



## Planning Commission Agenda - Final

Chair Todd Warnke  
Vice Chair Kevin McHugh  
Carlos Salinas  
Jeff Samuelson  
Tom Martinez  
Kari Stanley  
Mitchell Sawin

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Thursday, July 10, 2025

6:00 PM

Town Hall  
100 N. Wilcox Street  
Castle Rock, CO 80104

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**\*\* ALL TIMES ARE APPROXIMATE \*\***

**5:30 pm DINNER FOR BOARD MEMBERS**

**6:00 pm CALL TO ORDER / ROLL CALL**

**6:00 pm CERTIFICATION OF MEETING**

**6:00 pm APPROVAL OF MINUTES**

[PC 2025-015](#)

June 12, 2025 Planning Commission Meeting Minutes

**Attachments:**

[June 12, 2025 Planning Commission Meeting Minutes](#)

**6:01 pm PUBLIC HEARING ITEMS**

[PC 2025-016](#)

810 N. Wilcox Rezoning

**Attachments:**

[Staff Report](#)

[Attachment A: Vicinity Map](#)

[Attachment B: Current Zoning – Q Petroleum PD](#)

[Attachment C: Municipal Code Section 17.28 Business/Commercial/Industrial C](#)

[Attachment D: Municipal Code Section 17.42 Downtown Overlay District](#)

**6:20 pm TOWN COUNCIL LIAISON UPDATE**

**6:25 PM DESIGN REVIEW BOARD UPDATE**

**6:25 pm COMMISSION ITEMS**

**Check for quorum for upcoming meetings**

**July 24, 2025**

**August 14, 2025**

**6:30 pm STAFF UPDATE/PLANNING COMMISSION DISCUSSION ITEMS**

**6:35 pm ADJOURN**



# Town of Castle Rock

## Agenda Memorandum

**Agenda Date:** 7/10/2025

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**Item #:** **File #:** PC 2025-015

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**To:** Members of the Planning Commission

**From:** Planning Commission Administrator

**June 12, 2025 Planning Commission Meeting Minutes**

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### **Executive Summary**

Attached are the meeting minutes from the June 12, 2025 Planning Commission meeting for your review and approval.



## Planning Commission Meeting Minutes - Draft

Chair Todd Warnke  
Vice Chair Kevin McHugh  
Carlos Salinas  
Jeff Samuelson  
Tom Martinez  
Kari Stanley  
Mitchell Sawin

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Thursday, June 12, 2025

6:00 PM

Town Hall  
100 N. Wilcox Street  
Castle Rock, CO 80104

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**\*\* ALL TIMES ARE APPROXIMATE \*\***

### DINNER FOR BOARD MEMBERS

### CALL TO ORDER / ROLL CALL

**Present** 5 - Jeff Samuelson, Mitchell Sawin, Todd Warnke, Carlos Salinas, and Kevin McHugh

**Not Present** 2 - Kari Olson Stanley, and Tom Martinez

**Attendance** 7 - TJ Kucewesky, Darcie Hartman, John LaSala, Tara Vargish, Matt Roth, David Van Dellen, and BrieAnna Grandy

### CERTIFICATION OF MEETING

Mr. Kucewesky confirmed that the meeting and agenda had been noticed in accordance with the requirements of the Open Meetings Law.

### APPROVAL OF MINUTES

[PC 2025-010](#)

#### May 22, 2025 Planning Commission Meeting Minutes

Moved by Samuelson, seconded by McHugh, to Approve Planning Commission Topic PC 2025-010 as presented. The motion passed by a vote of: 4 to 0.

**Yes:** 4 - Samuelson, Sawin, Salinas, and McHugh

**Not Present:** 2 - Olson Stanley, and Martinez

**Abstain:** 1 - Warnke

### ELECTION OF OFFICERS, ETC.

[PC 2025-011](#)

#### Election of 2025-2026 Planning Commission Chair

Nominated by Samuelson to elect Warnke as Planning Commission Chair. The nomination passed by a vote of: 5 to 0.

**Yes:** 5 - Samuelson, Sawin, Warnke, Salinas, and McHugh

**Not Present:** 2 - Olson Stanley, and Martinez

[PC 2025-012](#)

#### Election of 2025-2026 Planning Commission Vice-Chair

Nominated by Sawin to elect McHugh as Planning Commission Vice Chair. The nomination passed by a vote of: 5 to 0.

**Yes:** 5 - Samuelson, Sawin, Warnke, Salinas, and McHugh

**Not Present:** 2 - Olson Stanley, and Martinez

[PC 2025-013](#)      **Appointment of Design Review Board Representative**

**Nominated by Warnke to elect McHigh as the Design Review Board representative for the Planning Commission. The nomination passed by a vote of: 5 to 0.**

**Yes:** 5 - Samuelson, Sawin, Warnke, Salinas, and McHugh

**Not Present:** 2 - Olson Stanley, and Martinez

## **PUBLIC HEARING ITEMS**

[PC 2025-014](#)      Soleana Site Development Plan  
[77.96 Acres, located north of Alexander Place and west of Collins Street]

Mrs. Grandy presented on PC 2025-014 Soleana Site Development Plan. The applicant, Lenn Haffeman, gave a presentation. Rick R, Civil Engineer, added additional information to the presentation. Commissioner Samuelson asked for clarification on the Martinez property and the Cooper-Hook property, both to the south of the project property, the applicant responded. Commissioner Sawin asked for clarification on lots 1-9 and the elevation changes, and how the watershed and drainage will affect homes in Silver Heights, the applicant responded. Vice Chair McHugh asked for clarification on the second access road and the need for sprinklers, and how the timeline works with SDP approval, active construction, etc, staff responded. Chair Warnke reiterated applicant comments on the potential right of way connections between the proposed project and existing infrastructure, the applicant confirmed. Chair Warnke asked about the proposed development and construction schedule, the applicant responded. Chair Warnke also asked about the water rights that were transferred from Diamond Ridge to the Town and which type they were, the applicant responded. Commissioner Samuelson followed up on the water rights and if any of them had been used, the applicant responded. Commissioner Sawin asked about the traffic study, and how unincorporated Douglas County and Town joined areas are studied, the applicant and staff offered some information, but the applicants traffic engineer was not present. Three members of the public offered comments. Chair Warnke asked again about the sprinklered requirement, staff responded. Chair Warnke asked about the potential for a metro district. Staff responded. Chair Warnke asked if the applicant knew the date of the traffic study, staff responded. Commissioner Sawin asked staff's opinion of needing an updated traffic study, staff responded. Commissioner Sawin expressed concern over the traffic and the traffic study. Commissioner Samuelson reiterated the statistics presented on increased traffic and the contributions made to road improvements, Vice Chair McHugh and Chair Warnke echoed these points. Commissioner Sawin reiterated his concerns about new projects in Unincorporated Douglas County and if that information is shared with and taken into account in Town traffic studies. Staff and the applicant responded.

