



*Jefferson Conservation District*

Residential Zoning and Urban Agriculture  
*A Guide for Wheat Ridge*



## Knowing Your Land

As a Colorado gardener you're probably well aware of the limitations posed by the environment. It's hot, it's dry, and there are critters abound that love to feast on fresh produce, all challenges that require knowledge of your land to handle.

The urban gardener has the added challenge of dealing with limitations that may not be so apparent. An insect infestation will announce itself loud and clear, but policies and regulations can easily be misunderstood. Just like insects, zoning regulations can be both a threat and an asset to a garden.

As you embark on your garden adventure, here's some information to help you be aware of these limitations and opportunities, so that your garden can be a valuable and valued part of the Wheat Ridge urban community.

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Jefferson Conservation District



# Residential Zoning Designations

## Residential-1 (R-1)

Lots zoned R-1 are intended for safe, quiet, low-density residential areas. This means that the primary structure on each lot is generally a single-family home.

R-1 Zone District	Maximum Height	Maximum Building Coverage	Minimum Lot Area	Minimum Lot Width	Minimum Front Yard Setback (a)	Minimum Side Yard Setback (b)	Minimum Rear Yard Setback (b)
<i>Accessory buildings (d)</i>	<i>Major: 15'</i>	<i>1,000 sf</i>	<i>N/A</i>	<i>N/A</i>	<i>30' (c)</i>	<i>15'</i>	<i>15'</i>
	<i>Minor: 10'</i>	<i>400 sf</i>	<i>N/A</i>	<i>N/A</i>	<i>30' (c)</i>	<i>15'</i>	<i>15'</i>
<i>Detached garage, carport and greenhouse</i>	<i>15'</i>	<i>1,000 sf</i>	<i>12,500ft2</i>	<i>100'</i>	<i>30' (b)</i>	<i>15'</i>	<i>15'</i>
<i>Private storage shed</i>	<i>10'</i>	<i>400 sf</i>	<i>12,500ft2</i>	<i>100'</i>	<i>30'</i>	<i>15' (c)</i>	<i>15' (c)</i>
<i>All other uses</i>	<i>35'</i>	<i>25%</i>	<i>12,500ft2</i>	<i>100'</i>	<i>30' (b)</i>	<i>5' (e)</i>	<i>15'</i>

(a)- Front setback reductions may be allowed (More information Wheat Ridge Municipal Code Sec. 26-611)

(b)- If your side or rear yard abuts a public street all structures must be set back 30 feet.

(c)- If your property abuts a cul-de-sac bulb, front setbacks may be reduced to 10 feet.

(d)- Additional regulations for accessory buildings (Wheat Ridge Municipal Code Sec. 26-625)

(e)- Other uses that require multiple stories must by set back 15 feet for the first story and an extra 5 feet for each additional story.

### Other Requirements

- Structures may be built

besides the lot's primary structure, but must fall within the limits in the above table. These limits include how tall a building can be, how much area on the lot it can cover, the minimum lot-size designated in that zone in both area and width, and it lists all necessary setbacks.

- Setbacks detail how far a structure must be from any given property line of your property.
- A detached garage or carport can be thought of as a major accessory building—it cannot exceed 15 feet in height or 1,000 square feet in area—but requirements for setbacks are dependent upon the property. A greenhouse would also be considered a major accessory building and would be

regulated by the same dimensions.

- A private storage shed can be thought of as a minor accessory building—it cannot exceed 10 feet in height or 400 square feet in area, and it must comply with all front, side and rear yard setbacks.
- Any accessory building greater than 120 square feet including buildings such as garages, carports, or greenhouses would need a building permit. Accessory buildings less than 120 square feet do not need a building permit but still must comply with all zoning requirements.



*You can extend the growing season of your garden by using a simple, inexpensive cover called a high tunnel or hoop house. A hoop house is a series of metal or plastic bars set in a row over beds, and fabric or plastic pulled tight around the bars. As the sun warms the garden during the day, the fabric traps the heat in, keeping the plants from freezing overnight. Hoop houses that are not permanent structures or require utilities generally do not require a building permit but check with the building department.*

## Building Your Garden

*Now that you know a little more about your land, its purpose, and the necessary considerations for the community, it's time to get started with designing your garden. To keep your yard uncluttered and community-friendly, it's important to have ways to organize your garden, keep it clean, or just plain keep it out of sight. Here are some things to know.*

### Greenhouses

Greenhouses (as long as they are not commercial) are allowed as an accessory structure on residentially zoned property. They fall under the requirements (setbacks, etc) for "major accessory structures" and require a permit.

