

ORDINANCE NO. 3.59

AN ORDINANCE AMENDING ORDINANCE NO. 3.43
PASSED THE THIRD DAY OF JUNE, 1987
THIS ORDINANCE HEREBY REPEALS AND SUPERSEDES
SECTION 18 OF ORDINANCE NO. 3.43 PASSED ON THE THIRD DAY
OF JUNE, 1987

1. Section 18 of the Larkspur Zoning Ordinance, No. 3.43 which was passed on the third day of June, 1987, is hereby repealed in its entirety, and the following substituted in its stead.

SECTION - 18 NONCOMMERCIAL HOUSEHOLD PETS, DOMESTIC HOOFED LIVESTOCK, POULTRY, FOWL AND SMALL LIVESTOCK

18.1 Intent

The intent of this Section is to provide guidelines and regulations for the keeping of animals/livestock on private property. These regulations are also for the maintenance of a healthy environment for humans and animals and for the protection of the ground and vegetation of the property.

18.2 Household Pets

Household pets - as defined in Article III, Section 2.61 shall be permitted in all zone districts which permit residential uses provided that not more than four (4) animals of more than four (4) months of age are kept by the property owner/occupant of any residential unit. (Kennels, boarding facilities and commercial activities are not allowed).

This provision does not apply to tropical fish, small rodent animals (gerbils, hamsters) and small birds kept as pets, unless raised for commercial purposes, kept outdoors, or kept in an accessory structure.

18.3 Domestic Hoofed Livestock (noncommercial)

Noncommercial, domestic hoofed livestock shall be permitted in all zone districts which permit residential uses. These shall include, but not be limited to, horses, llamas, buffaloes, cattle, mules, sheep, goats and swine. The following restrictions shall apply to such animals:

- A. In all zone districts except for the agricultural zone district, the maximum allowable density is one animal unit per one-half acre where:
- B. In the agricultural zone district, the maximum allowable density is one animal unit per two acres.
- C. Buffaloes, Horses, Mules, Cattle - one (1) = 1 unit
Llamas, Miniature Horses, Swine, Sheep, Goats - two (2) = 1 unit
Young animals under six (6) months of age may be kept until weaned without counting toward the allowable unit limit.
- D. When the number of animals on a parcel of land equals two (2) animal units, a barn or shelter shall be required to be constructed and in compliance with all applicable Building Codes.
- E. Although the entire lot may be fenced, a containment area (corral) must be

provided where the animals will normally be penned and supplementary fed.

- (1) The containment area (corral) should be adequate in size for the number of animals involved and shall not exceed ten percent (10%) of the gross lot acreage or one-half (1/2) acre whichever is least.
 - (2) The containment area (corral) shall not be constructed closer to any property line than the zone district accessory use setback allows.
- F. Existing exceptions as apply to building, fencing, containment area size and setbacks will be subject to the regulations outlined in the "Nonconforming Uses and Buildings", section of this Ordinance.
 - G. Regular removal or spreading of manure is required so that it does not become unsightly to neighbors or passersby.
 - H. The possession of animals will not be allowed to create excessive odor problems or present health hazards to surrounding properties.
 - I. Adequate drainage facilities or improvements shall be provided by the property owner and constructed so as to protect any adjacent properties from runoff containing contaminants such as sediment or organic wastes.

18.4 Poultry, Fowl and Small Livestock (noncommercial)

Domestic, noncommercial use of poultry or fowl shall include but not be limited to, chickens, turkeys, pigeons, small birds and ducks. Small livestock shall include but not be limited to rabbits, chinchillas or similar animals. Such animals and fowl are allowed in any zone district which permits residential uses.

- A. In all zone districts except for the agricultural zone district provided that the parcel is not less than one-half acre in size, a maximum number of 15 poultry and/or fowl and three rabbits or other small livestock shall be allowed.
- B. In the agricultural zone district provided that the parcel is not less than one acre in size, a maximum number of 30 poultry and/or fowl and six rabbits or other small livestock shall be allowed.
- C. A containment area for the poultry or fowl shall be required and shall not be closer than 50 feet to any property line.

18.5 Non-Domestic Exotic Animals

Non-domestic or exotic animals are not permitted within the Town unless approved by the Town Council as a use by special review in accordance with applicable provisions of the Town Zoning Ordinance. A non-domestic animal is generally considered to be an animal not normally adapted to live and breathe in a tame condition. An exotic animal is generally considered to be an animal introduced from another country not normally kept as a household pet or farm animal.

18.6 Vegetation Standards, Livestock

The following vegetation requirements shall apply to all land on which livestock are permitted.

- A. The site, excluding that area which is allowed to be devegetated must be maintained with vegetative ground cover. Vegetative ground cover includes grasses and forbes but does not include weeds on bare dirt. In areas where exposed shelf rock or cap rock is the

natural terrain, this will be considered to be vegetative ground cover.

B. The maximum land area that may be devegetated is as follows:

Lot Area

0 to 4.9 acres 25 percent of the total site

5 to 9.9 acres 1.25 acres or 20%, whichever is greater.

10 acres or greater 2 acres or 15%, whichever is greater.

C. All corrals, paddocks, runs, pens, round pens, unpaved or ungraveled parking areas shall be included when calculating the maximum area devegetated.

D. The area within the minimum set back area shall be fully maintained with vegetation.

E. A variance from the above vegetation standards may be sought from the Board of Adjustment.

18.7 Restrictions

The restrictions as to the number of animals, set forth in this Section 18, shall not apply to 4H projects lasting less than two years in duration. 4H projects lasting longer than two years which are proposed to have animals in excess of the number set forth in this Section 18, may be approved as a use by special review in accordance with applicable provisions of the Town Zoning Ordinance.

This ordinance shall take effect five (5) days after it is posted, in accordance with Section 3.20 of the Town Charter.

Introduced as an ordinance at a regular meeting of the Town Council of the Town of Larkspur, Colorado, on the 19th day of October, 1995, and passed by a vote of 5 for and 0 against and 0 abstentions.



Florence Burch
Mayor

Brenda J. Anderson
Town Clerk

I hereby certify that the within Ordinance No. 359 was posted on the bulletin board at the Town Hall of the Town of Larkspur from November 6, 1995 to November 11, 1995.

Brenda J. Anderson
Town Clerk