

BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: October 17, 2017

Title: P17TA00001 FOOD ACCESS - RAISING CHICKENS AND RATITES ZONING CODE TEXT AMENDMENT

Introduction/Background:

The Pima County Zoning Code permits raising small animals, specifically chickens, in many rural and residential zones, but currently prohibits them in small-lot residential zones (TR, CR-4, CR-5, CMH-1, CMH-2 and MU). The code also contains detailed sections regarding the raising of ratites (ostrich, emu, other large flightless bird species), added by text amendment in 1994, for an anticipated industry that never developed.

Discussion:

This text amendment would permit and provide standards for the raising of female chickens for personal food production in the small-lot residential zones where currently prohibited; and, simplify the requirements for raising ratities to be similar to that for livestock in the same zones where currently permitted.

Conclusion:

The text amendment supports goals and policies in the Pima County Comprehensive Plan relating to Food Access (Element 5.8), enhancing local production, processing and affordable distribution of healthy food by supporting urban and other small-scale agriculture and raising of animals.

Recommendation:

Staff and Planning and Zoning Commission recommend approval of the zoning code text amendment by ordinance.

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Board of Supervisor District:							
□ 1	□ 2	□ 3	□ 4	□ 5	⊠ AII		
Department: Development Services, Planning Division Telephone: 724-8800							
Contact:	Mark Holden	ON	1	Telephone: 724-661	9		
Department Director Signature/Date:							
Deputy County Administrator Signature/Date:							
County Administrator Signature/Date: C. Laulelbuu 9/29/17							
							



TO:

Honorable Board of Supervisors

FROM:

Chris Poirier, Planning Official

Public Works-Development Services Department-Planning Division

DATE:

September 25, 2017

SUBJECT:

P17TA00001 FOOD ACCESS - RAISING CHICKENS AND RATITES

The above referenced Zoning Code Text Amendment is scheduled for the Board of Supervisors' **TUESDAY, OCTOBER 17, 2017** hearing.

REQUEST:

Proposal for a **text amendment of the Pima County Zoning Code** to permit keeping of female chickens for personal food production in zones with smaller residential lots where currently prohibited (TR, CR-4, CR-5, CMH-1, CMH-2, and MU), and simplify the zoning code with regard to raising ratites similar to livestock in the rural and residential zones where currently permitted.

OWNER:

N/A

APPLICANT:

Pima County Development Services Department

DISTRICTS:

ALL

STAFF CONTACT:

Chris Poirier

<u>PUBLIC COMMENT TO DATE</u>: As of September 25, 2017, staff has received 8 comments through email regarding the proposed text amendment: 5 were in support (one was from a Town of Sahuarita resident) and 3 were in opposition (one was from a City of Tucson resident). Review and comment was solicited from various county departments (Development Services, Transportation, Environmental Quality, Office of Sustainability and Conservation, Wastewater Reclamation, Regional Flood Control, Sheriff, Animal Care, and Health) and local stakeholders (Community Food Bank of Southern Arizona, Pima County (University of Arizona) Cooperative Extension, local livestock and feed stores).

<u>PLANNING AND ZONING COMMISSION RECOMMENDATION:</u> APPROVAL (5-0; Commissioners Bain, Cook, Mangold and Matter were absent).

STAFF RECOMMENDATION: APPROVAL.

TD/MH/ar Attachments



BOARD OF SUPERVISORS MEMORANDUM

Subject: P17TA00001 Page 1 of 3

FOR OCTOBER 17, 2017 MEETING OF THE BOARD OF SUPERVISORS

TO:

HONORABLE BOARD OF SUPERVISORS

FROM:

Chris Poirier, Planning Official

Public Works-Development Services Department-Planning Division

DATE:

September 25, 2017

ADVERTISED ITEM FOR PUBLIC HEARING

ZONING CODE TEXT AMENDMENT

P17TA00001 FOOD ACCESS – RAISING CHICKENS AND RATITES

PROPOSAL TO AMEND BY ORDINANCE THE PIMA COUNTY ZONING CODE CHAPTER 18.09 (GENERAL RESIDENTIAL AND RURAL ZONING PROVISIONS). SECTION 18.09.020 (GENERAL REQUIREMENTS AND EXCEPTIONS), TO PROVIDE REGULATIONS FOR KEEPING FEMALE CHICKENS TO SUPPLY EGGS FOR PERSONAL FOOD PRODUCTION IN CERTAIN RESIDENTIAL ZONES, INCLUDING NUMBERS OF FEMALE CHICKENS PERMITTED AND LOCATING OF STRUCTURES USED TO SHELTER CHICKENS; CHAPTER 18,11 (TH TRAILER HOMESITE ZONE), SECTIONS 18.11.020 (PERMITTED USES) AND 18.11.050 (DEVELOPMENT STANDARDS - ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES); CHAPTER 18.27 (CR-4 MIXED-DWELLING TYPE SECTIONS 18.27.010 (PERMITTED USES) AND ZONE). (DEVELOPMENT STANDARDS - ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES); CHAPTER 18.29 (CR-5 MULTIPLE RESIDENCE ZONE), SECTION 18.29.040 (DEVELOPMENT STANDARDS – ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES); CHAPTER 18.33 (CMH-1 COUNTY MANUFACTURED AND MOBILE HOME-1 ZONE), SECTIONS 18.33.020 (PERMITTED USES) AND 18.33.050 (DEVELOPMENT STANDARDS -ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES); CHAPTER 18.35 (CMH-2 COUNTY MANUFACTURED AND MOBILE HOME-2 ZONE), SECTIONS 18.35.020 (PERMITTED USES) AND 18.35.050 (DEVELOPMENT STANDARDS – DETACHED ACCESSORY BUILDINGS AND USES); AND, CHAPTER 18,37 (MU MULTIPLE USE ZONE), SECTIONS 18.37.010 (PERMITTED USES) AND 18.37.050 (DEVELOPMENT STANDARDS - ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES), TO PERMIT THE KEEPING OF FEMALE CHICKENS AND TO PROVIDE SETBACKS FOR ACCESSORY STRUCTURES USED TO SHELTER CHICKENS IN EACH ZONE; CHAPTER 18.12 (IR INSTITUTIONAL RESERVE ZONE), SECTION 18.12.020 (PERMITTED USES); CHAPTER 18.13 (RH RURAL HOMESTEAD ZONE), SECTION 18.13.020 (PERMITTED USES); CHAPTER 18.14 (GR-1 RURAL RESIDENTIAL ZONE), SECTION 18.14.020 (PERMITTED USES); CHAPTER 18.17 (SR SUBURBAN

USED TO SHELTER CHICKENS IN EACH ZONE; CHAPTER 18.12 (IR INSTITUTIONAL RESERVE ZONE), SECTION 18.12.020 (PERWITTED USES); CHAPTER 18.13 (RH RURAL HOMESTEAD ZONE), SECTION 18.13.020 (PERMITTED USES); CHAPTER 18.14 (GR-1 RURAL RESIDENTIAL ZONE), SECTION 18.14.020 (PERMITTED USES); CHAPTER 18.17 (SR SUBURBAN RANCH ZONE), SECTION 18.17.020 (PERMITTED USES); CHAPTER 18.18 (SR-2 SUBURBAN RANCH ESTATE ZONE), SECTION 18.18.020 (PERMITTED USES); CHAPTER 18.19 (SH SUBURBAN HOMESTEAD ZONE), SECTION 18.19.010 (PERMITTED USES); CHAPTER 18.21 (CR-1 SINGLE RESIDENCE ZONE), SECTIONS 18.21.010 (PERMITTED USES) AND 18.21.020 (CONDITIONAL USES); AND, CHAPTER 18.23 (CR-2 SINGLE RESIDENCE ZONE), SECTIONS 18.23.010 (PERMITTED USES) AND 18.23.020 (CONDITIONAL USES), TO REMOVE SEPARATE SECTIONS OF THE ZONING CODE REGARDING THE RAISING OF RATITES AND TO COMBINE RAISING OF RATITES WITH REQUIREMENTS FOR RAISING LIVESTOCK IN EACH ZONE; AND CHAPTER 18.07 (GENERAL REGULATIONS AND EXCEPTIONS), SECTION 18.07.030 (LAND USE REGULATIONS), TO REQUIRE MINIMUM SIX-FOOT-HIGH, STOCK-TIGHT FENCES FOR THE RAISING OF RATITES; AND, TO RENUMBER SUBSEQUENT SECTIONS ACCORDINGLY. On motion, the Planning and Zoning Commission voted 5-0 to recommend APPROVAL (Commissioners Bain, Cook, Mangold and Matter were absent). Staff recommends APPROVAL. (ALL DISTRICTS)

Planning and Zoning Commission Public Hearing Summary (August 30, 2017)

Staff presented information from the text amendment to the commission. Staff stated that the text amendment would permit keeping of female chickens for personal food production in zones with smaller residential lots where currently prohibited (TR, CR-4, CR-5, CMH-1, CMH-2, and MU), and simplify the zoning code with regard to raising ratites similar to livestock in the rural and residential zones where currently permitted.

