9.7 RESIDENTIAL USE GROUP

D. Home Occupations are permitted as Accessory Land Uses to Mobile Home Dwelling or Family Dwelling as follows:

1. Home occupations other than those specified below are required to comply with Section 4.9.7.E, *Home Occupation: General Standards*; or
2. The following uses within the specified zones are required to comply as follows:

- g. Home Occupation: Home Garden Sales is permitted in IR, RH, SR, SH, RX-1, RX-2, R-1, R-2, R-3, MH-1, MH-2, O-1, O-2, O-3, NC, C-1, C-2, C-3, MU, OCR-1, and OCR-2, subject to: 4.9.7.E.1 - .6, .9 - .11, .13, and .15.

E. Home Occupation: General Standards

1. Home occupations require review and consideration for approval in accordance with Section 3.3.3, PDS Director Approval Procedure.
2. The home occupation shall be clearly secondary to the residential use of the dwelling.
3. The home occupation shall be conducted in such a manner that it is compatible with the residential character of the neighborhood in which it is located.
4. Except for multifamily development, no more than 25 percent of all buildings on the lot may be devoted to the home occupation. For multifamily development, no more than 25 percent of the dwelling unit may be devoted to the home occupation. A detached accessory building of not more than 200 square feet in area may be used for such home occupation. For the purposes of home garden sales, this subsection only applies to those gardens grown in greenhouses. Gardens not in an enclosed structure or building are exempt from this subsection
5. Persons other than those residing in the dwelling shall not be employed in the home occupation, except that one nonresident of the premises may be

employed in the IR, RH, SR, SH, O-2, O-3, NC, C-1, C-2, C-3, OCR-1, and OCR-2 zones.

6. Goods related to the home occupation shall not be visible from the street.

9. Except for permitted signage and gardens not in an enclosed structure or building, the home occupation use shall not substantially alter the exterior appearance or character of the residence in which it is conducted, either by exterior construction, lighting, graphics, or other means.
10. No more than one sign shall be visible from the exterior of the property used as a home occupation. The sign shall not exceed one square foot in size. Signs shall also conform to Chapter 3 of the Tucson Code.
11. A home occupation shall not create any nuisance, hazard, or other offensive condition, such as that resulting from noise, smoke, fumes, dust, odors, or other noxious emissions. Electrical or mechanical equipment that causes fluctuations in line voltage, creates any interference in either audio or video reception, or causes any perceivable vibration on adjacent properties is not permitted.

13. Except as otherwise required, additional motor vehicle and bicycle parking is not required for a home occupation. The home occupation may involve the use of no more than one commercial vehicle for the transportation of goods or materials to and from the premises. The commercial vehicle is limited to a passenger car, van, or pickup truck. This vehicle cannot be more than 20 feet in overall length and not more than seven feet in overall height and shall be parked on private property in a carport or garage or shielded from view from adjoining properties by landscaping, fencing, or screening material. Motor vehicle and bicycle parking necessitated by the conduct of such home occupation shall be provided on site.

15. Sale of goods grown on-site from the residence is restricted to no more than four advertised events per year. A single event is limited to no 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 posts signs off-site in the neighborhood.

4.9.9 RETAIL TRADE USE GROUP

G. Swap Meets and Auctions – Farmers' Market

1. Farmers' Markets (Small or Large) is permitted as a principal use in C-1, C-2, C-3, OCR-1, OCR-2, P-1, I-1, I-2, and MU in compliance with the following standards:
 - a. Compliance with Section 4.9.9.F, Swap Meets and Auctions, is required. The standards of this Section 4.9.9.G shall control where there is a conflict with Section 4.9.9.F.

- b. Craft-related product sales must be clearly accessory to the sale of food-related products. Specifically, at least 20% of the farmers' market space does not occupy the same allotted area on an uninterrupted, continuous, daily basis for the purpose of display and sale, exchange, or barter of merchandise.
- c. Outdoor activity, including the outdoor display of products for sale, is permitted.
- d. Loudspeakers and amplified music are prohibited outdoors when within 300 feet of a residential use or zone. Any high noise activity, such as amplified entertainment, shall occur within an enclosed building when within 300 feet of a residential use or zone.
- e. The retail area shall be dust proofed.
- f. For Farmers' Markets within 300 feet of a residential use or R-3 or more restrictive zone, the applicant must address how the proposal will mitigate any potential nuisances on the nearby residential neighborhood. The applicant shall provide the following information:
 - i. Frequency that the Farmers' Market will occur and the hours of operation;
 - ii. Methods to avoid potential increases in noise and light intrusion;
 - iii. Methods to deter vehicular access into adjacent residential neighborhoods using signage or other means;
 - iv. Methods to prevent drive-through traffic or habitual parking within adjacent residential neighborhoods or commercial development;
 - v. When the applicant proposes to use a principal use's required parking, either partially or completely, identify where alternative parking for customers and vendors will be located.
- g. Parking Required. Motor vehicle parking is required at one (1) space per 300 square feet of market site area, excluding vehicular use areas. Short- and long-term bicycle parking is required at one (1) space per 5,000 square feet and one (1) space per 12,000 square feet, respectively, of market site area, excluding vehicular use areas.
- h. Off-Street Loading and Landscaping and Screening Exempted. Farmers' Markets are exempt from the requirements of Section 7.5, Off-Street Loading, and Section 7.6, Landscaping and Screening..

