

# Urban Agriculture Task Force

## Minutes

December 11, 2013

12:00 PM

Ward 6 Office

3202 E. 1<sup>st</sup> St.

### 1. Welcome and Introductions

#### Attendees:

*City Staff:* Adam Smith (PDSO)

*Task Force Members:* Colette Altaffer, Ruth Beeker, Cathy Blough, Merrill Eisenberg, Tres English, Ronni Kotwica, and Alice Roe

*M/C Aide:* Amy Stabler (Ward 6)

*Audience:* Jessica Gimpel, Chuck Martin, Steve Murray, Eric Shepp, Marisa Tackett, and Lorien Tersey

### 2. Discussion of the proposed Urban Agriculture text amendments

#### Keeping of Small Farm Animals

##### *How many animals should be kept?*

Background: Staff presented the following four methodologies to determine the maximum number of small farm animals permitted for consideration:

1. **Animal unit approach** (current proposal with or w/o revisions)
2. **Fixed number per lot area** (Example: Cleveland allows 1 animal per 800 sf of lot area)
3. **Fixed number per square footage of open space on a lot** (1 animal per “X” sf of open space)
4. **Fixed number** (“X” number of animals per lot)
5. **Hybrid** (fixed number + sliding scale for larger lots; e.g. Seattle)

Staff recommended the hybrid system because of its simplicity, it takes a mix of animals into account, and allows additional animals on larger lots.

Comments:

- The possibility of someone having up to 11 animals as proposed in the hybrid approach is too many (Neighborhood representative).
- The task force discussed whether some sort of permitting process (e.g. Design Development Option or variance) should be required if someone wants to have more animals than permitted. There did not appear to be much support for requiring a permit because of the added bureaucracy and the lack of staff resources to monitor and enforce.
- A determination on the number of animals permitted cannot be done in isolation. It needs to be examined in context of the “package” of all the other proposed standards (i.e. setback and other location requirements and shelter specifications) (Neighborhood Representative).
- Unable to make specific recommendations on the number of animals that should be permitted until there is a wider community discussion on the proposal (Neighborhood Representative).
- A wider community discussion did take place on urban agriculture during the development of Plan Tucson, which has now been approved by the voters. Plan Tucson includes policies supporting urban agriculture (Merrill Eisenberg).
- Mr. Smith stated he would be willing to discuss the proposal with community groups, but that in his opinion, any outreach would be of more value when the community is given a proposal to react to (Adam Smith).

***Should small farm animals be permitted in the front yard of residences?***

There was no objection to prohibiting small farm animals in the front yard.

***What can be done to ensure that the number and frequency of predators in a residential area will not increase with keeping of small farm animals?***

There were no objections to the proposal to incorporate the Arizona Game and Fish’s guidelines for animal shelters into the standards.

***What are the appropriate setbacks small farm animal shelters? Should neighbor sign-off be permitted when reducing the setback?***

Comments:

- Setbacks should be from the property line and not the adjacent residence. Basing the setback on the adjacent residence could result in a “taking” whereby the adjacent property owner’s ability to expand her residence is possibly limited because it could not be within 20’ of an established animal shelter. Or, if the expansion is built, it then raises the issue of whether a nonconforming use is then established. The determination of compliance or noncompliance and enforcement are made easier by requiring setbacks from the property lines (Neighborhood Representative).
- An “either/or” approach whereby the setback is either from the property line or adjacent house, whichever is greater was discussed by the task force. The setback should be required from those property lines shared with another residence only

and not alleys or other types of easements. Staff is going to develop this concept further and bring it back for task force consideration at the January meeting.

- The proposed definition of “habitable space” is too restrictive and should be revised to apply more generally to the entire residence and any secondary residences on the property (i.e. delete the second sentence of the proposed definition) (Neighborhood Representative). There were no objections to the proposed revision.
- Patios should be considered “habitable space” (Neighborhood Representative). Staff explained that if the yet-to-be fully developed “either/or” approach described above is acceptable, the issue of whether to include patios in the definition of “habitable space” becomes irrelevant because the setbacks would be from the property line.

***Should a reduction or waiver of the setback requirements be permitted via the written consent of the adjacent property owner?***

There did not appear to be any objection to prohibiting this provided the proposed amendments as discussed above are acceptable.

***Should the small farm animal standards be processed separately to allow more time to work out the issues?***

Staff requested that consideration of this proposal be postponed to allow more time to discuss a possible compromise on the proposed small farm animal standards. The task force agreed to the postponement.

**3. Call to the Audience**

There were no speakers at the call to the audience.

**4. Next Steps**

The meeting concluded at 2:00.

The next task force meeting is Wednesday, January 22<sup>nd</sup> at 12 pm at the Ward 6 Office (3202 E. 1<sup>st</sup> St.).