

STAFF MEMO

DATE OF COUNCIL MEETING: AUGUST 26,2019 / AGENDA ITEM NO. 11
SEPTEMBER 9, 2019 / AGENDA ITEM NO. 19

To: Mayor and City Council
From: Travis Parker, Director of Planning, 303-987-7908
Subject: **SMALL ANIMAL AMENDMENTS**

This ordinance was approved on 1st Reading by a vote of 11 ayes 0 nays.

SUMMARY STATEMENT: This memo describes amendments to the Small Animal standards of the zoning ordinance. These amendments will modify use standards in Article 4. The proposed amendment changes are provided in Attachment A included with the City Council packet.

The proposed planning and zoning amendments are considered legislative amendments. Legislative zoning amendments, as outlined in Article 2 of the zoning ordinance, are a legislative process and the role of the City Council is to review the Planning Commission recommendation and make a final determination on the application.

BACKGROUND INFORMATION: Since 1970, the City of Lakewood's Zoning Ordinance has allowed pigeons in residential zone districts on lots 12,500 square feet in size or larger. The 2013 Zoning Ordinance update expanded the allowances for pigeons to include residential zone districts with lots 9,000 square feet in size or larger.

Pigeons are allowed, without regard to quantity 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 (MU) zone districts. Permissions for food producing animals such as chickens, goats and bees were added to the R-1-6, R-2, and MU 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.

Staff presented the Planning Commission with four use limitations, if pigeons were included in the small animal classification. Based upon public input and a study session, the Planning Commission proposed an additional 4 use limitations (8 total) and modified two of the staff recommendations (Attachment A).

BUDGETARY IMPACTS: The proposed amendments are for changes to the zoning ordinance and will only affect new small animal requests and will have no direct budgetary impact.

STAFF RECOMMENDATIONS: The Planning Commission and staff recommends approval of the proposed changes.

ALTERNATIVES: The proposed recommendations in the memo may be approved, denied or modified by the City Council

PUBLIC OUTREACH: The Planning Commission held a public hearing in January of 2019, and a study session in May of 2019. Both residents involved in the pigeon related complaint were individually notified and invited to the public hearings and study session. There was also online outreach through the public hearing site Lakewoodspeaks.org.

ATTACHMENTS: O-2019-34
Attachment A
Planning Commission Packet for January 16, 2019
Planning Commission Packet for July 17, 2019

REVIEWED BY: Kathleen E. Hodgson, City Manager
Benjamin B. Goldstein, Deputy City Manager
Timothy P. Cox, City Attorney