A commissioner asked about the possible slaughter of chickens under the text amendment. Staff responded that the text amendment addresses the production of eggs only. A commissioner noted a recent national newspaper article that reported an increase in cases of salmonella nationwide related to backyard chickens, and asked if the county Health Department had been consulted on the proposed text amendment. Staff responded that, besides many of the regular departments, the Sheriff, Animal Care and Health Departments had been contacted for comment, as well as a number of local stakeholder groups who specialize in the healthy raising of chickens; no concerns regarding salmonella had been raised by commenters. A commissioner asked about predation of chickens being allowed to free-range. Staff responded that the text amendment only covers the development standards for where chickens may be kept and not how people raise their chickens, but that it is generally in owners' best interest to protect their flocks from predation.

The commission opened the public hearing. A member of the Coalition for Sonoran Desert Protection noted that the generic term 'ratite' also includes rhea, cassowary and moa, in addition to ostrich and emu, and recommended the text amendment address ratites in general to be inclusive of these additional species (*staff note*: moa, once of New Zealand, are now extinct). A member of the Tucson City Living Urban Chicken Keeping Society (CLUCKS) spoke in support of the text amendment, stating that it would permit fewer chickens per lot area and fewer types of animals compared to the City of Tucson Urban Agriculture code; that there may be equity issues regarding

P17TA00001 Page 3 of 3

numbers of animals permitted in areas where the city and county abut; and that there are an estimated 12,000 families in Arizona and 4000 families locally who are raising chickens with no cases of salmonella reported as a result of raising backyard chickens, and that small-scale residential raising of chickens poses less disease risk compared to large-scale commercial operations. No one else came forward to speak and the commission moved to close the public hearing.

Commissioner Gungle made a motion to recommend APPROVAL of the zoning code text amendment; Commissioner Becker seconded.

Upon a voice vote, the motion to recommend **APPROVAL** passed (5-0; Commissioners Bain, Cook, Mangold and Matter were absent).

TD/MH/ar Attachments

cc: Tom Drzazgowski, Principal Planner P17TA00001 File

PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT PLANNING DIVISION STAFF REPORT TO THE PLANNING AND ZONING COMMISSION

PUBLIC HEARING AUGUST 30, 2017

P17TA00001 FOOD ACCESS ZONING CODE TEXT AMENDMENT

STATUS / AGENDA ITEMS

Planning and Zoning Commission Public Hearing
Zoning Code Amendment

DESCRIPTION

Proposal to amend by ordinance the Pima County Zoning Code Chapter 18.09 (General Residential and Rural Zoning Provisions), Section 18.09.020 (General requirements and exceptions), to provide regulations for keeping female chickens to supply eggs for personal food production in certain residential zones, including numbers of female chickens permitted and locating of structures used to shelter chickens; Chapter 18.11 (TH Trailer Homesite Zone), Sections 18.11.020 (Permitted uses) and 18.11.050 (Development standards - Accessory buildings and accessory structures); Chapter 18.27 (CR-4 Mixed-Dwelling Type Zone), Sections 18.27.010 (Permitted uses) and 18.27.040 (Development standards - Accessory buildings and accessory structures); Chapter 18.29 (CR-5 Multiple Residence Zone). Section 18.29.040 (Development standards - Accessory buildings and accessory structures); Chapter 18.33 (CMH-1 County Manufactured and Mobile Home-1 Zone), Sections 18.33.020 (Permitted uses) and 18.33.050 (Development standards - Accessory buildings and accessory structures); Chapter 18.35 (CMH-2 County Manufactured and Mobile Home-2 Zone), Sections 18.35.020 (Permitted uses) and 18.35.050 (Development standards -Detached accessory buildings and uses); and, Chapter 18.37 (MU Multiple Use Zone), Sections 18.37.010 (Permitted uses) and 18.37.050 (Development standards - Accessory buildings and accessory structures), to permit the keeping of female chickens and to provide setbacks for accessory structures used to shelter chickens in each zone; Chapter 18.12 (IR Institutional Reserve Zone), Section 18.12.020 (Permitted uses); Chapter 18.13 (RH Rural Homestead

Zone), Section 18.13.020 (Permitted uses); Chapter 18.14 (GR-1 Rural Residential Zone), Section 18.14.020 (Permitted uses); Chapter 18.17 (SR Suburban Ranch Zone), Section 18.17.020 (Permitted uses); Chapter 18.18 (SR-2 Zone), Suburban Ranch Estate Section 18.18.020 (Permitted uses); Chapter 18.19 (SH Suburban Homestead Zone), Section 18.19.010 (Permitted uses); Chapter 18.21 (CR-1 Single Residence Zone), Sections 18.21.010 (Permitted uses) and 18.21.020 (Conditional uses); and, Chapter 18.23 (CR-2 Single Residence Zone), 18.23.010 (Permitted uses) Sections 18.23.020 (Conditional uses), to remove separate sections of the Zoning Code regarding the raising of ratites and to combine raising of ratites with requirements for raising livestock in each zone: and Chapter 18.07 (General Regulations and Exceptions), Section 18.07.030 (Land use regulations), to require minimum six-foot-high, stock-tight fences for the raising of ratites; and, to renumber subsequent sections accordingly. (All Districts)

INITIATION

Planning and Zoning Commission, January 11, 2017

PUBLIC COMMENT

As of August 18, 2017, staff has received four comments on the proposed Zoning Code text amendment through email. One expressed support while three were in opposition (one in opposition was from a City of Tucson resident and thus, not directly affected).

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the proposed Pima County Zoning Code text amendment. The amendment supports Food Access goals and policies in Pima Prospers, the 2015 update of the county Comprehensive Plan.

STAFF REPORT

This text amendment addresses improving access to and availability of healthy food in Pima County, as part of creating a healthier, more sustainable community. Specifically, the amendment addresses permitting the raising of female chickens to provide eggs for personal food production on small residential lot zones where currently prohibited; and, seeks to simplify the code requirements for raising ratites (ostrich and emu).

Background

The Human Infrastructure Connectivity Chapter (5) of Pima Prospers, the 2015 update of the Pima County Comprehensive Plan, includes a Food Access Element relating to access to healthy food, the "availability of safe, fresh, nutritious, and affordable food that is safely grown, processed and distributed... particularly among low-income or underserved populations."

Pima Prospers established a goal to enhance the local production, processing, and affordable distribution of healthy food, directing county departments to coordinate with stakeholders, including University of Arizona, Cooperative Extension, food banks, and local agricultural organizations. Pima Prospers seeks to encourage and support: retailers and non-profit groups providing healthy food in underserved areas; independent, local, self-sufficient food production through home, school and community agriculture; facilities providing access to and education about healthy food (food banks and pantries, food hubs, community kitchens, etc.); accommodation of agricultural life skills programs (4-H, FFA, etc.); and, farmers' markets, farm stands, food mobiles, and other options to increase access to healthy food.

