



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: January 22, 2019

P18TA00008 FOOD ACCESS #3 - COMMUNITY FOOD PANTRY IN RH RURAL HOMESTEAD,
Title: GR-1 RURAL RESIDENTIAL, SH SUBURBAN HOMESTEAD, TR TRANSITIONAL AND MU
MULTIPLE USE ZONES TEXT AMENDMENT

Introduction/Background:

The CDC and USDA have classified many areas of Pima County as 'food deserts' - areas that have low access to fresh, healthy food. Food access is more challenging in rural areas, with higher rates of poverty, unemployment and food insecurity, fewer social services, and less access to public transportation.

Discussion:

Food pantries - facilities that distribute food aid to low-income and unemployed households - are often operated locally by non-profit organizations, or as secondary uses in churches and schools. The Pima County Zoning Code would currently permit a stand-alone food pantry in commercial zones, or in rural areas as a 'community service agency' requiring a minimum of 10 acres and a Type II Conditional Use Permit (CUP). The text amendment would permit a 'community food pantry' as a Type I CUP in the rural RH, GR-1 and SH zones with no minimum area requirement, and in the more urban TR and MU zones.

Conclusion:

The text amendment would reduce regulatory requirements to establish and operate a stand-alone, non-profit food pantry in underserved areas of the county. Existing food pantries at churches, schools and similar facilities would be unaffected.

Recommendation:

Staff recommends APPROVAL of the proposed text amendment for stand-alone community food pantries to increase access to fresh food in rural and other underserved areas of the county.

Fiscal Impact:

n/a

Board of Supervisor District:

☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☒ All

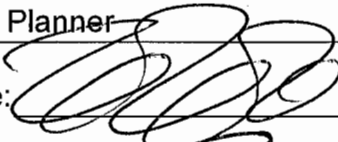
Department: Development Services

Telephone: 724-9000

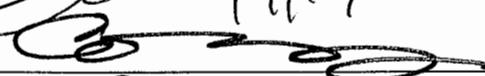
Contact: Mark Holden, Principal Planner

Telephone: 724-6619

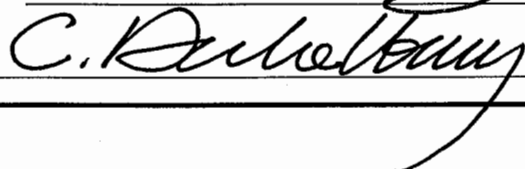
Department Director Signature/Date:

 1/4/19

Deputy County Administrator Signature/Date:

 1/7/19

County Administrator Signature/Date:

 1/7/19

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DEVELOPMENT SERVICES

TO: Honorable Board of Supervisors

FROM: Chris Poirier, Planning Official
Public Works-Development Services Department-Planning Division

DATE: January 4, 2019

SUBJECT: P18TA00008 FOOD ACCESS #3 - COMMUNITY FOOD PANTRY IN RH RURAL HOMESTEAD, GR-1 RURAL RESIDENTIAL, SH SUBURBAN HOMESTEAD, TR TRANSITIONAL AND MU MULTIPLE USE ZONES

The above referenced Zoning Code Text Amendment is scheduled for the Board of Supervisors' **TUESDAY, JANUARY 22, 2019** hearing.

REQUEST: Proposal to amend by ordinance the Pima County Zoning Code Chapter 18.03 (General Definitions), Section 18.03.20 (Definitions), to provide a definition for community food pantry; Chapter 18.09 (General Residential and Rural Zoning Provisions), Section 18.09.020 (General Requirements and Exceptions), to provide the zones which would permit a community food pantry; Chapter 18.13 (RH Rural Homestead Zone), Section 18.13.030 (Conditional Uses), Chapter 18.14 (GR-1 Rural Residential Zone), Section 18.14.030 (Conditional Uses), and Chapter 18.19 (SH Suburban Homestead Zone), Section 18.19.020 (Conditional Uses), to add community food pantry as a conditionally permitted use; Chapter 18.31 (TR Transitional Zone), Section 18.31.010 (Permitted Uses), to add community food pantry as a permitted use; and, Chapter 18.37 (MU Multiple Use Zone), Section 18.37.020 (MU Special Uses) to add community food pantry as a conditionally permitted MU Special Use.

OWNER: N/A

APPLICANT: N/A

DISTRICTS: ALL

STAFF CONTACT: Mark Holden

PUBLIC COMMENT TO DATE: As of January 4, 2019, staff received two comments in support of the proposed zoning code text amendment.

