

CITY OF GRAND JUNCTION, COLORADO

Ordinance No. 2915

AMENDING SECTION 5-10-3, 5-10-4 AND CHAPTER 12 OF THE ZONING AND DEVELOPMENT CODE OF THE CITY OF GRAND JUNCTION, ANIMAL REGULATIONS AND DEFINITIONS OF AGRICULTURAL ANIMALS

RECITALS:

Section 5-10-3 of the Zoning and Development Code refers to both small and large agricultural animals, although these terms are not currently defined in the Code. The proposed amendment includes definitions for small and large agricultural animals and expands the types of animals which are considered agricultural. The definitions also exempt unweaned animals from the cumulative number of animals allowed on a property.

Section 5-10-3, B.2. requires that a Conditional Use permit be obtained prior to the keeping of pigs, goats, burros or mules. A request for a Conditional Use Permit for the keeping of any of these animals has never been denied. Performance standards that currently exist regarding the keeping of livestock protect neighboring properties from adverse impacts that can occur with the keeping of any type of livestock. Additionally, in areas the City has annexed, many pigs, goats, burros and mules exist with a nonconforming status because Mesa County does not require a Conditional Use Permit. The proposed text amendment deletes the requirement to obtain a Conditional Use Permit for the keeping of any type of livestock except pigs. A Conditional Use Permit will still be required for the keeping of pigs in zone districts other than RSF-R, I-1 and I-2, based upon compatibility with surrounding land uses.

Other deletions of this section include the word "residential" in sections 5-10-3 A., 5-10-3 B.3, and 5-10-4.C. The term is proposed to be deleted so that the distance agricultural animals may be kept from an adjacent structure applies to commercial structures as well as residential. The regulation which allows for the keeping of livestock at a lesser distance than otherwise stated in the code has not been used in many years and is unnecessary text because Code Enforcement staff will respond to complaints of any such violations. This text does exempt pre-existing agricultural animals from meeting the one hundred feet (100') distance requirement from new development. The words "per species" have been deleted from section 5-10-3 B.3 because it has the potential to allow an unlimited number of small agricultural animals. Section 5-10-3, C provides a process for exceeding the number of agricultural animals if necessary.

Planning Commission recommended approval of the proposed text amendments, prior to the proposed revisions, at their April 9, 1996 hearing.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION:

That section 5-10-3 of the Zoning and Development Code is hereby amended to read as follows:

5-10-3 AGRICULTURAL ANIMALS

A. Large Agricultural Animals

1. In the Public Zone, RSF-R zone, RSF-1 zone or RSF-2 zone a maximum of one (1) large adult agricultural animal per quarter (1/4) acre shall be allowed.
2. In all other zones, a maximum of one (1) large adult agricultural animal shall be allowed per one-half (1/2) acre of land.
3. All large agricultural animals kept on a parcel shall be fenced so that they are no closer than one hundred feet (100') from a principal structure on an adjoining property. This provision shall not apply when the keeping, raising or breeding of large agricultural animal(s) pre-existed development on any adjacent, adjoining or abutting property(ies) when:
 - a. Development occurs closer than one hundred feet (100') to the nearest point at which the keeping, raising or breeding of animal(s) occurs, and;
 - b. The keeping, raising or breeding of large agricultural animal(s) is and has been continuous.
4. No person shall keep, house, or shelter one (1) or more adult pig(s) in any zone district other than RSF-R, I-1 and 1-2 unless such person has obtained a conditional use permit in accordance with the provisions of Section 4-6 and 4-8 of this code.

B. SMALL AGRICULTURAL ANIMALS

1. In all zones, on parcels greater than one-half (1/2) acre , fifteen (15) small adult agricultural animals shall be allowed per acre.
2. In all zones on parcels one-half (1/2) acre or less, a maximum of six (6) small agricultural animals shall be allowed.
3. Small agricultural animals which are kept outside the principal structure shall be confined by a fence, cage, or pen so as to be no closer than twenty feet (20') from a principal residential structure on an adjoining property.

C. In the RSF-R zone, the number of large and small agricultural animals allowed under sections 5-10-3 A AND 5-10-3 B, may be exceeded with a Conditional Use Permit. If the Conditional Use application is approved, the permit shall state the maximum number of animals allowed by type and in the aggregate.

NOTE: Other regulations regarding the keeping of agricultural animals may be found in the Code of Ordinances, City of Grand Junction, Chapter 6, Animals. It is recommended that such performance standards be consulted.

and that Section 5-10-4 of the Zoning and Development Code is hereby amended to read as follows:

5-10-4 HOUSEHOLD PETS

A. In all zones, a maximum of three (3) adult (4 months or older) household pets, e.g. dogs and cats, per species shall be allowed. In no event shall the total number of adult animals exceed six (6).

B. The requirements of A. above shall not apply to those small animals kept within a residence, e.g. fish, small birds, rodents and reptiles.

C. Dogs or cats kept confined in kennels shall be kept no closer than twenty feet (20') from the nearest principal residential structure on an adjacent property.

and amending Chapter 12, Definitions, to replace the current definitions of Agricultural Animals and Household Pet with the following:

Agricultural Animals -Large - Animals such as horses, cattle, sheep, goats, llamas, ostriches and similar livestock, or as otherwise determined by the Administrator. Large agricultural animals which are greater than one year or have been weaned, whichever is less, are considered adult agricultural animals.

Agricultural Animals -Small - Animals such as poultry, pigeons, rabbits and chinchillas and similar animals or as otherwise determined by the Administrator. Small agricultural animals which are greater than one year of age or have been weaned, whichever is less, are considered adult agricultural animals.

Household Pet - Those animals which are commonly kept as pets such as dogs, cats, fish, small birds, rodents and non-poisonous reptiles.

Introduced on first reading this 17th day of April, 1996.

PASSED and ADOPTED on second reading this 1st day of May, 1996.

/s/ Linda Afman

Mayor

ATTEST:

/s/ Stephanie Nye
City Clerk