Raising Chickens in Small Lot Residential Zones

There has been increasing interest in agriculture and animal raising in urban environments in recent years. The American Planning Association (in *Institutionalizing Urban Agriculture: Process, Progress, and Innovation, Brian Barth, PAS Memo Nov/Dec 2014) lists a number of benefits associated with urban agriculture:* public health (improving access to fresh food in disinvested communities and "food deserts"); greenspace (creating productive landscapes that engage neighborhoods); and, economic development (productive use of vacant land, job creation and fostering a healthy sense of place). Local food production also contributes to sustainability, economic independence, and protecting genetic diversity of heirloom varieties of food crops, small animals and livestock.

One element of urban agriculture is the raising of small animals in residential areas. The American Planning Association PAS Memo notes there is a wide range of policies concerning the raising of livestock in urban areas, with a general trend toward greater flexibility, but with concomitant regulation for how animals are kept. A number of larger municipalities (Albuquerque NM, Austin TX, Boston MA, Chicago IL, East Lansing MI, Madison WI, Seattle WA) adopted zoning ordinances to allow the raising small animals (specifically chickens) within city limits. Locally, in 2015 the City of Tucson approved its Urban Agriculture Zoning Code Text Amendment, a comprehensive update of the city's code that expanded gardening, raising small animals, marketing and sale of agricultural products as permitted uses.

Pima County's Zoning Code is currently fairly permissive with regard to raising animals across its various zoning designations (Appendix A). The raising of livestock (cattle, horse, sheep, goat), ratites, and small animals are permitted uses across all rural and some single-dwelling residential zones, with hog farming allowed only in large-lot rural zones and intensive animal slaughter and processing restricted to industrial zones only.

The CR-3 Single Residence and TR Transitional zones currently limit the number of small animals to 24 per 8000 sq. ft. of lot area (not for commercial purposes; no roosters). The code prohibits the raising of small animals in more intensive residential zones – these include: Trailer Homesite (TH), Mixed-Dwelling Type (CR-4), Multiple Residence (CR-5), County Manufactured and Mobile Home-1 and -2 (CMH-1, CMH-2), and Multiple Use (MU) zones. These are zones with smaller lot area requirements (between 6000-8000 sq. ft. per lot, or 2000-3500 sq. ft. per dwelling) and limited yard space (reduced or no side and rear setbacks, or site versus individual lot setbacks).

Staff proposes permitting the keeping of female chickens for personal food production in these residential zones, with the permitted number of chickens on a property to be that which provides a regular supply of eggs for an average family on a year-round basis. This number is dependent on a number of factors: age and breed of birds, climate and time of year, and family size and their egg consumption.

Planning and Zoning Commission, 30 August 2017 P17TA00001 Food Access Zoning Code Text Amendment Page 3 of 6 Staff's research with various stakeholders (County Cooperative Extension, Community Food Bank of Southern Arizona, local feed stores) suggests between 3 to 10 hens in their prime is optimal for egg supply for a family of 2-4 persons.

In the above-referenced zones, staff recommends permitting eight female chickens per one-family dwelling lot or manufactured home dwelling unit area of 6000 square feet and greater in area. Four female chickens will be permitted per dwelling on one-family dwelling lots or manufactured home dwelling unit areas of less than 6000 square feet in area, or duplex or multiple dwelling properties. Female chickens only are permitted; cockerels and roosters are prohibited. Numbers of chickens may be increased by half the permitted number with the written consent of property owners abutting the side and rear yards.

Accessory structures for sheltering chickens (coops and runs) will be prohibited in front yards, and required to meet the zone's accessory structure side and rear setbacks and lot coverage. Additionally, shelter structures must meet a setback of 20 feet from any other dwelling on adjoining properties. Requests to reduce setbacks or to increase coverage for shelters will be requested through the Modification of Setback Requirements or Lot Coverage Limits under 18.07.070.

For comparison, Oro Valley permits raising of animals on lots of 3.3 acres in area and larger only; Marana permits raising animals in its Agriculture, Rural Development, and some Residential (on lots 0.8 acres in area and larger) zoning districts; and, Sahuarita zoning code is similar to the county's with regard to permitting the raising animals in all but small lot residential zones. The City of Tucson's Urban Agriculture ordinance uses an 'animal unit' system that assigns a number of units per animal type (chicken, duck, turkey, goose, or miniature goat) and permits 2 units per 1000 sq. ft. of residential lot area (of single or mixed animal type); small animal shelters are permitted in side and rear yards only, and must be 20 feet from dwellings on abutting properties.

This text amendment proposes a compromise between permitting the raising of small animals of all types (e.g., City of Tucson) or without restriction (county CR-1 and CR-2 zones), and limiting them to large-lot zones only. Stakeholder groups suggested permitting 8 female chickens on larger (6000-8000 sq. ft.) lots; this number of female chickens was halved for smaller and multi-dwelling properties.

Anticipated issues regarding permitting chickens on smaller residential lots include:

Property values: some online sources expressed concerns regarding changes in property values, often in context of jurisdictions adopting codes to permit raising chickens. Concerns were generally focused on potential nuisances (addressed below) and presented no data or studies that have documented changes to property values from raising chickens in residential zones. Incidental to raising small animals, a literature search conducted by University of California Agriculture and Natural Resources (*Urban Agriculture Impacts: Social, Health and Economic – A Literature Review*, Sheila Golden, 2013) documented a number of studies that correlate urban farms and community gardens (which sometimes include raising small animals) to increasing home values and household income. For homeowners concerned about property values, the proposed Zoning Code text amendment will not override private covenants and restrictions that prohibit the raising of small animals (the county is not responsible for enforcing private restrictions).

Animal cruelty and neglect: Pima County Code addresses cruelty and neglect of animals (Section 6.04.110) and imposes penalties for such actions – Pima County Sheriff and Pima Animal Care enforce these ordinances. Tucson has an active chicken culture (feed stores, non-profit organizations, social networks) that provides information and instruction on the proper raising of fowl, and assists in adopting out and re-homing unwanted animals, especially to rural areas of the county. Neglecting or abusing hens is counter-productive to egg production, and these groups' efforts reduce the likelihood of chickens being mistreated or abandoned.

Nuisances: Noisier small animals (roosters, geese, turkeys, ducks, goats) are not permitted on smaller residential lots by this text amendment. The county sheriff and animal care respond to noise complaints and Zoning Enforcement will also respond to complaints of any small animals in these zones other than female chickens. Issues around the cleanliness of properties that raise chickens (odor, excess manure, pests) are addressed in sections of Pima County Code for removal of filth and debris (Chapter 7.33), environmental nuisances (Chapter 7.45), and control of infestations of rodents, insects, vermin and other animals (Chapter 8.40). Concerns were expressed about predator species attracted by the presence of chickens (coyote, bobcat, raccoon, hawk, owl, feral dog and cat) — however, these are already present in and adapted to Tucson's urban environment.

Ratites

Pima County Planning staff amended the Zoning Code in 1994 to add specific requirements for raising of ratites (ostrich and emu). The Arizona Ostrich and Emu Association (AOEA) presented a position paper (*Flightless Birds and Zoning Regulations*, June 1993) to the county Board of Supervisors and requested amendments to the Zoning Code to explicitly permit the raising of ratites for what was expected to be an emerging agricultural industry in Arizona for eggs, meat and hide. AOEA petitioned that ratites be permitted in agricultural zones, "animal privilege" districts (i.e., zones allowing horses), and considered as possible pets (emu only) in single-family zones. Staff drafted and the Board approved text amendments to permit and provide specific requirements for the raising of ratites in rural and limited residential zones in the county (Co8-94-03).

In the intervening decades, Pima County has seen little interest with the commercial raising of ratites, especially large-scale operations. The market for ratite products did not take off as envisioned — AOEA appears to have dissolved in 2005, and Arizona Department of Agriculture currently has no regulations pertaining to the raising of ratites, singly or on large-scale.