### Building a Fence

You may build fences on your property, but there are certain restrictions depending on the specific lot. Any fence that is not in the floodplain, is on residential property, and is less than 6 feet

high may be built without a permit. However the fence must still meet the zoning code requirements. To find out if your property is in the floodplain or ask questions about zoning regulations, you may contact the Community Development Department of Wheat Ridge (303-234-5931, 7500 W 29th Ave, 2nd Floor).

Further information can also be found in the Zoning and Development Code, Section 26-603. A full copy of the zoning code is available through the City's Website: [www.ci.wheatridge.co.us](http://www.ci.wheatridge.co.us) through the Community Development Department page.

In general, a fence in the front yard may be a maximum of forty-eight (48) inches and a maximum of six (6) feet anywhere else.

If you are building a fence near a street, there are additional requirements for how high it can be (so it won't cause too much of an obstruction for drivers).

Your fence or divisional wall can be built of: masonry walls, ornamental iron, woven wire and chain-link, wood, and hedges.

If you are zoned R-1, you can only have a barbed wire fence if

you are (legally) keeping large animals. The barbed wire fence must be at least three (3) feet inside of another permitted fence and this other fence must be at least forty-two (42) inches high.

### Building a Shed

Sheds are considered minor accessory structures on residential land. Measurement and setback regulations can be found in table form in Table 1, and are as follows for the R-1 District:

Your storage shed can be no higher than ten (10) feet.

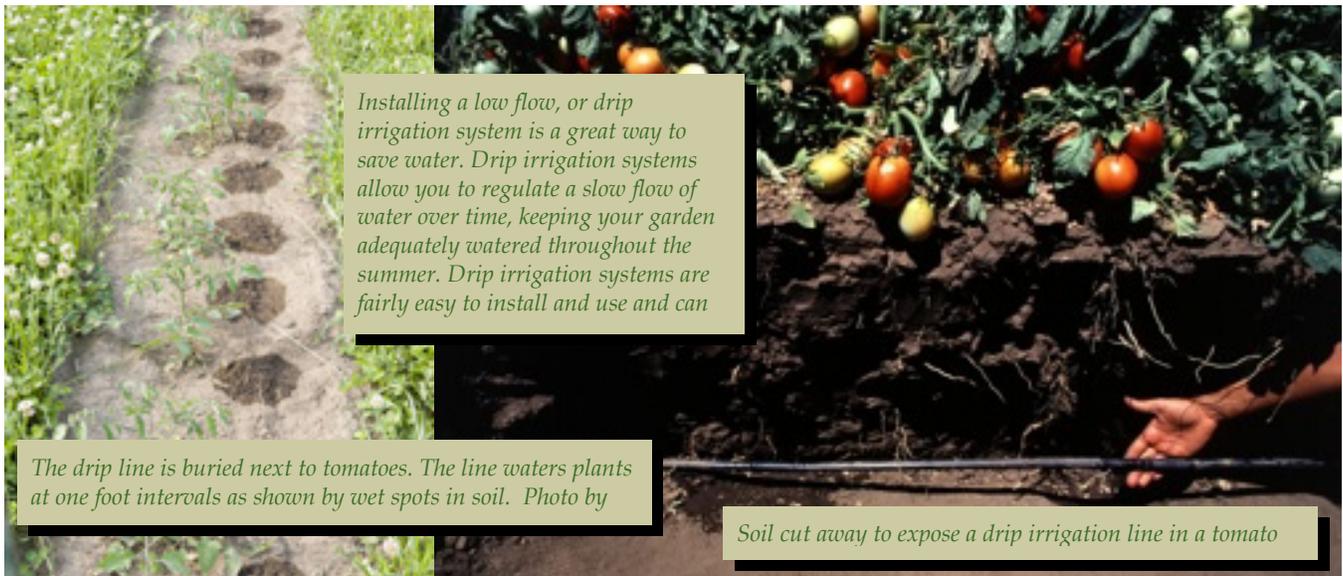
Your shed may cover, at most, four hundred (400) square feet of the lot.

