

**CITY OF LOVELAND**  
**PLANNING COMMISSION MINUTES**  
**March 11, 2019**

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A meeting of the City of Loveland Planning Commission was held in the City Council Chambers on March 11, 2019 at 6:30 p.m. Members present: Chairman McFall; and Commissioners Bears, Fleischer, Hammond, Hitchcock, Hovland, Molloy, Peterson and Tygesen. Members absent: Commissioners Hammond and Hitchcock. City Staff present: Robert Paulsen, Current Planning Manager; Laurie Stirman, Assistant City Attorney; Lisa Rye, Planning Commission Secretary.

*These minutes are a general summary of the meeting. A complete video recording of the meeting is available for two years on the City's web site as follows: <https://loveland.viebit.com/>*

**CITIZEN REPORTS**

There were no citizen reports.

**CURRENT PLANNING UPDATES**

1. **Mr. Paulsen** reviewed the agenda scheduled for the Monday, March 25<sup>th</sup> Planning Commission meeting. Kelly Jones, Director of Economic Development, will be making a presentation on the City's Economic Development program. All Stripes Mineral hearing is on the Consent Agenda for this date, and finally the 37<sup>th</sup> Street Vacation Public Hearing is on the Regular Agenda.

**CITY ATTORNEY'S OFFICE UPDATES**

Laurie Stirman, Assistant City Attorney, noted there is nothing to report.

**COMMITTEE REPORTS**

There were no committee reports.

**COMMISSIONER COMMENTS**

There were no commissioner comments.

**APPROVAL OF THE MINUTES**

*Commissioner Fleischer made a motion to approve the January 28, 2019 minutes; upon a second from Commissioner Bears, the minutes were approved unanimously.*

## **CONSENT AGENDA**

There were no items scheduled on the Consent Agenda

## **REGULAR AGENDA**

### **1. Animal Husbandry Standards – Emily Tarantini**

**Project Description:** Based on the direction from the City Council, Current Planning staff prepared information for Planning Commission review and comment relating to animal husbandry and the City's animal keeping regulations contained in Title 6 of the Municipal Code. Interest in the topic was initiated in August of 2018 following enforcement action taken by the Larimer Humane Association (on behalf of the City) relating to the keeping of pygmy goats by a Loveland Family. Enforcement actions involving pot-bellied pigs have been a more recent development within the city. A third animal type of interest is roosters, which many communities prohibit due to their propensity for early morning crowing.

The role of the Planning Commission is to review the information provided by staff and to take comments from the public on this topic. Following the presentation, the Planning Commission should be prepared to recommend to the City Council whether regulations contained within Title 6 should be amended. City Council will conduct a study session April 9th on the topic of animal husbandry, and information from the Planning Commission will be forwarded to the Council in advance.

**Emily Tarantini, Current Planning**, provided a presentation and facilitated a discussion regarding animal husbandry standards. **Captain Bill Porter**, Director of Animal Protection and Control with Larimer Humane Society, and Animal Control Supervisors **Joe Quinn** and **Randy Bryant**, were present to offer their knowledge and assist with questions.

**Ms. Tarantini** explained that a Rule of Four was passed by the City Council, requiring review of animal keeping regulations. Title 6 of the Municipal Code was discussed, specifically section 6.28.020, which addresses limitations on livestock and 6.28.010, which addresses limitations on the number of household pets. According to the Code, livestock is considered a nuisance unless the individual livestock is classified as a show animal. It was pointed out that this part of the code was last amended in 1996. There is no particular specific limit on the number of pets, but the Larimer Humane Society has the authority to enforce the City's animal regulations, handle complaints, and determine safe and unsafe situations for pets.

Animal regulations in other communities were also discussed. **Ms. Tarantini** presented a "Best Practices Table" which compared allowances on pygmy goats and pot-bellied pigs among different Front Range municipalities. Research showed that of the cities compared, Loveland is the only

city that allows for roosters. Pot-bellied pigs are only allowed in Loveland when they are show animals; they are prohibited in Windsor, but are allowed in Greeley, Longmont, Thornton, and Brighton. Pygmy Goats are also allowed in Loveland only when they are show animals, but are allowed in Fort Collins. Greeley, Longmont, Thornton, and Brighton classify pygmy goats as farm animals or livestock, so the keeping of them would be held to certain standards relating to lot size, zoning districts, and special permitting.

