

**MEETING DATE:** Monday January 28, 2008  
**MEETING TIME:** 6:00 PM  
**MEETING LOCATION:** City Council Chambers, 125 E. 3<sup>rd</sup> Street, Salida, CO

Present: Wood, Stephens, Tracy, Cabe, Pierce, MacDonald, Wallis, Kasper  
 Absent: Vance, Bavaria, Hartslielief, Curtis,

**AGENDA SECTION:**

- I. CALL TO ORDER BY CHAIRPERSON: Stephens- 6:00 PM**
- II. ROLL CALL**
- III. APPROVAL OF THE MINUTES – Wednesday December 19, 2007**
  - 1. **Wood** made a motion to approve the minutes with the correction that the ‘s’ be removed from his name in Section H on page 4.  
**Pierce** seconded the motion. All voters were unanimous and the motion carried.
- IV. UNSCHEDULED CITIZENS - None**
- V. AMENDMENTS TO AGENDA -None**
- VI. PUBLIC HEARINGS –**
  - 1. Chicken Code Ordinance -** The request is for a recommendation to the City Council regarding the proposed ordinance to amend the municipal code regarding the keeping of chickens with the City.
    - A. Open Public Hearing - 6:05 p.m.**
    - B. Proof of Publication -** Not required for Commission review
    - C. Staff Review of Application - MacDonald** stated that she did not draft an ordinance; she wanted feedback from the Commission on what changes they would like to see to the language. The City Council did hear about the chicken ordinance at their meeting in late November. At that time, the council chose to suspend enforcement. The Council would like Commission to look at the ordinance and see if there are any changes that should be made to better address the keeping of chickens in the municipality.
    - D. Applicant’s Presentation - Ginger Harris, Code Enforcement Officer - Harris** would like to see the keeping of chickens well regulated. **Harris** would like the owners to apply for a permit, get feedback from neighbors, and that the chickens be cooped and stay contained in a closed coop to prevent them being eaten by animals. She stated that she has gotten complaints from three people, one was about a free ranging chicken, one was for chickens in the back yard, and one was regarding the smell of chickens. **Stephens** asked about the procedure for enforcement – does she seek violations, or just respond to complaints. He also asked her if she felt like that was many complaints, she stated that there could be more. **Harris** also informed

Commission that she is concerned that someone is selling eggs inside the city limits; she is concerned that the eggs could be contaminated and someone could get sick. She recommended that chickens could be banded for identification should they get loose. **Pierce** asked who regulates the sale of eggs and was informed that the USDA regulates egg sales. **Cabe** would like to know why **Harris** feels that it is necessary to want permit issued. **Harris** feels that they would know where the chickens are and that if there is a problem it would be easier to investigate if they had that information. **Cabe** and **Kaspar** asked how requiring a permit would be helpful if the City was only responding to complaints, not monitoring the keeping of the animals. There was discussion on the keeping of turkeys. **Tracy** does not see a problem with the keeping of either chickens or turkeys. **Pierce** noted that the Council asked the PC to address chickens and he does not want to get involved in a discussion about all possible varieties of animals that could be kept.

**E. Public Comment - Monica Griesenbeck - 701 W Sackett-**

**Griesenbeck** has lived in Salida for 30 years and has always known of chickens being kept in town. She has not heard much complaint except for one rooster who was subsequently removed from town. She feels that having chickens in the city limits gives residents a wonderful opportunity. She does not feel that chickens are dangerous to anyone. She feels dogs are more dangerous than chickens. **Griesenbeck** stated that she does not know of any commercial operations in the city limits. She feels that homegrown eggs are safer than commercially raised eggs. Her recommendations are: no roosters, allow 4 (four) chickens per lot, no butchering, license the household, not the individual chickens, no commercial operations.

**Marianne Katte - 224 W 5<sup>th</sup>-Marian** has a chicken coop and agrees with having chickens in the city limits

**Frank Holman - Holman** feels the number of chickens should depend on members of the family. He feels that people should be self-sustainable. Animals killing your chickens is a risk that you take when you keep chickens. He would encourage Commission to allow chickens and allow a reasonable number.

**Melody Hallet - 319 Hunt - Hallet** does not have chickens but she does not have a problem, unless there are complaints, with chickens in the city limits.

**Nancy Dominick - lives in county - Dominick** does not have chickens but grew up on a farm with over 100 chickens. She never got a contaminated egg.

**Cindy Searles - E Street - Searles** is the original person that was ticketed for having chickens in the city limits. She has never had any complaints from neighbors. Her chickens never get out. She feels like her neighbors enjoy her chickens.

**Cathy Stepler - 10410 County Road 155 - Stepler** grew up on a chicken farm in Wisconsin. She made the suggestion of 12 chickens per lot. She feels with this climate, it is hard to keep a small number of chickens warm.

**Dave Ward – On behalf of the Food Shed Alliance - Ward** stated that the alliance’s mission is to promote local food in a local economy. The alliance would like everyone have the ability to raise their own food. Free range is the best way to raise chickens and grow a garden. **Stephens** asked if the Alliance had any information for the public about raising chickens. The answer was no that was not in their mission.

