

**A BILL FOR AN ORDINANCE AMENDING
CHAPTER 11 OF THE FOXFIELD MUNICIPAL CODE
CONCERNING RESIDENTIAL DRIVEWAY AND CULVERT PERMITS**

WHEREAS, the Board of Trustees desires to amend certain provisions of Chapter 11 of the Town of Foxfield Municipal Code concerning residential driveway and culvert permits;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF FOXFIELD, COLORADO:

Section 1. Section 11-4-80(a) is hereby repealed and re-enacted as follows:

Sec. 11-4-80. Residential driveways and culverts in the Town rights-of-way.

- (a) Permit Requirements:
- a. The section of new driveways, culverts and temporary construction driveways from the property line to the edge of the existing roadway pavement requires review by the Town Engineer and approval of a public right-of-way use permit in accordance with the provisions of this Chapter.
 - b. Improvements to the section of existing driveways from the property line to the edge of the existing roadway pavement, including but not limited to: a change in surface material, asphalt replacement, asphalt overlays, and concrete work shall require approval of a public right-of-way use permit in accordance with the provisions of this Chapter. The applicant shall pay a permit fee as established in a fee resolution adopted by the Board of Trustees. The application will initially be subject to the completed work inspection as defined in Subsection 11-5-130(1)(2) of this Chapter. Additional inspections, re-inspections or additional engineering review fees, if required, shall be paid by the applicant in accordance with the provisions of this Chapter.
 - c. A public right-of-way use permit is not required for a chip-seal or similar surface application.
- (b) Properties in the Large Lot Rural Residential District (RR) shall be limited to one (1) access point per one hundred (100) feet of lot frontage or part thereof.
- (c) The minimum separation distance between any two (2) residential driveways, either on the same side of the street or on opposite sides of a street, should be thirty-five (35) feet where possible.
- (d) The width of a residential driveway within the Town right-of-way shall be a minimum of twelve (12) feet to a maximum of twenty-two (22) feet (or twenty-four [24] feet with flares).
- (e) The minimum separation distance required between a residential driveway and a major arterial street, such as Arapahoe or Parker Road, is two hundred ten (210) feet.
- (f) The minimum separation distance required between a residential driveway and a residential street intersection is fifty (50) feet.
- (g) The portion of a residential driveway from the property line to the edge of the existing roadway pavement shall be constructed of:
- a. A minimum of 8" thick compacted class 6 aggregate base material, or
 - b. A minimum 3" thick asphalt pavement over 6" thick class 6 aggregate base material, or minimum 4" of full depth asphalt., or
 - c. A minimum of 4" of CDOT Class B concrete material, with 3,000 psi compressive strength.
- (h) New residential driveways that cross over a roadside drainage ditch will have a culvert in a size and location as determined by the Town Engineer. Existing culverts will be deemed to be adequate except culverts that

impede the flow of water may be required to be repaired or replaced in accordance with the provisions of this Chapter.

- (i) It is prohibited to place irrigation lines, electrical lines, cables or other features inside culverts.
- (j) Construction entrances on residential lots shall have the same requirements as a residential driveway.

Section 2. The definition of Work in Section 11-5-20 is hereby repealed and re-enacted as follows:

Sec. 11-5-20. Definitions.

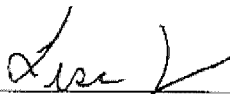
Work means any labor performed within a public right-of-way and/or any use or storage of equipment or materials within a public right-of-way, including but not limited to: excavation; construction of streets, fixtures, improvements, sidewalks, driveway openings, bus shelters, bus loading pads, street lights and traffic signal devices; construction, maintenance and repair of all underground facilities such as pipes, conduit, ducts, tunnels, manholes, vaults, cable, wire, or any other similar structure; maintenance of facilities; and installation of overhead poles used for any purpose. Notwithstanding the foregoing, work shall not include routine maintenance. For purposes of this definition of *work*, routine maintenance shall include that labor that does not involve excavation, installation of new facilities, lane closures, sidewalk closures or damage to any portion of the public right-of-way.

Section 3. The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police powers of the Town of Foxfield, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 4. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

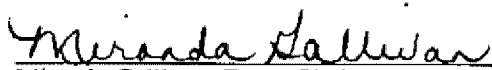
Section 5. This ordinance shall become effective thirty (30) days after final publication.

Adopted as Ordinance No. 05 Series of 2017, by the Board of Trustees of Foxfield, Colorado, and signed and approved by its Mayor or presiding officers this 7th day of September A.D. 2017.

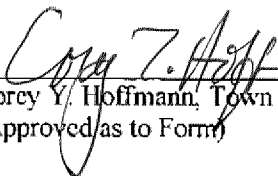


Lisa Jones, Mayor

ATTEST:



Miranda Gallivan, Town Clerk



Corey Y. Hoffmann, Town Attorney
(Approved as to Form)