- i. [Additional Conditions Permitted. The Director may require conditions of approval as necessary to protect the health, safety, or welfare of any property impacted by the farmers' market.](#)

HG. Vehicle Rental and Sales

4.9.13 GENERAL STANDARDS, RESTRICTIONS, AND EXCEPTIONS

J. O-1 and O-2 Office Zones – General Restrictions

The following restrictions apply to all uses and development in these zones:

1. Drive-through services are prohibited;
2. All land use activities shall be conducted entirely within an enclosed building unless specifically provided otherwise with the following exceptions. Vehicular use areas and activities associated with the [Farmers' Market Use](#), Medical Service, Extended Healthcare Use, ~~and~~ the Parks and Recreation Use, [and the Urban Agriculture Uses](#) may be conducted outdoors; and,
3. All nonresidential land use activities shall:
 - a. Restrict hours of operation from 7:00 a.m. to 10:00 p.m., [except as required by a use's use-specific standard](#);
 - b. Comply with the requirements of Section 6-101, Outdoor Lighting Code, of the Tucson Code. Outdoor lighting utilized in conjunction with the use shall be located and directed so as to eliminate glare toward streets and adjoining R-3 or more restrictive zoning; ~~and,~~
 - c. Comply with the requirements of Section 16-31, Excessive Noise, of the Tucson Code and be located within an enclosed building. There shall be no openings on the side of the building adjacent to R-3 or more restrictive zoning.

K. O-3 Office Zone – General Restrictions

The following restrictions apply to all uses and development in this zone:

1. Drive-through services are prohibited; and,
2. All land use activities shall be conducted entirely within an enclosed building unless specifically provided otherwise with the following exceptions. Vehicular use areas and activities associated with the [Farmers' Market Use](#), Medical Service, Extended Healthcare Use, ~~and~~ the Parks and Recreation Use, [and the Urban Agriculture Uses](#) may be conducted outdoors.

L. Recreational Vehicle Zone (RV) – General Restrictions

Storage buildings are not permitted in this zone as accessory to each individual unit space; however, they are permitted as part of the common use facility. [Urban Agriculture uses and Farmer's Markets are exempt from this restriction.](#)

M. Neighborhood Commercial Zone (NC) – General Restrictions and Exception

The following standards apply to all uses and development in this zone:

1. Drive-through or drive-in services are prohibited;
2. All land use activities, except the Day Care Use, [Farmers' Market Use](#), Parks and Recreation Use, ~~and all uses in the Residential Use Group, and all Urban Agriculture Uses~~, shall be conducted entirely within an enclosed building unless specifically provided otherwise in the Use Specific Standards. Vehicular use areas are not required to be located within enclosed buildings;
3. All land use activities, except the Residential Use Group [or required differently by a use's specific use-specific standard](#), are restricted to hours of operation of 7:00 a.m. to 10:00 p.m.;
4. All nonresidential development and nonresidential exterior remodeling that require a building permit are reviewed and approved by the Design Review Board (DRB) for architectural and site design compatibility with the surrounding residential area. [Farmers' Markets and Urban Agriculture uses are exempt from this restriction](#); and,
5. All land uses are limited to 2,000 square feet of GFA, except Family Dwelling, Educational Uses, and the following exception. Mixed use or multi-tenant developments are limited to 10,000 square feet of GFA. A tenant within a mixed use development is limited to 2,000 square feet of GFA. Outdoor activity areas permitted in this zone shall be included in the GFA limitations. Exception: On authorization of rezoning of property to the NC zone, Mayor and Council may approve land uses that will be located in existing buildings or portions thereof that exceed the limitation of 2,000 square feet of gross floor area per use or the limitations restricting mixed use or multi-tenant development to 10,000 square feet of gross floor area. The gross floor area for any such exception shall neither be increased nor enlarged following initial authorization, and the right to exceed the gross floor area restrictions shall be terminated if discontinued or abandoned. [Farmers' Markets and Urban Agriculture uses are exempt from this restriction.](#)

N. Rural Village Center Zone (RVC) – General Restrictions

The following restrictions apply to all uses and development in this zone:

1. Drive-through or drive-in services are prohibited unless specifically provided for the land use;
2. All land use activities ~~except vehicular use areas~~ shall be conducted entirely within an enclosed building. [Vehicular use areas, Farmers' Markets, Urban Agriculture uses, and](#) unless specifically provided otherwise [by a use's use-specific standard](#); and,
3. The maximum permitted area of each RVC zone is 20 acres.