Staff recommends simplifying the Zoning Code by merging the ratite requirements with other livestock and animal regulations (versus having their own stand-alone sections) in the code. Raising of ratites will continue to be permitted in the rural and limited residential zones, with numbers of ratites continuing to match that of livestock. Large-scale ratite raising operations would be permitted or allowed conditionally in some rural and industrial zones (as feedlots or other agricultural trade-intensive uses). The requirement of minimum six-foot-high stock-tight fences for ratites will remain in 18.07.030.B.

Respectfully submitted,

Wash Sull—

Mark Holden, AICP Principal Planner

Planning and Zoning Commission, 30 August 2017 P17TA00001 Food Access Zoning Code Text Amendment Page 5 of 6

Appendix A: Current Pima Co. Zoning Code – Agriculture, Livestock and Small Animals

ZONE	Name	Agriculture ¹	Livestock ^{1, 2}	Poultry/ Small Animal ³
Rinal				
IR 18.12	Institutional Reserve	Y no retail sales	Y feed lot, hog ranch, auction yard (CUP) ⁴	Y
RH 18.13	Rural Homestead	Y no retail sales	Y feed lot, hog ranch (CUP) ⁴	Y
GR-1 18.14	Rural Residential	Y[wholesale nursery] no retail sales	Y 1 per 10,000 SF	Y 40 per acre
SR/SH 18.17/19	Suburban Ranch / S. Homestead	Y no retail sales	Y 1 per 10,000 SF	Y
SR-2 18.18	Suburban Ranch Estate	Y no retail sales	Y 1 per 10,000 SF	Y
Residential				
CR-1 18.21	Single Residence	Y no retail sales	Y 1 per 10,000 SF	Y
CR-2 18.23	Single Residence	Y no retail sales	Y 1 per 10,000 SF	Y
CR-3/ TR 18.25/31	Single Residence / Transitional	Y no retail sales		Y 24 per 8000 SF no roosters
Commercial				
CB-1 18.43	Local Business	plant nursery, produce store	meat, poultry, fish market (no live animals)	As allowed in TR
CB-2 18.45	General Business	CB-1 uses above	CB-1 uses above	As allowed in TR
Industrial				107.00
CI-1 18.51	Light Industry / Warehousing	CB-2 uses above	Feed yard (enclosed)	Processing incidental to retail
CI-2 18.53	General Industry		Feed yard, slaughterhouse	
CI-3 18.55	Heavy Industry	Intensive agriculture trade	Intensive processing	

¹ Some agricultural and grazing uses exempted by State statute, in General Provisions 18.01.030(C)

² Horse, cattle, sheep, goats; separate requirements for swine & ratites – see specific Zone chapter

³ Beekeeping permitted in all zones, in Land Use Regulations 18.07.030(E)

⁴ CUP – Conditional Use Permit



5.8 Food Access Element

The availability of safe, fresh, nutritious, and affordable food that is safely grown, processed and distributed is a key determinant of health, particularly among low-income or underserved populations. The Centers for Disease Control and Prevention (CDC) and United States Department of Agriculture (USDA) have identified the food environment and "food deserts" – areas with limited access to affordable fresh food – as critical issues to consider for public health. Improving the availability of fresh food and eliminating food deserts is accomplished by increasing the local production of healthy food and encouraging affordable distribution in previously underserved areas.

The Pima County Health Department (PCHD) has partnered with numerous public and not-for-profit agencies to enhance local production of healthy food and affordable distribution. Several of these efforts include establishment of home, school and community gardens and enhancement of gardening cooperatives, support of urban agriculture and livestock, and partnerships to advance farmers markets and farm stands in underserved areas as well as the WIC (Women, Infant and Children) voucher program funded through the U.S. Department of Agriculture.

The goals and policies of this element address removing obstacles for local markets to prosper, encouraging collaboration among participants, and using tools such as Health Impact Assessments to evaluate efforts.



Farmers Markets Provide Access to Locally-grown Healthy, Nutritious and Affordable Foods



Goal 1: Enhance the local production, processing, and affordable distribution of healthy foods

- Policy 1: Work collaboratively among County departments, the University of Arizona, UA/Pima County Cooperative Extension Service, community organizations such as food banks, 4-H and Future Farmers of America and others to secure the availability of healthy affordable food and eliminate food deserts by encouraging, supporting and removing barriers to:
 - a) The establishment of home and community gardens;
 - b) The enhancement of gardening cooperatives;
 - Urban agriculture and livestock and small-scale community agriculture, including modernizing code definitions of livestock and equities in species types and sizes;
 - d) Traditional farming, agriculture and livestock;
 - e) Greater capacity in the County zoning code for plant processing and local, humane meat processing operations;
 - Partnerships to develop regional food hubs, as may be needed, and to advance foodmobiles, farmers markets, farm stands and kitchen incubator facilities in under-served areas;
 - g) Access to healthy foods at a neighborhood level accessible via walking or biking;
 - h) Contained farming, hydroponics, permaculture and greenhouses;
 - Mobile healthy food options for rural areas with little or no access to healthy foods;
 - j) Vegetable roof gardens appropriate for desert climates;
 - k) Cultivation and distribution of organic produce;
 - Continue to provide a free source of local seeds and education through Pima
 County Public Library's Seed Library and gardening/sustainability programming;
 - m) Reasonable accommodation in the zoning code for youth oriented life skills programs in agriculture, such as 4-H.
- Policy 2: Explore the provision of incentives for retailers providing access to healthy foods.

From: Jennifer O'Dell <geojenn92@gmail.com>

Sent: Friday, July 7, 2017 10:22 AM

To: Mark Holden

Subject: Pima County proposed code changes are overdue

Mr Holden,

Firstly I want to express my absolute delight in the proposed code changes for MU and other like zonings.

The ability to raise up to eight hens with 20 foot set backs is exactly what families need to have sustainable flocks that produce eggs in their backyards. These properties have been caught up in a loop hole for too long considering the city allows birds on the same size properties with the same rules.

I am a homeowner in an MU zoned area who was forced to give up my flock due to the current zoning laws.

I would hope that my testimony during my failed attempt to gain a Temporary Use Permit in March (after a failed attempt at a Variance) and my begging the Board of Adjustments to let me keep my six hens had something to do with these new proposed amendments. I just wish it had come along a few months sooner.

I must express that I am EXTREMELY upset that my own personal circumstances led to all my hens going to new homes (three of my birds died this summer due to heat and not being under my care) so that I could avoid more fees related to trying to keep my birds. At that point, we had exhausted our money, time and emotional fortitude to keep fighting.

I was retaliated against by an angry neighbor and it led to me receiving citations, one of which was for keeping chickens on the property. We paid the fee to apply for a Variance and were denied.

I downsized my flock removing all birds except my six laying hens and one coop and then applied for a TUP under the advisement of Tom D as he said the code changes were coming. Again I was denied by the Board despite having a gentlemen (Patrick?) also testify that code changes were coming at my TUP hearing.

I WILL absolutely be at any upcoming hearings regarding this change, and offer my full support if there is ANYTHING I can do to help this move forward without excessive protest. If you could keep me posted as to when these events will be, I will ensure that there are other chicken supporters present.

Thank you,

Jennifer Fimbres O'Dell

Homeowner: 1955 W. Hadley St.

Tucson, AZ 85705

Jennifer F. O'Dell

From:

Andrea Haber <andreahaber@cox.net>

Sent:

Tuesday, July 11, 2017 3:15 PM

To: Subject: Mark Holden Chickens

Dear Mr Holden,

I am a resident of Tucson, living in a townhome near Speedway and Rosemont. I am writing to you because I have firsthand experience with neighbors having farm animals in their yards. In fact, right now, if you were to come down the alley, you would hear chickens and a rooster squawking, and you haven't even passed a new code.