PLANNING AND ZONING COMMISSION RECOMMENDATION: APPROVAL (9-0, Commissioner Bain was absent).

STAFF RECOMMENDATION: APPROVAL.

TD/MH/ar
Attachments



BOARD OF SUPERVISORS MEMORANDUM

Subject: P18TA00008

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FOR JANUARY 22, 2019 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Chris Poirier, Planning Official
Public Works-Development Services Department-Planning Division

DATE: January 4, 2019

ADVERTISED ITEM FOR PUBLIC HEARING

ZONING CODE TEXT AMENDMENT

P18TA00008 FOOD ACCESS #3 - COMMUNITY FOOD PANTRY IN RH RURAL HOMESTEAD, GR-1 RURAL RESIDENTIAL, SH SUBURBAN HOMESTEAD, TR TRANSITIONAL AND MU MULTIPLE USE ZONES

Proposal to amend by ordinance the Pima County Zoning Code Chapter 18.03 (General Definitions), Section 18.03.20 (Definitions), to provide a definition for community food pantry; Chapter 18.09 (General Residential and Rural Zoning Provisions), Section 18.09.020 (General Requirements and Exceptions), to provide the zones which would permit a community food pantry; Chapter 18.13 (RH Rural Homestead Zone), Section 18.13.030 (Conditional Uses), Chapter 18.14 (GR-1 Rural Residential Zone), Section 18.14.030 (Conditional Uses), and Chapter 18.19 (SH Suburban Homestead Zone), Section 18.19.020 (Conditional Uses), to add community food pantry as a conditionally permitted use; Chapter 18.31 (TR Transitional Zone), Section 18.31.010 (Permitted Uses), to add community food pantry as a permitted use; and, Chapter 18.37 (MU Multiple Use Zone), Section 18.37.020 (MU Special Uses) to add community food pantry as a conditionally permitted MU special use. On motion, the Planning and Zoning Commission voted 9-0 to recommend **APPROVAL** (Commissioner Bain was absent). Staff recommends **APPROVAL**.
(ALL DISTRICTS)

Planning and Zoning Commission Public Hearing Summary (November 28, 2018)

Staff presented information from the zoning code text amendment to the commission, stating that the text amendment creates a definition for and permitting of community food pantries in the RH, GR-1, SH, TR and MU zones.

A commissioner asked if use of the term *prepare* in the definition for community food pantry might cause confusion about permitting the cooking and serving of meals; staff clarified that the term meant consolidating bulk foods into individual parcels for distribution. A commissioner suggested a change in terminology to reduce possible confusion about providing prepared meals.

The commission opened the public hearing. No one requested to speak and the commission closed the public hearing.

Commissioner Matter made a motion to recommend **APPROVAL** of zoning code text amendment P18TA00008, subject to a change in the definition for *community food pantry* regarding preparation of food for distribution; Commissioner Gungle seconded.

Upon a voice vote, the motion to recommend **APPROVAL** passed (9-0; Commissioner Bain was absent).

TD/MH/ar
Attachments

cc: Tom Drzazgowski, Chief Zoning Inspector
P18TA00008 File

ORDINANCE 2019-_____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, RELATING TO ZONING; AMENDING THE PIMA COUNTY CODE CHAPTER 18.03 (GENERAL DEFINITIONS), SECTION 18.03.020 (DEFINITIONS), TO ADD A DEFINITION FOR COMMUNITY FOOD PANTRY; CHAPTER 18.09 (GENERAL RESIDENTIAL AND RURAL ZONING PROVISIONS), SECTION 18.09.020 (GENERAL REQUIREMENTS AND EXCEPTIONS), TO LIST THE ZONES THAT PERMIT A COMMUNITY FOOD PANTRY; CHAPTER 18.13 (RH RURAL HOMESTEAD ZONE), SECTION 18.13.030 (CONDITIONAL USES), CHAPTER 18.14 (GR-1 RURAL RESIDENTIAL ZONE), SECTION 18.14.030 (CONDITIONAL USES), AND CHAPTER 18.19 (SH SUBURBAN HOMESTEAD ZONE), SECTION 18.19.020 (CONDITIONAL USES), TO ADD COMMUNITY FOOD PANTRY AS A CONDITIONALLY PERMITTED USE; CHAPTER 18.31 (TR TRANSITIONAL ZONE), SECTION 18.31.010 (PERMITTED USES), TO ADD COMMUNITY FOOD PANTRY AS A PERMITTED USE; AND, CHAPTER 18.37 (MU MULTIPLE USE ZONE), SECTION 18.37.020 (MU SPECIAL USES) TO ADD COMMUNITY FOOD PANTRY AS A CONDITIONALLY PERMITTED MU SPECIAL USE; 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 11, 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 reduce regulatory barriers and provide incentives for the processing and distribution of healthy food.
4. This ordinance updates the zoning code to provide a definition for community food pantry and establishes permitted zones and development standards for community food pantries to provide food relief to disadvantaged persons and households in underserved areas of Pima County.
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.

