

ORDINANCE NO. 2022-__

**AN ORDINANCE AMENDING CHAPTERS 3.16, 13.12 AND 13.30 OF
THE CASTLE ROCK MUNICIPAL CODE BY CHANGING
STORMWATER DEVELOPMENT IMPACT FEES, WATER, WATER
RESOURCES, AND STORMWATER RATES, AND METER SET FEES**

WHEREAS, in 2010, the Town Council of the Town of Castle Rock, Colorado (the “Town”) directed Town staff to prepare and present annual updates to Castle Rock Water rates and fees; and

WHEREAS, the Town Council has considered and accepted Castle Rock Water’s analyses and recommendations and the following reports prepared by Stantec Consulting Services, Inc.: (i) the 2022 Castle Rock Water Rates and Fees Study Update – Vol. 1 of 2: 2023–2027 Rates Final Report dated September 2022; and (ii) 2022 Castle Rock Water Rates and Fees Study Update – Vol. 2 of 2: System Development Fees Final Report dated September 2022; and

WHEREAS, increases in the actual rate of growth for the last five years over projected growth rates, changes to estimates on long-term buildout of the Town, disruptions to the renewable water rights market based on increased water scarcity, increases in inflation and construction costs for water infrastructure, requirements to issue debt to smooth future water rate increases, updates to long-term capital plans to support growth, and increases in the costs for water rights and meters all substantiate the proposed changes to Stormwater Development Impact Fees, Water, Water Resources, and Stormwater Rates, and Meter Set Fees; and

WHEREAS, the Town Council finds and determines that it is in the best interests of the Town and its residents to approve the proposed changes to Castle Rock Water rates and fees.

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

Section 1. Legislative Findings. The recitals to this Ordinance are adopted as findings of the Town Council in support of enactment of this Ordinance, and, in addition, the Town Council finds that:

- A. The fee structure established by this Ordinance is supported by:
1. 2022 Castle Rock Water Rates and Fees Study Update – Vol. 1 of 2: 2023-2027 Rates Final Report dated September 2022;
 2. 2022 Castle Rock Water Rates and Fees Study Update – Vol. 2 of 2: 2023-2027 System Development Fees Final Report dated September 2022
 3. The Agenda Memorandum dated September 20, 2022 prepared by the Director of Castle Rock Water and the accompanying PowerPoint presentation offered at first and second reading of this Ordinance; and

4. Public comment and testimony.

B. The fees and charges imposed by this Ordinance comply with the legislative restrictions on impact fees adopted by local governments in §29-20-104.5, C.R.S.

Section 2. Amendment. The Residential and Non-Residential Stormwater Development Impact Fee tables in Subsections A and B of Section 3.16.030 of the Castle Rock Municipal Code are amended to read as follows:

3.16.030 - Assessment and collection.

Commencing January 1, ~~2022~~ 2023, impact fees shall be assessed and collected according to the following provisions, including Section 3.16.035:

A. *Residential uses.* No building permit shall be issued for any dwelling unit prior to the payment of the following applicable fees:

Development Impact Fees for Residential Uses

Stormwater – Cherry Creek Basin (per dwelling unit)	
<i>Unit Type</i>	<i>2022-2023 and thereafter</i>
Single-family Detached	\$ 1,116 -\$1,228
Single-family Attached	\$ 746 -\$821
Multi-family	\$ 676 -\$744
Stormwater – Plum Creek Basin (per dwelling unit)	
<i>Unit Type</i>	<i>2022-2023 and thereafter</i>
Single-family Detached	\$ 2,128 -\$2,341
Single-family Attached	\$ 1,422 \$1,564
Multi-family	\$ 1,290 \$1,419

For purposes of this Subsection, any remodeling activity which results in the creation of an additional dwelling unit shall be subject to the payment of the fee as specified in this Subsection. For purposes of this Subsection, single-family detached shall include duplexes and mobile homes.

B. *Nonresidential uses.* No building permit shall be issued for the occupancy of any structure to be used primarily for nonresidential use prior to the payment of the following applicable fees (per 1,000 square feet of gross floor areas):

Development Impact Fees for Non-Residential Uses

Stormwater - Cherry Creek Basin (per 1,000 sq. ft.)	
Unit Type	2022-2023 and thereafter
Commercial/Industrial	\$504 \$554
Stormwater - Plum Creek Basin (per 1,000 sq. ft.)	
Unit Type	2022-2023 and thereafter
Commercial/Industrial	\$960 \$1,056

Section 3. Amendment. Section 13.12.100 of the Castle Rock Municipal Code is amended to read as follows:

13.12.100 - Meter set fees.

No new potable water, wastewater or irrigation water service shall be extended to any user until payment of proper tap fees in accordance with the schedule enumerated below is made. The fee shall be assessed and payable at the time of submission of a complete building application. The payment of the tap fee is for the privilege to tap to the main and an inspection by the Town and is supplementary to the system development fees imposed under Section 13.12.080. The construction of the service line is to be completed by the user, stubbed at a properly designated point as determined by the Director of Castle Rock Water.