I will try to make my experience succinct – a number of years ago I had neighbors living two doors down; they had goats and fowl in their small yard. They slaughtered the goats to meet their religious standards, as they did with the chickens, and eventually turkeys. The bloodletting from the goats would spill into the alley, all of the dogs in the yards would go crazy as the smell of fresh blood wafted through their yards, and the goats waiting to be slaughtered would cry out in fear.

If you have never experienced something like this, you should be relieved. I contacted every agency in the city and county, only to find that there was no resolution because these animals could be kept in yards that supported their sizes. I had to contact all of the 24 residents of the townhouse community and have them sign a petition, which we then sent to the absentee landlord of the unit. It was an experience that my neighbors and I do not ever want to revisit.

I don't know if you are aware of how keeping chickens operates; two chickens may give you one or two eggs a day...owners who want more eggs will have more chickens, then they have too many eggs. Some owners have children who want cute baby chicks, so the owners get a rooster. The rooster crows, makes baby chicks, more chickens are in the yards, the cats, coyotes, owls, hawks and dogs try to eat the chickens, and as you can see, the cycle of life continues.

If you think that chicken owners will abide by a rule to not have any roosters, you are incredibly naïve. I don't know why you want this ordinance passed, but perhaps it is a special interest group pressuring you.

We are also a special interest group, and we outnumber those who would think that it is organic, sweet and necessary to raise chickens. Right now any consumer can go to Fry's grocery store and buy healthy, organic, range-free eggs for \$2.50 a dozen, which is FAR CHEAPER than raising the chickens.

If possible, I would appreciate this email being entered into the public record for comments on this issue.

Regards,

Andrea Haber

From:

fmorgan5 <fmorgan5@cox.net> Saturday, July 15, 2017 4:26 PM

Sent: To:

Mark Holden

Subject:

Raising chickens

We lived in Hawaii for 37 years. We now live in Green Valley. The #1 reason we left Hawaii was because of the chickens. It probably started out innocently with hens, and grew into an abundance of roosters, legally or not. They are supposed to be caged, but they aren't. They roam freely now on most islands, messing up neighbors' yards and causing so much disturbance.

If I could beg Pima County not to allow this zoning amendment, I would. Roosters crow in response to light and hens squawk day and night, causing such invasive noise and unrest in a neighborhood. I did not sleep for a year and got ill because of the situation. Please do not allow this. Peace and quiet is why we live here. Thank you.

Floanne Morgan 2417 S Via Anzavita Green Valley, AZ 85614 520 207 9070

Sent from my Verizon, Samsung Galaxy smartphone

From: Holly Ibarra <hollyibarra3710@gmail.com>

Sent: Friday, August 4, 2017 2:57 PM

To: Mark Holden

Subject: Proposed amendment concerning chickens in residential areas

Mr. Holden,

My family and I live in Vail in a subdivision with very small yards. I do not agree with the amendment, as our houses are too close together for chickens not to be an intrusion. If our lots were larger, no problem. Chickens are a lot of hard work (especially in such small yards) and I don't think most people understand that. I am afraid it is something that everyone thinks is "cool" right now, so they want chickens. There are plenty of properties located in Pima County that allow chickens already. If people want to have chickens, they should choose to live in those areas. We do not want live in those areas, so we chose our subdivision.

Thank you for your time,

Holly Ibarra

From:

Chris Poirier

Sent:

Thursday, August 24, 2017 9:29 AM

To:

Mark Holden

Subject:

FW: Feedback Form 2017-08-23 02:00 PM Submission Notification

From: Betty Sanchez

Sent: Thursday, August 24, 2017 9:07 AM **To:** Chris Poirier < Chris.Poirier@pima.gov>

Subject: FW: Feedback Form 2017-08-23 02:00 PM Submission Notification

FYI



Betty Sanchez

Administrative Services Manager

Pima County Development Services 520-724-6788 www.pima.gov/developmentservices

From: notification@pima.gov [mailto:notification@pima.gov]

Sent: Wednesday, August 23, 2017 2:00 PM

To: Director < Director@pima.gov >

Subject: Feedback Form 2017-08-23 02:00 PM Submission Notification

Feedback Form 2017-08-23 02:00 PM was submitted by Guest on 8/23/2017 2:00:07 PM (GMT-07:00) US/Arizona

Name

Value

First Name George

Last Name Mavros

Email kokatsas@yahoo.com

Address

City

State AZ

Zipcode

Message Subject Amendment to allow residential female chickens

To Whom It May Concern: I am a resident of unincorporated Pima County, and I would Comment like to express my support of the proposed amendment to allow residential female chickens. Sincerely, George Mavros

Response requested No

From:

Chris Poirier

Sent:

Thursday, August 24, 2017 9:29 AM

To:

Mark Holden

Subject:

FW: Feedback Form 2017-08-23 10:01 AM Submission Notification

From: Betty Sanchez

Sent: Thursday, August 24, 2017 9:10 AM To: Chris Poirier < Chris. Poirier@pima.gov>

Subject: FW: Feedback Form 2017-08-23 10:01 AM Submission Notification

FYI

Betty

Betty Sanchez Administrative Services Manager

Pima County Development Services 520-724-6788 www.pima.gov/developmentservices

From: notification@pima.gov [mailto:notification@pima.gov]

Sent: Wednesday, August 23, 2017 10:02 AM

To: Director < Director@pima.gov>

Subject: Feedback Form 2017-08-23 10:01 AM Submission Notification

Feedback Form 2017-08-23 10:01 AM was submitted by Guest on 8/23/2017 10:01:40 AM (GMT-07:00) US/Arizona

Name

Value

First Name Mary

Last Name Mayros

Email maryshoop@hotmail.com

Address 3211 W Cactuc Tree Trail

City Tucson

State AZ

Zipcode 85742

Message Subject Proposed Amendment to allow Chickens

I'm a resident in unincorporated Pima County (Congressional District 2), and I would like to express my excitement and support for the proposed zoning amendment regarding the Comment allowance of female chickens. My personal experience with keeping a small number of hens, is that they provide numerous benefits (like reducing the nearby population of insects and rodents), as well as the obvious production of a valuable food source. And like

any pet, they also provide the invaluable therapeutic benefit of companionship and responsibility, while creating no more of a potential "nuisance" than any other companion animal. Thank you so much for considering this important change in legislature. Respectfully, Mary Mavros

Response requested No

Referred_Page https://webcms.pima.gov/cms/One.aspx?portalId=169&pageId=63418

Thank you, Pima County, Arizona

From: Chris Poirier

Sent: Thursday, August 24, 2017 9:29 AM

To: Mark Holden

Subject: FW: Feedback Form 2017-08-23 06:25 PM Submission Notification

From: Betty Sanchez

Sent: Thursday, August 24, 2017 9:08 AM To: Chris Poirier < Chris. Poirier@pima.gov>

Subject: FW: Feedback Form 2017-08-23 06:25 PM Submission Notification

FYI



Betty Sanchez

Administrative Services Manager

Pima County Development Services 520-724-6788

www.pima.gov/developmentservices

From: notification@pima.gov [mailto:notification@pima.gov]

Sent: Wednesday, August 23, 2017 6:25 PM

To: Director < Director@pima.gov >

Subject: Feedback Form 2017-08-23 06:25 PM Submission Notification

Feedback Form 2017-08-23 06:25 PM was submitted by Guest on 8/23/2017 6:25:25 PM (GMT-07:00) US/Arizona

Name Value

First Name Tonya

Last Name Swann-Moreno

Email Swann3@hotmail.com

Address 14400 S Camino El Galan

City Sahuarita

State AZ

Zipcode 85629

Message Subject Chickens

Please help us to make changes to policies that regulate the size of a yard that chickens **Comment** can be kept in. Allow smaller backyards to have a certain number of chickens. Help change restrictions on HOA regulations

Response requested Yes

From:

Betty Sanchez

Sent:

Tuesday, August 29, 2017 12:09 PM

To:

Mark Holden

Subject:

FW: Feedback Form 2017-08-29 12:08 PM Submission Notification

Betty

Betty Sanchez Administrative Services Manager

Pima County Development Services 520-724-6788 www.pima.gov/developmentservices

From: notification@pima.gov [mailto:notification@pima.gov]

Sent: Tuesday, August 29, 2017 12:08 PM

To: Director < Director@pima.gov>

Subject: Feedback Form 2017-08-29 12:08 PM Submission Notification

Feedback Form 2017-08-29 12:08 PM was submitted by Guest on 8/29/2017 12:08:09 PM (GMT-07:00) US/Arizona

Name

Value

First Name Angelina

Last Name Shawver

Email ashawver55@msn.com

Address 1950 W Hadlley St

City Tucson

State AZ

Zipcode 85705

Message Subject Chickens

Comment I would love to be able to keep a few chickens. What will happen with the set backs, 20 ft is very limiting? Thanks Angelina Shawver

Response requested Yes

Referred Page https://www.facebook.com/

Thank you, Pima County, Arizona

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, RELATING TO ZONING; AMENDING THE PIMA COUNTY CODE BY AMENDING CHAPTER 18.09 (GENERAL RESIDENTIAL AND RURAL ZONING PROVISIONS), SECTION 18.09.020 (GENERAL REQUIREMENTS AND EXCEPTIONS). TO PROVIDE REGULATIONS FOR KEEPING FEMALE CHICKENS TO SUPPLY EGGS FOR PERSONAL FOOD PRODUCTION IN CERTAIN RESIDENTIAL ZONES, INCLUDING NUMBERS OF FEMALE CHICKENS PERMITTED AND LOCATING OF STRUCTURES USED TO SHELTER CHICKENS: CHAPTER 18.11 (TH TRAILER HOMESITE ZONE), SECTIONS 18.11.020 (PERMITTED USES) AND 18.11.050 (DEVELOPMENT STANDARDS - ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES); CHAPTER 18.27 (CR-4 MIXED-DWELLING TYPE ZONE), SECTIONS 18.27.010 (PERMITTED USES) AND 18.27.040 (DEVELOPMENT STANDARDS -ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES); CHAPTER RESIDENCE ZONE), SECTION (CR-5 MULTIPLE (DEVELOPMENT STANDARDS - ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES); CHAPTER 18.33 (CMH-1 COUNTY MANUFACTURED AND MOBILE HOME-1 ZONE). SECTIONS 18.33.020 (PERMITTED USES) AND 18.33.050 (DEVELOPMENT STANDARDS - ACCESSORY BUILDINGS AND STRUCTURES); CHAPTER 18.35 (CMH-2 COUNTY ACCESSORY MANUFACTURED AND MOBILE HOME-2 ZONE), SECTIONS 18.35.020 (PERMITTED USES) AND 18.35.050 (DEVELOPMENT STANDARDS --DETACHED ACCESSORY BUILDINGS AND USES); AND, CHAPTER 18.37 (MU MULTIPLE USE ZONE), SECTIONS 18.37.010 (PERMITTED USES) AND 18.37.050 (DEVELOPMENT STANDARDS - ACCESSORY BUILDINGS AND ACCESSORY STRUCTURES), TO PERMIT THE KEEPING OF FEMALE CHICKENS AND TO PROVIDE SETBACKS FOR ACCESSORY STRUCTURES USED TO SHELTER CHICKENS IN EACH ZONE: CHAPTER 18.12 (IR INSTITUTIONAL RESERVE ZONE), SECTION 18.12.020 (PERMITTED USES); CHAPTER 18.13 (RH RURAL HOMESTEAD ZONE), SECTION 18.13.020 (PERMITTED USES); CHAPTER 18.14 (GR-1 RURAL RESIDENTIAL ZONE), SECTION 18.14.020 (PERMITTED USES); CHAPTER 18.17 (SR SUBURBAN RANCH ZONE), SECTION 18.17.020 (PERMITTED USES); CHAPTER 18.18 (SR-2 SUBURBAN RANCH ESTATE ZONE), SECTION 18.18.020 (PERMITTED USES): CHAPTER 18.19 (SH SUBURBAN HOMESTEAD ZONE), SECTION 18.19.010 (PERMITTED USES); CHAPTER 18.21 (CR-1 SINGLE RESIDENCE 18.21.010 (PERMITTED USES) AND SECTIONS 18.21.020 (CONDITIONAL USES); AND, CHAPTER 18.23 (CR-2 SINGLE RESIDENCE ZONE), SECTIONS 18.23.010 (PERMITTED USES) AND (CONDITIONAL USES), TO REMOVE SEPARATE SECTIONS OF THE ZONING

CODE REGARDING THE RAISING OF RATITES AND TO COMBINE RAISING OF RATITES WITH REQUIREMENTS FOR RAISING LIVESTOCK IN EACH ZONE; AND CHAPTER 18.07 (GENERAL REGULATIONS AND EXCEPTIONS), SECTION 18.07.030 (LAND USE REGULATIONS), TO REQUIRE MINIMUM SIX-FOOT-HIGH, STOCK-TIGHT FENCES FOR THE RAISING OF RATITES; AND, TO RENUMBER SUBSEQUENT SECTIONS ACCORDINGLY.

THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA FINDS THAT:

- 1. The Planning and Zoning Commission, at its January 25, 2017 hearing, initiated and authorized staff to amend the Pima County Code to address food access issues.
- 2. Pima County Board of Supervisors approved the update of the Comprehensive Plan, Pima Prospers, on August 17, 2015 (Co7-13-10; Resolution 2015-62).
- 3. Pima County Comprehensive Plan, Chapter 5 Human Infrastructure, Element 5.8 Food Access, includes policies to increase access to healthy food at the neighborhood level, and to support urban agriculture, livestock and small-scale community agriculture, including modernizing code definitions of livestock and equities in species types and sizes.
- 4. This ordinance updates the zoning code to permit the raising of female chickens for personal food production in specific residential zones, and to simplify requirements for raising of ratites (ostrich, emu, other large flightless birds) in all rural zones and specific residential zones.
- 5. This ordinance does not create new restrictions on the use of property, and this ordinance is not intended to, nor should it be construed to reduce any existing rights to use, divide, sell or possess private real property.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:

Section 1. Pima County Code Chapter 18.09, Section 18.09.020 is amended to permit and provide regulations for the keeping of female chickens for personal food production, as follows:

Chapter 18.09 GENERAL RESIDENTIAL AND RURAL ZONING PROVISIONS

18.09.020 - General requirements and exceptions.

T. Food Access.

- 1. Keeping chickens in the TH, CR-4, CR-5, CMH-1, CMH-2, and MU zones:
 - <u>Keeping female chickens to provide eggs for personal food production is permitted in conjunction with a permitted residential use in the TH, CR-4, CR-5, CMH-1, CMH-2, and MU zones.</u>
 - b. Cockerels and roosters are not permitted,
 - c. The number of chickens permitted shall not exceed the following:

- i. One-family dwelling lots or manufactured home dwelling unit area of 6,000 square feet and greater in area: 8 female chickens per dwelling unit; or,
- ii. One-family dwelling lots or manufactured home dwelling unit area of less than 6,000 square feet in area, or duplex or multiple dwelling property: 4 female chickens per dwelling unit,
- d. The numbers of chickens may be increased by half the number permitted upon the submittal of a written recorded agreement of the adjacent property owners abutting side and rear yards,
- e. Any structures used to shelter chickens are prohibited in front yards, but allowed in other perimeter yards under the accessory building and structure development standards for that zone. Requests to increase lot coverage or reduce setbacks for accessory structures for chickens may be made through the modification of setback requirements or lot coverage limits process (18.07.070).

Section 2. Pima County Code Chapter 18.11, Section 18.11.020 is amended to permit the keeping of female chickens in accordance with Section 18.09.020.T; and, Section 18.11.050 is amended to provide development standards for structures used to shelter chickens, as follows:

Chapter 18.11 TH TRAILER HOMESITE ZONE

18.11.020 - Permitted uses.