O. C-1 Commercial Zone – General Restrictions

The following restrictions apply to all uses and development in this zone:

1. Drive-through services are prohibited except as follows:

- a. Commercial Services and Retail Trade Uses may provide one drive-through lane.
 - b. Financial Services Use may provide two drive-through lanes and one Automated Teller Machine (ATM) service lane.
2. All land use activities shall be conducted entirely within an enclosed building, except as follows:

a. Agricultural Use Group: Urban Agriculture;

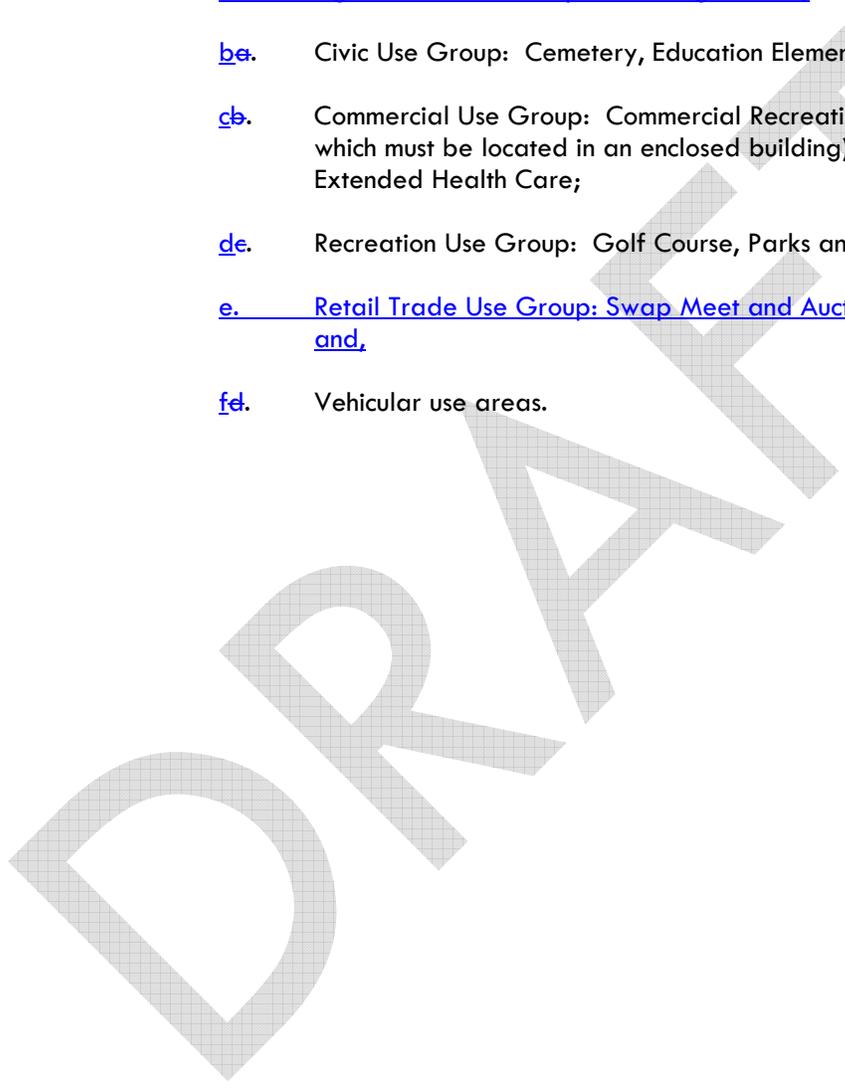
b. Civic Use Group: Cemetery, Education Elementary & Secondary Schools;

c. Commercial Use Group: Commercial Recreation (except shooting ranges which must be located in an enclosed building), Medical Services, Extended Health Care;

d. Recreation Use Group: Golf Course, Parks and Recreation; ~~and,~~

e. Retail Trade Use Group: Swap Meet and Auctions (Farmers' Market only); and,

f. Vehicular use areas.



Section 3: The Tucson Code, Chapter 23B, Unified Development Code, Article 6, is amended to read as follows:

**ARTICLE 6, DIMENSIONAL STANDARDS AND MEASUREMENTS
SECTION 6, ACCESSORY USES, BUILDINGS, AND STRUCTURES**

6.6.1 ACCESSORY USES

- C. The use shall not substantially alter the exterior appearance or character of the principal use or building to which it is incidental; and,
- D. Animals may be kept for personal use in all zones subject to Tucson Code, Chapter 4, and any applicable health regulations.

