

CITY OF STEAMBOAT SPRINGS

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING CHAPTER 26 OF THE STEAMBOAT SPRINGS REVISED MUNICIPAL CODE BY ADDING A DEFINITION AND USE CRITERIA FOR URBAN CHICKENS USES; REVISING THE DEFINITION OF FARM ANIMAL; AMENDING THE USE TABLE TO PERMIT URBAN CHICKENS AS A USE BY RIGHT, USE WITH CRITERIA, AND PROHIBIT THIS USE IN CERTAIN ZONE DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; REPEALING ALL CONFLICTING ORDINANCES; AND SETTING A HEARING DATE.**

WHEREAS, the City Council adopted the revised Community Development Code as Ordinance #1802 on July 23, 2001; and

WHEREAS, the City of Steamboat Springs committed to a regular, ongoing review of the Community Development Code so that the provisions contained therein are relevant and applicable to the community at any given point in time; and

WHEREAS, the City Council has recognized the importance of local food production; and

WHEREAS, the City Council finds it appropriate allow chicken hens in the City of Steamboat Springs; and

NOW, THEREFORE, the City Council of the City of Steamboat Springs ordains as follows:

**SECTION 1**

**Sec. 26-92 Use Classifications**

Table 26-92  
Table of Permitted Principal Uses

	R = Use by Right		CR = Use with Criteria		C = Conditional Use		Blank Cell = Prohibited														
	Traditional Zoning Districts															TND Zoning (Transects)					
Use Classification and Specific Principal Uses*	OR	RE	RN	RO	RR	MH	MF	G-1	G-2	CO	CY	CN	CC	CS	I	T2-NE	T3-NG1	T3-NG2	T4-NC	T5-TC	SD
<b>RESIDENTIAL USES</b>																					
Dormitory							C	C					C						C	C	
Duplex			CR	CR	C		C	C			C	CR				CR	CR	CR	C		

Use Classification and Specific Principal Uses*	Traditional Zoning Districts															TND Zoning (Transects)					
	OR	RE	RN	RO	RR	MH	MF	G-1	G-2	CO	CY	CN	CC	CS	I	T2-NE	T3-NG1	T3-NG2	T4-NC	T5-TC	SD
Employee unit	C				CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR				CR	CR	
Group home		CR	CR	CR			CR				CR	CR				CR	CR	CR	CR	CR	
Live/Work Unit										R	R	R							R	R	
Long-term rental		R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Mobile home						R															
Multi-family dwelling			C	C	CR		R	CR	CR	CR	CR	CR	CR	C	CR						
Tri-Plex/Fourplex																	R	R	R		
Bungalow Court																		R	R		
Rowhouse																		R	R		
5-8 Units																		R	R		
9+ Units																			R		
Dwelling, Residential Component of a Mixed-Use Project																			R	R	
Secondary unit		CR	CR	CR			CR	CR			CR	CR			C	CR	CR	CR	CR		
Short-term rental		CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR		CR	CR	CR	CR	CR	CR
Single-family dwelling unit		R	R	R	C	CR	C				C	R				R	R	R			
COMMERCIAL USES																					
Amenity space/structure		C	C		R	R	R	R	R	C	C	C	C				R	R	R	R	R
Animal clinic											C	CR	CR	R					CR	R	R
Animal hospital													C	C	R				C	C	R
Animal kennel														CR	CR					CR	CR
Automatic Teller Machine (ATM)								R	R	R	R	R	R	R	R				R	R	
Automobile car wash													C	C	C				C	C	C
Automobile filling station										C			C	R	C				C	C	
Automobile major repair													C	CR	CR						CR
Automobile minor repair													C	CR	CR				CR	CR	CR
Automobile service station										C			C	R	C					C	
Automobile rental								C	C				C	C	C					C	
Automobile sales														C	C					C	
Bank								C	C	CR			CR	CR					CR	R	
Bed and breakfast		C	C	C				C			CR	CR				CR	CR	CR			
Building supplies/lumber yard														CR	CR					CR	CR
Business Support Services								R	R	R	R	R	R	R					R	R	
Campground	C																				
Commercial large									C				C	C	C				C	R	
Commercial, medium								C	R	R	C	C	R	R					CR	CR	
Commercial, outdoor														C	C						
Grocery Store								C	R	R	C	C	R	R					R	R	
Commercial, Over 12,000 square feet and under 40,000 square feet													PUD	PUD					R	R	

