



**Lakewood**  
Colorado

## Planning Department

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**TO: Planning Commission**

**CC: Planning Department  
Travis Parker, Director**

**FROM: Greg Colucci, Planning – Development Assistance**

**DATE: January 19, 2019**

**SUBJECT: Zoning Ordinance – Pigeon Policy (STAFF REPORT)**

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### **Background**

Since 1970, the City of Lakewood's Zoning Ordinance has allowed pigeons in residential zone districts requiring lots to be larger than 12,500 square feet in area. The 2013 Zoning Ordinance update expanded the allowances for pigeons to an additional zone district where lots are typically larger than 9,000 square feet. As of this update, pigeons are now allowed without regard to number in the R-1-9, R-1-12, R-1-18, and R-1-43 zone districts. The Zoning Ordinance does not allow for the keeping of pigeons in the R-1-6, R-2, and Mixed-Use zone districts. Permissions for food producing animals such as chickens, goats and bees were added to those districts in 2013.

In the fall of 2018, City Council asked planning staff to examine *potential* changes to the City's pigeon policy due to concerns with a resident in Ward 4 having pigeons where they are not allowed by the Zoning Ordinance. A neighbor of the resident registered a complaint with City Code Enforcement and a citation was issued. Code Enforcement is opposed to any changes to the current pigeon policy due to the potential for public nuisance created by pigeons.

In response to City Council's request, staff have researched the topic. Based on our findings and from the input from the Code Enforcement division, planning staff are not recommending changes to the pigeon policy. However, staff have identified potential changes if Planning Commission decides to recommend changes to City Council.

### **Process**

Staff researched zoning ordinances nationwide and from neighboring communities to better understand how other jurisdictions are regulating the keeping of pigeons in residential zone districts. From staff's research, the regulations vary by jurisdiction as to uses where pigeons are allowed, minimum lot area, coop size, and whether a permit is required.

While not recommending any changes to the pigeon regulations, staff have identified potential changes for the Commission to consider. The potential amendments below would add

permission for pigeons to the same zone districts where food producing animals were permitted in 2013 – the R-1-6, R-2 and Mixed-Use zone districts. The amendment would also set standards for pigeons in those zone districts based on the research findings.

### **Summary of Potential Amendments**

Table 17.4.1: add Small Animals as a Limited Use for the R-MF zone district

Section 17.4.3.1.D.2: Where identified as a limited use, small animals shall be limited to hens, ducks, drakes, pigeons, and dwarf goats, or other similar breed of goats, and shall be accessory to the permitted use. The keeping of small animals shall be subject to the following:

- a. *[No change]*
- b. *[No change]*
- c. Pigeons:
  - i. A maximum of 24 pigeons may be kept as long as they are in a fenced area or private pigeon coop.
  - ii. Coops shall contain no more than 1 bird for every 4 square feet of gross floor area.
  - iii. All coops must be set back 15 feet from the side and rear property lines and behind the front edge of the primary structure.
  - iv. Owners of pigeons shall be allowed to exercise, train, and race their pigeons outside the coop or house as long as the pigeons do not create a public nuisance pursuant to the Lakewood Municipal Code.

### **Staff Recommendation**

The Planning Commission may recommend no updates to the current pigeon policy or amendments as identified above.