

**CITY OF RIFLE, COLORADO
ORDINANCE NO. 4
SERIES OF 2017**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING THE
LAND USE AND DEVELOPMENT CODE PERTAINING TO COMMERCIAL
OUTDOOR STORAGE AND ACCESSORY COMMERCIAL STORAGE
STRUCTURES.

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

WHEREAS, by Chapter 16, Article 3, the City regulates the placement and manner of commercial outdoor storage and accessory storage structures for commercial use; and

WHEREAS, the City desires to provide additional flexibility for businesses to meet their storage needs; and

WHEREAS, the City recognizes the importance of preventing negative impacts upon neighbors and the community in authorizing outdoor storage and the placement and maintenance of accessory storage structures; and

WHEREAS, the City Council of the City of Rifle finds and declares that it is in the interest of the public health, safety, and welfare to amend the Rifle Municipal Code to create a process for outdoor storage yards and small storage sheds that is easily understood by the public and implemented by the City Staff with clarity.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF RIFLE, COLORADO, ORDAINS THAT:

1. Incorporation of Recitals. The foregoing recitals are incorporated herein as if set forth in full.

2. Definitions Added. Section 16-1-220 of the Rifle Municipal Code is hereby amended by the addition of new definitions as follows, with double underlined text added:

Sec. 16-1-220. – Definitions.

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

Accessory Commercial Outdoor Storage means items that are used in conjunction with an indoor commercial use and kept outside in a small storage area not visible from a street. See Section 16-3-430(f)(2) for regulations on this use.

Accessory dwelling unit (attached or detached) means a separate and complete single-family dwelling unit that is built on the same lot with another single-family dwelling unit or commercial unit, either substantially contained within or attached to the unit or detached from

it for use as a complete, independent living facility with provision within the unit for cooking, eating, sanitation and sleeping. An *accessory dwelling unit* is an accessory use to the principal dwelling unit or use of the lot.

- a. *Attached accessory dwelling unit* contains common exterior structural properties of the existing principal dwelling, such as roof and load-bearing walls, and is integrated into the design and/or extended, without separation, as an addition to the existing primary dwelling.
- b. *Detached accessory dwelling unit* is structurally independent and separated from the principal dwelling and shall be located in the rear or side yard of the primary dwelling unit.

Accessory Storage Structure for Commercial Use means a prefabricated structure not on a permanent foundation used for commercial storage. See Section 16-3-430(f)(3) for regulations on this use.

3. Text Amendments. Section 16-3-430 of the Rifle Municipal Code is hereby repealed in its entirety and replaced with the following:

Sec. 16-3-430. – General requirements for commercial and industrial districts.

- (a) For requirements applicable to the Central Business District, see Article XVIII of this Chapter.
- (b) Service, fabrication and repair operations. These activities shall be conducted within a building, with the exception of incidental repair and maintenance.
- (c) Seasonal, temporary, or permanent outdoor display of retail items. Retail display shall be permitted in commercial and industrial zone districts with the following standards:
 1. The display is associated with a business whose primary operations are housed within a building that is located on the same property, or within one-thousand (1,000) feet of the property where the display items are located.
 2. The surface shall be either paved or graveled to an extent that prevents dust and mud.
 3. For a property where the only use is outdoor retail display, the property shall meet landscaping standards that would apply to a parking area per Section 16-13-80.
- (d) Commercial and industrial facilities adjacent to residential uses. Facilities shall be screened with opaque fencing six (6) feet in height and landscaped per Section 16-13-80.
- (e) General *outside storage* standards for all commercial and industrial uses and zone districts:

1. Fencing and screening. A six-foot high fence following setback regulations is required (see Section 16-3-240). All sides facing a street shall use an opaque fencing material. Fabric is prohibited as a screening material.
 2. Location. Minimum one-hundred (100) feet from Airport Road, Highway 13, Centennial Parkway, Railroad Avenue, and Whiteriver Avenue. Storage yards concealed behind a building may request an exception through a Conditional Use Permit process.
 3. On-site building required for outside storage, with exceptions. *Outside storage* shall be permitted only as an accessory use to a permitted business that is operating within a building on the same site. Exception: a business that rents space to the public for non-industrial items such as RVs, boats, or similar items is permitted without an on-site building in Light Industrial or Industrial zoning districts, and as a conditional use in the Community Service zoning district.
 4. Outside storage for residential uses in commercial or industrial zone districts. For outside storage located between a building and the street, a maximum of five-thousand (5,000) square feet of contiguous outside storage shall be permitted, for use by residents only.
- (f) Additional *outside storage* standards specific to Community Service (CS) or Tourist Commercial (TC) zone districts.
1. *Accessory Commercial Outdoor Storage* standards. The intent is to permit the minor outside storage needs of retail or restaurant uses.
 - a. The area shall not contain: a fenced storage area or permanent conex boxes, truck trailers, or shipping containers. Industrial materials, an accumulation of disorderly items, or materials that are directly transported to an off-site location are prohibited.
 - b. Temporarily-placed trailers for loading and unloading are permitted.
 2. *Outside Storage, a Contractor's Yard, or a Heavy Equipment Storage Yard*. These uses, which frequently involve a fenced storage area, may be considered for a Conditional Use Permit in commercial areas under the following additional criteria:
 - a. Consideration of negative impacts to nearby uses or the image of the community as a whole.
 - b. The storage shall not be associated with an industrial or light industrial use. The intent is to provide for commercial uses that may have some outside storage needs, such as offices for plumbing, electrical, landscaping or property maintenance contractors.
 3. *Accessory Storage Structures for Commercial Use*. A property with a permitted commercial use may apply for a Conditional Use Permit for an accessory storage structure. The maximum size shall be three-hundred (300) square feet. The structure's facades and architectural details shall not be pre-fabricated metal or plastic, and the structure shall not be placed in a highly-visible location.

INTRODUCED on April 5, 2017, read by title, passed on first reading, and ordered published by title as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on April 19, 2017, passed without amendment, approved, and ordered published in full as required by the Charter.

Dated this 5th day of April, 2017.

CITY OF RIFLE, COLORADO

BY: _____
Mayor

ATTEST:

City Clerk