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

Section 1. Pima County Code Chapter 18.03, Section 18.03.020 is amended to add a definition for community food pantry and renumber subsequent subsections accordingly, as follows:

Chapter 18.03
GENERAL DEFINITIONS

18.03.020 – Definitions

C. Definitions "C."

...

23. Community Food Pantry: a facility operated by a non-profit corporation to collect, store, package, and distribute food, such as fresh produce, perishables, canned goods, or food staples to persons and households in need. Facility shall primarily distribute food but may also include toiletries and hygienic items, diapers, pet food, clothing, and incidental household items.

2324. Community service agency:

...

Section 2. Pima County Code Chapter 18.09, Section 18.09.020 is amended to list the zones that permit a community food pantry, as follows:

Chapter 18.09
GENERAL RESIDENTIAL AND RURAL ZONING PROVISIONS

...

18.09.020 - General requirements and exceptions.

T. Food Access.

...

...

2. Community food pantries shall be permitted in the following zones:

- a. Type I conditional use permit in accordance with Chapter 18.97 in the RH, GR-1 and SH zones;
 - b. Permitted use in the TR zone;
 - c. Permitted use under the MU special use permit in the MU zone.
- ...

Section 3. Pima County Code Chapter 18.13, Section 18.13.030 is amended to add community food pantry as a conditionally permitted use, as follows:

Chapter 18.13
RH RURAL HOMESTEAD ZONE

18.13.030 - Conditional Uses.

B. Uses conditionally permitted:

35. Community food pantry:

a. Type I procedure.

b. All driveways and parking areas shall be maintained with a dust-proof material which shall be approved by the department of transportation.

~~35~~36. Other conditional uses: All uses which are similar....

Section 4. Pima County Code Chapter 18.14, Section 18.14.030 is amended to add community food pantry as a conditionally permitted use, as follows:

Chapter 18.14
GR-1 RURAL RESIDENTIAL ZONE

18.14.030 - Conditional Uses.

B. Uses conditionally permitted:

22. Community food pantry:

a. Type I procedure.

b. All driveways and parking areas shall be maintained with a dust-proof material which shall be approved by the department of transportation.

~~22~~23. Other conditional uses: All uses which are similar....

Section 5. Pima County Code Chapter 18.19, Section 18.19.020 is amended to add community food pantry as a conditionally permitted use, as follows:

Chapter 18.19
SH SUBURBAN HOMESTEAD ZONE

18.19.020 - Conditional Uses.

A. Uses conditionally permitted:

6. Community food pantry:

a. Type I procedure.

b. All driveways and parking areas shall be maintained with a dust-proof material which shall be approved by the department of transportation.

...

Section 6. Pima County Code Chapter 18.31, Section 18.31.010 is amended to add community food pantry as a permitted use and renumber subsequent subsections accordingly, as follows:

Chapter 18.31
TR TRANSITIONAL ZONE

...

18.31.010 - Permitted uses.

...

B. Additional uses permitted:

...

15. Community food pantry;

~~15~~16. Motel or hotel, together with the following....

...

Section 7. Pima County Code Chapter 18.37, Section 18.37.020 is amended to add community food pantry as a conditionally permitted MU special use, as follows:

Chapter 18.37
MU MULTIPLE USE ZONE

...

18.37.020 - MU special uses.

...

B. Uses conditionally permitted:

...

18. Fair, carnival, circus or tent show: For not more than fifteen days;

19. Community food pantry.

...

Section 8. This ordinance is effective 31 days after its adoption.

Passed and adopted by the Board of Supervisors of Pima County, Arizona, on this _____ day
of _____, 2019.

Chairman, Pima County Board of Supervisors

ATTEST:

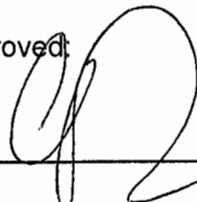
Clerk, Board of Supervisors

Approved As To Form:



Michael LeBlanc
Deputy County Attorney

Approved:



Executive Secretary,
Planning and Zoning Commission