**Ms. Tarantini** mentioned that although pygmy goats are allowed in Fort Collins, there are permitting requirements administered by the Humane Society. Requirements include a test pertinent to the husbandry of pygmy goats, a goat license issued by the Larimer Humane Society and in some cases, consent from nearby neighbors. Physical requirements pertaining to the owner's property, including the provision of a predator resistant shelter is also enforced and inspected prior to approval. The city of Denver has regulations on pot-bellied pigs and allows them only in certain districts, requires a 60-day comment period with neighbors, and requires a Livestock Permit. Pygmy goats are allowed in any zoning district with a food producing animal permit and are limited to no more than two.

Facts reported on pot-bellied pigs indicated that they can weigh between 125 to over 200 pounds and stand between 16-25 inches tall, can live indoors, are sensitive to the sun, can be destructive, can be trained, can live up to 20 years, and they are smart but can be stubborn. Pygmy goats can weigh 75-86 pounds and stand between 16-23 inches tall at the shoulder, and are escape artists. They adapt to all climate types, are picky drinkers, are social and prefer to be in a group, live approximately 10 – 15 years and are loving, affectionate and smart.

**Captain Porter** provided information about the Larimer Humane Society and responded to the discussion about pot-bellied pigs, pygmy goats and roosters. He also indicated that Loveland's animal regulations are vague, especially in regards to the concept of "show animals." He indicated that because of vagueness within the Code, recent events have been frustrating for all involved. He asked that whichever direction the City decides to go with regards to any new regulations, that the amendments be made clear for animal owners, neighbors, and animal control officers. Captain Porter made the following recommendations:

- Remove or clarify "show animals" within the Code
- Prohibit roosters
- Do not allow full size goats and pigs within city limits
- If pygmy goats are allowed, it is requested that proactive ordinances be made such as responsible laws that protect the quality of life of neighbors, animals, and owners. No intact males and no slaughtering of animals should be allowed within the city limits.
- If pot-bellied pigs are allowed, he asked that the CSU extension office and the health department get involved with this ordinance.

**Commissioner Peterson** asked how old the pygmy goats must be in order to be shown and wondered if they could be shown as kids (babies). **Captain Porter** responded that he was not aware of a requirement age of the animal for show. **Commissioner McFall** stated that the Code is very ambiguous in this area, and he would like to see the show requirements clearly defined.

**Captain Porter** shared that there were a number of incidents in Loveland this past year involving pot-bellied pigs, including a bite at a restaurant, loose pigs that escaped, and a pig that was considered a service animal. He shared that his personal opinion is to not allow for pot-bellied pigs within the city limits, but if the City chooses to allow them, there needs to be clearer guidelines.

**Commissioner Peterson** asked how pygmy goats can be kept safe within city limits if they are escape artists. **Captain Porter** responded that he has sent volunteers out to talk with owners about secure structures, which are needed to keep them from predators and keep them from escaping.