**F. Close Public Hearing - 6:40 p.m.**

**G. Commission Discussion - Pierce** suggested that section 2-1-30, exclude roosters but not chickens, leave code as allowing no more than 6 animals regardless of species, owners need to a permit for the household to keep chickens. **Wood** does not want to issue permits for chickens as he feels it is unnecessary. **Kaspar** and **Tracy** agree that licensing is unnecessary. **Stephens** feels that if you have chickens, it should be self-controlling. **Stephens** suggested 6 chickens, no roosters, 25 feet away from bedroom windows, the code enforcement be the same as animals at large. **Kaspar** questioned the limitation on the number of chickens, asking why not allow more. **Cabe** does not feel that the Commission should limit the numbers of chickens. He feels that Section 7-2-130 needs some cleaning up. **Cabe** made the following suggestions:

1. Section 7-2-130(a)(1) should state “Any pen, place or premises in or upon which any animals shall be kept in a foul, offensive or noxious condition.”
2. Section 7-2-130(a)(2) should be removed.
3. Section 7-2-130 (b) should state “It is hereby declared a nuisance for any person to maintain, keep, raise, house or stable or corral goats, sheep, swine, rabbits, mink, foxes, roosters, ducks, turkeys, geese or peacocks within the City.”
4. Section 7-8-50 should exclude chickens from the limitation of keeping no more than six animals.

**Cabe** would also like **MacDonald** to mention to Council that the Commission heard testimony that sustainability in Salida would be supported by allowing agriculture of whatever sort can be supported in the City limits as long as it is not offensive to neighbors.

**H. Council Action - Cabe** made the motion that the amendments he stated be recommended to the City Council. **Wood** seconded the motion. All were in favor.

**VII. UNFINISHED BUSINESS -****1. Joint Planning IGA with Chaffee County****A. Open Public Hearing - 6:57 p.m.****B. Proof of Publication -** Not necessary for this type of application.

**C. Staff Review of Application - MacDonald** stated that following the work session on January 15<sup>th</sup>, there were some changes made to the IGA. One of the things that Commission spent a lot of time on was the Right to Ranch issue and the County's impending adoption of the policy. It is not appropriate to adopt within a municipality but some language has been added to address ditch owner rights. **MacDonald** does not foresee the City annexing in very many properties that are currently used for ranching. The planning department will not supercede state law regarding to right ranch but leave the door open so if anyone wanting to annex into the city limits the right to ranch would be addressed during the annexation process. The City attorneys have made minor adjustment to the resolution, but the County's attorneys are still looking the resolution over and there could be some additional minor modification prior to final adoption by the Council.

**D. Applicant's Presentation - None****E. Public Input - None****F. Close Public Hearing**

**G. Commission Discussion - Cabe** would like to know if the Commission can act on the resolution. **MacDonald** stated that they could make a recommendation to Council with the understanding that the resolution is still being reviewed and may have some changes. **Wood** is glad to see a document drafted. **Stephens** would like to know if once the attorney is satisfied with the way the IGA looks does the Commission need to revisit it. **MacDonald** feels that the Commission should be able to make recommendations to City Council and that any changes would be noted when it was presented to the Council. **Wood** feels that he is ready to move forward on this issue. **MacDonald** informed Commission that the Right to Ranch has not been adopted by the County, but it is close. **Wood** finds the Right to Ranch document interesting, and noted it spells out what ranchers can do and get away with. **MacDonald** also stated that the Right to Ranch stems from the Code of West, which Chaffee County also has.

**H. Commission Action - Tracy** made the motion to recommend approval of the IGA. **Wood** seconded the motion. All were in favor, the motion carried.

**VIII. NEW BUSINESS - None.**

**IX. COMMISSIONER'S COMMENTS: Wood** would like to see the Commission look into the Green Point System for sustainable construction. He proposed it on his own development. He will get the link for the Commission so they can look at the system. He would like to see it used for the Vandaveer development. **Tracy** would like to see what can be done with the new development in regards

to the water meters and freezing. **MacDonald** stated that at the last City Council meeting, the Council asked the City Administrator and the Public Works Director to try to come up with a solution to the current problem of the frozen meters. **MacDonald** informed the Commission that **Councilman Damman** is leading the charge for affordable housing and trying to get something implemented. **Wood** would like to have Craig Nielson come in and go over what affordable housing really is. **Stephens** would like to know where the sign code for **Gateway Inn** & the conditional use for **Granzella Hall** stood. **MacDonald** stated that the time period for **Granzella Hall** ended on January 28, 2008, they are not in compliance. **MacDonald** will send a letter out to them. The **Gateway Inn's** time period expires in March 2008, **MacDonald** will be sending a letter out to them. **MacDonald** would like to make work sessions on the second Tuesday of the month. She would also like to get back to the comprehensive plan.

**X. ADJOURN**

With no further business to come before the Commission, the meeting closed at **7:20 p.m.**