Α. Uses permitted:

- 2. Single-family dwelling, manufactured or mobile home or trailer on lots in subdivisions which were approved prior to January 6, 1971. Such uses shall conform to all other requirements of this chapter .;
- 3. Keeping chickens in accordance with the restrictions in Section 18.09.020.T.1 (General Residential and Rural Zoning Provisions).

18.11.050 - Development standards - Accessory buildings and accessory structures.

C. Minimum distance standards:

P17TA00001

3. To rear lot line: Four feet.;

4. Accessory structures used to shelter chickens shall be a minimum of 20 feet from any dwelling on adjoining properties.

Section 3. Pima County Code Chapter 18.27, Section 18.27.010 is amended to permit the keeping of female chickens in accordance with Section 18.09.020.T; and, Section 18.27.040 is amended to provide development standards for structures used to shelter chickens, as follows:

Page 3 of 12

Chapter 18.27 CR-4 MIXED-DWELLING TYPE ZONE

....

18.27.010 - Permitted uses.

A. Uses permitted:

....

- 5. Temporary real estate office: In accordance with Section 18.17.020A8 (SR Suburban Ranch Zone)-;
- 6. Keeping chickens in accordance with the restrictions in Section 18.09.020.T.1 (General Residential and Rural Zoning Provisions).

....

- 18.27.040 Development standards Accessory buildings and accessory structures.
- C. Minimum setback standards:

....

- 1. From property lines: In accordance with applicable Pima County building codes (Title 15)-;
- 2. Accessory structures used to shelter chickens shall be a minimum of 20 feet from any dwelling on adjoining properties.

....

Section 4. Pima County Code Chapter 18.29, Section 18.29.040 is amended to provide development standards for structures used to shelter chickens, as follows:

Chapter 18.29 CR-5 MULTIPLE RESIDENCE ZONE

0.000.000.000

18.29.040 - Development standards - Accessory buildings and accessory structures.

C. Minimum setback standards:

••••

- 1. From property lines: In accordance with applicable Pima County building codes (Title 15).;
- 2. Accessory structures used to shelter chickens shall be a minimum of 20 feet from any dwelling on adjoining properties.

....

Section 5. Pima County Code Chapter 18.33, Section 18.33.020 is amended to permit the raising of female chickens in accordance with Section 18.09.020.T; and, Section 18.33.050 is amended to provide development standards for structures used to shelter chickens, as follows:

Chapter 18.33

Page 4 of 12

CMH-1 COUNTY MANUFACTURED AND MOBILE HOME - 1 ZONE

18.33.020 - Permitted uses.

- A. Uses permitted:
 - 9. Manufactured/mobile home park-;
 - 10. Keeping chickens in accordance with the restrictions in Section 18.09.020.T.1 (General Residential and Rural Zoning Provisions).

18.33.050 - Development standards - Accessory buildings and accessory structures.

- C. Minimum distance standards:
 - 3. To rear lot line; Four feet;
 - a. Four feet if building is not used for poultry or animals.
 - b. Fifteen feet if building is used for poultry or animals.
 - Accessory structures used to shelter chickens shall be a minimum of 20 feet from any dwelling on adjoining properties.

Section 6. Pima County Code Chapter 18.35, Section 18.35.020 is amended to permit the raising of female chickens in accordance with Section 18.09.020.T; and, Section 18.35.050 is amended to provide development standards for structures used to shelter chickens, as follows:

Chapter 18.35 CMH-2 COUNTY MANUFACTURED AND MOBILE HOME – 2 ZONE

18.35.020 - Permitted uses.

- A. Uses permitted:
 - 10. Manufactured home park-;
 - 11. Keeping chickens in accordance with the restrictions in Section 18.09.020.T.1 (General Residential and Rural Zoning Provisions).
- 18.35.050 Development standards Detached accessory buildings and uses.
- E. Accessory structures used to shelter chickens shall be a minimum of 20 feet from any dwelling on adjoining properties.

••••

Section 7. Pima County Code Chapter 18.37, Section 18.37.010 is amended to permit the raising of female chickens in accordance with Section 18.09.020.T; and, Section 18.37.050 is amended to provide development standards for structures used to shelter chickens, as follows:

Chapter 18.37 MU MULTIPLE USE ZONE

18.37.010 - Permitted uses.

A. Uses permitted:

- 20. Club (private, athletic, sport or recreation).
- 21. Keeping chickens in accordance with the restrictions in Section 18.09.020.T.1 (General Residential and Rural Zoning Provisions).

18.37.050 - Development standards - Accessory buildings and accessory structures.

- C. Minimum distance standards:
 - 3. To rear lot line: Four feet.;
 - 4. Accessory structures used to shelter chickens shall be a minimum of 20 feet from any dwelling on adjoining properties.

Section 8. Pima County Code Chapter 18.07, Section 18.07.030 is amended to require confining ratites with minimum six-foot-high, stock-tight corrals, as follows:

Chapter 18.07 GENERAL REGULATIONS AND EXCEPTIONS

18.07.030 - Land use regulations.

B. Maintenance of Stock-Tight Fences. All livestock, <u>ratites</u>, and poultry kept in any rural, residential, business or industrial zone shall be kept confined by fences or other restraints of sufficient strength and durability to prevent such livestock, <u>ratites</u>, and poultry from roaming at large. <u>Ratites shall be confined within minimum six-foot-high, stock-tight corrals</u>. In the IR, RH, SR, SR-2 zones and unsubdivided parcels zoned GR-1, SH and CR-1, such fences may be constructed of barbed wire. Use of barbed wire in any rural or residential zone is limited to containment of livestock, <u>ratites</u>, and poultry.

Section 9. Pima County Code Chapter 18.12, Section 18.12.020 is amended for the raising of ratites, and to renumber subsequent sections, as follows:

Chapter 18.12 IR INSTITUTIONAL RESERVE ZONE

Page 6 of 12

18.12.020 - Permitted uses.

A. Uses permitted:

....

8. The raising or grazing of livestock and ratites;

....

- 25. Raising of ratites, subject to the following requirements:
 - a. Animals shall be confined within minimum six-foot-high stock-tight-corrals;
 - Minimum setbacks for ratite corrals and shelter structures within corrals: Fifty feet from front property line and property lines which abut public maintained roads and ten feet from side and rear property lines;

2526. Private airport or airstrip: Provided...

....

Section 10. Pima County Code Chapter 18.13, Section 18.13.020 is amended for the raising of ratites, and to renumber subsequent sections, as follows:

Chapter 18.13 RH RURAL HOMESTEAD ZONE

....

18.13.020 - Permitted uses.

A. Uses permitted:

...

7. The raising and grazing of livestock and ratites;

...

- 25. Raising of ratites subject to the following requirements:
 - a. Animals shall be confined within minimum six-foot-high, stock-tight corrals;
 - b. Minimum setbacks for ratite corrals and shelter structures within corrals: Fifty feet from front-property line and property lines which abut public maintained roads and ten-feet from side and rear property lines;

2526. Nature reserve.

. . . .

Section 11. Pima County Code Chapter 18.14, Section 18.14.020 is amended for the raising of ratites, and to renumber subsequent sections, as follows:

Chapter 18.14
GR-1 RURAL RESIDENTIAL ZONE

18.14.020 - Permitted uses.