6.6.2 ACCESSORY BUILDINGS AND STRUCTURES

- B. An accessory building shall be developed in accordance with the dimensional standards of the principal land use, except as provided by this section and, when applicable, Sections [6.6.3, Specifically within Residential Zones](#), [and 6.6.5, Urban Agriculture Uses and Activities](#);
- C. An accessory structure that exceeds the allowable height of a wall within a perimeter yard and is detached from a principal structure shall comply with the perimeter yard width standards of the principal structure, except that the accessory structure may be built to a parcel line with the consent of the adjoining or, when separated by an alley, adjacent property owner(s) [or as permitted by Section 6.6.5, Urban Agriculture Uses and Activities](#);

- G. ~~This section is not intended to apply to buildings of six~~ Buildings of ~~six~~five feet or less in height and ~~16~~ten square feet or less in area, such as ~~shelters for animals (e.g. doghouses or chicken coops)~~ or refuse container enclosures, or ~~to~~play equipment [are exempt from the requirements of this Section 6.6.2](#);
- H. All structures for animals shall be set back at least 50 feet from all property lines, except corrals that ~~may shall~~ be set back ten feet from all property lines [and as permitted by Section 6.6.5.F, Keeping of Small Farm Animals](#);

6.6.5 URBAN AGRICULTURE USES AND ACTIVITIES

A. Community Garden

1. Community gardens are permitted as an accessory use in any zone in accordance with the standards provided below.
2. Permitted Activities and Uses. The following activities and uses are permitted on a Community Garden:
 - a. Growing and harvesting of agricultural products;
 - b. Raising of small farm animals is permitted as an accessory use only in accordance with Section 6.6.5.F;
 - c. Greenhouses are permitted in accordance with Section 6.6.5.E;
 - d. Composting is permitted as an accessory use only in accordance with Section 6.6.5.B;
 - e. Sale of products grown on-site is permitted as an accessory use only in accordance with Section 6.6.5.G;
 - f. Accessory structures, including those associated with the sale of products grown on-site (such as booths and canopies), are exempt from Section 6.6.1.C and may be located in front of the principal community garden use; and,
 - g. Outdoor activity, including the outdoor display of products for sale grown on-site, is permitted.
3. Lighting at the community garden is required to comply with Section 6-101, Outdoor Lighting Code, of the Tucson Code. Outdoor lighting utilized in conjunction with the use shall be located and directed so as to eliminate glare toward streets and adjoining R-3 or more restrictive zoning; and,
4. Any activities occurring at the community garden is required to comply with Section 16-31, Excessive Noise, of the Tucson Code.
5. Parking. Community gardens are exempt from the motor vehicle and bicycle parking requirements of Sec. 7.4: Motor Vehicle and Bicycle Parking.
6. Landscaping and Screening. Community gardens are exempt from the landscape border or screening requirements of Sec. 7.6: Landscaping and Screening. However, if screening is provided, it shall be no greater than six feet in height and be no more than 40 percent opacity.
7. Off-Street Loading. Community gardens are exempt from the off-street loading requirements of Sec. 7.5.
8. Review and Approval Procedure. Community gardens are reviewed and considered for approval in accordance with Section 3.3.3, PDS Director Approval Procedure. The Director may require conditions of approval as necessary

to protect the health, safety, or welfare of any property impacted by the community garden.

F. Composting

Composting is permitted as an accessory use provided it is actively managed to control any potential nuisance to neighbors and is in compliance with the conditions provided below. The city may require termination of the composting activity if a condition(s) is violated.

1. Nuisance. In no event shall any composting activities be conducted in a manner which creates an odor, litter, dust or noise nuisance, or attracts vectors or pests.
2. Rat and other vector control. The presence of insects, rodents, birds and other vectors or pests shall be controlled through specific measures. These specific measures may include grinding the ingredients, providing screens or netting, or conducting the composting operation in-vessel.
3. Surface water. The composting operation shall be located or designed and constructed to prevent the composting material and compost from sitting in ponded surface water.
4. Mixing. Composting material shall be mixed or turned at regular intervals as conditions mandate to re-mix ingredients, distribute moisture, rebuild porosity and aid in physical breakdown until composting is complete.
5. Moisture level. The moisture level of the composting material shall be maintained within a range of 40% to 60% moisture.
6. Sewage restriction. The composting material shall not contain sewage, sludge, septage or catch basin waste. For the purposes of this section, "sewage" shall mean a combination of water-carried wastes from residences, business buildings, institutional and industrial establishments, together with such ground surface and stormwaters as may be present; "sludge" shall mean any solid, semi-solid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility or any other such waste having similar characteristics or effects; "septage" shall mean the waste found in a septic tank; and "catch basin waste" shall mean the waste found in a catch basin.
7. Setback. The composting area must be setback in accordance with Sec. 6.6, Accessory Uses, Buildings, and Structures.

