

CITY OF RIFLE, COLORADO
ORDINANCE NO. 23
SERIES OF 2016

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING
TITLE 16 OF THE RIFLE MUNICIPAL CODE REGULATING RESIDENTIAL
ACCESSORY STORAGE STRUCTURES AND FENCES.

WHEREAS, the City of Rifle (“Rifle” or the “City”) is a home rule municipality organized pursuant to Article XX of the Colorado Constitution and with the authority of the Rifle Home Rule Charter; and

WHEREAS, Chapter 16 of the Rifle Municipal Code regulates land use and development within the City; and

WHEREAS, Section 16-1-220 of the Code defines accessory building; and

WHEREAS, Section 16-3-240 of the Code establishes standards for fences, hedges, and walls; and

WHEREAS, Section 16-3-340 establishes standards for accessory storage buildings; and

WHEREAS, the Rifle City Council desires to amend Sections 16-1-220, 16-3-240, and 16-3-340 of the Code to provide additional options for residents to meet their storage needs, to prevent the negative impacts of storage, and to provide clarity to residents.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Section 16-1-220 of the Rifle Municipal Code is hereby amended as follows, with double underlined text added and ~~strike through language deleted~~.

Sec. 16-1-220. - Definitions.

For purposes of this Chapter, certain terms are defined as follows:

Building, accessory means a detached subordinate building located on the same lot as the principal building, and the use of which is incidental to the principal building or use of the lot; such building shall not be used for living or sleeping quarters. ~~Storage sheds with less than one~~

~~hundred twenty (120) square feet of floor space shall not be considered accessory buildings for the purposes of complying with side and rear yard setback requirements, although compliance with Section 16-3-450(f) of this Chapter is required.~~

Section 3. Section 16-3-240 of the Rifle Municipal Code is hereby amended as follows, with double underlined text added and ~~strike through language deleted~~.

Sec. 16-3-240. - Fences, hedges and walls.

All fences, hedges and walls may be permitted in the required yards of any district subject to the following conditions and requirements.

~~(8) No fence located within the front yard setback area shall exceed forty eight (48) inches in height above the elevation of the curb.~~ The maximum height of a fence in a front yard setback is four feet. For properties with an elevated front yard that causes a four-foot fence to rise higher than four feet above the elevation of the curb, fences of a non-opaque material such as chain link, wire, or other material that preserves views, shall be installed.

Section 4. Section 16-3-340 of the Rifle Municipal Code is hereby amended as follows, with double underlined text added and ~~strike through language deleted~~.

Sec. 16-3-340. – Additional requirements for residential districts.

~~(f) No accessory buildings or storage sheds of any size shall be permitted in the front yard setback. On lots where the principal use is a residence, accessory buildings to each residential uses shall be placed no closer than five (5) feet from a rear yard lot line and five (5) feet from a side yard lot line; and in no case shall an accessory building on a permanent foundation be placed over an easement.~~ Accessory buildings, including garages, sheds, carports, and pole barns and similar structures shall be allowed only as provided in this Section.

1) Conex boxes, shipping containers, and similar structures are not permitted.

2) Structures less than 200 square feet:

- a. No building permit required.
- b. Any façade is permitted.
- c. Maximum height – 10 feet.
- d. Front yard setback – 20 feet.
- e. Side and rear yard setback – none.

3) Accessory buildings are permitted between 200 and 720 square feet, and may be considered for a Conditional Use Permit up to 1,000 square feet, with the following standards:

- a. Any façade is permitted.
- b. Maximum height – 10 feet.
- c. Side and rear yard setback – 5 feet.
- d. Front yard setback – 20 feet.
- e. Multiple accessory structures may be permitted on a property, but cumulative square footage shall not exceed the amounts stated above.

4) Flexibility for structures with a residential character. Accessory buildings may exceed the standards in sub-section 16-3-340(f)(3) and instead follow the standards for primary residential dwellings, including size, setbacks, and height, if the facades of the structure are consistent with those of a typical residential dwelling. This includes façade materials other than metal, colors, windows, non-reflective roofs, and other architectural components. The Planning Director, at his or her discretion, may require the applicant to apply for a Conditional Use Permit if the residential character is in question or if impacts on neighbors or the community are anticipated.

5) Accessory buildings that combine a garage and an accessory residential use shall meet the Accessory Dwelling Unit (ADU) requirements in Section 16-3-60.

6) A storage structure shall only be established on a site concurrent with or after the primary residence has been established.

INTRODUCED on October 19, 2016, read by title, passed on first reading, and ordered published as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on November 2, 2016, continued to November 16, 2016, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this ____ day of _____, 2016.

CITY OF RIFLE, COLORADO

BY: _____
Mayor

ATTEST:

City Clerk