

ORDINANCE NO. 23 - 09

AN ORDINANCE AMENDING SECTION 303 (COMMERCIAL AND INDUSTRIAL USES) OF PART 3 (USE-SPECIFIC STANDARDS) OF ARTICLE 3 (USE REGULATIONS) AND SECTION 301 (DEFINITIONS) OF PART 3 (DEFINITIONS) OF ARTICLE 6 (DEFINITIONS AND RULES OF CONSTRUCTION) OF CHAPTER 7 (UNIFIED DEVELOPMENT CODE) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO URBAN AGRICULTURE

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Section 303 (Commercial and Industrial Uses) of Part 3 (Use-Specific Standards) of Article 3 (Use Regulations) of Chapter 7 (Unified Development Code) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

7.3.303: COMMERCIAL AND INDUSTRIAL USES

* * *

A. * * *

3. Urban Agriculture

a. Structures

(1) Horticulture

(a) Cold frames are limited to a maximum height of three (3) feet and shall be located at least ten (10) feet from any lot line adjacent to a lot that has an occupied residential use or is within a residential zone district.

(b) Accessory greenhouse and hoop house structures are limited to a maximum height of ten (10) feet, shall be located

at least ten (10) feet from any lot line adjacent to a lot that has an occupied residential use or is within a residential zone district, and may not cover more than twenty-five (25) percent of the rear lot.

(2) Animals

(a) Hoofed Pets. Up to four (4) hoofed pets may be kept on a property. If three (3) or more hoofed pets are kept on the same property, a housing structure that meets the following standards shall be required:

(i) The housing structure shall be located within the rear fifty percent (50%) of the lot.

(ii) The housing structure shall be at least twenty (20) feet from any abutting property line.

(iii) The housing structure shall provide adequate shelter for the hoofed pets.

(iii) Each hoofed pet shall have access to at least one-hundred and thirty (130) square feet of permeable area per goat in the rear fifty (50%) percent of the lot.

(b) Fowl. Standards for coops and other accessory structures shall comply with Subsection 7.3.304(A).

(3) Agricultural stands are limited to a maximum height of ten (10) feet and shall be located at least ten (10) feet from any lot line adjacent to a lot that has an occupied residential use or is within a residential zone district.

* * *

Section 2. Section 301 (Definitions) of Part 3 (Definitions) of Article 6 (Definitions and Rules of Construction) of Chapter 7 (Unified Development Code) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

Article 7.6.301: DEFINITIONS:

* * *

Hoofed Pet

Any goat weighing less than one hundred (100) pounds at maturity.

* * *

Urban Agriculture

The use of a parcel of land not exceeding five (5) acres in size for the cultivation of food and horticultural crops, composting, aquaponics, aquaculture, ~~and/or hydroponics,~~ **and animals limited to fowl, ducks, and hoofed pets.** This use may include the production or sale of food products from food grown on the premises and accessory keeping of bees subject to City regulations, but does not include cultivation of marijuana.

* * *

Section 3. Any reference in Article 7 of Chapter 6 of the City Code to Code Section 7.3.303 and any of its subsections shall be deemed a reference to this ordinance until the effective date of the UDC.

Section 4. This ordinance shall be in full force and effect after its final adoption and publication as provided by Charter and shall be codified following the effective date of the Unified Development Code.

Section 5. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this 28th day of February 2023.

Finally passed: March 14, 2023



Council President

Mayor's Action:

- Approved on _____.
- Disapproved on _____, based on the following objections:

This ordinance was finally adopted March 14, 2023, without the Mayor's signature pursuant to City Charter Section 3-70(e).


Mayor

Council Action After Disapproval:


- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.

Council President

ATTEST:




Sarah B. Johnson, City Clerk



I HEREBY CERTIFY that the foregoing ordinance entitled “AN ORDINANCE AMENDING SECTION 303 (COMMERCIAL AND INDUSTRIAL USES) OF PART 3 (USE-SPECIFIC STANDARDS) OF ARTICLE 3 (USE REGULATIONS) AND SECTION 301 (DEFINITIONS) OF PART 3 (DEFINITIONS) OF ARTICLE 6 (DEFINITIONS AND RULES OF CONSTRUCTION) OF CHAPTER 7 (UNIFIED DEVELOPMENT CODE) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO URBAN AGRICULTURE” was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on February 28, 2023; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 14th day of March 2023, and that the same was published by title and in summary, in accordance with Section 3-80 of Article III of the Charter, a newspaper published and in general circulation in the Gazette, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 14th day of March 2023.


Sarah B. Johnson, City Clerk



1st Publication Date: March 3, 2023
2nd Publication Date: March 22, 2023

Effective Date: March 27, 2023

Initial: SBS
City Clerk