

TOWN OF KREMMLING  
ORDINANCE NO. 688

AN ORDINANCE AMENDING CHAPTER 17 BY ADDING DEFINITIONS FOR IMPOUND LOTS AND OPEN STORAGE FACILITIES, AND ALLOWING THESE USES BY SPECIAL REVIEW WITHIN CERTAIN ZONE DISTRICTS.

WHEREAS, pursuant to state law, including but not limited C.R.S. § 31-23-301 et seq., the Town of Kremmling is authorized to enact zoning regulations to, among other things, regulate the location and use of buildings, structures and land for commercial, residential, industrial and other purposes; and

WHEREAS, the Town Board recognizes that enclosed storage may be allowed in the Central Business (CB) and Industrial (I) zone districts of the Town after special review, but open storage facilities and impound lots are not authorized in the CB or the I zone districts; and

WHEREAS, the Kremmling Planning and Zoning Commission recommended to the Board of Trustees that the Kremmling Municipal Code be amended to include open storage facilities and impound lots by special review in the CB and I zone districts with a setback from the highway and with required screening; and

WHEREAS, the Board of Trustees has duly considered the Commission's recommendation, and agrees with the Commission that it is in the best interest of the Town to consider applications for open storage facilities and impound lots in the CB and I zone districts under special review and that a setback from the highway and screening will promote the visual aesthetics of the Town.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF KREMMLING, COLORADO:

**Section 1.** Section 17.02.010.C, Definitions, of the Kremmling Municipal Code is hereby amended by the addition of the following new and amended definitions to read as follows:

“Impound Lot” means any lot, land, parcel, or part thereof, on which impounded motor vehicles are temporarily stored under appropriate protection, including wrecked or inoperable vehicles.

“Open Storage Facility” means a business that sells, rents or leases storage spaces for goods, merchandise, vehicles, boats or equipment where such items are not kept in a wholly enclosed building. “Open storage facility” does not include impound lots or the storage of wrecked or inoperable vehicles. (See definition of “impound lot” or “junk yard”).

“Mini-storage” means the provision of storage space for household or commercial goods within an enclosed building with direct public access to individual storage spaces. “Mini storage” does not include open storage facilities.

**Section 2.** Section 17.04.020.D.2 of the Kremmling Municipal Code is hereby amended by adding new subsections u and v to read as follows:

**17.04.020 - Use and dimensional requirements.**

D. CB: Central Business

2. Uses by Special Review. The following categories are allowed in CB zone districts only by special review

u. Open storage facilities, with a one hundred twenty (120) foot setback from Highway 40 or Highway 9, measured from the highway right of way to the nearest facility boundary. Open storage facilities shall be subject to screening approved by the Town Board, including not limited to, vegetated berms, vegetated embankments, fencing, other landscaping or screening devices. The open storage facility shall be maintained in a clean and orderly condition.

v. Impound lot, with a one hundred twenty (120) foot setback from Highway 40 or Highway 9, measured from the highway right of way to the nearest facility boundary. Impound lots shall be subject to screening approved by the Town Board, including not limited to, vegetated berms, vegetated embankments, fencing, other landscaping or screening devices. The impound lot shall be maintained in a clean and orderly condition.

**Section 3.** Section 17.04.020.E.2 of the Kremmling Municipal Code is hereby amended to read as follows:

**17.04.020 - Use and dimensional requirements.**

E. I: Industrial

2. Uses by Special Review. The following categories are allowed in I zone districts only by special review

a. Open storage facilities, with a one hundred twenty (120) foot setback from Highway 40 or Highway 9, measured from the highway right of way to the nearest facility boundary. Open storage facilities shall be subject to screening approved by the Town Board, including not limited to, vegetated berms, vegetated embankments, fencing, other landscaping or screening devices. The open storage facility shall be maintained in a clean and orderly condition.

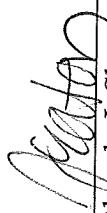
b. Impound lot, with a one hundred twenty (120) foot setback from Highway 40 or Highway 9, measured from the highway right of way to the nearest facility boundary. Impound lots shall be subject to screening approved by the Town Board, including not limited to, vegetated berms, vegetated embankments, fencing, other landscaping or screening devices. The impound lot shall be maintained in a clean and orderly condition.

**Section 4.** If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

**Section 5.** All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED BY  
TITLE AND POSTED ON THE TOWN'S WEBSITE THIS 11th DAY OF MARCH,  
2019.

ATTEST:

  
Rhonda J. Shearer, Town Clerk  
Jaanna Eaton interim

SIGNED:

  
Grover Pryor, Mayor