C. Farmers' Markets

1. Types. For regulatory purposes, a farmers' market is classified as one of the following:
 - a. Farmers' Market, Small. A farmers' market that has 15 or fewer vendors and occupies less than 10,000 square feet, excluding parking area. Additional requirements apply as provided below.
 - b. Farmers' Market, Large. A farmers' market that has more than 15 vendors and occupies more 10,000 or more square feet, excluding parking area. Additional requirements apply as provided below.

2. Permitted Zones. Farmers' Markets are permitted as an accessory use as follows:

- a. In the RH, SR, SH, RX-1, RX-2, R-1, R-2, R-3, MH-1, and MH-2 zones, Farmers' Markets, Small are permitted when accessory to a permitted principal use in the Agricultural, Civic, Recreation Land Use Groups only in compliance with Sections 6.6.5.B.3.a – h;
- b. In the RH, SR, SH, RX-1, RX-2, R-1, R-2, R-3, MH-1, and MH-2 zones, Farmers' Markets, Large are permitted through Section 3.4.2, PDSB Director Special Exception Procedure, when accessory to a permitted principal use in the Agricultural, Civic, Recreation Land Use Groups only in compliance with Section 6.6.5.B.3.a – h;
- c. In the IR, O-1, O-2, O-3, P, RV, C-1, C-2, C-3, OCR-1, OCR-2, P-1, I-1, I-2, and MU, Farmers' Markets (Small or Large) are permitted in compliance with Section 6.6.5.B.3.c – l; and,
- d. Prohibited in the OS zone.

3. Standards. The following standards are required of Farmers' Markets as specified in Section 6.6.5.B.1:

- a. A Farmers' Market, Small cannot be operated more than two days each week.
- b. A Farmers' Market, Small shall not be operated more than six hours per day between the hours of 7 a.m. and 8 p.m.
- c. Craft- and non-agricultural related product sales must be clearly accessory to the sale of food products. Specifically, at least 20 percent of the farmers' market space does not occupy the same allotted area on an uninterrupted, continuous, daily basis for the purpose of display and sale, exchange, or barter of merchandise.
- d. Outdoor lighting shall comply with Section 6-101, Outdoor Lighting Code.
- e. All litter, tents, stalls, food, merchandise, and other evidence of the Farmers' Market shall be removed from the premises at the end of each market event.
- f. Outdoor activity, including the outdoor display of goods for sale, is permitted.
- g. Compliance with Section 16-31, Excessive Noise, of the Tucson Code is required. Additionally, loudspeakers and amplified music are prohibited outdoors when within 300 feet of a residential use or zone. Any high noise activity, such as amplified entertainment, shall occur within an enclosed building when within 300 feet of a residential use or zone.
- h. The retail area shall be dust proofed.
- i. For Farmers' Markets within 300 feet of a residential use or zone, the applicant must address how the proposal will mitigate any potential

nuisances on the nearby residential neighborhood. The applicant shall provide the following information:

- i. Frequency that the Farmers' Market will occur and the hours of operation;
 - ii. Methods to avoid potential increases in noise and light intrusion;
 - iii. Methods to deter vehicular access into adjacent residential neighborhoods using signage or other means;
 - iv. Methods to prevent drive-through traffic or habitual parking within adjacent residential neighborhoods or commercial development;
 - v. When the applicant proposes to use a principal use's required parking, either partially or completely, identify where alternative parking for customers and vendors will be located.
4. When an accessory use, Farmers' Markets (Small or Large) are not required to provided additional motor vehicle or bicycle parking, off-street loading, or landscaping and screening beyond what is required for the principal use.
 5. Additional Conditions Permitted. The Director may require conditions of approval as necessary to protect the health, safety, or welfare of any property impacted by the farmers' market.

D. Gardens

1. Gardens are permitted as an accessory use to any residential or nonresidential use.
2. Gardens are permitted in the front yard and are exempt from Section 6.6.1.C.
3. Except for gardening conducted in greenhouses, gardens are exempt from this Section 6.6, Accessory Uses, Buildings, and Structures.
4. Greenhouses must comply with Section 6.6.2, Accessory Buildings and Structures.
5. Vertical gardens mounted on a perimeter wall or fence are permitted provided they do not affect the integrity of the wall or fence and the fastening devices do not project or otherwise create a safety hazard to adjacent property owners.

