

- (b) One off-street parking space for the exclusive use of the resident manager/caretaker.
  - (c) A single landscaped private recreation area, with a minimum area of 750-square feet, shall be provided within the mini-storage facility for the exclusive use of the resident manager/caretaker.
- (6) **Hours of Operation.** Hours of public access to mini-storage units abutting one or more residential zoning districts shall be restricted to the period from 6 a.m. to 10 p.m.

#### **Sec. 21-5251. Office Flex**

**Additional Regulations.** Due to the heightened level of architecture and design for these uses, administrative architectural design standards will need to be approved by the Director prior to, or in conjunction with, approving any development plan.

#### **Sec. 21-5252. Outdoor Display**

Any outdoor display must be done in conjunction with the business being conducted on the premises and shall comply with the following regulations:

- (1) The items displayed outside shall be of the same type that are lawfully displayed and sold inside the building on the premises.
- (2) The aggregate display area shall not exceed 50 percent of the linear frontage of the store front.
- (3) Items shall not project more than 20 feet from the store front.
- (4) No item, or any portion thereof, shall be displayed on public property.
- (5) Items shall be displayed only during the hours that the business conducted inside the building on the premises is open for business.
- (6) No item shall be displayed in a manner that causes a safety hazard; obstructs the entrance to any building; interferes with, or impedes the flow of pedestrian or vehicle traffic; is unsightly or creates any other condition that is detrimental to the appearance of the premises or any surrounding property; or in any other manner is detrimental to the public health, safety, or welfare or causes a public nuisance.

#### **Sec. 21-5254. Outdoor Storage**

- (1) **Business Related.** All outdoor storage shall be incidental and directly related to the primary business being conducted on that property. Outdoor storage shall not be the primary use of any property and the

leasing of space for outdoor storage is prohibited unless the outdoor storage is an accessory use to a business operated by a tenant who leases any building located on such property for the operation of the tenant's business or as permitted in paragraph (4) below.

- (2) **Heating Fuels.** Outdoor storage of heating fuels may be permitted in all zones, provided such storage is directly connected to heating devices for the purpose of providing fuel for heating the building of which such heating device is a part.
- (3) **Manure.** No manure shall be stored within 100 feet of any property line.
- (4) **Principal Structures.** No outdoor storage shall occur on a lot that does not contain a building, unless said outdoor storage is used by an adjacent property owner or lessee and is directly related to such adjacent property owner's or lessee's business.
- (5) **Agriculturally Zoned Lots.** Outdoor storage, compliant with these regulations, shall be permitted only when the stored items relate directly to the principal agricultural use. Determination of which items are directly related to the principal use shall be made by the director.
- (6) **Location.** Outdoor storage shall be limited to the rear and side yards of the property. Required parking and landscape treatment areas can never be used for outdoor storage.
- (7) **Stacking and Screening Requirements.** All outdoor storage areas shall be enclosed by a fence or wall adequate to conceal such areas from adjacent non-industrial property and public right-of-way. Outdoor storage can be stacked to eight feet or the height of the screening fence, whichever is less, with the following exceptions and restrictions:
  - (a) I-1 and I-2 Zoning Districts. In addition to not being visible from adjacent non-industrial property and public right-of-way, the outdoor storage shall not be visible to a pedestrian at ground level looking at the storage area from a public facility such as a city park, trail, and open space, or from the first floor of any building not on the subject property to the maximum extent possible. In order to confirm compliance, the city may request additional information as necessary, such as a grading plan or topographic survey, or a plan showing adjacent building footprints.
  - (b) I-3 Zoning Districts. In addition to not being visible from adjacent non-industrial property and public right-of-way, the outdoor storage shall not be visible to a pedestrian at ground level looking at the storage area from a public facility such as a city park, trail, and open space, or from the first floor of any building not on the subject

property to the maximum extent possible. The exception to the eight foot maximum height limit is the storage of bundled lumber, pallets, or shipping containers only, which may be stacked to a height of 20 feet if done in a manner that ensures safety. Any items stacked higher than the fence must be placed in such a manner that the items cannot fall and land on or outside of the fence.

