

The wording on parking in the “temporary uses” code was amended to remove what the staff had determined to be an unnecessary parking requirement for temporary use permits. This parking language is now the same as the language for parking requirements on private property for special events permits.

The wording on minor changes to exterior building elevations in Final Planned Development Site Plans was changed. It now will allow the director of Development Services to administratively approve a minor amendment to a plan without holding formal Monument Planning Commission and Board of Trustees hearings on items such as moving a back door or changing the size of a kitchen sink window.

Wording was added in the nonconforming use code to create regulations for nonconforming buildings and structures. The existing code did not have a provision for alterations or expansions to nonconforming buildings or structures. This is typical language found in zoning codes across Colorado and the country. This language allows municipalities to manage nonconforming buildings and structures that may fall into disrepair, are no longer occupied, or do not meet local zoning and building codes. In some instances a nonconforming building or structure can become a life-safety issue. An exemption provision is also proposed for nonconforming parcels created by public action at the federal, state, or local level.

**Chicken-keeping changes tabled**

The proposed code change would regulate the keeping of chickens within the town in residential areas. Kassawara said the change was drafted in response to several inquiries in the last six months from residents interested in keeping chickens for private use. The proposed regulations were written to allow for a use that is expanding in popularity, but at the same time to avoid creating an arduous permitting process for residents.

Kassawara also noted that former Trustee Rick Squires had asked for creation of the ordinance since the town code did not include chickens in the current code on keeping and grazing of livestock.

Kassawara provided a spreadsheet in the staff report that listed limits in chicken regulations for similar size towns in Colorado. He stated this ordinance

would cover all citizens and protect the rights of neighbors. The amendment would treat current chicken owners on a complaint basis only and the town code enforcement officer would not go looking for violations. Kassawara reported that the staff had proposed a nominal fee of \$25 to partially cover the cost of staff time for the review of coop plans, and a permit to verify that the proposed regulations are complied with.

Some of the items listed in the new municipal code section titled “6.04.110 – Chickens” were:

- Chickens are allowed in Planned Developments that contain language allowing them as permitted or accessory uses.
- Chickens are permitted in the R-1 and R-2 zone districts.
- The maximum number of chickens permitted on one lot is four.
- Roosters and other types of poultry including but not limited to ducks, turkeys, geese, pheasants, and guinea fowl, are prohibited within the town limits.
- Chickens must be kept in the rear yard.
- A chicken coop and run are required to be constructed to keep chickens. The chicken coop and run must be predator proof.
- The maximum size of the chicken coop/house is 120 square feet and the maximum height is seven feet at the highest point of the roof.
- The chicken coop/house must be set back a minimum of 10 feet from the side and rear property lines.
- The minimum size of a coop is four square feet per chicken.
- The minimum size of a chicken run is six square feet per chicken.
- The chicken coop and run must be fully screened from view from public right-of-way and adjacent properties by a six-foot opaque wood fence.
- Chickens can only be kept for personal use or enjoyment. The retail sale of eggs or chickens is prohibited.
- Breeding of chickens is prohibited.
- Raising chickens for slaughter is prohibited.
- The area and building(s) used for keeping chickens will be kept in a clean and sanitary condition at all times.
- The keeping of chickens requires a

permit to be issued by the director of Development Services.

- The director of Development Services can revoke the permit at any time for cause.

County resident and local business owner John Dominowski asked the board to eliminate the chicken fee if the chickens were being raised for food due to an existing hardship. Trustee Stan Gingrich replied that the ordinance specifically states

that chickens cannot be slaughtered and that chickens may only be used to produce eggs for home use. Retail sale of chickens or eggs is prohibited.

Town Manager Pam Smith said she was not in favor of any fee waivers because it would be a bad precedent. Kassawara added that the Development Services Department is paid for through fees rather than general revenues.

Gingrich made a motion to approve

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