

## MEMORANDUM

**TO:** Mayor Jones and Members of the Board  
**FROM:** Randi Gallivan, Town Clerk  
**DATE:** June 21, 2018  
**RE:** **Information for Website**

Mayor Jones drafted the attached list of regulations concerning frequently asked questions to be posted on the website for real estate brokers and prospective residents.

This information will be updated when the Municipal Code Supplement 8 arrives at the Town Clerk's office this week or next.

The following is an overview of regulations in the Rural Residential Zone District. While the Town does not have an HOA, there are rules and regulations. Please reference Chapter 7 of the Municipal Code for the Rural Residential Property Standards, Chapter 11 for Driveway, Mailbox and ROW regulations and Chapter 16 for Zoning Regulations. The applicable section of the Town's Municipal Code is referenced.

This is not a comprehensive list. Please refer to Foxfield's Municipal Code for complete regulations. Before planning any project, be sure to check the permit section of the Town's website, review the appropriate Chapter in the Municipal Code and submit the permit application that may be required.

#### Outdoor Storage. Sec. 7 a (1) (2) (3) a-h

The following outdoor storage is not allowed:

- Items or materials cannot be stored in the ROW.
- The accumulation of junk, trash, garbage, improperly maintained compost or manure piles or anything that contributes to blight and property degradation.
- Attractive nuisances.
- Tools, equipment, inventory and other supplies utilized in the operation of a business.
- Tools, equipment and other supplies utilized in construction or landscaping. However, homeowners who have a current, valid building permit are allowed to neatly store small quantities of required supplies during construction or remodeling.
- The parking or storage of any unlicensed or inoperable vehicle.
- The parking or storage of any vehicle, recreational vehicle, trailer, boat or other articles of personal property, not owned by the occupant of the property upon which it is parked, stored or used, for longer than a period of ten (10) days.
- The parking or storage of more than five (5) vehicles.
- The parking or storage of commercial or industrial vehicles, except that one (1) vehicle used in the operation of a business by an owner and or occupant of the property is permitted:

#### Weeds, Vegetation and Trees Sec. 7-1-20 c

The following which contribute to blight and property degradation must be controlled or removed:

- All Noxious weeds and non-noxious weeds.
- Brush and other vegetation grown in a rank or unsightly fashion.
- Trees, Shrubs and other vegetation which are dead, broken, diseased or infested by insects so as to endanger the well-being of healthy trees shrubs or vegetation.

#### Animal Control Chapter 7 Article 2

The Town of Foxfield uses and is subject to the rules of Arapahoe County Animal Control:

- Dogs are required to be licensed.

- There are restrictions against dogs running at large, noisy dogs (dogs are considered noisy if a dog makes or in combination with another dog makes noises which are audible from an adjacent or nearby property for a continuous 20 minute period), aggressive and/or vicious dogs.

#### Firearms Sec. 7-3-10

It is unlawful to fire, shoot or discharge any firearm outdoors and within the jurisdiction of the Town.

#### Driveways, Mailboxes and ROW's Chapter 11 Article 4

The Town owns ROW's which are platted at 60' wide. The roads are 24' wide. Therefore, private property does not extend to the edge of the road.

Please refer to Chapter 11 Article 4 for a list of what is allowed and prohibited in the ROW.

Driveway section will be updated when Supplement 8 arrives this week.

#### Keeping and raising of animals Sec. 16-4-20

Types of animals allowed:

- Pets including but not limited to dogs, cats or small animals.
- Domestic farm animals limited to horses, pot belly pigs, goats, sheep, donkeys, mules, llamas and alpacas.
- Rabbits
- Fowl
- Bees

The maximum density allowed is:

- One domestic farm animal per acre or portion thereof.
- Twelve fowl, of which only one may be a rooster, per lot.
- Five rabbits per lot.
- Eight colonies of bees per lot.
- Four pet animals, including but not limited to dogs, cats or small animals older than one hundred eighty days per lot.

All domestic farm animals must be kept in a fenced area.

No poultry house coop or hutch shall exceed 120 square feet of gross floor area.

Poultry houses, coops, hutches and bee hives shall not be located within twenty-five (25) feet of any property line.

Premises upon which animal are kept must be maintained in a clean manner.