E. Greenhouses.

Greenhouses are permitted as an accessory use as follows:

1. Except when accessory to a community garden or urban farm, greenhouses are prohibited in the front yard.
2. Passive Greenhouses. Passive greenhouses shall comply with the dimensional standards as required by this Section 6.6.2. For the purposes of determining the required perimeter yard, greenhouses cooled solely by an evaporative cooler are considered a passive greenhouse.

3. Greenhouses with Mechanical Heating or Cooling. Heating plants or cooling fans associated with greenhouses shall be located a minimum distance from every property line or mitigated by screening or other treatment in order to comply with Section 16-31, Excessive Noise, of the Tucson Code. Compliance with this standard may require the heating or cooling systems and/or greenhouse to have a greater perimeter yard than that required by the principal land use as required by Section 6.6.2.B. Applicants must demonstrate compliance with this standard prior to issuance of a building permit. Exception: For the purposes of determining a required setback, greenhouses cooled solely by an evaporative cooler are considered passive greenhouses and are exempt from this subsection E.3.

4. Greenhouses shall be no taller than 12 feet when an accessory use.

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>
<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 the principal residence on adjacent properties as measured from the nearest point of the enclosed shelter to the nearest point of principal residence, excluding porches and overhangs. 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 the principal residence on adjacent properties as measured from the nearest point of the enclosed shelter to the nearest point of principal residence, excluding porches and overhangs 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.

6. Maximum Height Permitted. Animal shelters shall be no taller than 12 feet.

7. Animals shall be kept within a fenced area or shelter at all times.

8. Animal shelters are permitted in the side, rear, or front yard. Animal shelters in the front yard must be screened from adjacent residences by a fully opaque nonvegetative screen, such as a fence or wall, and are exempt from Section 6.6.1.C.

9. Additional parking, off-street loading, and landscaping and screening beyond what is required of the principal use are not required.

G. Sale of Products Grown On-Site. The accessory sale of products grown on-site is permitted subject to the following:

1. Sales are limited to products grown on-site, including produce and eggs from chickens raised on-site;

2. On-site sales are limited to the hours of 7 a.m. to 8 p.m.;

3. On-site sale of goods is restricted 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;

4. Accessory structures associated with the product sales, such as booths and awnings, are exempt from Sec. 6.6.1.C and may be located in front of the principal use or building; and,

5. The online sale of products grown on-site are exempt from Section 6.5.5.G.2 & 3.

Section 4: The Tucson Code, Chapter 23B, Unified Development Code, Article 11, is amended to read as follows:

**ARTICLE 7, DEVELOPMENT STANDARDS
SECTION 6, LANDSCAPING AND SCREENING**

7.6.4 LANDSCAPING STANDARDS

C. Landscape Borders

4. Exceptions to the Landscape Border Standards

g. Farmers' Markets and Urban Agriculture Uses
Farmers' Markets (Small or Large, a subtype of Swap Meets and Auctions) and the Urban Agriculture Uses, specifically, community gardens and urban farms, are exempt from the landscape border requirements of Section 7.6.4.C, Landscape Borders.

7.6.5 SCREENING STANDARDS

G. Exceptions to Screening Standards

6. Farmers' Markets (Small or Large, a subtype of Swap Meets and Auctions) and the Urban Agriculture Uses, specifically, community gardens and urban farms are exempt from the screening requirements of Section 7.6.5, Screening Standards.

Section 5: The Tucson Code, Chapter 23B, Unified Development Code, Article 11, is amended to read as follows:

ARTICLE 11, DEFINITIONS AND RULES OF CONSTRUCTION
SECTION 3, DEFINITIONS OF LAND USE GROUPS, CLASSES, AND TYPES

11.3.2 AGRICULTURAL USE GROUP

~~B. Crop Production~~

~~The growing and harvesting of agricultural products to provide food, fiber, or horticultural vegetation for ornamental purposes, or any combination of these uses. Typical uses include the growing of field crops, fruit and nut orchards, nurseries, and greenhouse operations.~~

~~BC. General Farming~~

~~Any combination of Animal and Crop Production limited to personal use.~~

~~CD. Stockyard Operation~~

~~The temporary confinement of livestock in conjunction with their transport, fattening, or auctioning on a wholesale or retail basis. Typical uses include feedlots and cattle pens.~~

D. Urban Agriculture

The growing, harvesting, and on-site sale of agricultural products and other related activities in urban and suburban locations to provide food products and to promote food security.

1. Community Garden

An area of land operated for not for profit to grow and harvest food crops primarily for the use of its members who typically cultivate individual garden plots within the community garden. Composting areas may be included. It also includes accessory sales of grown yield and the raising and keeping of small farm animals, both consistent with UDC requirements. This use may be a principal or accessory use.