Page 7 of 12

A. Uses permitted:

••••

- 7. The raising and grazing of livestock <u>and ratites</u>, provided there is no more than one animal per ten thousand <u>10,000</u> square feet;
- 24. Raising of ratites subject to the following restrictions and requirements:
 - a. No more than one ostrich over fourteen months of age for each ten thousand square feet of site area, or more than one emu or other ratite over fourteen months of age for each five thousand square feet of site area, or if more than one type of ratite is kept, a prorated combination of the area required for each animal. Two ratites six to fourteen months of age may be substituted for each ratite over fourteen months of age,
 - b. -Minimum site area: One acre,
 - Maximum lot soverage by ratite corrals and shelter structures within corrals: Thirty
 percent;
 - d. Animals shall be confined within minimum six-foot-high, stock-tight corrals. Ostrich corrals shall be surrounded by a minimum six-foot-high, stock-tight fence or other restraints of sufficient strength and durability to prevent ratites from roaming at large as provided in Section 18.07.030(B);
 - e. Minimum setbacks for ratite corrals and shelter structures within corrals: Thirty feet from front property line and ten feet from side and rear property lines;

2425. Temporary real estate office:

Section 12. Pima County Code Chapter 18.17, Section 18.17.020 is amended for the raising of ratites, and to renumber subsequent sections, as follows:

Chapter 18.17 SR SUBURBAN RANCH ZONE

18.17.020 - Permitted uses.

A. Permitted uses:

••••

- The grazing and raising of livestock <u>and ratites</u>, provided there is no more than one head of cattle, horse, sheep, goat, or other animal more than six months of age per ten thousand 10,000 square feet of lot area;
- 8. Raising of ratites subject to the following restrictions and requirements:
 - a. No more than one ostrich over fourteen months of age for each ten thousand square feet of site area, or more than one emu or similar ratite over fourteen months of age for each five thousand square feet of site area, or if more than one type of ratite is

- kept, a prorated combination of the area required for each animal. Two ratites six to fourteen months of age may be substituted for each ratite over fourteen months of age,
- b. Maximum lot coverage by ratite corrals and shelter structures within corrals: Thirty-five percent,
- c. Animals shall be confined within minimum-six-foot-high, stock-tight corrals. Ostrich corrals shall be surrounded by a minimum six-foot-high stock-tight fence or other restraints of sufficient strength and durability to prevent ratites from roaming at large as provided in Section 18.07.030(B),
- d. Minimum setbacks for ratite corrals and shelter structures within corrals: Fifty feet from front property line and ten-feet from side and rear property lines;
- <u>89</u>. Temporary real estate office on any subdivision of record, provided:

Section 13. Pima County Code Chapter 18.18, Section 18.18.020 is amended for the raising of ratites, as follows:

Chapter 18.18 SR-2 SUBURBAN RANCH ESTATE ZONE

18.18.020 - Permitted uses.

•••

- B. The following are permitted as accessory uses in addition to those uses that would customarily be permitted as uses under Section 18.0309.020A1(A)(1):
 - 1. Agricultural and horticultural uses, not for retail sale:

....

- b. The raising of poultry, rabbits, and similar small animals, and the raising and grazing of <u>ratites and</u> livestock, including horses, cattle, sheep, and goats, but excluding swine, subject to the following requirements:
 - (1) A minimum of ten thousand 10,000 square feet of lot area is required for each livestock animal or ratite that is more than six months of age,

2. Raising of ratites subject to the following requirements:

- a. No more than one ostrich over fourteen months of age for each ten thousand square feet of site area, or more than one emu or similar ratite over fourteen months of age for each five thousand square feet of site area, or a prorated combination of each animal. Two ratites six to fourteen months of age may be substituted for each ratite over fourteen months of age;
- b. Animals shall be confined within minimum six-foot-high, stock-tight corrals. Ostrich corrals shall be surrounded by a minimum six-foot-high, stock-tight fence or other restraint in accordance with Section 18.07.030B to prevent ratites from roaming at large:
- c. Minimum setbacks for ratite corrals and shelter structures within corrals:

- (1) From the front property-line: Fifty feet,
- (2) From the side and rear property lines: Ten feet.

Section 14. Pima County Code Chapter 18.19, Section 18.19.010 is amended for the raising of ratites, as follows:

Chapter 18.19 SH SUBURBAN HOMESTEAD ZONE

18.19.010 - Permitted uses.

A. Uses permitted:

- Any use permitted in Section 18.17.020 (SR Suburban Ranch Zone); provided that for the raising of ratites:
 - a. No more than one ostrich over fourteen months of age for each ten thousand square feet of site area, or more than one emu or similar ratite over fourteen months of age for each five thousand square feet of site area, or if more than one type of ratite is kept, a prorated combination of the area required for each animal. Two ratites six to fourteen months of age may be substituted for each ratite over fourteen months of age,
 - b. Minimum-site area: One acre,
 - Maximum lot coverage by ratite corrals and shelter structures within corrals: Thirty
 percent,
 - d. Animals shall be confined within minimum six-foot-high, stock-tight corrals. No material is permitted that is not ordinarily used for a stock-tight-fence. Ostrich corrals shall be surrounded by a minimum six-foot-high, stock-tight fence or other restraint of sufficient strength and durability to prevent ratites from roaming at large as provided in Section 18.07.030B.
 - Minimum setbacks-for-ratite corrals and shelter structures within corrals: Thirty feet
 from the front property line and ten feet from side and rear property lines; but in no
 event shall a corral or shelter within a corral be closer than thirty feet to any residence
 or living quarters on a abutting property;
- 2. Duplex dwelling;

Section 15. Pima County Code Chapter 18.21, Section 18.21.010 is amended for the raising of ratites, and Section 18.21.020 is amended to remove raising of ratites as a conditional use, as follows:

Chapter 18.21 CR-1 SINGLE RESIDENCE ZONE

18.21.010 - Permitted uses.

A. Uses permitted:

Page 10 of 12

3. Agriculture or horticulture:

••••

b. On lots of not less than thirty-six thousand 36,000 square feet not more than one head of cattle, horses, sheep, or goats, one ratite, or other similar animals more than six months of age per ten thousand 10,000 square feet of lot area, excluding swine;

18.21.020 - Conditional uses.

A. Uses conditionally permitted:

. . . .

- 2. Raising of ratites in accordance with Type 1 procedure subject to the following restrictions and requirements:
 - a. Minimum lot-area: One acre
 - b. No more than one ostrich over fourteen months of age for each ten thousand square feet of site area, or more than one emu or other ratite over fourteen months of age for each five thousand square feet of site area, or if more than one type of ratite is kept, a prorated combination of the area required for each animal. Two ratites six to fourteen months of age may be substituted for each ratite over fourteen months of age,
 - c. Maximum lot coverage by ratite corrals and shelter structures within corrals: Thirty percent,
 - d.—Animals shall be confined within minimum six foot-high, stock-tight corrals. No material shall be permitted that is not ordinarily used for a stock-tight fence. Ostrich-corrals shall be surrounded by a minimum six foot-high, stock-tight fence or other restraint of sufficient strength and durability to prevent ratites from roaming at large as provided in Section 18:07:030B,
 - e. Minimum setbacks for ratite corrals and shelter structures within corrals: Thirty feet from the front property line and ten feet from side and rear property lines; but in no event shall a corral or shelter within a corral be closer than thirty feet to any residence or living quarters on a abutting property;
- 23. Community stable:

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Section 16. Pima County Code Chapter 18.23, Section 18.23.010 and Section 18.23.020 are amended for the raising of ratites, as follows:

Chapter 18.23 CR-2 SINGLE RESIDENCE ZONE

18.23.010 - Permitted uses.

A. Uses permitted:

. . . .

1. Any use as permitted in Section 18.21.010 (CR-1 Single Residence Zone), but horses, cattle, sheep, or goats, or ratites shall not be kept on less than one commercial acre and not more than one such animal for each ten thousand 10,000 square feet of lot area.

18.23.020 - Conditional uses.			
A. Uses conditionally permitted:			
Any use as conditionally permitted in Sec except the raising of ratites is not permitte	otion 18.21.020 (CR-1 Single Residence Zone) , ed.		
Section 17. That this ordinance is effective 31 day	ys after its adoption.		
Passed and adopted by the Board of Supervisors	s of Pima County, Arizona, on this day		
of, 2017.			
Chair, Pima County	Board of Supervisors		
ATTEST:			
Clerk, Board of Supervisors			
Approved As To Form:	Approved:		
Deputy County Attorney	Executive Secretary, Planning and Zoning Commission		
MICHAEL LEBLANC	Tarming and Zoning Commission		