### Accessory Structures Sec. 16-2-50 (d) 4-10

Accessory Structures require a permit.

Accessory structures and uses are not permitted unless and until the principal permitted use (single family detached dwelling unit) has been established.

No accessory structure may contain residential living quarters.

The total building gross floor area of all enclosed accessory structures may not exceed two thousand (2,000) square feet.

There is a maximum of two (2) enclosed accessory structures.

Maximum height is twenty-one (21) feet.

Accessory structures shall have a maximum side wall height of fourteen (14) feet from finished grade measured from the foundation.

The roof shall have a minimum pitch of 4 in 12.

Accessory structures must meet required setbacks: fifty (50) feet front, twenty-five (25) feet side and rear and they must meet the minimum twenty-five (25) feet separation between structures.

For design standards please see 16-2-50d 10 a-c

Any structure less than one hundred twenty (120) gross square feet shall not be deemed an accessory structure and does not require a permit. However, they must meet setback and distance between structures requirements. A maximum of two (2) structures less than 120 square feet are allowed.

### Fences and Berms Sec.16-3-60

A fence permit is required for all new fences and for the repair or replacement of any portion of a fence if the repair or replacement changes the appearance, location or style.

- All fences adjacent to the Town ROW or within 50' of the closest edge of the ROW must be at least 70% open.
- If the fence is in a drainageway or is less than 70% open and located within 50' of a property line not adjacent to the Town ROW, review by the engineer is required.

- Maximum height is 6'. Open fences used to enclose the immediate area of a sports court or tennis court may not exceed 10' in height.
- All fences must be located entirely within the property boundaries. It is the responsibility of the homeowner to verify the property lines, rights-of-ways, drainageways and easements on the subject property.
- The use of chain link fence is not permitted within 50' of the Town ROW.
- The use of barbed wire is not permitted.
- Fences shall be constructed of materials designed or specified to be used for such purpose.
- A berm permit is required, must be approved by the Town Engineer and must be located entirely within the property lines.
- Berms shall not exceed 4' in height and the tops shall have a minimum width of 3' at the crown.
- Berms shall have a maximum side slope of 3:1
- Berms shall undulate or otherwise be designed with naturalistic contouring. Berms shall connect into existing grades at their perimeter to ensure that they appear natural.
- Berms shall be landscaped within 90 days of completion, at a minimum, with native grasses and or natural landscaping.
- Berms must be mowed and maintained.

Home occupation. Sec. 16-4-10

Home occupations are allowed under a limited basis.

Definition: Any occupation or activity which is clearly incidental to or conducted wholly within a dwelling unit and not in any accessory building or space on the premises by residents of the dwelling unit.

Home occupations are a permitted accessory use in the RR District. A home occupation must comply with the following criteria:

- (1) The home occupation shall be accessory to the use of the structure as a residence.
- (2) Only the persons residing in the home shall conduct the home occupation business.
- (3) There shall be no visible advertising of the home occupation on the premises.
- (4) There shall be no outdoor storage of good or materials associated with the home occupation.

(5) There shall be no excessive or offensive noise, vibration, smoke, dust, odor, heat, glare or light or dumping of materials produced by the home occupation.

(6) The receipt or delivery of merchandise, goods or supplies for use in a home occupation shall be limited to the United States Mail, commercial parcel delivery companies or private passenger vehicle, but shall exclude large truck and/or trailer-delivered goods or merchandise.

(7) The home occupation shall not change the appearance or character of the dwelling or neighborhood. No exterior structural alterations to accommodate the home occupation are permitted.

#### Overlot Grading Sec. 16-4-50

For purposes of this Section, *grading* is any change to the native contours of the surface of the property. This includes grading associated with building permits, the placement of fill material, cutting or reshaping a slope, berms, landscaping, or revising the area (square footage) and/or the point of discharge of surface drainage to adjacent property.

An Overlot Grading Permit is required if any of the following conditions occur:

- The area of grading is greater than ten thousand (10,000) square feet.
- More than one hundred (100) cubic yards of fill material is imported or placed from onsite cut;
- The proposed grading increases or changes the historical flow of surface water to adjacent lots or the Town rights-of-way; or
- The disturbed area is within 75' of an existing drainage way, floodplain, or wetlands as determined by the Town Engineer.