

ORDINANCE NO. 621
SERIES OF 2008

COUNCIL BILL NO. 548
COMMITTEE OF REFERENCE:
Blueprint Denver

A BILL

For an ordinance relating to Chapter 59 (Zoning), Denver Revised Municipal Code, amending allowed accessory uses in residential zone districts to permit keeping of domestic honey bees.

WHEREAS, the city council has determined on the basis of evidence and testimony presented at the public hearing that the amendment set forth herein is in conformance with the comprehensive plan, is justified by changed or changing conditions, and is reasonably necessary to the promotion of the public health, safety and general welfare.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. Section 59-87(b)(2)c. of Chapter 59 (Zoning), Denver Revised Municipal Code (DRMC) shall be amended by deleting the language stricken and adding the language underlined, to read and be read as follows:

Sec. 59-87(b)(2)c. Specific accessory uses allowed for residential uses located in the RS-4, R-0, R-1, R-2, R-2-A, R-2-B, R-3, R-3-X, R-4, R-4-X, R-MU-20, R-MU-30, MS-1, MS-2, MS-3 or R-X zone districts.

1. Kennel or exercise run. Outdoor kennels and exercise runs shall be allowed accessory to a dwelling unit, subject to the following:

- i. The use shall not exceed two hundred (200) square feet in area;
- ii. The use shall be located not less than twenty (20) feet from any habitable building on an adjacent zone lot;
- iii. The use shall be visually screened from adjacent residential property; and
- iv. The number of animals allowed on-site shall comply with the limit on the number and kinds of animals stated in the chart below.

2. Number and kinds of animals accessory to dwelling units. See the following chart.

<i>Kind of Animal</i>	<i>Permitted number</i>
Dogs	3
Cats	5
Combination of dogs and cats	No more than 5 dogs and cats combined provided there are no more than 3 dogs as part of the total.

Rabbits	2
Pigeons or doves	25
Horses	No more than 1 horse for each ½ acre of zone lot area
Small rodents-- Rats, mice, guinea pigs, hamsters and other similar animals	No numerical limit, however, the raising or breeding of these animals for resale is prohibited
Fish	No numerical limit, however, the raising or breeding of these animals for resale is prohibited
Small reptiles and amphibians. The types of these animals is regulated by chapter 8 of the Revised Municipal Code	No numerical limit, however, the raising or breeding of these animals for resale is prohibited.
<u>Domestic honey bees</u>	<u>2 hives per zone lot; hives must be in rear 1/3 of zone lot with a 5 foot setback from side and rear zone lot lines; the hives must be screened so that the bees must fly over a six foot barrier, which may be vegetative, before leaving the property; no outdoor storage of any bee paraphernalia or hive materials not being used as a part of a hive.</u>

Section 2. Section 59-87(d) (Accessory uses specifically prohibited) of Chapter 59 (Zoning), Denver Revised Municipal Code (DRMC) shall be amended by deleting the language stricken and adding the language underlined, to read and be read as follows:

Sec. 59-87(d)(1) The sale, lease, trade or other transfer of firearms or ammunition by a firearms dealer in residential zone districts;

~~(2) The keeping of bees and/or the establishment or maintenance of any kind or type of apiary in any residential or business zone;~~

~~(32)~~ The parking/storage of: tow trucks; any vehicle with a manufacturer's rating exceeding one (1) ton; stake body trucks; cube or box vans; backhoes; vehicles towing trailers carrying machinery and supplies; or other similar specialized vehicles in residential zones. Such vehicles may be parked in the residential zone only to render services to a zone lot and only for the duration necessary to render such services.

COMMITTEE APPROVAL DATE: October 8, 2008.

MAYOR-COUNCIL DATE: October 14, 2008.

PASSED BY THE COUNCIL November 17 2008

Jeanne Robb - PRESIDENT

APPROVED: Joe Habel MAYOR Nov. 18 2008

ATTEST: Mary Mally - CLERK AND RECORDER,
EX-OFFICIO CLERK OF THE CITY AND
COUNTY OF DENVER

NOTICE PUBLISHED IN THE DAILY JOURNAL Oct. 24, 2008; Nov. 21, 2008

PREPARED BY: Kerry A. Buckey, Assistant City Attorney October 16, 2008

Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to § 3.2.6 of the Charter.

David R. Fine, City Attorney

BY: AD Inlita, Asst City Attorney

DATE: 10/16/2008