**Commissioner McFall** opened the discussion for public comment at 7:07 p.m.

- **Ken Vetter**, Loveland resident, asked for clarification on the opportunity for public comment to be heard before decisions are made. **Mr. Paulsen** explained that the discussion tonight includes public comments. He further explained that while public comment might not be taken at the upcoming City Council study session, if the Council directs staff to proceed with amendments to the code, future Planning Commission and City Council public hearings on the code changes would be part of the process. He emphasized that the commission wants to hear public comment and asked that interested citizens contact Emily Tarantini with any questions.
- **Terry Cook**, resident, stated that he owns two dogs and one pot-bellied pig named "Porkchop", which weighs approximately 75 pounds. He indicated that his neighbor notified the Larimer Humane Society of the pig. Mr. Cook was then issued a warning by Larimer Humane Society, as there is an ordinance prohibiting pot-bellied pigs within the City and they are considered livestock. Mr. Cook stated that his family has contacted councilors in their area to verify the information. Animal Control has provided the Cook's with an extension while the City researches animal husbandry regulations. He said Porkchop is a domesticated animal and thinks she's a dog, is potty-trained and goes out the dog door, and they have owned her for two years and have never received one complaint from neighbors. He emphasized that she is vaccinated, is on a specialized diet, and receives periodic check-ups. Mr. Cook asked for their consideration when revising code and hopes that the timeframe will align with the extension they have been granted. **Commissioner Molloy** asked Mr. Cook if pot-bellied pigs are bred to be consumable. Mr. Cook responded that they are not bred to be consumable, but are bred to be companions.
- **Patricia Brown**, Loveland resident, stated that there are going to be irresponsible pet owners, and it is a concern when it comes to owning a pot-bellied pig. She believes that owners should be licensed and carry extra insurance in case of bites. She wishes for City Council to consider making it a little more difficult for people to own such animals; and those who can prove to be responsible can have some of these animals. She shared that she believes we need to scrutinize the pet owners more than we do the pets. Ms. Brown also commended Ms. Tarantini on her "excellent presentation."

- **Janet Vetter**, resident of Loveland, shared that she is opposed to making any changes to the current ordinance regarding pot-bellied pigs and pygmy goats. She described her lot size as being 18 feet wide, with neighbors having similar dimensions. She stated that she believes this size yard is not large enough for the well-being of these animals, nor would it be respectful to her neighbors to have bleating goats or pot-bellied pigs on the other side of their fence line. She requested that City Council consider restrictions within the ordinance requiring a minimum lot size for animals, as well as clearer definitions of what a “show animal” is, and what happens “post show” to the animals. She also stated people should have the right to own these types of animals, but they need to live in an appropriate part of Larimer County that is conducive to owning livestock.
- **Sergeant Joe Quinn, Larimer Humane Society**, stated they will hold-off on enforcing restrictions on the Cooks until the process is complete and City Council comes to a final resolution, provided no new complaints are received.
- **Commissioner McFall** asked if the ordinance states what would happen to a show animal once it is retired. Sergeant Quinn explained that the code is extremely vague, but stated it is written that way for a reason. Although they would not arbitrarily show up at owner’s houses once their animal is retired; according to the code, they could.
- **Commissioner Molloy** asked about the specific complaints that the Larimer Humane Society has received about pot-bellied pigs. Sergeant Quinn answered that one complaint was made because a person was bitten, and another complaint was regarding a 200-pound pig running loose.
- **Commissioner Bears** asked what thoughts Sergeant Quinn had on Mr. Cook’s case and pot-bellied pigs and pot-bellied pigs in general. Sergeant Quinn answered that there should be weight restrictions on pigs, and rabies vaccinations need to be a requirement. He added that it would be good to reach out to organizations such as 4H and Future Farmers of America for their opinions and guidelines.
- **Commissioner McFall** asked what lot size requirements should be for pigs and goats. Sergeant Quinn responded that show animal requirements would be similar to that of horses. **Emily Tarantini** stated that the Loveland ordinance does not cover lot size for livestock except for horses.
- **Commissioner Peterson** questioned how show animals are treated after retirement and if they are now considered pets. **Commissioner Hovland** stated that he was raised on a farm and was involved in 4H and the showing of animals. When he showed animals, they would be sold at the end of the fair. In the case of a pot-bellied pig, they are pets and cannot do the kind of damage of a hog. Many times when animals are part of a show, they are gone the next day, he stated.
- **Kristine Edland**, resident of Loveland, said that she purchased two pedigree goats from a Denver breeder. She shared that she and her partner live in a non-HOA

neighborhood. Some neighbors were unhappy with their raised boxes instead of a lawn, and large amount of firewood on their property, and filed a complaint with city code enforcement. Captain Porter visited the property and mentioned he did not see any of the “squalor” that was mentioned in the complaint. She believes that there are many new ideas such as urban homesteading that need to be addressed within the Code. Ms. Edlund stated the City of Portland requires certain lot size and restrictions on the number of animals kept. She shared that she is hoping for some considerations in the city for alternative pets for people who can take care of their animals. **Mr. Paulsen** asked if she believes the requirement for pot-bellied pigs to be show animals is valid. **Ms. Edlund** replied that the showing of animals is important because it demonstrates that people are caring for their animals properly. She likes the idea of online showing and it should be an option.

