

ORDINANCE NO. 2022- \_\_\_\_

**AN ORDINANCE AMENDING VARIOUS SECTIONS IN CHAPTER 17 OF THE CASTLE ROCK MUNICIPAL CODE REGARDING ZONING**

**WHEREAS**, Town Council has engaged in several discussions regarding the basic elements of the Downtown Overlay District set forth in Chapter 17.42 of the Castle Rock Municipal Code (“CRMC”) and the various documents that have been adopted throughout the years that guide the development of Downtown Castle Rock, including:

- Castle Rock Style (1996)
- Castle Rock Design (2003)
- Town of Castle Rock Historic Preservation Plan (2007)
- Downtown Castle Rock Master Plan (2008)
- Downtown Castle Rock Plan of Development (2008)
- Historic Preservation Ordinance, CRMC Chapter 15.64 (2010)
- Castle Rock 2030 Comprehensive Master Plan (2017)
- Castle Rock Downtown Parking Study (2017)
- Castle Rock Downtown Mobility Master Plan (2019)

(collectively, the “Guidance Documents”); and

**WHEREAS**, after receiving input from the community, Town Council has directed Town staff to review the applicable provisions of the CRMC and the Guidance Documents to identify inconsistencies and make recommendations as to how best to insure that the provisions of the CRMC take precedence; and

**WHEREAS**, Town staff recommends that Sections 15.64.200 and 17.42.080 of the CRMC be amended to clarify the fact that the provisions of Chapter 17.42 that govern development within the Downtown Overlay District shall govern over any inconsistent language found in the Guidance Documents; and

**WHEREAS**, the Town Council finds and determines that it is in the best interests of the residents of the Town to amend Sections 15.64.200 and 17.42.080 of the CRMC.

**NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO, AS FOLLOWS:**

**Section 1. Amendment.** Section 15.64.200.C. of the Castle Rock Municipal Code is amended to read as follows:

15.64.200 - Approval for new construction and alterations to non-Landmarked properties, Craig and Gould neighborhood.

C. Criteria to review new construction and alterations to non-landmarked properties. Applications for new construction and alterations to non-landmarked properties within the

Craig and Gould Neighborhood shall be reviewed for conformance with the applicable standards outlined in the:

1. ~~Castle Rock Style standards;~~
2. ~~Castle Rock Design standards;~~
- 3-1. F.R.E.S.H. standards in the Castle Rock Historic Preservation Plan; and
- 4-2. The Secretary of Interior's Standards for Rehabilitation.

GUIDING DOCUMENTS, SUCH AS CASTLE ROCK STYLE (1996) AND CASTLE ROCK DESIGN (2003), AS AMENDED FROM TIME TO TIME, MAY BE USED AS A RECOMMENDATION AND AID IN SUCH REVIEW; PROVIDED, HOWEVER, THAT, IN THE EVENT OF A CONFLICT BETWEEN THE PROVISIONS OF THIS CHAPTER AND THE GUIDING DOCUMENTS, THIS CHAPTER SHALL CONTROL.