**Moved by McHugh, seconded by Samuelson, to Approve Planning Commission Topic PC 2025-014 as presented. The motion passed by a vote of: 5 to 0.**

**Yes:** 5 - Samuelson, Sawin, Warnke, Salinas, and McHugh

**Not Present:** 2 - Olson Stanley, and Martinez

## **TOWN COUNCIL LIAISON UPDATE**

Mayor Gray gave an update.

## **DESIGN REVIEW BOARD UPDATE**

None.

## **COMMISSION ITEMS**

**Check for quorum for upcoming meetings**

**June 26, 2025**

**July 10, 2025**

## **STAFF UPDATE/PLANNING COMMISSION DISCUSSION ITEMS**

Mr. Kucewesky and Mr. Hyman gave updates.

## **ADJOURN**

**Moved by Warnke, seconded by Samuelson, to adjourn. The motion passed by a vote of: 5 to 0.**

**Yes:** 5 - Samuelson, Sawin, Warnke, Salinas, and McHugh

**Not Present:** 2 - Olson Stanley, and Martinez



# Town of Castle Rock

## Agenda Memorandum

**Agenda Date:** 7/10/2025

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**Item #: File #:** PC 2025-016

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**To:** Members of the Planning Commission

**From:** Brad Boland, AICP, Long Range Project Manager, Development Services  
810 N. Wilcox Rezoning

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### **Executive Summary**

Ardeshir Delsouz and Sylvia Delsouz, have submitted an application to rezone 810 North Wilcox Street from a Planned Development to the straight zone B - Business/Commercial zoning district. If the rezoning were to be approved, the Downtown Overlay District would apply to the property. The property is located at the north east corner of Eight Street and North Wilcox Street.

### **Attachments**

Attachment A: Vicinity Map  
Attachment B: Current Zoning - Q Petroleum PD  
Attachment C: Municipal Code Section 17.28 Business/Commercial/Industrial Districts  
Attachment D: Municipal Code Section 17.42 Downtown Overlay District



**Meeting Date:** July 10, 2025

## AGENDA MEMORANDUM

**To:** Planning Commission

**From:** Brad Boland, AICP, Long Range Project Manager, Development Services

**Title:** 810 N. Wilcox Rezoning

## Executive Summary

Ardeshir Delsouz and Sylvia Delsouz, have submitted an application to rezone 810 North Wilcox Street from a Planned Development to the straight zone B - Business/Commercial zoning district. If the rezoning were to be approved, the Downtown Overlay District would apply to the property. The property is located at the north east corner of Eight Street and North Wilcox Street.



## **Background**

### **Existing Zoning**

The property was zoned to a Planned Development Plan in March of 1985. The Q Petroleum PD (Attachment B) allows for uses such as automotive repair, gas stations, convenience stores, parking lots, offices, and restaurants.

### **Surrounding Zoning and Uses**

The surrounding properties to the north, south, and west are zoned B – Business/Commercial and fall within the Downtown Overlay District. These properties feature a mix of retail and office buildings. To the east, the site is bordered by a steep embankment, with the railroad tracks and Front Street situated above.

### **Existing Conditions**



The property current comprises of a 2,400 square foot convenience store that was built in 1985 sits on the south side of the property. A gas canopy with five gas pumps sits on the north side of the property. The property has two access points off of N. Wilcox St.

The applicant does intend to submit for a site development plan to expand and remodel the existing convenience store.

### **Proposed Zoning District Classification**

The B (Business/Commercial) zoning district (Attachment C), which is designed to accommodate a mix of commercial uses including retail, service, and office establishments. The primary goal of the B district is to support business activities that serve both local residents and regional visitors, while maintaining compatibility with



surrounding neighborhoods. Development within this district is generally characterized by moderate intensity, allowing for multi-tenant buildings, shared parking arrangements, and pedestrian-friendly design elements. Architectural quality, landscaping, and site planning are important aspects regulated within this district to ensure visual cohesiveness and a positive economic environment.

The property is within the boundaries of the Downtown Overlay District (DOD) (Attachment D). However, as it is currently zoned a PD, the DOD does not apply to the property, per Section 17.42.030 of the Castle Rock Municipal Code. If the proposed rezoning to the B zoning district were to be approved, the property would become subject to the DOD.

Most properties within the DOD have an underlying zoning of B (business-commercial) with a few zoned R-1 (single-family residential), R-3 (multi-family residential), I-1 (light industrial) or a custom PD (Planned Development). The DOD is zoning “on top of” the underlying straight zoning districts. The DOD zoning regulations govern if there is a conflict between the DOD entitlements and the underlying zoning entitlements, per CRMC 17.42.030.

The DOD introduces some additional uses within the downtown, such as multifamily as a use by right, and prohibits others that are deemed not to be compatible with the downtown, such as towing yards. The DOD encourages a mixture of uses, within the same building or block, and establishes architectural, landscaping, building design, and site development guidelines to encourage design that is appropriate within a downtown context and ensure higher quality development in downtown.

Site Development Plans for projects under 10,000 square feet are reviewed and decided by the Design Review Board. Site Development Plans over 10,000 square feet are reviewed by the Design Review Board, followed by review and final decision by Town Council.

## **Discussion**

### **Review and Approval Criteria**

The application for Zoning was reviewed against and found to meet the following zoning approval criteria outlined in Section 17.02.060C of the Town’s Municipal Code:

1. Conformity with the most recently adopted version of the Town’s Vision, Comprehensive Master Plan and long-range or master plans.
2. Compatibility with existing and planned development on adjacent properties and in the surrounding area or neighborhood, or measures will be taken to substantially buffer or otherwise substantially mitigate any incompatibility.
3. Adverse impacts upon the natural environment, including air, water, noise, stormwater management, wildlife and vegetation, or such impacts will be substantially mitigated.
4. Whether the property will have access to current or planned services and infrastructure adequate to support the orderly development of the property.
5. Positive economic impact potential from development of the property.

*The property generally aligns with the Town's Downtown Plan by becoming subject to the Downtown Overlay District (DOD), which applies more appropriate design standards for the downtown area. Rezoning the property would bring it into consistency with the surrounding properties, promoting long-term compatibility. As the property is already developed, the proposed rezoning would not negatively impact the natural environment and would rely on existing Town infrastructure, requiring no additional extensions or improvements.*

### **Public Outreach**

A neighborhood meeting was conducted on April 7, 2025.

A third neighborhood was not required, as the questions raised at the neighborhood meetings were concerning the Site Development Plan. The nature of a straight zone also does not allow for changes through the review process.

### **Budget Impact**

The proposed zoning will not have an impact on the Town budget.

### **Staff Findings**

All staff review comments have been addressed. Staff finds the proposed 810 N. Wilcox Street rezoning:

- *Generally, conforms with the objectives of the Town Vision and the Comprehensive Master Plan*
- *Generally, conforms with the objects of the Town's Downtown Masterplan*
- *Meets the review and approval criteria of the Municipal Code, Chapter 17.02.060*

### **Staff Recommendation**

Staff recommends that Planning Commission recommend approval of the Planned Development Plan, as proposed, to Town Council.