Use Classification and Specific Principal Uses*	Traditional Zoning Districts															TND Zoning (Transects)					
	OR	RE	RN	RO	RR	MH	MF	G-1	G-2	CO	CY	CN	CC	CS	I	T2-NE	T3-NG1	T3-NG2	T4-NC	T5-TC	SD
Commercial, Over 40,000 square feet																			PUD	PUD	
Commercial, small								C	R	R	R	R	R	R					R	R	
Construction trailer	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR
Cottage industry										CR	CR	CR	CR	CR	R				CR	CR	CR
Farmers Market								R	R	R	R	R							R	R	
Funeral home													C	C					C	C	
Garage sale	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	
Health club								C	C	C			C	C					CR	R	
Home occupation		CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	CR	
Hostel				C	C			C	C	C	C	C							C	R	
Hotel					C			C	R	C			C	C					C	R	
Inn				C	C			C		R	R	R							R	R	
Lodge				C				C	C	R	R	C	C	C					R	R	
Movie theater									CR	CR									R	R	
Neighborhood store			CR	CR	C			C			CR	CR							CR	CR	
Nightclub								C	CR	CR	CR	CR	CR	CR	C				CR	CR	
Nursery											CR	CR	CR	CR	CR				CR	CR	
Office								C	CR	CR	R	R	R	R					R	R	
Office - medical and dental								C	C	C	C	C	R	R					R	R	
Outdoor equipment sales and rental														C	C						
Outdoor recreational equipment rental	C							C	CR	CR	CR	CR	CR	CR						C	
Outdoor display								CR	CR	CR	CR	CR	CR	CR	CR				CR	CR	
Outdoor seating								CR	CR	CR	CR	CR	CR	CR	CR				CR	CR	
Outdoor sales	C							C	C	C	C	C	C	C					C	C	
Outdoor storage										C	C	C	C	C	C						CR
Parking lot/structure					C			C	C	C	C	C	C	C					C	C	
Real estate sales trailer		CR	CR		CR	CR	CR	CR	CR		C	C	CR	CR	CR	CR	CR	CR	CR	CR	CR
Performing Arts Facility	C							R	R	R	R	R	R	R					R	R	
Recreation center	C	C	C					C	C										R	R	R
Recreation, indoor	C			C				C	C	CR	CR	CR	CR	C					CR	CR	R
Recreation, outdoor	C							C	C		C	C	C	C	C						R
Recreation outdoor - low impact	R	R	R	R	R	R	R	R	R		R	R	C	C	C	R	R	R	R	R	R
Restaurant								C	CR	CR	CR	CR	CR	CR	C				R	R	
Restaurant, drive-in													C	C							C
Self-service storage facility														C	C						C
Studio								R	R	R	R	R	R	R	R				R	R	
Tavern								C	CR	R	R	C	CR	C					CR	CR	
Taxidermy														CR	CR						
Telecommunication facility	C							C	C	C	C	C	C	C	C				C	C	
Vacation home rental		CR	CR	CR	R			CR	R	R	CR	CR	CR			CR	CR	CR			
Timeshare					R			R	R	C			C	C		R	R	R	R	R	
<b>INDUSTRIAL USES</b>																					
Airport															C						
Automobile yard															C						
Batching plant - asphalt or concrete															CR						C

Use Classification and Specific Principal Uses*	Traditional Zoning Districts															TND Zoning (Transects)					
	OR	RE	RN	RO	RR	MH	MF	G-1	G-2	CO	CY	CN	CC	CS	I	T2-NE	T3-NG1	T3-NG2	T4-NC	T5-TC	SD
Crematorium															CR						
Industrial service															CR						CR
Industrial, heavy															C						C
Industrial, light															CR			C	C		CR
Meat processing facility															C						C
Media Production												C	C	C	R			C	C		C
Mining															C						
Personal Storage Facility, Indoor															CR						CR
Printing and Publishing															CR			CR	CR		CR
Recycling facility															C					C	C
School, industrial-related, technical school, training facility															R						R
Sexually oriented bookstore and/or business															C						
Transit service facility															R						R
Warehouse															C	R					R
Warehouse with outdoor storage															CR						CR
Waste collection facility															C						C
<b>PUBLIC, INSTITUTIONAL AND CIVIC USES</b>																					
Cemetery	C	C																			
Child care center, small	C	C	CR	CR	CR	CR	CR	C		C	CR	CR	CR	C		CR	CR	CR	R	R	R
Child care center, large	C	C	C	C	C		C	C	C	C	C	C	C	C			C	C	CR	CR	CR
Community center	C			C	C				C	C	C	C	C	C			C	R	R	R	R
Community service facility	C	C	C	C	C	C	C	C		C	C		C	C	C			C	C	C	C
Day care home		R	R	R	C	R	C				R	R				R	R	R	R	R	
Hospital													C	C					C	C	
Institutional	C	C			C					C			C	C	C				C	C	C
Library	C								C	C	C	C	C	C	C				R	R	
Museum	C				C			C	C	C	C	C	C						R	R	
Nursing home							C				C	C	C			C	C	C	C	C	C
Religious institution		C	C	C	C	C	C			C	C	R	C	C			C	CR	CR	R	
Residential Care, Small																C	C	R	R	R	
School-private/public	R	C	C	C			C			C	C	C	C					C	C	C	C
Shelter house			C	CR			CR									C	C	C	C	C	
Stadium	C							C					C	C	C						
Transit station	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Transit stop	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Triage center					C			C	C										C	C	
Utilities, underground	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Utilities, above ground	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
<b>AGRICULTURAL USES</b>																					
Agriculture	CR	R														R					