**Section 2. Amendment.** Section 17.42.080.B. of the Castle Rock Municipal Code is amended to read as follows:

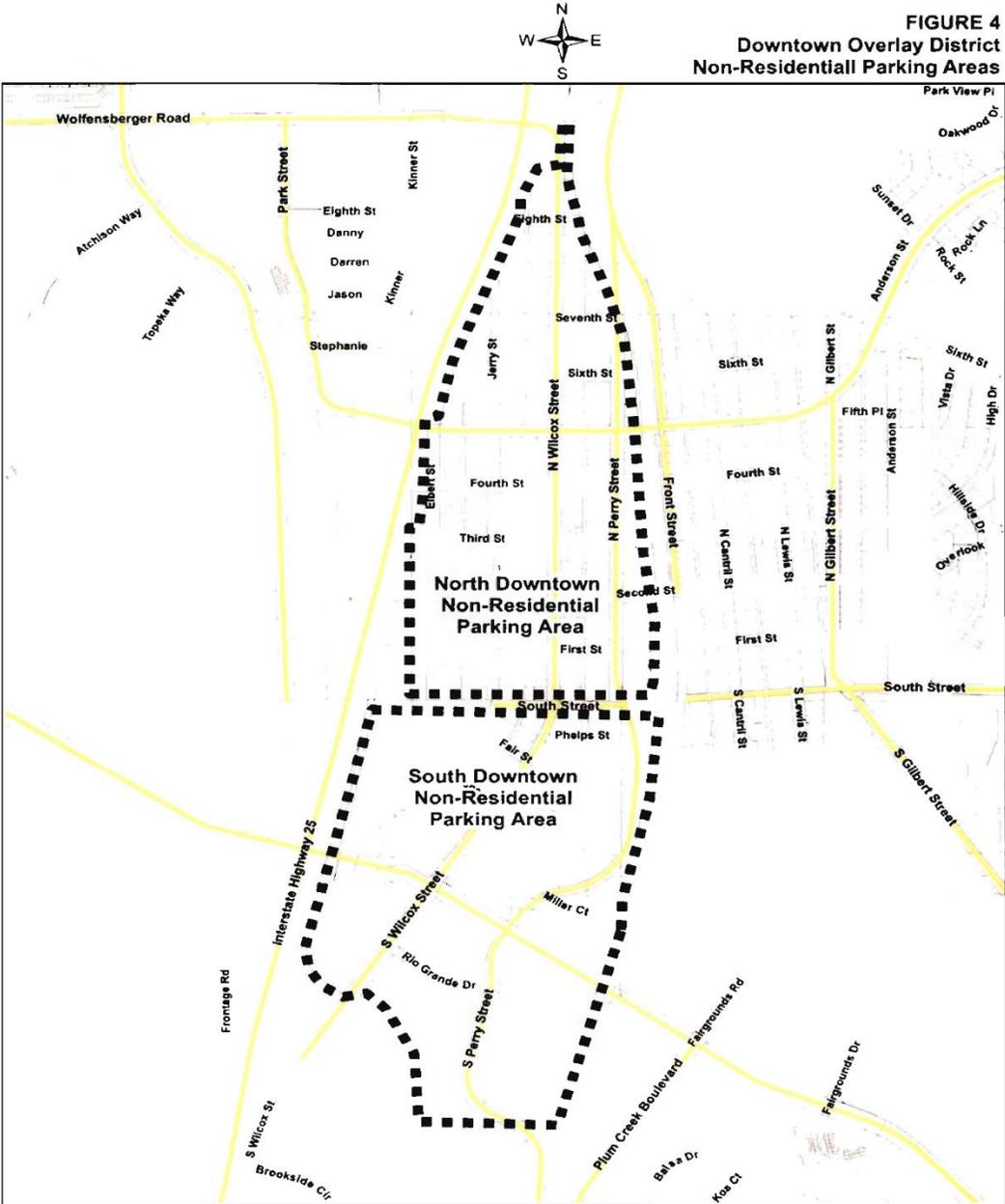
17.42.080 - Design standards.

- B. ~~All p-ProjectS~~ WITHIN THE DOD SHALL BE EVALUATED ON THE FOLLOWING CRITERIA. GUIDING DOCUMENTS, SUCH AS ~~design should be based on the~~ Castle Rock Design (see Resolution No. 2003-64) and the Downtown Master Plan (see Resolution No. 2008-38), AS AMENDED FROM TIME TO TIME, MAY BE USED AS A RECOMMENDATION AND AID IN SUCH EVALUATION; PROVIDED, HOWEVER, THAT, IN THE EVENT OF A CONFLICT BETWEEN THE PROVISIONS OF THIS CHAPTER AND THE GUIDING DOCUMENTS, THIS CHAPTER SHALL CONTROL.
1. Window or transparency. The main front elevation shall provide at least thirty-five percent (35%) window or transparency at the pedestrian level. Side elevations that face a public roadway shall provide at least thirty percent (30%) window or transparency at the pedestrian level. The window or transparency is measured in lineal fashion. (For example, a one hundred-foot long building elevation shall have at least thirty-five percent (35%) transparency in length.) The height of the glass or Plexiglas must be a minimum height of five (5) feet.
  2. Accessory structures. The design of accessory structures should incorporate design elements of the primary structure and should not become a dominant feature on the property.
  3. Rooftop equipment. All rooftop equipment shall be screened from view on all sides visible to the general public, by building parapet walls or other building elements that appear as integral elements of the overall building.