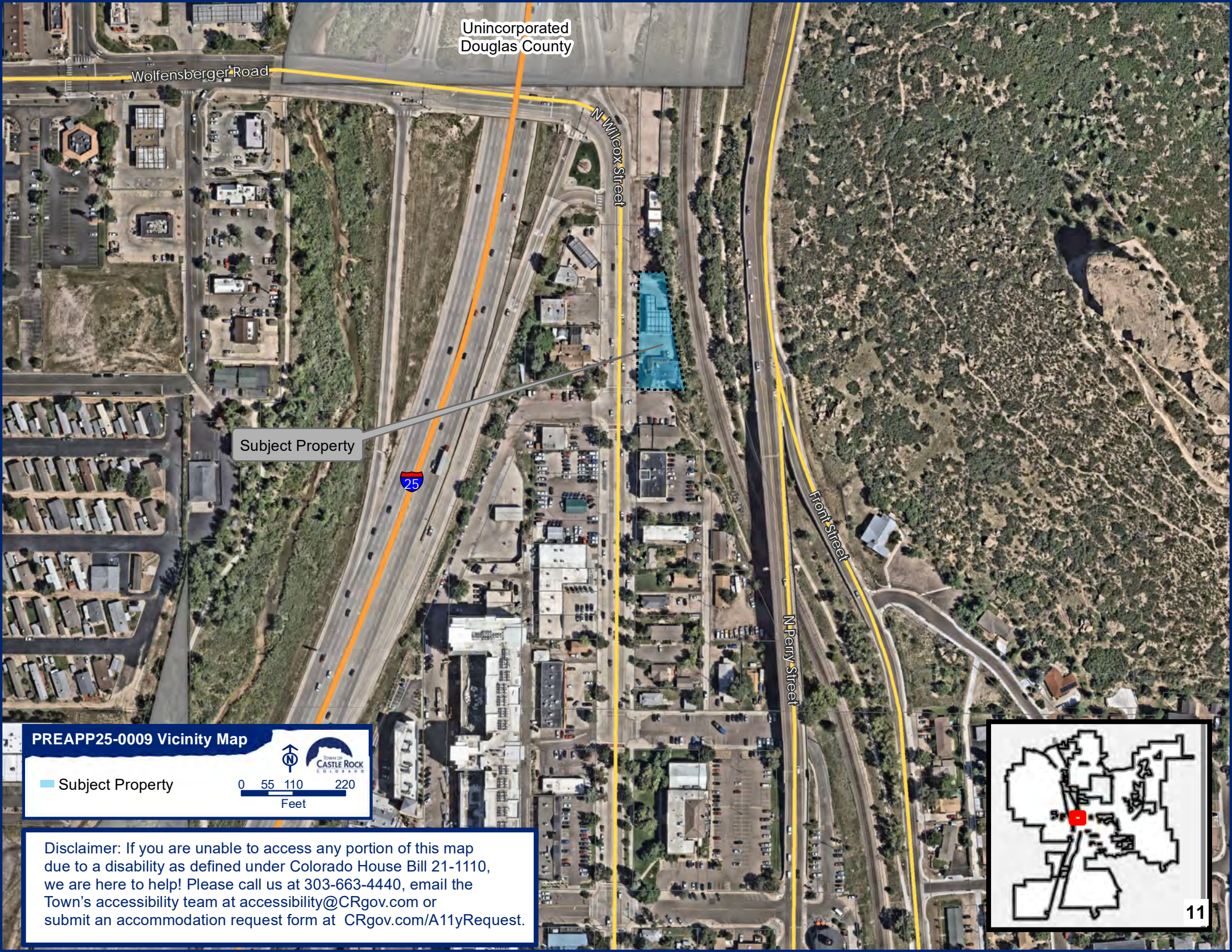
### **Proposed Motion**

I move to recommend approval of the rezoning of 810 N. Wilcox to Town Council.

### **Attachments**

- |               |   |
|---------------|---|
| Attachment A: | Vicinity Map  |
| Attachment B: | Current Zoning – Q Petroleum PD                                       |
| Attachment C: | Municipal Code Section 17.28 Business/Commercial/Industrial Districts |
| Attachment D: | Municipal Code Section 17.42 Downtown Overlay District                |





Unincorporated  
Douglas County

Wolfensberger Road

N Wilcox Street

Front Street

N Perry Street

Subject Property

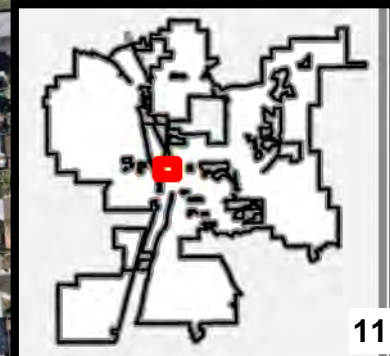
25

#### PREAPP25-0009 Vicinity Map



Subject Property

Disclaimer: If you are unable to access any portion of this map due to a disability as defined under Colorado House Bill 21-1110, we are here to help! Please call us at 303-663-4440, email the Town's accessibility team at [accessibility@CRgov.com](mailto:accessibility@CRgov.com) or submit an accommodation request form at [CRgov.com/A11yRequest](https://CRgov.com/A11yRequest).





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ORDINANCE NO. 85-7

AN ORDINANCE AMENDING THE  
ZONING DISTRICT MAP OF  
THE TOWN OF CASTLE ROCK, COLORADO  
(Q PETROLEUM P.U.D.)

## ORDINANCE NO. 85-7

AN ORDINANCE AMENDING THE  
ZONING DISTRICT MAP OF  
THE TOWN OF CASTLE ROCK, COLORADO  
(Q PETROLEUM P.U.D.)

WHEREAS, the Board of Trustees of the Town of Castle Rock find that:

- (a) A petition has been filed with the Town Clerk praying for an amendment to the Zoning District Map of the Town of Castle Rock, and;
- (b) That said petition has been forwarded to the said Board of Trustees, and;
- (c) That public meetings and hearings, following notice duly made and published pursuant to applicable Colorado Statutes and Town of Castle Rock Ordinances, have been held before the Planning and Zoning Commission of the Town of Castle Rock, and the Board of Trustees of the Town of Castle Rock, and;
- (d) That the amendment sought to the said Zoning District Map complies with the stated purposes of the Planned Unit Development Ordinance 17.48 as set forth in subsection 17.48.010 thereof.

NOW, THEREFORE, BE IT ORDAINED, BY THE BOARD OF TRUSTEES OF THE TOWN OF CASTLE ROCK, as follows:

That the Zoning Classification of the land described in Exhibit "A", attached hereto and made a part hereof, (hereinafter the "LAND") is changed from Zoning Classification B-1 Highway Commercial to Zoning Classification PUD (Planned Unit Development District).



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## SECTION I.