Use Classification and Specific Principal Uses*	Traditional Zoning Districts															TND Zoning (Transects)					
	OR	RE	RN	RO	RR	MH	MF	G-1	G-2	CO	CY	CN	CC	CS	I	T2-NE	T3-NG1	T3-NG2	T4-NC	T5-TC	SD
Animal, domestic	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Animal, farm	CR	CR																			
<b>Animal, Chicken</b>	<b>R</b>	<b>R</b>	<b>R</b>	<b>R</b>	<b>CR</b>	<b>CR</b>	<b>CR</b>					<b>CR</b>	<b>CR</b>	<b>CR</b>	<b>CR</b>	<b>R</b>	<b>R</b>	<b>R</b>	<b>CR</b>	<b>CR</b>	<b>CR</b>
<b>OTHER USES</b>																					
Accessory structure	R	R	R	R	R	R	R	R	R	C	R	R	C	R	R	R	R	R	R	R	R
Accessory use	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Temporary event	CR				CR			CR	CR	CR	CR	CR	CR	CR	CR				CR	CR	CR
Temporary structure/use	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Uses with criteria that do not meet criteria	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
<b>PARK AND OPEN SPACE USES</b>																					
Change of use for any park	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Community Garden	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Community park	R	C	C	C	C	C	C	C	C	C	C	C	C	C	C	R	R	R	R		R
Special use park	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C						R
Natural resource/preserve/open land	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Neighborhood park	R	R	R	R	R	R	R	R	R		R	R	R	R	C	R	R	R			R
Neighborhood pocket park	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Playground	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Plaza, Pocket Plaza						R	R	R	R	R	R	R	R	R	R				R	R	R
Sports complex	C												C								

Sec 26-402 Definitions and Use Criteria shall be amended as follows:

*Animals, farm.* Animals not normally considered household pets, or kept wholly or partially outside of a residential structure, including but not limited to horses, mules, burros, llamas, bison, elk, deer, cattle, swine, sheep, poultry (**with the exception of chicken hens**), ostrich and goat.

*Animals, chickens.* **Chicken hens numbering five (5) or fewer per lot.**

- a. **No roosters shall be allowed.**
- b. **Chickens shall be kept in a secure coop at all times except when under direct supervision.**
- c. **Coops shall be located so that they meet minimum principle structure setback requirements.**
- d. **Coops must be kept in a neat and sanitary condition at all times, and must be cleaned on a regular basis to prevent the attraction of pests and offensive odors.**
- e. **Feed must be stored in a bear proof container if located outdoors.**
- f. **Shall not be used for commercial purposes.**
- g. **A Use with Criteria review may be used to vary the number of hens allowed.**

## **1. Use Criteria**

- a. In multi-family, industrial, commercial, and mobile home zone districts the applicant must provide a letter of approval from their neighborhood association if such association exists.**
- b. Chicken hens may be allowed if the director finds that the applicant has sufficiently demonstrated the chickens will not result in any adverse impacts.**
- c. Additional chicken hens may be allowed if the director finds that the applicant has sufficiently demonstrated the need for additional chickens and that the additional chickens will not result in any adverse impacts.**

### **SECTION 2**

All ordinances heretofore passed and adopted by the City Council of the City of Steamboat Springs, Colorado, are hereby repealed to the extent that said ordinances, or parts, thereof, are in conflict herewith.

### **SECTION 3**

If any section, subsection, clause, phrase or provision of this Ordinance is, or the application thereof to any person or circumstance, shall to any extent, be held by a court of competent jurisdiction to be invalid, void or unconstitutional, the remaining sections, subsections, clauses, phrases and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and shall in no way be affected, impaired or invalidated.

### **SECTION 4**

The City Council hereby finds, determines and declares that this Ordinance is necessary for the immediate preservation of the public peace, health and safety.

### **SECTION 5**

This Ordinance shall take effect immediately upon the expiration of five (5) days from and after its publication following final passage, as provided in Section 7.6 (h) of the Steamboat Springs Home Rule Charter.

### **SECTION 6**

A public hearing on this ordinance shall be held on November 17, 2009, at 5:00 P.M. in the Citizens Hall meeting room, Centennial Hall, Steamboat Springs, Colorado.

**INTRODUCED, READ, AND ORDERED PUBLISHED**, as provided by law, by the City Council of the City of Steamboat Springs, at its regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
**Cari Hermacinski, President  
Steamboat Springs City Council**

**ATTEST:**

\_\_\_\_\_  
**Julie Franklin, City Clerk**

**FINALLY READ, PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
**Cari Hermacinski, President  
Steamboat Springs City Council**

**ATTEST:**

\_\_\_\_\_  
**Julie Franklin, City Clerk**