

RESOLUTION NO. 2026-026

**A RESOLUTION APPROVING VARIANCES PURSUANT TO CHAPTER
9.16.070.E OF THE CASTLE ROCK MUNICIPAL CODE FOR
NIGHTTIME CONSTRUCTION ACTIVITIES RELATED TO VARIOUS
2026 PUBLIC WORKS PROJECTS**

WHEREAS, Castle Rock Municipal Code (“CRMC”) Section 9.16.030.A provides that “[n]o person shall make, continue or cause to be made or continued, any noise disturbance, including, but not limited to, the specific noise disturbances prohibited in Subsection B of this Section;” and

WHEREAS, CRMC Section 9.16.030.B.5 expressly prohibits “[o]perating or permitting the operation of any tools or equipment in connection with construction, drilling or demolition work between the hours of 7:00 p.m. and 7:00 a.m. the following day on weekdays and between the hours of 6:00 p.m. and 8:00 a.m. on weekends or holidays such that the sound therefrom creates a noise disturbance across a residential real property boundary, except for. . . work exempted. . . by variance issued pursuant to Subsection 9.16.070.E;” and

WHEREAS, the Town’s Public Works Department has made applications for variances to the Town’s noise ordinance pursuant to CRMC Chapter 9.16.070.E (the “Variances”) for nighttime construction activities related to the 2026 Pavement Maintenance Program, 2026 Bridge Maintenance Program, 2026 Pavement Marking Maintenance Program, and 2026 Capital Improvement Program (the “Projects”); and

WHEREAS, the Town Council has determined that completing the Projects during daytime hours to maintain compliance with CRMC Section 9.16.030.A would cause undue hardship to the traveling public, and night work for the Projects is necessary to minimize inconvenience to the public and mitigate traffic impacts during, but not limited to, peak hour traffic times; and

WHEREAS, the Town Council finds that the Projects are of temporary duration and, even with the application of the best available control technology, the Projects cannot be done in a manner that would comply with CRMC Chapter 9.16 without approval of nighttime construction activities variances, and there is no reasonable alternative available to the Town’s Public Works Department.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO AS FOLLOWS:

Section 1. Approval. Town Council hereby approves the application for a Variance for the 2026 Pavement Maintenance Program beginning May 1, 2026, subject to the following restrictions:

- A. The Variance shall be in effect from May 1, 2026, at 6:00 p.m., to August 31, 2026, at 11:59 p.m. The Variance allows for overnight work to occur between 7:00 p.m. and 7:00 a.m. on weekdays, and between 6:00 p.m. and 8:00 a.m. on weekends or holidays; provided, however, that such overnight work will be limited to Sunday

evening through Friday morning. This time period may be extended for up to one additional month to then expire no later than September 30, 2026, at 11:59 p.m. at the discretion of the Director of Public Works, if such extension is reasonably necessary to complete work undertaken for the 2026 Pavement Maintenance Program.

- B. The Variance shall apply only to the following projects and locations:
1. Asphalt Mill and Overlay Project No. 1: overnight mill and overlay work will take place on E. Allen Street from the roundabout to Alexander Place;
 2. Slurry Seal Project: overnight slurry seal work will be conducted on the following streets:
 - Allen Way
 - N. Castleton Drive
 - New Beale Street
 - Castleton Road
 - Genoa Way
 - Factory Shops Boulevard
 - New Memphis Court
 - Promenade Parkway
- C. Any other work shall comply with the noise restrictions set forth in CRMC Chapter 9.16.

Section 2. Approval. The Town Council hereby approves the application for a Variance for the 2026 Town Facility Parking Lot Improvement Program beginning May 1, 2026, subject to the following restrictions:

- A. The Variance shall be in effect from May 1, 2026, at 6:00 p.m., to September 30, 2026, at 11:59 p.m. The Variance allows for overnight work to occur between 7:00 p.m. and 7:00 a.m. on weekdays, and between 6:00 p.m. and 8:00 a.m. on weekends or holidays; provided, however, that such overnight work will be limited to Sunday evening through Friday morning. This time period may be extended for up to one additional month to then expire no later than October 31, 2026, at 11:59 p.m. at the discretion of the Director of Public Works, if such extension is reasonably necessary to complete work undertaken for the 2026 Town Facility Parking Lot Improvement Program.
- B. The variance shall apply only to work performed for the maintenance and improvement of parking lots located at Town facilities. Any other work shall comply with the noise restrictions set forth in CRMC Chapter 9.16.

Section 3. Approval. Town Council hereby approves the application for a Variance for the 2026 Bridge Maintenance Project beginning July 1, 2026, subject to the following restrictions:

- A. The Variance shall be in effect from July 1, 2026, at 6:00 p.m., to August 31, 2026, at 11:59 p.m. The Variance allows for overnight work to occur between 7:00 p.m. and 7:00 a.m. on weekdays, and between 6:00 p.m. and 8:00 a.m. on weekends or holidays; provided, however, that such overnight work will be limited to Sunday evening through Friday morning. This time period may be extended for up to one additional month to then expire no later than September 30, 2026, at 11:59 p.m. at the discretion of the Director of Public Works, if such extension is reasonably necessary to complete work undertaken for the 2026 Bridge Maintenance Project.
- B. The Variance shall apply only to work performed on Perry Street Bridge over Sellers Gulch, and then only upon a finding by the Director of Public Works that overnight work is reasonably necessary to complete work on such Bridge.
- C. Any other construction work shall comply with the noise restrictions set forth in CRMC Chapter 9.16.

Section 4. Approval. Town Council hereby approves the application for a Variance for the 2026 Pavement Marking Maintenance Program beginning May 1, 2026, subject to the following restrictions:

- A. The Variance shall be in effect from May 1, 2026, at 6:00 p.m., to August 31, 2026, at 11:59 p.m. The Variance allows for overnight work to occur between 7:00 p.m. and 7:00 a.m. on weekdays, and between 6:00 p.m. and 8:00 a.m. on weekends or holidays; provided, however, that such overnight work will be limited to Sunday evening through Friday morning. This time period may be extended for up to one additional month to then expire no later than September 30, 2026, at 11:59 p.m. at the discretion of the Director of Public Works, if such extension is reasonably necessary to complete work undertaken for the 2026 Pavement Marking Maintenance Program.
- B. The Variance shall apply only to overnight maintenance work generally consisting of the re-application of existing pavement markings, grinding, thermo plastic installation and the installation of new pavement markings. Any other maintenance work shall comply with the noise restrictions set forth in CRMC Chapter 9.16.

Section 5. Approval. Town Council hereby approves the application for a Variance for the 2026 Capital Improvement Program beginning May 1, 2026, subject to the following restrictions:

- A. The Variance shall be in effect from May 1, 2026, at 6:00 p.m., to August 31, 2026, at 11:59 p.m. The Variance allows for overnight work to occur between 7:00 p.m. and 7:00 a.m. on weekdays, and between 6:00 p.m. and 8:00 a.m. on weekends or holidays. This time period may be extended for up to one additional month to then expire no later than September 30, 2026, at 11:59 p.m. at the discretion of the Director of Public Works, if such extension is reasonably necessary to complete work undertaken for the 2026 Capital Improvement Program.
- B. The Variance shall apply only to overnight work performed on the Crystal Valley

Interchange Project, Crowfoot Valley Road Widening Project, and Fifth Street Improvement Project. Any other construction work shall comply with the noise restrictions set forth in CRMC Chapter 9.16.

PASSED, APPROVED AND ADOPTED this 3rd day of March, 2026, by the Town Council of the Town of Castle Rock, Colorado, 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

Daniel Sailer, Director of Public Works