

**TOWN OF GYPSUM, COLORADO**

**ORDINANCE NO. 04 (SERIES 2021)**

**AN ORDINANCE AMENDING SECTION 18.02.585 AND ADDING A NEW SECTION 18.12.025 OF THE GYPSUM MUNICIPAL CODE REGARDING OUTDOOR STORAGE AND CONDITIONAL USE PERMIT REQUIREMENTS**

WHEREAS, the Town of Gypsum (“Town”) is a home rule municipality duly organized and existing under Articles XX of the Colorado Constitution and the Town’s Home Rule Charter effective October 21, 1982; and

WHEREAS, Section 18.02.585 of the Gypsum Municipal Code sets forth the definition of Outdoor Storage; and

WHEREAS, by the addition of a new Section 18.12.025, the Town Council desires to better define the requirements for screening outside storage when permitted by conditional use permit in the Light Industrial, Heavy Industrial, and Institutional zone districts;

WHEREAS, the Town Council hereby finds that it is in the public interest and serves to improve the Town to adopt changes to the Municipal Code related to the permitting and screening requirements of outside storage, as set forth herein.

NOW, THEREFORE, be it ordained by the Town Council of the Town of Gypsum, Colorado that:

**Section 1.** Amendment of Section 18.02.585 of the Gypsum Municipal Code. Section 18.02.585 of the Gypsum Municipal Code is hereby amended by deleting the stricken-through language and adding the double-underlined and capitalized language, as set forth below:

*Outside storage* means the accumulation or storage of parts, appliances, materials, equipment and merchandise not kept within an approved structure; the storage of trailers, whether abandoned or used for business or commercial purposes, as an office, or for the storage of items; the overnight storage of inoperable motor vehicles and/or off-road vehicles, motor vehicles and/or off-road vehicles needing repair, or those which have had valid license plates or other identifying marks removed; the overnight storage of motor vehicles and/or off-road vehicles that

have been left unattended or unmoved for more than seven days; and the storage of motor vehicles and/or off-road vehicles that are available for rent. "Outside storage" does not include motor vehicles and/or off-road vehicles for sale (including automobiles, ATV's, snowmobiles, recreational vehicles, motorcycles), the storage of materials within a garage or other fully enclosed structure, and the temporary display of outdoor seasonal merchandise for retail operations for no more than 12 consecutive weeks per year. Outside storage is prohibited, except by conditional use permits in the LI, HI and ID zone districts WHICH MEETS ALL SCREENING REQUIREMENTS OF SECTION 18.12.025. ~~All conditional use permits shall require the screening of any outside storage so that such items are not visible from any adjacent public street, alley, or sidewalk, or from the shared property line of abutting properties, in addition to any other site specific conditions imposed by the town.~~

**Section 2.** Addition of a new Section 18.12.025 of the Gypsum Municipal Code. A new Section 18.12.025 of the Gypsum Municipal Code is hereby adopted and codified as set forth on Exhibit A, attached hereto and incorporated herein.

**Section 3.** Public Inspection. Copies of this Ordinance and the Gypsum Municipal Code are available for public inspection at the office of the Gypsum Town Clerk.

**Section 4.** Public Hearing. A public hearing on this Ordinance shall be held on the 8<sup>th</sup> day of June, 2021, at 7:00 p.m. at the Town of Gypsum Town Hall, 50 Lundgren Boulevard, Gypsum, Colorado.

**Section 5.** Effective Date. This Ordinance shall become effective as a permanent Ordinance five (5) days after publication, following final adoption after a public hearing held on the 8<sup>th</sup> day of June, 2021, at 7:00 p.m., at the Gypsum Town Hall, 50 Lundgren Blvd., Gypsum, Colorado.

**Section 6.** Severability. If any portion of this Ordinance, or the International Codes amended hereby, is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

**EXHIBIT A**  
**SECTION 18.12.025 OF THE GYPSUM MUNICIPAL CODE**

**18.12.025 – Screening Requirements for Outside Storage by Conditional Use Permit.**

Outside Storage is prohibited, except in the LI, HI, and ID zone districts, when approved by conditional use permit and when the following conditions are met:


- (1) Screening of Outside Storage areas is required along all street frontage sides, bike paths or pedestrian trails, and along property lines with adjacent properties that are not within the same Zone District, except that property lines adjacent to Bureau of Land Management property are exempt from screening.
- (2) If the entire property is not used for Outside Storage, only those areas used for Outside Storage must be screened.
- (3) Screening must be achieved either with fencing or wall materials with a minimum height of six feet (6'), or landscaping designed for maximum screening.
  - (a) Fence material must be chain link fence materials with metal slats of a beige, tan, or brown color; or wood, decorative concrete, decorative metal, or other aesthetically-pleasing non-see-through material. Stacked tires or other similar material types are not permitted. Fencing or wall materials shall be repaired and maintained as needed to maintain the screening as aesthetically-pleasing. In addition, landscaping requirements pursuant to Section 18.05.010 shall also be met along street frontages and other areas of the property.
  - (b) Screening by landscaping shall only be with accomplished with trees planted in an alternate or staggered planting arrangement and not a row planting arrangement. As vegetation matures, it may be slightly thinned if needed to allow growth, but must maintain appropriate screening. Landscaping shall be maintained with irrigation and replaced if it dies. Only trees of the species listed below are permitted; other species providing similar year-round screening may be considered if the application provides thorough information on both the type and planting locations, and are approved through the conditional use permit.

- (i) Rocky Mountain Juniper/Red Cedar a minimum of six feet (6') in height with trunks a maximum of five feet (5') apart;  
or
- (ii) Blue Arrow Juniper a minimum of six feet (6') in height with trunks a maximum of two feet (2') apart; or
- (iii) Green Giant or Emerald Green Arborvitae a minimum of six feet (6') in height with trunks a maximum of five feet (5') apart.

INTRODUCED, READ AND ORDERED PUBLISHED BY THE TOWN COUNCIL OF THE TOWN OF GYPSUM, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF GYPSUM ON THE 25<sup>th</sup> DAY OF MAY, 2021.

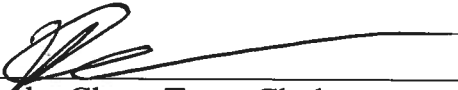
TOWN OF GYPSUM

By:



Stephen M. Carver, Mayor

Attest:



Becky Close, Town Clerk

INTRODUCED ON SECOND READING, READ, CONSIDERED AT A PUBLIC HEARING AND FINALLY ADOPTED, PASSED AND APPROVED WITH AMENDMENTS, IF ANY, AND ORDERED POSTED AND PUBLISHED, BY THE TOWN COUNCIL OF THE TOWN OF GYPSUM, COLORADO, UPON A MOTION DULY MADE AND PASSED AT ITS MEETING HELD ON THE 8<sup>TH</sup> DAY OF JUNE, 2021, BY A VOTE OF \_\_\_\_\_ IN FAVOR AND \_\_\_\_\_ AGAINST.

TOWN OF GYPSUM

By: \_\_\_\_\_  
Stephen M. Carver, Mayor

Attest:

\_\_\_\_\_  
Beck Close, Town Clerk

(S E A L)