Meter Set Fee Schedule

<i>Meter Size & Type</i>	<i>Single Port</i>	
	<i>Indoor Installation</i>	<i>Outdoor Installation</i>
5/8" x 3/4" iPERL	\$486.94 \$546.45	\$489.40 \$584.99
3/4" ally	\$839.95 \$871.84	\$842.41 \$910.38
1" iPERL	\$579.14 \$655.10	\$581.60 \$693.64
1.5" OMNI C2, 1,000 gallon pulse	\$1,847.37 \$2,054.08	\$1,849.83 \$2,092.62
2" OMNI C2, 1,000 gallon pulse	\$2,101.44 \$2,321.34	\$2,103.90 \$2,359.88
3" OMNI C2, 1,000 gallon pulse	\$2,533.90 \$2,852.51	\$2,536.36 \$2,891.05
4" OMNI C2, 1,000 gallon pulse (irrigation)	\$4,166.14 \$4,704.89	\$4,168.60 \$4,743.43
6" OMNI C2, 1,000 gallon pulse	\$7,005.40 \$7,889.43	\$7,007.86 \$7,927.97

1.5" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	\$1,378.63 \$1,553.51
2" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	\$1,593.22 \$1,775.62
3" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	\$1,864.66 \$2,122.53
4" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	\$3,318.97 \$3,771.35
6" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	\$5,755.11 \$6,494.68

	<i>Dual Port</i>	
<i>Meter Size & Type</i>	<i>Indoor Installation</i>	<i>Outdoor Installation</i>
5/8" x 3/4" iPERL	\$487.83 \$610.32	\$553.41 \$658.96
3/4" Ally	\$840.84 \$935.71	\$906.42 \$984.35
1" iPERL	\$580.03 \$718.97	\$645.61 \$767.61
1.5" OMNI C2, 1,000 gallon pulse	\$1,848.26 \$2,117.95	\$1,913.84 \$2,166.59
2" OMNI C2, 1,000 gallon pulse	\$2,102.33 \$2,385.21	\$2,167.91 \$2,433.85
3" OMNI C2, 1,000 gallon pulse	\$2,534.79 \$2,916.38	\$2,600.37 \$2,965.02
4" OMNI C2, 1,000 gallon pulse	\$4,167.03 \$4,768.76	\$4,232.61 \$4,817.40
6" OMNI C2, 1,000 gallon pulse	\$7,006.29 \$7,953.30	\$7,071.87 \$8,001.94
1.5" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	\$1,442.64 \$1,627.48
2" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	\$1,657.23 \$1,849.59
3" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	\$1,928.67 \$2,196.50
4" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	\$3,382.98 \$3,845.32
6" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	\$5,819.12 \$6,568.65

On an annual basis, the Town Manager shall be responsible for reporting to the Town Council information on construction cost indexes for the year. The Town Council, at its discretion, may amend the fee schedule upon consideration of the construction cost index information.

Section 4. Amendment. Section 13.12.112 of the Castle Rock Municipal Code is amended to read as follows:

13.12.112 - Service charges, all users, excluding bulk.

Beginning with water service provided on or after January 1, ~~2022~~ 2023, the Town is empowered to levy and collect the following monthly charges for water service within its corporate limits during the calendar years as noted:

All Users, Excluding Bulk Water Service Charge
(\$ by meter size)

<i>Meter Size</i>	<i>20192023 and thereafter</i>
7/16" x 3/4"	\$9.97
5/8" x 3/4"	\$9.54 \$9.97
3/4" x 3/4"	\$9.54 \$9.97
1"	\$13.72 \$14.34
1½"	\$18.78 \$19.63
2"	\$26.00 \$27.17
3"	\$41.78 \$43.66
4"	\$94.12 \$98.36
6"	\$147.26 \$153.89

Water Volume Rate All Users, Excluding Bulk
(\$ per 1,000 gallons)

<i>Class</i>	<i>Tier 1 - AWMC</i>	<i>Tier 2 – Irrigation</i>	<i>Tier 3 - Excess</i>
	<i>2019 2023 and thereafter</i>	<i>2019 2023 and thereafter</i>	<i>2019 2023 and thereafter</i>
<i>Irrigation Season – April 1 through October 31 Consumption</i>			
Residential	\$2.82 \$2.95	\$5.74 \$6.00	\$8.56 \$8.95
Multi-Family (Indoor Use Only)	\$2.82 \$2.95	N/A	\$3.70 \$3.87
Multi-Family (with Irrigation)	\$2.82 \$2.95	\$4.87 \$5.09	\$7.28 \$7.61
Commercial (Indoor Use Only)	\$2.82 \$2.95	N/A	\$3.94 \$4.12
Commercial (with Irrigation)	\$2.82 \$2.95	\$4.93 \$5.15	\$7.37 \$7.70
Irrigation	N/A	\$7.86 \$8.21	\$11.78 \$12.31
<i>Winter Season – November 1 through March 31 Consumption</i>			