- **Charlene Horton-Garcia**, Loveland resident, excited that the City is considering changing regulations regarding the keeping of goats, which she believes is a trend that is developing over the front-range. She shared it is confusing that the code allows for roosters as she had one, but was forced to rehome it because of noise complaints she received.

### **COMMISSIONER COMMENTS**

- **Commissioner Molloy** recommended that it be required to register pigs and goats with Larimer County, and they should be vaccinated. He would like the requirement of “show animals” be removed. He believes input from CSU Extension to determine which animals could be domesticated would be helpful.
- **Commissioner Hovland** believes the current Title 6 is very vague, specifically the definition of lot enclosure needs to be rewritten with more clarity, so the animals are safely contained. He would like the Commission to consider the requirements of surrounding communities for the keeping of these animals. He believes the Planning Commission should move forward and tidy up this part of the Code.
- **Commissioner Tygesen** agrees with the commissioners that it is important to register goats and pigs, and to require vaccines. She shared it is important for quality of life to have requirements on size of lots for keeping the animals.
- **Commissioner Bears** believes it is necessary to have a certain yard space as a requirement to keep the animals, and remove the term “show animal” from the code. He believes it makes sense to amend the code.
- **Commissioner Fleischer** agreed with the other commissioner’s statements. He added that he is opposed to allowing roosters within the city limits, as living next to one is a difficult life.

- **Commissioner Peterson** stated that she agrees with Loveland resident, Janet Vetter. She would not want to live next to a pig or goat; however, she lives in an HOA that would not allow that. **Ms. Vetter** stated that her HOA does not allow the keeping of animals that are considered “livestock”. **Commissioner Peterson** added that she would not want to live next to a rooster.
- **Commissioner McFall** stated that he likes the commissioner’s recommendations and believes the ordinance needs to be changed. He shared that he does not like ambiguity. He would like the City Council to consider the Planning Commission’s recommendations, and note their unanimous agreement that the code needs updating. He added that he appreciated the community attendance and thanked them for taking part in the discussion this evening.

**Commissioner McFall called for a recess at 7:15 p.m.**

**Commissioner McFall called the meeting to order at 7:25 p.m.**

## **2. Planning Commission 2018 Accomplishments and 2019 Goals – Robert Paulsen**

Early in each year, the Planning Commission reviews its accomplishments from the previous year and establishes goals for the new year. This effort provides a record of past activities and helps the Commission and staff plan for the year ahead. Current Planning staff has provided a preliminary listing of *2018 Accomplishments and 2019 Goals* to facilitate Commission discussion. The establishment of the accomplishments and goals is an administrative action by the Commission.

**Mr. Paulsen** presented commissioners with an updated memo containing suggestions to consider. He made clear that it is the Planning Commission’s document and whatever items they choose to keep or discard is up to them.

**Commissioner Molloy** stated that this list of accomplishments and goals is the most thorough he has seen over the years, and the list is perfect as it is.

**Commissioner McFall** shared that he is happy with the list and the work that went into it. He stated that he would like to have one item added, which is the plans for the Rocky Mountain Center for Innovation and Technology. **Mr. Paulsen** stated that he will add it to the list, as well as ask Kelly Jones, Director of Economic Development, to update the Commission on this topic.

## **ADJOURNMENT**

*Commissioner Molloy made a motion to adjourn. Upon a second by Commissioner Peterson, the motion was unanimously adopted.*

Commissioner McFall adjourned the meeting at 8:26 p.m.

Approved by:

  
Patrick McFall, Planning Commission Chair  Michael Bears- Vice Chair

  
Lisa Rye, Planning Commission Secretary