## GENERAL PROVISIONS

1.0 This ordinance constitutes an amendment to the Town of Castle Rock Zoning Ordinance, and the Zoning District Map of the Town of Castle Rock and establishes permitted densities, uses and development standards for each tract within the Land.

## SECTION II.

## DEFINITIONS

2.1 Building Ground Coverage. That portion of the ground on any building site which is covered by structures having a floor, walls and fully enclosed roof.

Building ground coverage shall not include surface, underground, or partially underground parking areas, (provided such partially underground parking areas shall not protrude more than six (6) feet above the average surrounding grade), driveways or pedestrian ways or such other uses not meeting the above definition.

2.2 Building Height. The vertical distance from the average finished grade (not including berming or grading for the purpose of permitting a higher building) surrounding a structure to the uppermost point of the roof structure. Chimneys, ventilators, elevator housings, skylights, solar collectors, air conditioning and heating units, antennas and necessary mechanical appurtenances usually constructed above roof level are not to be considered in determining building height.

2.3 Building Setback. The horizontal distance between a platted lot line and a building or structure. This distance does not include the projections of eaves, overhangs, fireplaces, patios,

decks, fire escapes, mechanical units or similar architectural appurtenances.

### SECTION III.

#### OVERALL PROJECT STANDARDS

3.1 Parking. Off-street parking is required for all land uses developed in the Q Petroleum P.U.D. Except as otherwise specifically provided herein, the number and size of all required parking spaces are to be in conformance with the applicable Town of Castle Rock Zoning Regulations at the time of approval of Final Site Plan, unless developer can demonstrate, to the satisfaction of the Board of Trustees, at the time of final site plan review, that provision of a lesser number of spaces or spaces of lesser size will still provide adequate off-street parking for the proposed use.

3.2 Temporary Uses. Temporary uses are permitted as follows:

- (a) Construction offices and material storage shall be permitted during and for a period of 30 days after cessation of actual construction.

### SECTION IV.

#### PERMITTED USES

4.1 The following uses shall be permitted on the LAND:

- (a) Automotive repair and service facilities including the sale of motor fuels.
- (b) Convenience stores.

- (c) Parking lots.
- (d) Professional or business offices.
- (e) Restaurants, lounges and fast food establishments.

4.2 Maximum permitted building ground coverage of 35% of net acreage of building site

4.3 Maximum heights for all structures, specifically including signs - 35 feet.

4.4 Minimum Setbacks. Shall be as shown upon any approved final site plan for the LAND.

#### SECTION V.

##### SUBMISSION OF FINAL PLANNED UNIT DEVELOPMENT PLANS AND/OR PLATS

5.1 Following the approval of this Ordinance, the owners of the LAND shall present final site plans for all or any portion or portions of the LAND as are then ready for development.

5.2 No structural building permit will be issued until a final site plan for such area has been approved by the Board of Trustees, and filed for the public record.


#### SECTION VI.

##### SEVERABILITY OF PROVISIONS


6.1 In the event that any provision hereof shall be determined to be illegal or void by the final order of any court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

Passed and adopted on first reading this 28th day of February, 1985, by vote of the Board of Trustees of the Town of Castle Rock, Colorado, 3 for and 1 against.


Passed and adopted on second reading this 14th day of March, 1985, by a vote of the Board of Trustees of the Town of Castle Rock, Colorado 5 for and 0 against.

  
George John Kennedy, Mayor  
Town of Castle Rock


ATTEST:

  
Phyllis L. Brown, deputy  
Richard R. Wilson, Town Clerk

Approved as to form:

  
Bruce B. Lassman,  
Town Attorney

Approved for Board action:

  
P. Joseph Knopinski,  
Town Administrator

Publication Date: 8-27-85



Footnotes:

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**Editor's note**— Ord. No. 2019-028, § 2, adopted September 17, 2019, repealed the former Ch. 17.28, §§ 17.28.010—17.28.060, and enacted a new Ch. 17.28 as set out herein. The former Ch. 17.28 pertained to similar subject matter and derived from Ord. 2013-41 § 3, 2013; Ord. 2012-18 §1.

17.28.010 - Description and purpose.

- A. Business/Commercial (B). The primary use within the B District is intended to allow for appropriately located groups of retail stores, office buildings, service establishments and civic uses serving the needs of the neighborhood, of such character, scale, appearance, and intensity to be compatible with the surrounding areas.
- B. Light Industrial (I-1). The I-1 District is intended to allow industrial development with minimal impact to residential and commercial areas. Such zones will require setbacks and landscaping to ensure compatibility with any abutting residential areas. The regulations of this District are intended to provide structural standards, standards of intensity of use and standards of external effects compatible with the surrounding or abutting residential districts. To these ends, development is limited to low intensity, external effects are limited and permitted uses are limited to those manufacturing and wholesaling activities which can be operated in a clean and quiet manner. Beginning June 1, 2022, no additional properties will be zoned I-1; provided, however, that all properties with existing I-1 zoning will continue to be classified as I-1, and will continue to be subject to the requirements that apply to I-1 zoning districts.
- C. General Industrial (I-2). The I-2 District intended to allow a less restrictive type of industrial development where the necessary characteristics of industrial operation will not adversely affect nearby residential and business uses. The purpose of the District is to permit the normal operation of almost all industries, subject to those regulations necessary for mutual protection of nearby property owners in the lawful use of their respective properties, and the public health, safety and general welfare. Beginning June 1, 2022, no additional properties will be zoned I-2; provided, however, that all properties with existing I-2 zoning will continue to be classified as I-2, and will continue to be subject to the requirements that apply to I-2 zoning districts.
- D. Industrial/employment (I-E). The I-E District is intended to support the local economy through job creation and economic development and the establishment of employment-based businesses in town-wide industrial employment centers, with minimal impact to residential and commercial areas. The regulations of this district are intended to provide structural standards, including standards governing intensity of use and external effects, that are compatible with the surrounding and/or abutting residential districts. Accordingly, development is limited to those low-intensity employment, manufacturing, and wholesaling uses that can be operated in a clean and quiet manner.
- E. For those properties zoned PD, the PD plan for which references the I-1 and/or I-2 use allowance, any property so designated shall be developed in accordance with the I-1 and/or I-2 design criteria set forth in this chapter, as applicable.

(Ord. No. 2023-007, § 11, 4-4-2023; Ord. No. 2019-028, § 2, 9-17-2019)

17.28.020 - Reserved.

- A. Uses permitted by right (P), allowed by Use by Special Review (UBSR), or disallowed (N) in each of the respective Business/Commercial, Industrial and Overlay Zoning Districts are listed in the chart below. For overlay districts, a (U) indicates that a use is permitted or disallowed on the basis of the underlying zoning district.