Residential	\$2.82 \$2.95	N/A	\$5.74 \$6.00
Multi-Family (Indoor Use Only)	\$2.82 \$2.95	N/A	\$3.70 \$3.87
Multi-Family (with Irrigation)	\$2.82 \$2.95	N/A	\$4.87 \$5.09
Commercial (Indoor Use Only)	\$2.82 \$2.95	N/A	\$3.94 \$4.12
Commercial (with Irrigation)	\$2.82 \$2.95	N/A	\$4.93 \$5.15
Irrigation	N/A	N/A	\$11.78 \$12.31

Plus:

Renewable Water Service Charge

<i>Meter Size</i>	<i>20222023 and thereafter</i>
7/16" x 3/4"	\$28.95
5/8"x 3/4"	\$26.93 \$28.95
3/4" x 3/4"	\$26.93 \$28.95
1"	\$102.08 \$109.74
1½"	\$193.13 \$207.61
2"	\$322.95 \$347.17
3"	\$606.57 \$652.06
4"	\$1,547.39 \$1,663.44
6"	\$2,502.22 \$2,689.89

Plus: Any applicable surcharges imposed under Subsection 13.15.040.C.

Section 5. Amendment. Section 13.12.116 of the Castle Rock Municipal Code is amended to read as follows:

13.12.116 - Service charges, bulk.

- A. "Bulk hydrant customers" shall mean those Castle Rock Water customers who obtain a bulk water permit for water to be pulled directly and metered from an existing hydrant. Bulk hydrant customers shall be charged as follows:

Base Service Charge
(\$ per monthly bill)

<i>2018-2023 and thereafter</i>

\$18.78 \$19.63

Plus:

Water Volumetric Rate
(\$ per monthly bill)

<i>2018-2023 and thereafter</i>
\$7.86 \$8.21

Plus:

Renewable Water Fixed Rate
(\$ per monthly bill)

<i>2022-2023 and thereafter</i>
\$193.13 \$207.61

- B. "Bulk station customers" shall mean those Castle Rock Water customers who obtain a bulk water permit for water to be pulled from the bulk water station located at 825 Justice Way, Castle Rock, Colorado. Bulk station customers shall be charged as follows:

Base Service Charge
(\$ per monthly bill)

<i>2018-2023 and thereafter</i>
\$9.54 \$9.97

Plus:

Water Volumetric Rate
(\$ per monthly bill)

<i>2018-2023 and thereafter</i>
\$9.82 \$10.26

Plus:

Renewable Water Fixed Rate
(\$ per monthly bill)

<i>2022-2023 and thereafter</i>
\$26.93 \$28.95

- C. In addition to the rate schedules set forth herein, bulk hydrant customers and bulk station customers shall be responsible for payment of any other applicable fees imposed under 13.02.020 of the Code.

Section 6. Amendment. Section 13.12.118 of the Castle Rock Municipal Code is amended to read as follows:

Beginning with wastewater service provided on or after January 1, ~~2022~~ 2023, the Town is empowered to levy and collect the following monthly charges for wastewater services within its corporate limits during the calendar years noted:

<i>Meter Size</i>	<i>20222023 and thereafter</i>
7/16" x 3/4"	\$8.56
5/8"x 3/4"	\$8.56
3/4" x 3/4"	\$8.56
1"	\$13.64
1½"	\$19.78
2"	\$28.53
3"	\$47.66
4"	\$111.11
6"	\$175.53

Plus:

Wastewater Volume Rate
(\$ per 1,000 gallons of AWMC)

<i>20222023 and thereafter</i>
\$6.07

Section 7. Amendment. Section 13.30.060 of the Castle Rock Municipal Code is amended to read as follows:

13.30.060 - Stormwater utility fee schedule.

A. Effective with utility bills issued on or after January 1, ~~2022-2023~~, the monthly fee for each stormwater single-family equivalent shall be as follows:

Stormwater Fee
(\$ per SWSFE*)

<i>2022-2023 and thereafter</i>
\$7.30 \$7.63

*SFE Assignment

<i>Customer Class</i>	<i>SWSFE</i>
Single-family residence	1
Multi-family and nonresidential	Parcel size times 80% imperviousness divided by 3,255 impervious square feet per SWSFE = number of SWSFEs for non-single-family

Section 8. Severability. If any part or provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provisions or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 9. 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.

Section 10. Effective Date. This Ordinance shall take effect on January 1, 2023.

APPROVED ON FIRST READING this 20th day of September, 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

Mark Marlowe, Director Castle Rock Water