

Zoning Ordinance Amendment #2024-18

An Ordinance to Amend *Appendix A-Table of Authorized Uses, Article VI, Zoning, Sec. 21-6-8, Article VIII, Regulation of Particular Uses and Areas, Sec. 21-8-1.1, Sec. 21-8-3.3, Sec. 21-8-3.8, Sec. 21-8-9, Article XVI, Sec. 21-16.1 Definitions, and adding new Sec. 21-8-1.3-Detached Garages, and Sec. 21-8-1.4-Residential Playground Equipment, and renumbering Sec. 21-8-3.5-MUN Zoning District, Sec. 21-8-3.6-RA5 Zoning District, Sec. 21-8-3.7-Gated Communities, Sec. 21-8-3.8-Swimming Pools, and Sec. 21-8-3.9-Dog Runs, of the Foxfire Village Unified Development Ordinance*

THE FOXFIRE VILLAGE COUNCIL ORDAINS:

SECTION 1.

Appendix A. – Table of Authorized Uses, is amended by adding:

“Accessory Structures” as a permissible use in the MUN District

SECTION 2.

Article VI. – Zoning

Sec. 21-6-8 - Building height, setback, and lot dimension requirements, is amended by deleting the following:

~~*Playground equipment including but not limited to swing sets, trampolines, sand boxes, jungle gyms, slides, and similar equipment shall not be placed in front yards.*~~

SECTION 3.

Article VIII. – Regulation of Particular Uses and Areas

Sec. 21-8-1.1 – Additional Accessory Buildings, is amended to read as follows:

Are permitted within the EU, RE, RF-200, and RA5 zoning districts when they meet the following requirements: and by adding the following:

- i. Chicken Coop*
- j. Rabbit Hutch*

and by adding the following new Sections:

Sec. 21-8-1.3 – Detached Garages

Detached garages may be placed on any single-family lot where the residence does not have an existing garage providing the following restrictions:

- a. Garage shall match the primary residence in color and architectural design*
- b. Garage shall be placed in the rear or side yard of the primary residence and garage doors shall be side facing when feasible.*
- c. Garage shall follow all building design standards as set forth in Sec. 21-6-10.2 and all building height and setback requirements as set forth in Sec. 21-6-8., and;*

Sec. 21-8-1.4 – Residential Playground Equipment

Playground equipment including but not limited to swing sets, trampolines, sand boxes, jungle gyms, slides, and similar equipment shall not be placed in front yards. Playground equipment is permissible in both the side and rear yard in all residential zoning districts. The equipment location must meet all rear and side-setback requirements located in Section 21-6.8.

Sec. 21-8-3.3. - Village business district is deleted and replaced with the following:

Fences visible from public streets or which abut residential zoning shall be of wood, stone, brick, wrought iron, aluminum, powder coated aluminum, PVC, or a combination of these materials, with the decorative side of the fencing facing outward. Fences/walls that abut non-residential zoning may be of vinyl coated chain link if screened with view obscuring plant materials not less than five feet tall at time of planting and reach the desired full height within five years. Fences/walls/plantings or any combination of shall result in an opaque screen that obscures views from the ground to the height of the object being screened or a maximum height of six feet and shall be erected to directly screen donation boxes, and similar facilities from public view. No maintenance equipment, dumpsters, donation boxes, or similar facilities shall be kept in open or exposed views from residential lots, streets, or sidewalks.

- a. Dumpsters shall be completely enclosed with wood or a synthetic wood product (i.e. Trex) resulting in a screen that obscures view from the ground to the height of the dumpster to a maximum of fifteen feet.*
- b. All dumpsters, donation boxes, or similar facilities shall be placed on a level, impervious surface.*
- c. Impervious aprons shall be added to the entrance/exit of any driveway or parking lot where rock, sand or stone is used*

and adding a new Section:

Sec. 21-8-3.4 – Recreation District

Fences visible from public streets or which abut residential zoning shall be of wood, stone, brick, wrought iron, aluminum, powder coated aluminum, PVC, or a combination of these materials, with the decorative side of the fencing facing outward. Fences/walls that abut non-residential zoning may be of vinyl coated chain link if screened with view obscuring plant materials not less than five feet tall at time of planting and reach the desired full height within five years. Fences/walls/plantings or any combination of shall result in an opaque screen that obscures views from the ground to the height of the object being screened or a maximum height of six feet and shall be erected to directly screen donation boxes, and similar facilities from public view. No maintenance equipment, dumpsters, donation boxes, or similar facilities shall be kept in open or exposed views from residential lots, streets, or sidewalks.

- a. Dumpsters shall be completely enclosed with wood or a synthetic wood product (i.e. Trex) resulting in a screen that obscures view from the ground to the height of the dumpster to a maximum of fifteen feet.*
- b. All dumpsters, donation boxes, or similar facilities shall be placed on a level, impervious surface.*
- c. Impervious aprons shall be added to the entrance/exit of any driveway or parking lot where rock, sand or stone is used*

and by renumbering the following Sections:

Sec. 21-8-3.5 – MUN Zoning District, Sec. 21-8-3.6 - RA-5 Zoning District, Sec. 21-8-3.7 – Gated Communities, Sec. 21-8-3.8 – Swimming Pools, and Sec. 21-8-3.9 – Dog Runs

and amending the following:

Sec. 21-8-3.8 – Swimming Pools, be amended by adding the following sentence at the end of the paragraph:

Pool fence must be in complete and full working order prior to initial water filling being started or completed.

Sec. 21-8-9-Animals, the second paragraph be amended to read as follows:

Within the EU, and RF-200 zoning districts equine, rabbits, and fowl (limited to 30 combined or total such animals and no roosters) are permitted. No livestock or bovine animals may be kept within these districts notwithstanding acreage requirements for equine.

SECTION 5.

Article XVI. - Sec. 21-16.1 – Definitions, be amended by deleting the following definition:

Modular home

and by adding the following definition:

Detached Garage – a roofed and enclosed structure which is detached from the main dwelling and designed to accommodate one or more motor vehicles.

SECTION 6.

All provisions of any Village ordinance in conflict with this ordinance are hereby repealed.

SECTION 7. This ordinance shall become effective upon adoption.

Adopted this _____ day of _____ 2024.

Janice Gregorich
Mayor

ATTEST:

Lisa A. Kivett, MMC, NCCMC, CZO
Village Administrator/Clerk

DRAFT ORDINANCE for PUBLIC HEARING 12/10/24