Your shed must be set back at least thirty (30) feet in the front, and at least fifteen (15) feet in the sides and rear. If your yard abuts a cul-de-sac, your front setback may be reduced to ten (10) feet.

Sheds over 120 square feet require a building permit. Sheds under 120 square feet do not require a building permit but still must meet zoning regulations.

### Building a Garage

A detached garage or carport can be thought of as a major



*Installing a low flow, or drip irrigation system is a great way to save water. Drip irrigation systems allow you to regulate a slow flow of water over time, keeping your garden adequately watered throughout the summer. Drip irrigation systems are fairly easy to install and use and can*

*The drip line is buried next to tomatoes. The line waters plants at one foot intervals as shown by wet spots in soil. Photo by*

*Soil cut away to expose a drip irrigation line in a tomato*

accessory building.

Measurements and setbacks for major accessory buildings can also be found in table form in the 'Basic Standards' section, and are as follows for the R-1 District:

Your detached garage can be no higher than fifteen (15) feet.

Your detached garage may cover no more than a thousand (1,000) square feet of the lot.

Setbacks are generally property for detached garages because they require an access point to the street. See section 26-625 of the municipal code for specific setbacks.

A garage or carport requires a building permit.

## Getting Resources

*Once your garden space is organized, it's time to think about the things you'll need to make it grow. In an urban setting, this presents a unique challenge because sharing can be difficult. Whether it be water, power or soil, there's only so much to go*

*around, and the more people try to use them, the thinner they're spread.*

*This doesn't mean that using resources in an urban setting is out of the question; it just means that the urban gardener needs to find creative and community-friendly ways to make use of the resources available. Here are some ways that you can be resource conscious and neighborly with your garden.*

### Getting Water

Water usage is one of the most complicated parts of having an urban garden, especially in Colorado. Building water infrastructure on your property is allowed, but there are many stipulations.

Water usage rights in Colorado are given on what's called a "first in time, first in right" principle, which means that if you're upstream from someone who has had water rights longer than you, and you prevent their allotment of water from reaching them, you are technically stealing. For this reason, rainwater collection is against the law in much of Colorado.

You must have a well permit, or other water rights, to collect rainwater. There are certain types of water infrastructure you can have on residentially zoned land in Wheat Ridge, along with water services.

These include irrigation channels, storm drainage and water supply facilities. Water towers and above ground reservoirs must be shorter than 35 feet.

### Getting Power

If you're thinking about trying to keep your garden as 'off the grid' as possible, there are options. In Wheat Ridge, wind-based energy infrastructure is allowed as long as it is under 35 feet tall.

You must obtain a permit from the Department of Community Development for this type of infrastructure.

### Composting

Composting is a great way to keep a good supply of healthy soil amendment, as well as prevent the creation of too much garden waste. You are allowed to

# Backyard Composting

## IT'S ONLY NATURAL

Composting is nature's way of recycling organic materials back into the soil in order for the cycle of life to continue. The billions of tiny organisms in healthy soil transform dead plants into vital nutrients for new plant growth. Once healthy plants come from healthy soil, one of the best ways you can build healthy soil in your garden and lawn is by using compost. You can easily make compost with landscape trimmings and food scraps in your own backyard. With a little investment in bins, you can improve the health and appearance of your yard, save money on fertilizers and mulch, and while preserving natural resources and protecting the health of your family and pets.



### What do I need to do to make compost?

**A Bin or Pile?** Some people start with an easy pile, and then move to a bin when they're ready. You can give your pile some structure with chicken wire, snow fencing, or by nailing scrap wood together to make a four-sided box. A pile works great for just leaves and grass clippings, but when you want to incorporate food waste, it's time to use a bin to prevent rodents. Closed-top bins include turning units, stacking bins, and bins with flip tops. Many communities provide their residents free or discounted bins to encourage backyard composting. Bins can also be purchased from retail or mail order businesses. Take the time to consider your options and then select a bin or pile to fit your needs.

