

Ordinance #709  
Series 2016

**An Ordinance Making Certain Amendments to the Land Use Code of the Town of Mancos  
Concerning Livestock Animals and Livestock Animal Structures within the Town Limits of the Town  
of Mancos, Colorado**

WHEREAS, the Town of Mancos amends the Town of Mancos Municipal Code, Adopted by Ordinance 420 in 1982, Re-codified in 2010 by Ordinance 634, as amended, from time to time (hereafter “Mancos Municipal Code”); and

WHEREAS, Section 1-3-70 of the Mancos Municipal Code allows that amendments to the Code may be made; and

WHEREAS, the regulation of animals is a proper exercise of a local government’s police power to promote public health, safety, and welfare; and

WHEREAS, after having considered the public comment and having reviewed all aspects of the proposed changes and amendments, the Planning and Zoning Commission recommended approval of the proposed Mancos Municipal Code Amendments to the Board of Trustees at a regular meeting on September 21, 2016; and

WHEREAS, a duly advertised public hearing was held by the Board of Trustees at a regular meeting on October 12, 2016; and

WHEREAS, after having considered the public comment the Board of Trustees of the Town of Mancos has determined that the following amendments to the Town of Mancos Land Use Code are necessary in order to better achieve the purposes of the Land Use Code as identified in Section 16-1-40 of the Land Use Code; and

*NOW THEREFORE, BE IT ORDAINED* by the Board of Trustees of the Town of Mancos, Colorado, that:

1. A new section within Chapter 16 Article Four of the Mancos Municipal Code shall be added and shall read as follows:

**Sec. 16-4-440. Livestock Animal Structures and Livestock Animals**

- (1) Livestock Animal Structures and Livestock Animals, as defined in Chapter Seven of the Mancos Municipal Code, shall be allowed as an accessory use in all zoning districts except for Multi-Family Residential and Public per the requirements of this article and Chapter Seven, Article Seven of the Mancos Municipal Code. With regard to Livestock Animals, only chicken hens (12 maximum), quail (12 maximum), rabbits (12 maximum), and one rooster per lot are allowed within all of the residential zoning districts, provided there are not more than 15 total animals on a lot (combined livestock animals and domestic animals). The same shall be permitted in the Multi-Family Residential zoning district as an accessory use to a single-family dwelling only. The Livestock Animal Structures to contain these animals shall be considered an accessory structure and shall abide by the dimensional standards for accessory structures as specified in table 16-2 and the use-specific standards in 16-4-160. All other Livestock Animals not named herein (those other than chicken hens, quail, rabbits, one rooster per lot) and the Livestock Animal Structure to contain those type of

Livestock Animals are only allowed in the AR-Agricultural Residential zoning district, and in no other district within the Town of Mancos. In addition, in the AR zone, Livestock Animal Structures must be setback a minimum of 30 feet from each property line, in addition to all other requirements. Bees and aquaculture are not permitted in any zoning district within town limits.

- (2) Existing Livestock Animals and Livestock Animal Structures that do not conform to the new guidelines will have 90 days from the passage of this ordinance to comply. Existing structures that do not meet the dimensional or use specific requirements of Chapter 16 for accessory structures shall be considered non-conforming structures per Article 21 of this Chapter and shall not be required to move unless the structure is abandoned, destroyed, or becomes a nuisance requiring its relocation or removal. Ordinary repair and maintenance is permitted; however, a non-conforming structure shall not be enlarged.
- (3) The Livestock Animal Structure may be located in the back yard or side yard only. No animals may be “at-large” at any time and must stay within the fenced area at all times. Coops and hutches will be considered accessory structures and must meet the dimensional and use specific guidelines for accessory structures in this Chapter of the Mancos Municipal Code.

2. Chapter Sixteen, Article Five, Section 40 of the Mancos Municipal Code concerning Agriculture Residential, shall be amended as follows:

**Sec. 16-5-40. Accessory uses.**

The following accessory uses shall be allowed:

- (1) Accessory uses or structures, subject to the use-specific standards of Section 16-4-160 of this Chapter.
- (2) Home occupations, subject to the use-specific standards of Section 16-4-190 of this Chapter.
- (3) Solar energy system, small, subject to the standards of Section 16-4-160 of this Chapter. (Prior LUC 3.5; Ord. 606, 2008; Ord. 658, 2013)
- (4) Livestock Animals and Livestock Animal Structure, subject to the use-specific standards of Section 16-4-440 of this Chapter, and Sections 7-7-800 through 7-7-860 of Chapter 7 of the Mancos Municipal Code.

3. Chapter Sixteen, Article Six, Section 40 of the Mancos Municipal Code concerning Single-Family Residential District, shall be amended as follows:

**Sec. 16-6-40. Accessory uses.**

The following accessory uses shall be allowed:

- (1) Accessory uses or structures, subject to the use-specific standards of Section 16-4-160 of this Chapter.
- (2) Home occupations, subject to the use-specific standards of Section 16-4-190 of this Chapter.
- (3) Solar energy system, small, subject to the standards of Section 16-4-160 of this Chapter. (Prior LUC 3.6; Ord. 606, 2008; Ord. 658, 2013)
- (4) Livestock Animals and Livestock Animal Structure, subject to the use-specific standards of Section 16-4-440 of this Chapter, and Sections 7-7-800 through 7-7-860 of Chapter 7 of the Mancos Municipal Code

4. Chapter Sixteen, Article Seven, Section 40 of the Mancos Municipal Code concerning Mixed Residential District, shall be amended as follows:

**Sec. 16-7-40. Accessory uses.**

The following accessory uses shall be allowed:

- (1) Accessory uses or structures, subject to the use-specific standards of Section 16-4-160 of this Chapter.
- (2) Home occupations, subject to the use-specific standards of Section 16-4-190 of this Chapter.
- (3) Solar energy system - small, subject to the standards of Section 16-4-160 of this Chapter.
- (4) Livestock Animals and Livestock Animal Structure, subject to the use-specific standards of Section 16-4-440 of this Chapter, and Sections 7-7-800 through 7-7-860 of Chapter 7 of the Mancos Municipal Code.