<i>Use</i>	<i>B Business/ Commercial</i>	<i>I-1 Light Industrial</i>	<i>I-2 General Industrial</i>	<i>I-E Industrial Employment District</i>	<i>WNZOD Wolfens- berger Overlay</i>	<i>DOD Downtown Overlay</i>	<i>FSOD Front Street Overlay</i>
Airport	N	N	N	N	U	U	U
Alcoholic beverage sales	P	P	P	N*	P	P	U
Asphalt/concrete plant	N	N	P	N	U	U	U
Assisted living/memory care	UBSR	UBSR	UBSR	N	U	P	UBSR
ATM/kiosk (stand-alone)	P	P	P	P	U	U	U
Auto body and vehicle/RV/boat equipment and repair	UBSR	P	P	P	P	N	U
Automobile/vehicle/ RV/boat/motorcycle/ all-terrain vehicles/ equipment sales and leasing	UBSR	P	P	N	U	N	U
Automobile service/fuel station/wash/rental	P	P	P	N	U	U	U
Bed and breakfast	P	N	N	N	P	P	P

Cemetery	UBSR	UBSR	UBSR	N	U	U	U
Clinic	P	P	P	N	U	U	U
College/university/ vo-tech	P	P	N	N	P	P	U
Commercial amusement, indoor	P	P	UBSR	N	P	P	U
Commercial amusement, outdoor	UBSR	UBSR	UBSR	N	U	U	U
Day care center	UBSR	UBSR	UBSR	N	P	P	UBSR
Disposal service	N	N	N	N	U	U	U
Educational facility	UBSR	N	N	N	UBSR	UBSR	UBSR
Gym/health club	P	P	UBSR	N	U	U	U
Heavy industry	N	N	UBSR	N	U	U	U
Helistop/heliport	UBSR	UBSR	UBSR	UBSR	U	U	U
Hospital	P	P	P	N	U	U	U
Hotel/motel	P	N	N	N	P	P	U
Institutional care	N	UBSR	P	N	U	U	U
Kennel/doggy daycare	UBSR	UBSR	UBSR	N	P	U	U
Light industry	N	P	P	P	P	U	U
Live-work unit	P	N	N	N	U	P	P
Medical lab	P	P	P	P	P	P	U
Mineral extraction	N	N	N	N	U	U	U

Multi-family	UBSR	N	N	N	P	P	P
Multi-modal transit facility	UBSR	UBSR	UBSR	UBSR	U	P	U
Natural medicine healing center	N	P	P	N	N	N	N
Natural medicine cultivation facility, natural medicine products manufacturer, and natural medicine testing facility	N	P	P	N	N	N	N
Nursery/greenhouse	UBSR	P	P	N	U	P	UBSR
Nursing home	UBSR	N	N	N	U	U	U
Office	P	P	P	P	P	P	P
Oil and gas production	UBSR	UBSR	UBSR	N	U	U	U
Parking facility (stand-alone lot/structure)	P	P	P	N	U	U	P
Place of worship	P	UBSR	UBSR	N	P	U	UBSR
Private club	P	P	UBSR	N	U	U	P
Public facilities	P	P	P	P	P	P	UBSR
Recreation, indoor	P	P	UBSR	N	P	P	U
Recreation, outdoor	P	P	P	N	P	P	U
Recycling center and salvage	N	N	P	N	U	U	U

Recycling drop-off	P	P	P	N	U	U	U
Rehabilitation clinic/facility	N	UBSR	P	N	U	U	U
Restaurant	P	P	P	N	P	P	P
Retail	P	P	P	N*	P	P	P
Self-storage facility	N	P	P	N	UBSR	U	U
Service, commercial	P	P	P	P	P	P	U
Service, personal	P	N	N	N	P	P	P
Service, repair	P	P	P	P	P	U	UBSR
Sexually oriented business	N	P	P	N	U	U	U
Shooting range, indoor	UBSR	P	P	N	U	U	U
Storage yard	N	P	P	N**	U	U	U
Studio classes	P	N	N	N	P	P	P
Towing and storage of inoperable vehicles	N	UBSR	P	N	U	N	U
Urgent care	P	N	N	N	P	P	U
Utilities, public	UBSR	UBSR	UBSR	UBSR	UBSR	UBSR	UBSR
Vehicle/RV/boat storage	N	UBSR	P	N	P	N	U
Veterinary clinic	P	P	P	N	P	P	P
Warehousing and distribution	N	P	P	P	P	U	U



\* In the I-E Zoning District, this use is allowed as an accessory use to the primary use, provided that no more than 20% of the gross floor area of the building in which the accessory use occurs is utilized, whether exclusively or non-exclusively, for that accessory use.

\*\*In the I-E Zoning District, accessory storage yards are allowed with a primary use. Stand-alone storage yards are prohibited.

- B. Uses that are not permitted by right (P) or allowed by Use by Special Review (UBSR) or authorized under Subsection C below are prohibited.
- C. Uses determined by the Town Manager that are functionally equivalent to the enumerated uses in Subsection A above shall be treated in a like manner.

(Ord. No. 2024-011, § 2, 12-17-2024; Ord. No. 2023-007, § 12, 4-4-2023; Ord. No. 2019-028, § 2, 9-17-2019)

#### 17.28.040 - Development standards - Business/Commercial B.

The following development standards for the B District shall apply:

- A. Minimum front yard: A minimum front yard of fifteen (15) feet from the property line shall be required; twenty-five (25) feet if abutting an arterial street;
- B. Minimum side yard: Zero (0) feet;
- C. Minimum rear yard: Zero (0) feet;
- D. Maximum height: Thirty-five (35) feet (fifty (50) feet by special review);
- E. Maximum building coverage: Thirty-five (35) percent of lot area;
- F. In no event shall wrecked, junked or abandoned motor vehicles be stored on any property in the B District unless within a fully enclosed building.

(Ord. No. 2019-028, § 2, 9-17-2019)

#### 17.28.050 - Development Standards - Light Industrial I-1.

The following development standards for the I-1 District shall apply:

- A. Maximum building coverage: Forty (40) percent of lot area;
- B. Minimum side yard: Five (5) feet;
- C. Minimum front yard: Fifteen (15) feet from the front property line;
- D. Minimum rear yard: Twenty (20) feet;
- E. Maximum height of buildings: Thirty-five (35) feet.

(Ord. No. 2019-028, § 2, 9-17-2019)

#### 17.28.060 - Development Standards - General Industrial I-2.

The following development standards for the I-2 District shall apply:

- A. Maximum lot coverage: As limited by applicable standards for development, parking, landscaping and other requirements;
- B.

Minimum side yard: Zero (0) feet except where the side yard abuts an adjoining zoning of a lesser intensity, then the side yard setback of the lesser Zoning District shall apply for that side;

- C. Minimum front yard: Fifteen (15) feet from the front property line;
- D. Minimum rear yard: Zero (0) feet except where rear yard abuts an adjoining zoning of a lesser intensity, then the rear yard setback of the lesser Zoning District shall apply;
- E. Maximum height of buildings: Fifty (50) feet.

(Ord. No. 2019-028, § 2, 9-17-2019)

17.28.070 - Development Standards—Industrial-Employment I-E.