**B Space.** Select a dry, shady, or partly shady spot near a water source and preferably out of sight for your compost pile or bin. Ideally, the compost area should be at least three feet wide by three feet deep by three feet tall (one cubic yard). This size provides enough food and insulation to keep the organisms in the compost warm and happy and working hard. However, piles can be larger or smaller and work just fine if managed well.

**C Browns for carbon, greens for nitrogen, air for organisms, and water for moisture.**

Brown material provides carbon and includes:

- ✦ Paper, like shredded pieces of paper, cardboard, and paper rolls,
- ✦ Dry yard waste, like dry leaves, small branches, and twigs, straw, sawdust, and used potting soil.

Green material provides nitrogen and includes:

- ✦ Wet yard waste like fresh grass clippings, green leaves, and soft garden prunings
- ✦ Food scraps like vegetable and fruit peels, coffee grounds, and tea bags.

**Vermicomposting** is a method of composting using a special kind of earthworm known as a red wiggler (*Eisenia fetida*), which eats its weight in organic matter each day. Vermicomposting is typically done in a covered container with a bedding of dirt, newspaper, or leaves. Fruit and vegetable scraps can then be added as food for the worms. Over time, the food will be replaced with worm droppings, a rich brown matter that is an excellent natural plant food. Vermicomposting requires less space than normal composting methods, and is therefore ideal for small spaces, apartments, and high-density urban areas.



### Why compost?

- ✦ **It's earth-friendly:** Food scraps and yard waste make up 20-30% of the waste stream. Making compost keeps these materials out of landfills, where they take up precious space and release methane, a greenhouse gas 21 times more potent than carbon dioxide emissions in the atmosphere.
- ✦ **It benefits your yard:** Compost improves soil structure and texture, increases the soil's ability to hold both water and air, improves soil fertility, and stimulates healthy root development in plants.
- ✦ **It's easy:** You can start with just leaves and grass, then work your way towards composting your food scraps.
- ✦ **It saves money:** Adding compost to your garden can reduce or eliminate the need to buy chemical fertilizers or compost. If you pay for the amount of trash hauled, composting can also cut down on your trash costs.



### How do I make compost?

- 1 Add your brown and green materials (generally three parts browns to one part greens), making sure larger pieces are chopped or shredded. The ideal compost pile contains browns and greens (of varying sizes) placed in alternate layers of different-size particles.
- 2 Mix grass clippings and green waste into the pile and bury fruit and vegetable waste under 10 inches of compost material.
- 3 As materials breakdown, the pile will get warm and on cold days you may even see some steam.
- 4 Every time you add to the pile, turnover and fluff it with a pitchfork to provide aeration, unless your bin has a turner.
- 5 When material at the bottom is dark and rich in color, with no remnants of your food or yard waste, your compost is ready to use. There may be a few chunks of woody material left; these can be screened out and put back into a new pile. The resulting compost can be applied to lawns and gardens to help condition the soil and replenish nutrients. Compost should not be used as potting soil for houseplants because it may still contain vegetable and grass seeds.

### What not to add

- Aluminum, tin or other metal
- Glass
- Dairy products (e.g., butter, milk, sour cream, yogurt) & eggs
- Fats, grease, lard, or oils
- Greasy or oily foods
- Meat or seafood scraps
- Pet wastes (e.g., dog or cat feces, soiled cat litter)
- Soiled diapers
- Plastic
- Stickers from fruits or vegetables (to prevent litter)
- Black walnut tree leaves or twigs
- Yard trimmings treated with chemical pesticides
- Roots of perennial weeds
- Coal or charcoal ash
- Firestarter logs
- Treated or painted wood





compost in Wheat Ridge, but your compost pile can't be a nuisance.

As long as you are composting correctly – not allowing the pile to smell, attract animals, or become so big that it's a visual nuisance – there should be no issues with the city. Your compost should be concealed in a container or by a fence.

As far as food waste goes, the city ordinance states that it is unlawful to "place or permit to remain anywhere in the city any garbage or other material subject to decay other than leaves or grass, except in a covered metal or plastic container, awaiting pickup."