5. Chapter Sixteen, Article Eight, Section 40 of the Mancos Municipal Code concerning Multi-Family Residential District, shall be amended as follows:

**Sec. 16-8-40. Accessory uses.**

The following accessory uses shall be allowed:

- (1) Accessory uses or structures, subject to the use-specific standards of Section 16-4-160 of this Chapter.
- (2) Home occupations, subject to the use-specific standards of Section 16-4-190 of this Chapter.
- (3) Solar energy system - small, subject to the standards of Section 16-4-160 of this Chapter.
- (4) Livestock Animals and Livestock Animal Structure, subject to the use-specific standards of Section 16-4-440 of this Chapter, and Sections 7-7-800 through 7-7-860 of Chapter 7 of the Mancos Municipal Code.

6. Chapter Sixteen, Article Nine, Section 40 of the Mancos Municipal Code concerning Commercial District, shall be amended as follows:

**Sec. 16-9-40. Accessory uses.**

The following accessory uses shall be allowed:

- (1) Accessory uses or structures, subject to the use-specific standards of Section 16-4-160 of this Chapter.
- (2) Apartments, accessory, subject to the use-specific standards of Section 16-4-150 of this Chapter.
- (3) Caretaker or guard residences, accessory.
- (4) Home occupations, subject to the use-specific standards of Section 16-4-190 of this Chapter.
- (5) Wall- or roof-mounted solar energy systems, small, subject to the standards of Section 16-4-160 of this Chapter. (Prior LUC 3.9; Ord. 606, 2008; Ord. 634 §1, 2010; Ord. 658, 2013)
- (6) Livestock Animals and Livestock Animal Structure, subject to the use-specific standards of Section 16-4-440 of this Chapter, and Sections 7-7-800 through 7-7-860 of Chapter 7 of the Mancos Municipal Code.

7. Chapter Sixteen, Article Ten, Section 40 of the Mancos Municipal Code concerning Highway Business District, shall be amended as follows:

**Sec. 16-10-40. Accessory uses.**

The following accessory uses shall be allowed:

- (1) Accessory uses or structures, subject to the use-specific standards of Section 16-4-160 of this Chapter.
- (2) Solar energy system, small, subject to the standards of Section 16-4-160 of this Chapter.  
(Prior LUC 3.10; Ord. 606, 2008; Ord. 634 §1, 2010; Ord. 658, 2013; Ord. 686 §4, 2014)
- (3) Livestock Animals and Livestock Animal Structure, subject to the use-specific standards of Section 16-4-440 of this Chapter, and Sections 7-7-800 through 7-7-860 of Chapter 7 of the Mancos Municipal Code.

8. Chapter Sixteen, Article Eleven, Section 40 of the Mancos Municipal Code concerning Light Industrial District, shall be amended as follows:

**Sec. 16-11-40. Accessory uses.**

The following accessory uses shall be allowed:

- (1) Accessory uses or structures, subject to the use-specific standards of Section 16-4-160 of this Chapter.
- (2) Caretaker or guard residences, accessory.
- (3) Home occupations, subject to the use-specific standards of Section 16-4-190 of this Chapter.
- (4) Solar energy system, small, subject to the standards of Section 16-4-160 of this Chapter.  
(Prior LUC 3.11; Ord. 606, 2008; Ord. 634 §1, 2010; Ord. 658, 2013)
- (5) Livestock Animals and Livestock Animal Structure, subject to the use-specific standards of Section 16-4-440 of this Chapter, and Sections 7-7-800 through 7-7-860 of Chapter 7 of the Mancos Municipal Code.

9. Table 16-1 in Chapter Sixteen, Article Four, Section 120 of the Mancos Municipal Code concerning Schedule of use regulations, shall be amended, in part, with respect to items identified as accessory and temporary uses, as follows:

Use Type	Zoning Districts							
	AR	SFR	MR	MFR	C	HB	LI	P
Apartments, accessory (16-4-150)	—	—	—	—	P	—	—	—
Apartments, accessory (16-4-150)	—	—	—	—	P	—	—	—
Asphalt or concrete batch plant, temporary (16-4-170)	—	—	—	—	—	—	—	—
Caretaker or guard residence, accessory	—	—	—	—	P	—	P	P
Field office, temporary (16-4-180)	T	T	T	T	—	T	T	—
Home occupation (16-4-190)	P	P	P	P	P	—	P	—
Street vendor, temporary	—	—	—	—	T	T	T	T
Solar energy system - large	S	—	—	—	—	—	S	S
Solar energy system - small	P	P	P	P	P	P	P	P



Livestock Animals and Livestock Animal Structure (16-4-440)	P	P	P	P*	P	P	P	—
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\*In the Multi-Family Residential district, livestock animals as described in (16-4-440) shall be permitted as an accessory use to a single family dwelling unit only.

THIS ORDINANCE PASSED ON FIRST AND FINAL READING THIS 12 DAY OF OCTOBER, 2016. This ordinance shall become effective thirty (30) days after passage.

TOWN OF MANCOS, COLORADO

Ellen Queenie Barz  
Ellen "Queenie" Barz, Mayor

ATTEST:

Heather Alvarez, Town Clerk

Andrea Phillips, Town Administrator

PUBLISHED THE 14 DAY OF OCT, 2016 BY THE AUTHORITY OF THE TOWN CLERK OF MANCOS, COLORADO.

ATTEST:

Heather Alvarez, Town Clerk