The following development standards for the I-E District shall apply:

- A. Maximum building coverage: Forty (40) percent of lot area;
- B. Minimum side yard: Five (5) feet;
- C. Minimum front yard: Fifteen (15) feet from the front property line;
- D. Minimum rear yard: Twenty (20) feet;
- E. Maximum height of buildings: Thirty-five (35) feet.

(Ord. No. 2023-007, § 13, 4-4-2023)

## Chapter 17.42 - DO Downtown Overlay District

### 17.42.010 - Purpose and intent.

The purpose of the Downtown Overlay District (DOD) is to establish architectural, landscaping, design, building, and use and site development regulations that encourage compatible land uses, ensure higher quality development and function in order to protect property values and provide safe and efficient pedestrian and automobile access. These architectural, landscaping, design, building, use and site development criteria can encourage quality development through the use of a variety of design and site techniques while continuing to provide for a wide range of economic development opportunities. The term Board as used in this Chapter shall mean the Design Review Board, as established under Section 17.42.090. (Ord. 2012-18 §1)

### 17.42.020 - Certain regulations inapplicable.

The DOD is intended to encourage mixed-use within the same structure or block and/or high intensity commercial development. Accordingly, a structure or development within the DOD that interfaces with another structure or development within the DOD shall not be required to comply with the provisions of Chapter 17.50, Residential/Non-Residential Interface Regulations; however, such regulations shall be applied to structures or development within the DOD which interface with structures or development outside the DOD.

(Ord. 2012-18 §1, 2012)

### 17.42.030 - Relationship to underlying zoning district/sign code/planned development.

- A. In the event of a conflict between the entitlements, regulations or standards established in this Chapter and the equivalent provisions in the underlying zoning districts, the provisions of this Chapter shall govern. Except in the event such preemption by this Chapter, the underlying zoning district provisions and all other provisions of this Code shall be applicable and enforced within the DOD.
- B. For the purpose of applying the Sign Code regulations under Title 19 of this Code in the DOD, Section 19.04.053 of this Code shall govern.
- C. The DOD shall have no application to those properties zoned PD until and unless such properties are rezoned.

(Ord. 2013-23 §1, 2013; Ord. 2012-18 §1, 2012)

### 17.42.040 - Permitted uses.

The uses permitted in the DOD are outlined in Section 17.28.030. These permitted uses shall be allowed on all properties within the DOD in addition to the permitted and accessory uses allowed in the underlying Zoning District.

(Ord. 2012-18 §1, 2012)

#### 17.42.050 - Prohibited uses.

The following uses are not permitted in the DOD even if permitted in the underlying Zoning District:

- A. Freestanding radio, television and cell antenna towers. (Such facilities may be incorporated into the design of a building if approved by the Board.)
- B. Towing services, trash removal operations, wrecked, junked or abandoned vehicle storage or similar uses.
- C. Vehicle, RV, boat and equipment sales and leasing.
- D. Automobile body shop/Vehicle, RV, boat and equipment service.
- E. No new single-family residential construction is permitted. Existing single-family detached homes are classified as legal nonconforming uses. Structures that were originally constructed as single-family residential units may convert back to single-family residential use.
- F. Outdoor storage of merchandise as defined in Section 17.52.150.
- G. Uses that involve hazardous processes or emit noxious noise, odors, fumes, or particulates.

(Ord. 2012-18 §1, 2012)

#### 17.42.060 - Development standards.

The following development standards shall apply within the DOD:

- A. Maximum lot coverage: 100% of lot area.
- B. Minimum side yard: zero feet.
- C. Minimum front yard: zero feet.
- D. Minimum rear yard: zero feet.
- E. Maximum building setback: A minimum of 25% of a building's linear footage facing a public roadway must have a setback of zero to twenty feet with a direct pedestrian connection.
- F. Maximum fence height: ten-feet.
- G. Multifamily residential units must each be a minimum of 500-square feet in size and must each have an individual kitchen and individual bathroom.

(Ord. 2012-18 §1, 2012)

- A. A building's crown design shall be reviewed by and is subject to approval of the Board based on aesthetic design, conformity with the Downtown Master Plan, and the need to maintain appropriate view sheds. The crown of a building is defined as the area of the structure that is above the top floor, and may include angled roofs, decorative elements, towers and other similar construction.
- B. Maximum building heights within the DOD are regulated as follows:
  1. Downtown Core District: The Downtown Core District is defined as that area depicted on Figure 1 below.

**Downtown Core District**

Map showing the Downtown Core District in Denver, Colorado. The district is bounded by Interstate Highway 25 to the west, Front Street to the east, and Third Street to the south. The map includes major streets such as Front Street, N Perry Street, N Wilcox Street, N Gilbert Street, and various local streets like Third, Fourth, Fifth, Sixth, Seventh, and Eighth. The map also shows surrounding areas like the Platte River and various residential streets.



- a. Building height in the Downtown Core District is limited to four stories, with a maximum height of 60-feet. A building's crown cannot exceed the sixty-foot building height limitation.
2. North and South Districts: The North District is defined as the area depicted on Figure 2 below. The South District is defined as the area depicted on Figure 3 below.