## Plants and Animals

*After the structure of your garden has been taken care of, there comes the opportunity to decide what you would like it to produce. Fortunately, the city of Wheat Ridge has many regulations that make it easy to do more than just grow plants. Lenient policies on animals allow for a great deal of freedom regarding raising livestock, both small and large.*

*Additionally, city-mandated landscaping requirements provide opportunity for gardens that take advantage of available space and available resources, but choosing your plants is an important part of the process. Here's some information on how to choose your flora and fauna, and how to keep them from becoming a nuisance.*

### Landscaping With Veggies

The City of Wheat Ridge requires that you keep a certain portion of your front and side yards landscaped throughout the year. Any single-family or two-

family lot in the city is required to have 25% of the total lot area landscaped. Also, 100% of the required front yard area (the area between the front property line and the required front setback, which is 25 or 30 feet depending on the zone district, less any driveway or sidewalk access to the house) must be landscaped.

You are permitted to plant vegetable gardens in the required landscaped area, and of course outside of the required landscaped area. Any yard and/or garden must comply with the regulations in Chapter 24, Article III (Section 24-51 Weed and Tall Grass Control), which do not allow the growing of weeds or tall grasses (except ornamental grasses) over the height of 12 inches.

If you are going to plan a vegetable garden in your yard, especially the front yard, it is important to consider ground cover during the winter months. Bare ground can lead to the spread of dirt with wind and runoff, and create erosion. Perennial veggies or other ground covers may be used in non-growing months to prevent runoff and erosion.

## Keeping Small Animals and Poultry

Small animals, especially birds, can be a great addition to your backyard garden. Chickens, for example, can produce eggs as well as keep insect pests at bay if allowed to wander the garden beds periodically. You may keep small animals and poultry in the City of Wheat Ridge, but must follow certain guidelines.

Additionally, any structures necessary for the keeping of animals must comply with the zoning regulations in Section 26-606.



The following are considered small animals and poultry by the City of Wheat Ridge:

- Aquarium fish
- Domestic rabbit
- Psittacine birds, aviary finches and farm birds, including duck, goose, swan and poultry
- Gerbils
- Guinea pig
- Hamster
- Domestic lab mouse, rat

Poultry houses or pigeon coops must be smaller than four hundred (400) square feet of ground area and shorter than twelve (12) feet tall.

Hutches for small animals, not including chickens and pigeons, must be less than one hundred (100) square feet of ground area, with a maximum of two (2) levels.

Maximum ground floor areas listed above can be increased by 50% for each acre in addition to the minimum lot size for the zone district (minimum lot size for R-1 is 12,500 square feet).

Any structure to hold small animals or poultry cannot be kept in the front yard, must be at least 15 feet away from the property lines and must be more than 30 feet from a residence or main structure on an adjacent property.

## Keeping Large Animals

Keeping large farm animals is allowed in Wheat Ridge, but can pose a significant challenge for some landowners. You may keep a specified number of large animals on your property, but you will be subject to inspections and possible penalties if it is not done correctly. The following are considered large, domestic animals, according to City Ordinance, Section 4-14:

- Horses
- Cattle
- Sheep
- Goats
- Mules, donkeys, burros
- Llamas, alpacas
- Swine (Exception: you need a permit to keep potbellied pigs)

To keep any large animals, you must have a certain amount of land not covered by buildings or other structures. On land zoned R-1 this is nine thousand (9,000) square feet for the first horse equivalent, and six thousand (6,000) square feet for

each additional unit.

1 horse equivalent = 1 horse = 1 cow = 2 llamas = 2 burros = 4 alpacas = 4 sheep = 4 goats = 2 ponies.

You are not allowed to have more than 4 horse equivalent units per acre. However, you are allowed to keep offspring until they are weaned.

For large animals, they must be humanely enclosed at all times, and the enclosure cannot be within thirty (30) feet of a main structure on an adjacent parcel or the front line of the property, unless that property is over an acre. Also, the enclosure must be at least eight hundred (800) square feet for the first animal and an extra one hundred (100) square feet for each additional animal.

Although the city of Wheat Ridge is quite lenient when it comes to keeping large animals, you will still need the approval of your neighbors. Despite your animals being legally kept on your property, they can still create a nuisance or disturbance if not properly taken care of.

The City's animal welfare and control commission will investigate all citizen complaints regarding large animals. This includes excessive noise, odors, a dangerous animal, etc. If you are found guilty of a nuisance, the violation can result in a fine up to \$1000 and/or jail time up to 180 days.