2. Urban Farm

The growing and harvesting of agricultural products to provide food, fiber, or horticultural vegetation for ornamental purposes. Typical uses include the growing of field crops, fruit and nut orchards, nurseries, and greenhouse operations. This use may be a principal or accessory use.

**ARTICLE 11, DEFINITIONS AND RULES OF CONSTRUCTION
SECTION 3, DEFINITIONS OF LAND USE GROUPS, CLASSES, AND TYPES**

11.3.9. RETAIL TRADE GROUP

I. Swap Meets and Auctions

Occasional or periodic commercial activities held in an open area or enclosed structure where: 1) groups of sellers rent space on a short-term basis to display, barter, or sell goods to the public and at least 50 percent of swap meet space does not occupy the same allotted area on an uninterrupted, continuous, daily basis for the purpose of display and sale, exchange, or barter of merchandise, exclusive of occasional craft fairs and benefit sales held on public property; or 2) one or more sellers bring goods for auctioning to the public. Typical uses include swap meets, flea markets, auctions, and farmers' markets.

1. Farmer's Market

Seasonal or periodic commercial activities held in an open or covered area where groups of sellers rent space on a short-term basis for the primary purpose of displaying, bartering, or selling food products, with accessory display, bartering, and sale of crafts and related items, to the public.

a. Farmers' Market, Small

A farmers' market that has 15 or fewer vendors and occupies less than 10,000 square feet, excluding parking area.

b. Farmers' Market, Large

A farmers' market that has more than 15 vendors and occupies more 10,000 or more square feet, excluding parking area.

**ARTICLE 11, DEFINITIONS AND RULES OF CONSTRUCTION
SECTION 4, OTHER TERMS DEFINED**

11.4.2 DEFINITIONS – A

Animal

Any fowl, reptile, insect, amphibian or mammal, except human beings.

Animal, Large

Animals that include large livestock, such as horses, cattle, sheep, oxen, donkeys, mules, llamas, and other similar animals, and animals in the Ratite family, such as emus and ostriches. Fish of any size are not included in this definition.

Animal, Small

Animals that include dwarf goats, rabbits, rodents, fowl, and other similar animals. Fish of any size are not included in this definition.

Animal Shelter

An enclosed structure that covers or protects an animal(s), such as doghouses and chicken coops. Structures with a permeable roof or covering, such as may be the case with dog runs or exercise pens, are not considered an animal shelter for the purposes of determining perimeter yard or location requirements.

Animal Unit (AU)

A unit of measurement to compare various animal types based upon equivalent waste generation.

Aquaponics

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.

11.4.4

DEFINITIONS – C

Composting

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

11.4.7

DEFINITIONS – F

Fowl

A bird that is used to produce meat or eggs, including, but not limited to chickens, ducks, and turkeys (geese not included).

11.4.8

DEFINITIONS – G

Garden

An area used for growing flowers, fruit, or vegetables. Gardens are permitted in ground, above ground, and in greenhouses. Aquaponic and hydroponic systems are permitted.

Goat, Dwarf

Dwarf goats shall mean Nigerian Dwarf, African Pygmy or other breeds that do not exceed 70 pounds at full size.

Greenhouse, Passive

An enclosed structure (as by glass or plastic) used for the cultivation or protection of plants and does not use motorized heating or cooling systems. For the purposes of the determining perimeter yard requirements, greenhouses cooled solely by an evaporative cooler are considered passive greenhouses.

Greenhouse, Mechanical Heating and Cooling

An enclosed structure (as by glass or plastic) used for the cultivation or protection of plants and uses mechanical systems to heat or cool the structure. For the purposes of the determining perimeter yard requirements, greenhouses cooled solely by an evaporative cooler are considered passive greenhouses.