Figure 2

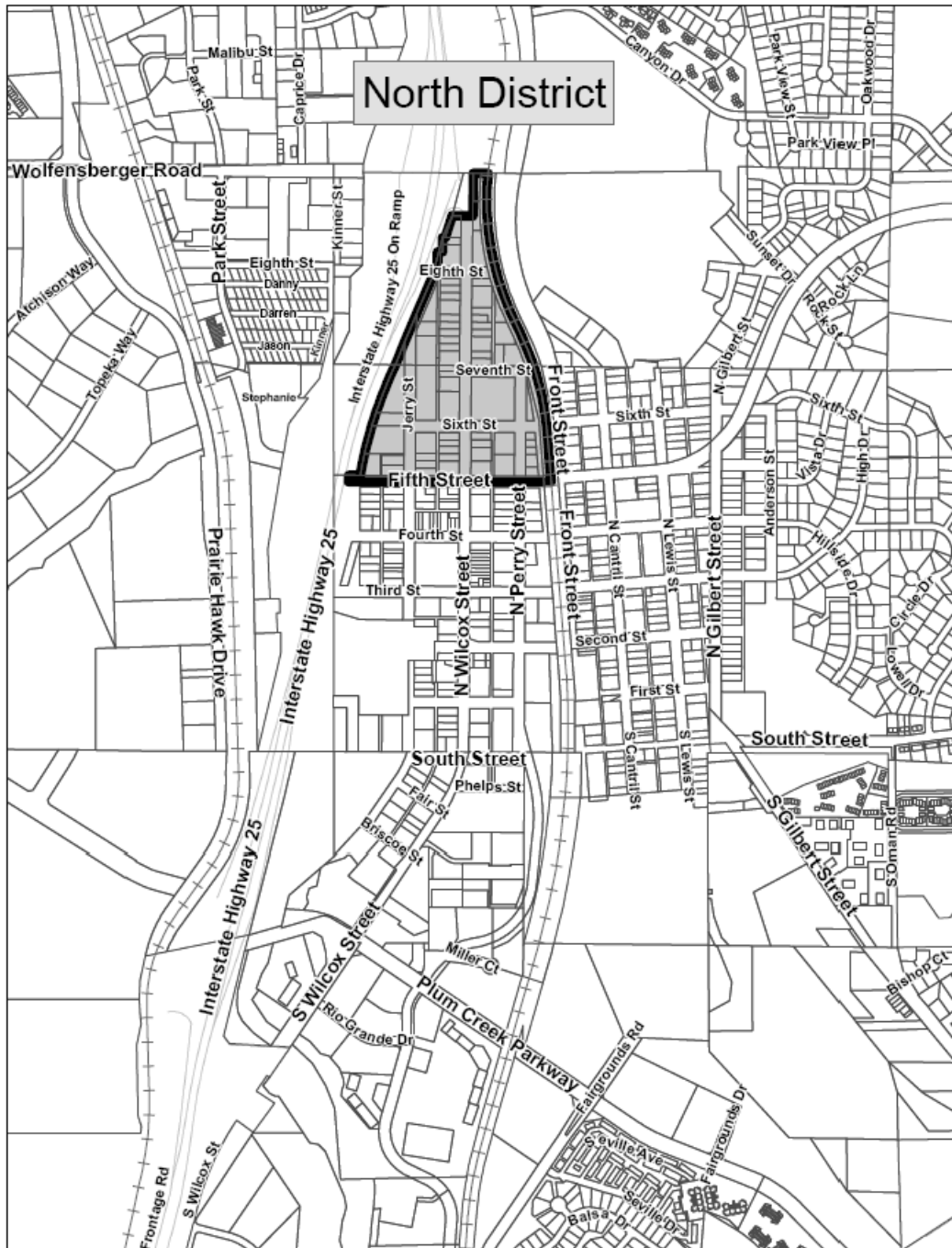
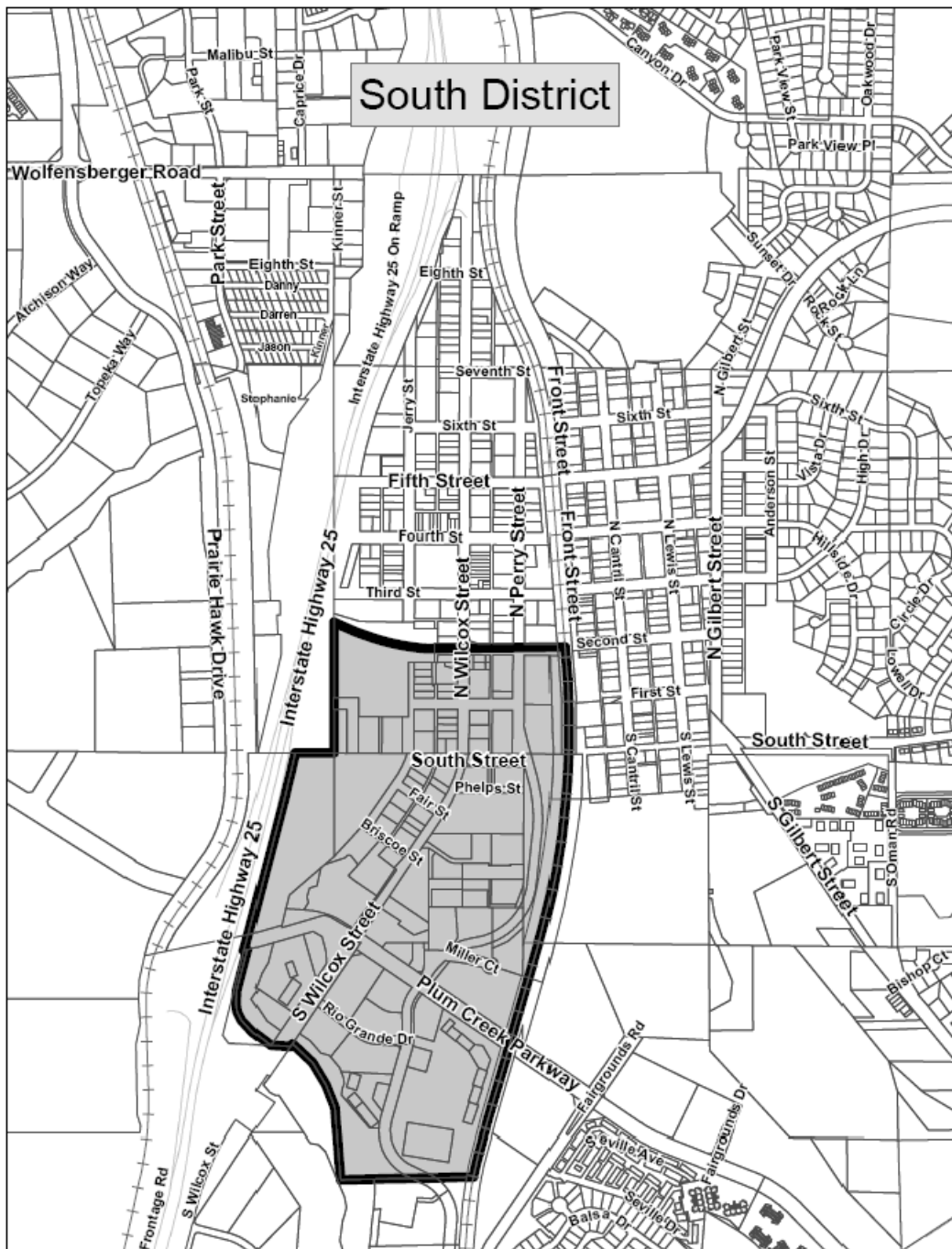


Figure 3



- a. Building height in the North or South Districts is limited to six (6) stories, with no maximum height limitation.
- C. A landowner may request one (1) additional floor (with the corresponding increase in building height) in the Downtown Core District, or two (2) additional floors in the North and South Districts through the Board. The Board, at its discretion, may grant an additional floor request after considering the following criteria:
  - 1. Whether the project will incorporate design elements found in adjacent Landmark structures; and
  - 2. The impacts of the increased building height on adjacent properties.

(Ord. 2012-18 §1)

(Ord. No. 2015-60, § 1, 1-5-2016)

17.42.080 - Design standards.