If you want to keep potbellied pigs, you are allowed to have 2 maximum at every location, plus an additional pig for every one (1) acre of property more than the minimum lot size (for R-1, this is 12,500 ft<sup>2</sup>). Additionally, your potbellied pig(s) must be under 150 pounds, shorter than 22 inches and



certified by a vet. You need a permit for these animals – be sure to obtain one from the City of Wheat Ridge Animal Welfare and Control Commission.

It is generally illegal to have or sell a ‘wild animal’ (e.g. anything not considered domestic), whether it is native to Colorado or not. However, you can obtain a yearlong exception granted by the Animal Welfare and Control Commission if you submit a petition.

You are not allowed to slaughter animals on your property under any circumstances, even if it is on private property and only for private use.

### Keeping Bees

Bees are a valuable addition to a backyard garden for several reasons. Besides producing honey, bees will help pollinate your fruits and vegetables. This is especially important in urban areas where natural pollinators may not be as common.

Private beekeeping is allowed on any land in Wheat Ridge, regardless of the zoning,

as long as it follows these two requirements (City Ordinance, Section 26-607):

Beehive structures must be enclosed within a fenced area or fenced yard.

Beehive structures cannot be located in a front yard and must be placed at least 15 feet from back and side property lines.

## Taking Care of What’s Leftover

*Finally, you have a garden. It’s growing, it’s thriving, and it’s not making anyone angry, so now the question is, what’s coming out of it. Presumably the answer is produce and waste.*

*There are a variety of ways to deal with these two garden products, which may be the difference between whether your garden is sustainable or not. Here’s some information about how to handle what your garden produces, while still keeping the garden going.*

### Selling Your Produce

If you’ve had good luck with your garden, you may be thinking about trying to sell some of that extra produce. In Wheat Ridge you may sell produce from your home if you first obtain a business license as a home occupation. Any business conducted on residential land has certain restrictions (City

Ordinance, Section 26-613 Home Occupations).

You may sell produce from within your home or garage, or you may have a temporary produce stand, which is not allowed for more than 6 months of the year.

Not more than one employee of your 'business' can live off the premises. Any business you are running out of your home must be registered with the City of Wheat Ridge and have a valid business license.

Please contact the City of Wheat Ridge for more information about the regulation of home occupations and to find out how to apply for a business license.

**Dealing with Waste**

Now that your garden is up and running, it's time to figure out how to deal with the waste that it produces. Waste can be pesky in an urban environment, mostly because there's already much it and not much space for it all.

As a concerned neighbor, as well as a law-abiding citizen, you'll want to deal with your waste appropriately. As was discussed in the 'Resources' section, composting is a great way to make some of your garden waste reusable, but unfortunately, not everything can be composted.

For that waste, you are allowed to have a trash dumpster, as long as it is no bigger than one (1.5) cubic yard in size, is not located in the front setback of your lot, and is screened from view so that it is not visible from the public right-of-way or adjacent properties

# Asking Questions

*Finally, you have a garden. It's growing, it's thriving, and it's not making anyone angry,*

Hopefully the information above is helpful, but don't feel discouraged if this all seems a little daunting. Zoning regulations can be difficult to discern and hard to follow, but fortunately, along with pages of municipal codes, local governments also come have people who can help you simplify things.

You should not forget about other active community members who may have experiences to share. Here are some people who might be able to answer your questions.

**City of Wheat Ridge**

- Meredith Reckert, AICP  
Senior Planner

Phone: (303) 235-2848

Email:  
[mreckert@ci.wheatridge.co.us](mailto:mreckert@ci.wheatridge.co.us)

- Sarah Showalter, AICP,  
LEED AP Planner II

Phone: (303) 235-2845

Email:  
[sshowalter@ci.wheatridge.co.us](mailto:sshowalter@ci.wheatridge.co.us)

**Jefferson Conservation District**

Email:  
[JeffersonConservationDistrict@gmail.com](mailto:JeffersonConservationDistrict@gmail.com)

Phone:  
(720) 544-2870

**Board of Supervisors**

- Janet Bell
- Karen Berry
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- Kerry Finnegan
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