



Town of Oro Valley
Community and Economic Development Department

Date: April 20, 2026

Subject: Zoning Interpretation – The number and types of small animals permitted in the R1-144 zoning district.

REQUEST

A zoning interpretation was initiated by Bayer Vella, Town of Oro Valley Planning and Zoning Administrator to provide clarification about the number and types of animals permitted in the R1-144 zoning district.

HISTORY AND APPLICABLE ZONING CODE REFERENCES:

The following dates and excerpts from the Oro Valley Zoning Code are pertinent to this request:

1. 1981 – Adoption of the Oro Valley Zoning Code Revised (Ord. 58). “Farms” were a permitted use in zoning district R1-144 and defined in Article 2-8 as:
 - *“Farm” shall mean a contiguous area of 144,000 square feet or more which is used for the production of farm products such as:*
 - *Field crops, truck gardening, berry or bush crops, tree crops, flower gardening, nurseries, orchards.*
 - *Grazing and raising of livestock other than swine with no more than one (1) head of livestock more than six (6) months of age per 30,000 square feet.*
 - *Raising of poultry, rabbits, and similar small animals.*
 - *Marketing of farm products shall be limited to those products raised on the premises. Farming does not include commercial pen feeding (feed lots), feeding of garbage or offal to animals, commercial slaughterhouses, stockyards, meat packing plants, fertilizer yards, bone yards, or plants for the reduction of animal matter.*
2. 2005 – Adoption of the reformatted Oro Valley Zoning Code Revised (Ord.05-22). Reaffirmed farms are permitted in zoning district R1-144 and added as a conditional use in all other single-family-residential zoning districts. The definition of “farm” was the same as the 1981 definition.
3. 2024 – Adoption of the Small Farm Animal Husbandry and Livestock Code Amendment (Ord. 24-08). Reaffirmed “farms” are permitted in zoning district R1-144, but subject to the following:
 - *Male fowl, including roosters, are prohibited.*
 - The maximum number of animals permitted on 144,000 square-foot lots is shown on the table on the table below. A Conditional Use Permit is needed to increase the animal limits shown.

Types of Animals	Number Permitted on lots 144,000 sf.
Chickens	24
Ducks, other fowl types, rabbits, and other similar small animals	6
Bee boxes	6
Livestock, other than swine	6

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INTEPRETATION

Prior to 2024, the Oro Valley Zoning Code only limited the amount of livestock (1 per 30,000 sf.) for lots 144,000 square feet or larger. The number of small farm animals was unlimited. The Merriam-Webster Dictionary’s definition of poultry is, “*domesticated birds kept for eggs or meat.*” Therefore, the code did not explicitly prohibit male fowl, including roosters.

Ordinance (24-08) passed on September 20, 2024, added limitations to the number and types of animals permitted in R1-144. The ordinance states, “*All Oro Valley Ordinances, Resolutions, or Motions and part of Ordinances, Resolutions or Motions of the Council in conflict with the provisions of this Ordinance are hereby repealed.*”

However, Chapter 29 of the Oro Valley Zoning Code states, “*The lawful use of a building or land existing at the time of the passage of this ordinance may be continued although such use does not conform with the provisions of this Code for such building or land and such use may be continued providing only reasonable repairs and alterations are made, subject to the limitations found in this Code.*” Additionally, Section 29.3 states, “*In the event that a nonconforming use is abandoned or ceased for a period of six (6) consecutive months or is superseded by a conforming use, any future use thereof shall be in conformity with this chapter.*”

Therefore, if a continually operating farm was established on a R1-144 zoned property before September 20, 2024, the amount of livestock permitted is 1 per 30,000 square feet. There is no limit to the number of poultry, rabbits, or other similar small animals, and male fowl are also allowed.

However, if pre-existing farming operations cease for a period of six (6) consecutive months after September 20, 2024, then all current code requirements will apply. Since bee boxes were not addressed in the zoning code until 2024, the current code requirements apply, regardless of the timing.

Lastly, it is important to note that some residential parcels (within and outside of the R1-144 zoning district) have pre-annexation agreements that permit a specific number and type of animals, or use of Pima County rules. By right, these agreements take precedence over the Oro Valley Zoning Code in perpetuity.

APPEALS

Persons aggrieved by a Zoning Interpretation may file an appeal to the Board of Adjustment within twenty (20) days from the date it is published on the Town’s website, in accordance with Section 21.6.G of the Town of Oro Valley Zoning Code.

Bayer Vella, LEED-AICP
Planning and Zoning Manager

Date

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