- (c) **Fences and Gates.** Fences used for screening outdoor storage shall be masonry, brick, decorative rock, stone, textured concrete, stucco, or wood and erected in accordance with the building permit issued by the city. Gates must be opaque, however a gate may be a different material than what would be allowed for the fence. All gates must meet the required setbacks in section 21-7732 (Fences).
- (8) **Site Plans.** Site plans for outdoor storage shall be provided to the city, when required, and shall depict the following:
- (a) Exact location of proposed outdoor storage area;
  - (b) Dimensions and locations of aisles and circulation paths in the outdoor storage area for general and emergency access;
  - (c) Square feet of proposed outdoor storage area;
  - (d) Location of the fence, including pedestrian and vehicular gates;
  - (e) Height and type of fence proposed, including an elevation of the fence;
  - (f) Description of the material proposed to be stored;
  - (g) Height of the material and/or proposed stacking height of the material proposed to be stored; and
  - (h) Description of the proposed surface on which material will be stored, and of the circulation and emergency access aisles.
- (9) **Outdoor Storage in the I-1 Zoning District.** In addition to the foregoing paragraphs, the following special provisions apply to outdoor storage in I-1 districts:
- (a) **Limited availability.** No outdoor storage shall be permitted unless the property is located in the following areas:
    - (i) **Rocky Mountain Industrial Park.** The area located within the following boundaries: Bordered on the south by East 56<sup>th</sup> Avenue, on the east by Monaco Street, on the west by Holly

Street, and on the north by a line constituting an extension of East 59<sup>th</sup> Avenue.

- (ii) Stapleton Industrial Park. The area located within the following boundaries: Bordered on the south by East 48<sup>th</sup> Avenue, on the east by Quebec Street, on the west by Ivy Street, and the north by Sand Creek.
- (b) The board of adjustment may not consider variances or exceptions to the location requirements stated above.
  - (c) Review Criteria. Outdoor storage in the areas described in paragraph 9(a) may be permitted only if the director finds:
    - (i) Outdoor storage at the proposed location shall not result in a substantial or undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they presently exist or as they may in the future be developed;
    - (ii) The characteristics of the site are suitable for outdoor storage as a use-by-permit considering the size, shape, location, topography, and existence of improvements and natural features; and
    - (iii) Sufficient landscaping and screening will be utilized to insure harmony with adjacent uses and public rights-of-way.
  - (d) The area of outdoor storage shall be limited based upon the characteristics of the site. Those relevant limiting characteristics include, but are not limited to the following:
    - (i) Size of buildings;
    - (ii) Type of material being stored;
    - (iii) Vehicle circulation patterns;
    - (iv) Loading docks;
    - (v) Landscaping areas; and
    - (vi) Emergency vehicle access.
  - (e) Pre-Existing Use.

- (i) Any and all outdoor storage existing in the I-1 and I-1S zoning districts which have not been expressly permitted through this section or by a use-by-permit, whether or not said outdoor storage existed prior to the passage of this section is hereby declared to be illegal and in violation of this land development code.
- (ii) Previous conditional use approvals. Any I-1 zoned property that had previously obtained conditional use approval for outdoor storage within the Rocky Mountain Industrial Park shall continue to operate legally under that conditional use permit until such time as the business is sold, transferred, or ceases to operate. Any new owner, tenant, or lessee will be required to obtain approval for outdoor storage in compliance with this section.

*Paragraphs (4) and (7) amended by Ord. 1785, June 2010*

*Paragraphs (1); (9)(c); (9)(e) subparagraphs (i) and (ii) amended by Ord. 2020, February 2015*

#### **Sec. 21-5255. Private Bus Stations**

##### **(1) General Standards.**

- (a) Private bus stations shall provide an indoor waiting area for passengers.
- (b) All passengers shall be required to wait indoors.
- (c) All ticket purchasing must be conducted indoors.

- (2) **Repair and Maintenance Facilities.** Private bus stations may include facilities to perform equipment repair and/or maintenance. These facilities shall not exceed 15% of the total square footage of the principal building on the property and shall conform in all respects with section 21-5271 of this land development code.

*Section added by Ord. 2020, February 2015*

#### **Sec. 21-5256. Recycling Facilities/Material Resource Recovery Facilities**

- (3) **Small Recycling Collection Areas.** Small recycling collection areas located within multifamily developments, commercial, or industrial zoning districts shall comply with the following standards. The facility shall be no larger than 300-square feet and shall occupy no more than 5 parking spaces, excluding space that will be periodically needed for removal of materials or exchange of containers, and 1 parking space for an attendant, which shall be located outside the facility.