11.4.9 DEFINITIONS – H

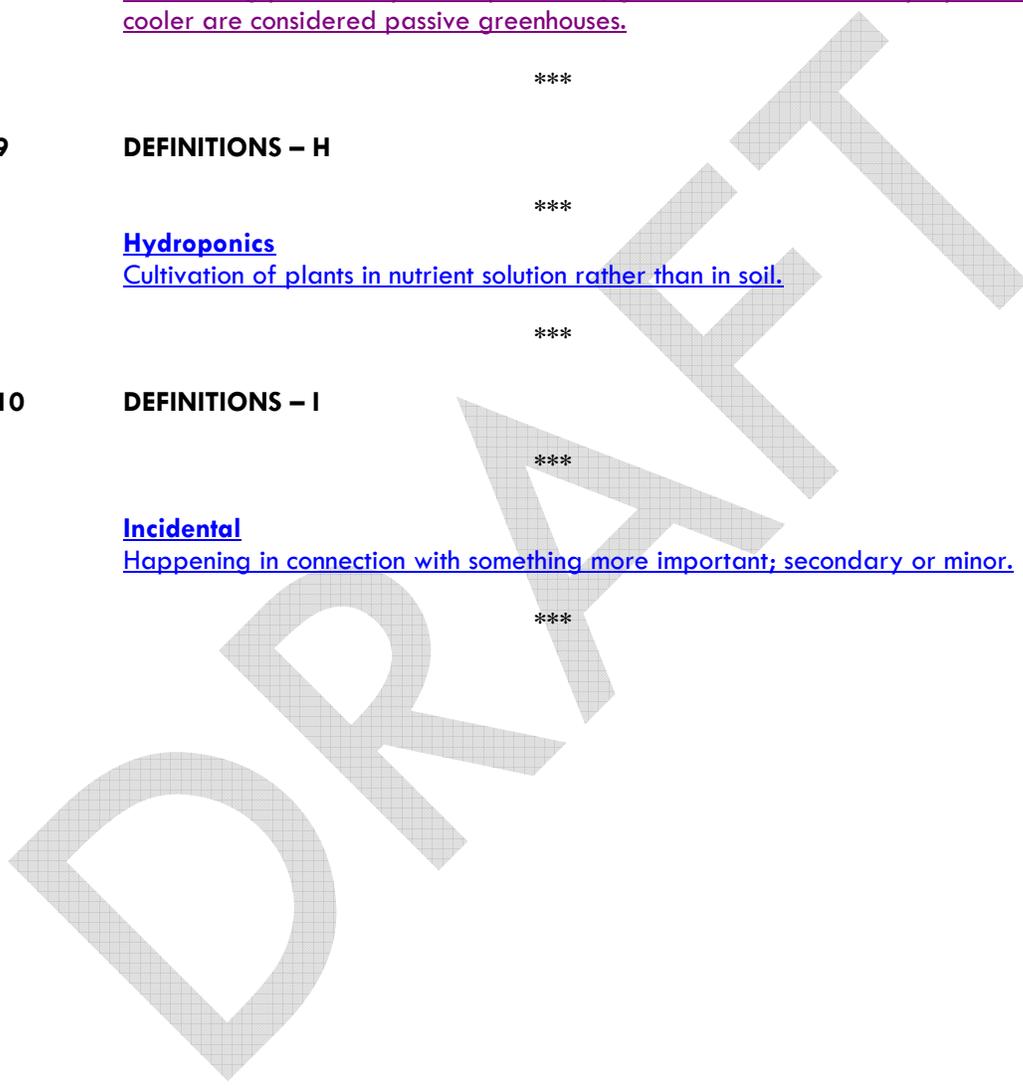
Hydroponics

Cultivation of plants in nutrient solution rather than in soil.

11.4.10 DEFINITIONS – I

Incidental

Happening in connection with something more important; secondary or minor.



Tucson Code, Chapter 4 Animals and Fowl

ARTICLE IV. FOWL

Sec. 4-55. Running at large prohibited.

It shall be unlawful for any person to permit any chickens, ducks, geese or turkeys to run at large within the city.
(1953 Code, ch. 4, § 32)

Sec. 4-56. Limit on number kept.

Except as ~~provided to the extent permitted by~~ Section 6.6.5.F, Keeping of Small Farm Animals, of eChapter 23B, of the Tucson Code (Unified Development Code) ~~or as otherwise provided~~, it shall be unlawful for any person to keep or maintain within the city more than twenty-four (24) fowl.
(1953 Code, ch. 4, § 33; Ord. No. 2178, § 1, 6-1961)

Sec. 4-57. Proximity of coop or place kept to dwellings.

Except as permitted in Section 6.6.5.F, Keeping of Small Farm Animals, of Chapter 23B of the Tucson Code (Unified Development Code), ~~otherwise provided~~, it shall be unlawful for any person to keep or maintain, within fifty (50) feet of the dwelling house of any other person within the city, any coop, house, shed or other structure, or yard, corral or enclosure for housing, keeping or caring for any pigeons or fowl of any kind.
(1953 Code, ch. 4, § 34)

Sec. 4-58. Coop or place kept to be clean, sanitary.

Every person keeping or maintaining any fowl of any kind within the city shall keep and maintain the coops, houses, sheds, structures, yards, corrals or enclosures wherein such fowl are kept in a clean and sanitary condition.
(1953 Code, ch. 4, § 35)

Sec. 4-59. Keeping male fowl or guinea fowl prohibited.

Except as to the extent permitted by chapter 23B of the Tucson Code, or as otherwise provided, it shall be unlawful for any person to keep, house or feed any male fowl or guinea fowl within the city.
(1953 Code, ch. 4, § 36; Ord. No. 2178, § 2, 6-19-61)
