



**Pima County Title 18 - Zoning Code  
DRAFT Text Amendment: Food Access - Chickens and Ratites  
Background Information**

**June 30, 2017**

The 2015 update of the Pima County Comprehensive Plan (*Pima Prospers*), Human Infrastructure Chapter, includes an element to address Food Access with the goal of enhancing local production, processing, and affordable distribution of healthy foods. Food access is a direct public health concern and an integral part of creating and sustaining a healthy community. Comprehensive Plan policies seek to support traditional farming, agriculture and livestock, and promote equitable access to urban agriculture and livestock, and small-scale community agriculture.

There has been increasing interest in urban agriculture and raising of small animals in cities across the nation. Locally, the City of Tucson passed an Urban Agriculture amendment to its Development Code in 2015, permitting various types of gardening crops and raising small animals in city residential zones. This allows people to independently grow and produce their own food, especially in areas lacking access to grocery stores, fresh produce, and healthy food.

The Pima County Zoning Code currently permits agricultural and livestock uses and raising of small animals in all rural zones and residential zones for single family dwellings, with more intensive uses (auction yards, feedlots, slaughterhouses, hog ranches) restricted to large-lot rural and industrial zones (Figure 1). The current limit for raising small animals in residential zones is the CR-3 Single Residence zone (min. lot area of 8000 SF), which permits raising up to 24 chickens (no roosters) for non-commercial purposes. Other zones with similar or smaller residential lots prohibit raising small animals – this includes TH Trailer Homesite, CR-4 Mixed-Dwelling Type, CR-5 Multiple Residence, CMH-1 and -2 County Manufactured and Mobile Home, and MU Multiple Use zones (Figure 2).

Pima County has drafted a Zoning Code text amendment to permit raising female chickens for personal food production in the small-lot residential zones where currently prohibited. The proposed number of chickens would provide a regular supply of eggs for an average-sized family. The amendment would not override any private residential restrictions or covenants recorded that prohibit the raising chickens.

Also, the Zoning Code was amended in 1994 for the raising of ratites (ostrich and emu) in rural and limited residential zones, in expectation of expansion of the industry. In the intervening years, the county has seen little commercial interest in the raising of ratites, especially large-scale operations. The county also proposes simplifying the Zoning Code to permit ratites similarly to livestock in the same zones where currently permitted. Specific information on the text amendments follows below.

The text amendment will be reviewed by the Planning and Zoning Commission and forwarded to the Board of Supervisors for approval. The Planning Division is accepting public comment on the proposed Zoning Code text amendment. Comments may be emailed to [Mark.Holden@pima.gov](mailto:Mark.Holden@pima.gov) and provided in-person at commission and board public hearings (hearing dates have yet to be determined, likely early fall 2017).

**Figure 1: Current Pima Co. Zoning Code – Agriculture, Livestock and Small Animals**

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

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

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

<sup>3</sup> Beekeeping permitted in all zones, in Land Use Regulations 18.07.030(E)

<sup>4</sup> CUP – Conditional Use Permit

**Figure 2: Current Pima Co. Zoning Code – Residential Zones Prohibiting Small Animals**

<b>ZONE</b>	<b>Name</b>	<b>Dwelling Type</b>	<b>Min. Lot Area</b>	<b>Notes</b>
<i>Residential</i>				
<b>TH</b> 18.11	Trailer Homesite	RV or Trailer, Single Residence	8000 SF	includes some older single residence subdivisions
<b>CR-4</b> 18.27	Mixed-Dwelling Type	Single Residence, Multi-Family	7000 SF (average)	average lot area and setbacks based on site (not lot)
<b>CR-5</b> 18.29	Multiple Residence	Single Residence, Multi-Family	6000 SF (average)	average lot area and setbacks based on site (not lot)
<b>CMH-1</b> 18.33	County Manufactured and Mobile Home-1	Manufactured / Mobile Home Park	8000 SF	
<b>CMH-2</b> 18.35	County Manufactured and Mobile Home-2	Manufactured / Mobile Home Park	3500 SF	minimum area per dwelling
<b>MU</b> 18.37	Multiple Use	Single Residence, Multi-Family, Mobile Home Park	7000 SF	

The Zoning Code text amendment will address the following:

- Female chickens permitted in the above residential zones for personal food production (eggs); cockerels and roosters are not permitted
- Numbers of chickens:
  - One-family dwelling lots or manufactured home dwelling area  $\geq$  6000 square feet: **8** female chickens per dwelling unit
  - One-family dwelling lots or manufactured home dwelling area  $<$  6000 square feet, or duplex or multiple dwelling property: **4** female chickens per dwelling unit
- Number of chickens may be increased by half the number permitted with recorded written agreement of property owners adjoining side and rear yards
- Chicken shelters (coops and runs) must be set back **20 feet** from any dwelling on adjoining properties
- No shelters in front yards, must meet accessory structure side and rear setbacks for that zone
- Requests to increase lot coverage and decrease setbacks of shelters (accessory structures) above that allowed by code made through Modification of Setback/Lot Coverage Limits process (18.07.070)
- Simplify code for ratites (ostrich & emu) in current rural and limited residential zones to same requirements as livestock (except requirement for 6 ft. fences)
- Except for simplifying requirements for ratites, *NO* changes are proposed in zones that currently permit agriculture, livestock and small animals