

A BILL FOR AN ORDINANCE AMENDING CHAPTER 16 OF THE FOXFIELD MUNICIPAL CODE CONCERNING OFF STREET PARKING STANDARDS AND HOME OCCUPATIONS

WHEREAS, the Board of Trustees desires to amend certain provisions of Chapter 16 of the Town of Foxfield Municipal Code concerning off street parking standards and home occupations;

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

Section 1. Section. 16-3-30 (j)(4) of the Foxfield Municipal Code is hereby deleted in its entirety:

Section 2. Section. 16-4-10 (a) of the Foxfield Municipal Code is hereby amended to read as follows and 16-4-10 (d) has been added:

Sec. 16-4-10. Home occupations.

(a) Permitted Accessory Use in the RR (Large Lot Rural Residential) Zone District. 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) The home occupation must be conducted within the residence or an accessory structure.
- (3) The business must be conducted by a full-time resident of the property.
- (4) There shall be no visible advertising of the home occupation on the premises.
- (5) There shall be no outdoor storage of goods, equipment, vehicles including trailers or materials associated with the home occupation except that two (2) business vehicles are allowed.
- (6) There shall be no excessive or offensive noise, vibration, smoke, dust, odor, heat, glare, light or dumping of materials produced by the home occupation which can be detected at or beyond the property line.
- (7) 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.
- (8) The home occupation shall not change the appearance or character of the dwelling or neighborhood. There will be no exterior evidence to indicate that the building is being used for any purpose other than that of a dwelling or an accessory structure, including vehicles using the residence or accessory structure as a home base.
- (9) No in-person retail sales shall be conducted on the premises. Electronic retailing is allowed. Incidental pick-up of goods is permitted. However, a home occupation shall not generate an amount of traffic that perceptively alters the residential character of the neighborhood.

(10) No solid waste shall be placed or stored on the property in conjunction with the home occupation.

(11) No chemicals or substances that are physical or health hazards as defined in the fire code shall be sold in conjunction with a home occupation, nor shall they be used or stored in quantities that are larger than typical for household use.

(12) One non-resident employee is allowed.

(13) No illegal activity is allowed.

(d) Nothing in this Section 16-4-10 shall be construed as authorizing a home occupation use in any structure that is not authorized under applicable building and fire codes.

Section 3. The definition of "Home occupation" in Section 16-6-10 of the Foxfield Municipal Code is hereby amended to read as follows:

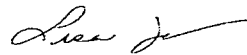
Home occupation. Any occupation or activity which is clearly incidental to and conducted wholly within a dwelling unit or in an accessory building on the premises by residents of the dwelling unit as more particularly described in Section 16-4-10 of the Foxfield Municipal Code.

Section 4. 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 5. 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 6. This ordinance shall become effective thirty (30) days after final publication.

Adopted as Ordinance No. 04 Series of 2021, by the Board of Trustees of Foxfield, Colorado, and signed and approved by its Mayor or presiding officers this 20th day of July, 2021.

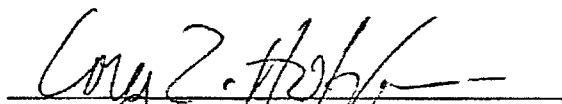


Lisa Jones, Mayor

ATTEST:



Miranda Gallivan, Town Clerk



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