4. Service station. All service stations will be required to develop the site following a backwards service station design. This will require the convenience store to be located along the sidewalk/public roadway with pedestrian connectivity. The gas pump facilities shall be located on the side or rear of the project.
5. Outdoor storage, repair, rental and servicing areas shall be:
  - a. Set back fifteen (15) feet from the front lot line;
  - b. Screened by an opaque wall or fence with a height of ten (10) feet. An opaque wall or fence must completely screen the property beyond the fence and can include stockade fences or walls. Chain-link fences with slat, cloth or other similar measures are not considered to be opaque fences. An opaque berm and/or landscaping that provide the equivalent screening as a required opaque fence may be used.
6. Landscaping. All developments shall adhere to the following landscaping requirements with a focus on the pedestrian space and sidewalk areas. A landscaping plan will be required with all site plans, showing the proposed landscaping for the site. One (1) large canopy tree will be required for every twenty-two (22) linear feet (on center) or one (1) small canopy tree will be required for every fifteen (15) linear feet (on center) of property fronting along a public roadway. The landscaping plan is subject to approval by Castle Rock Water and Public Works Departments. Routine tree maintenance, such as trimming, thinning, watering and, if necessary, tree replacement may be needed to ensure the quality of the streetscape. The following landscaping provisions include a ratio relationship between the number of plantings required, based upon the number of trees required. All shrubs plants must be a minimum size of five (5) gallons at planting and all flowering perennial plants must be a minimum of one (1) gallon at planting. For every required tree, a corresponding number of plantings or trees, from either Subparagraph a., b., or c., below, will be required for each site plan:
  - a. Shrubs: Five (5) per required tree.
  - b. Perennial plants: Seven (7) per required tree.
  - c. Trees: One (1) per required tree.
7. Parking Requirements:
  - a. Parking requirements for the North Non-Residential Downtown Parking Area, as depicted on Figure 4 shall be as follows:
    - i. One (1) parking space per five hundred (500) square feet of new construction. The first two thousand (2,000) square feet of new non-residential construction shall be exempt from parking requirements.

Interior tenant finishes or remodels are exempt from this parking requirement.

- ii. Existing building square footage shall be excluded from the required parking calculation. Existing building square footage to be demolished shall be deducted from the new building square footage for parking calculations.
- iii. Hotel use shall comply with off-street parking standards set forth in Chapter 17.54.



- b. Parking requirements for the South Non-Residential Downtown Parking Area shall be in accordance with the requirements set forth in Chapter 17.54.
  - c. No on-site parking is allowed on the side of a structure abutting a street, as determined by the Director.
8. Sidewalk requirements: All sidewalks must be designed and built to meet the Town's sidewalk construction and design regulations with a minimum width of eight (8) feet.
- a. All buildings will be required to have a minimum of one (1) sidewalk connection from a sidewalk located along a public roadway to the entrance of the primary structure.

**Section 3. Severability.** If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this ordinance.

**Section 4. Safety Clause.** The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

**APPROVED ON FIRST READING** this \_\_\_ day of \_\_\_\_\_, 2022 by a vote of \_\_\_ for and \_\_\_ against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

**PASSED, APPROVED AND ADOPTED ON SECOND AND FINAL READING** this \_\_\_ day of \_\_\_\_\_, 2022, by the Town Council of the Town of Castle Rock by a vote of for and against.

**ATTEST:**

**TOWN OF CASTLE ROCK**

\_\_\_\_\_  
Lisa Anderson, Town Clerk

\_\_\_\_\_  
Jason Gray, Mayor

**Approved as to form:**

**Approved as to content:**

\_\_\_\_\_  
Michael J. Hyman, Town Attorney

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Tara Vargish, Director of Development Services