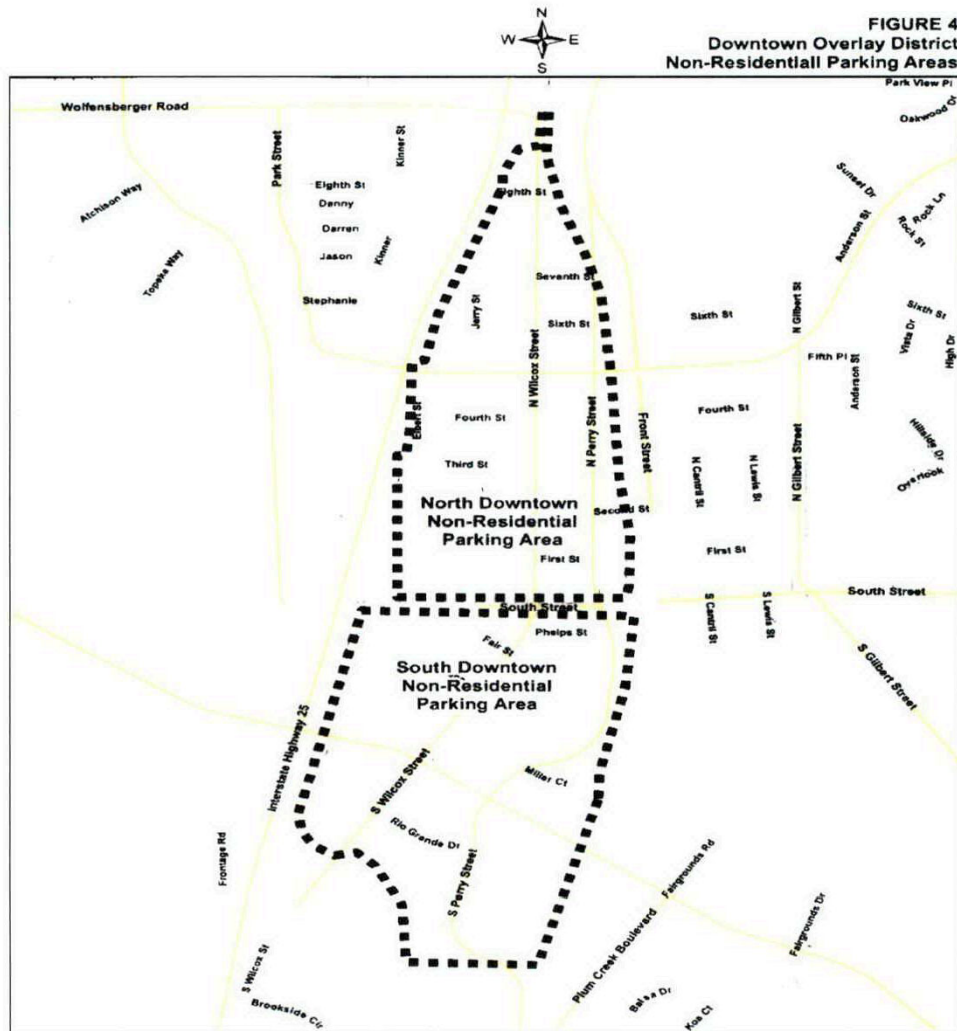
- A. Prior to the issuance of a structural building permit within the DOD, all projects must be reviewed by the Board for compliance with the standards set forth in this Section.
- B. Projects within the DOD shall be reviewed on the following criteria. Guidance documents, such as Castle Rock Design (see Resolution No. 2003-64) and the Downtown Master Plan (see Resolution No. 2008-38), as amended from time to time, may be used as guidelines and aid in such review; provided, however, that, in the event of a conflict between the provisions of this chapter and the guidance 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 as set forth in the Transportation Design Criteria Manual.
  - 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.

(Ord. No. 2023-009, § 4, 4-4-2023; Ord. No. 2022-013, § 2, 7-5-2022; Ord. No. 2018-015, § 1, 5-15-2018; Ord. No. 2016-044, § 4.A., 12-6-2016; Ord. No. 2015-06, § 3, 2-17-2015; Ord. 2012-18 §1)

#### 17.42.090 - Design Review Board.

- A. The Design Review Board shall consist of seven (7) members appointed by the Town Council in accordance with Chapter 2.14 of this CRMC. The Design Review Board shall be comprised of:
  - (i) One (1) member from the Planning Commission;
  - (ii) Two (2) members from the Downtown Development Authority Board;

- (iii) Two (2) members from the Historic Preservation Board; and
- (iv) Two (2) property owners within the Downtown Development Authority boundary. Such property owners may not be members of the aforementioned boards.

B. Terms for each member of the Design Review Board shall be as follows:

- 1. Planning Commission representative - One-year term.
- 2. Downtown Development Authority representatives - One-year term.
- 3. Historic Preservation Board - One-year term.
- 4. Property owners with the Downtown Development Authority boundary - Two-year term.

If at any time a Design Review Board member loses his or her qualification for appointment, such member shall concurrently lose his or her seat on the Design Review Board.

C. Unless expressly modified in this Section 17.42.090, the Design Review Board shall serve in accordance with the provisions of Chapter 2.14 of this CRMC.

(Ord. No. 2016-011, § 1, 5-17-2016; Ord. No. 2015-04, § 7, 2-17-2015; Ord. 2012-18 §1)

#### 17.42.100 - Powers and duties of Design Review Board.

The Board shall have the following powers and duties, all of which shall be exercised consistent with the purpose and intent of this Chapter:

- A. Review all development applications that require a Site Development Plan—Downtown under Chapter 17.38 for compliance with this Chapter, including but not limited to setbacks (Section 17.42.060), building height and crown (Section 17.42.070), design standards (Section 17.42.080), outdoor display of merchandise in Section 17.52.150, accessory structures and uses, and variance requests.
  - 1. With respect to any development application that requires a site development plan for the construction of a new structure or addition to a residential, commercial, or mixed-use property of equal to or greater than ten thousand (10,000) square feet, all actions taken by the Board shall be advisory in nature to the Town Council and, as such, are not binding upon the Town Council nor subject to judicial review.
  - 2. With respect to any development application that requires a site development plan for the construction of a new structure or addition to a residential, commercial, or mixed-use property of less than ten thousand (10,000) square feet, all actions taken by the Board shall be final, subject only to the appeal process described in Section 17.42.110.D of this Code.
  - 3. With respect to any development application for a minor or non-material amendment to a site development plan that has no significant impact, as determined by the Director, shall be processed administratively.

(Ord. No. 2025-009>, § 2, 2-18-2025; Ord. 2012-18 §1, 2012)

17.42.110 - Procedure for Board review, approval and appeal.

- A. A Site Development Plan - Downtown shall be submitted in compliance with the Development Procedures Manual and application fees as defined in the Development Services Fee Schedule.
- B. The Board shall hold a public hearing on all applications submitted under this Chapter. The public notice for such hearing shall be governed by Chapter 17.04 of this CRMC.
- C. Except as otherwise provided in Section 17.42.100.A.1 of this Code, the Board shall approve, approve with conditions or deny an application based on the criteria in this Chapter and the review and approval criteria set forth in Section 17.38.040.
- D. Except as otherwise provided in Section 17.42.100.A.1 of this Code, the applicant for a Site Development Plan - Downtown that is denied by the Design Review Board may appeal to the Town Council within thirty (30) days of the Board's action. The Town Council shall review and consider the Site Development Plan - Downtown following the notice and public hearing procedures in Chapter 17.04, CRMC and the review and approval criteria set forth in Section 17.38.040 and Chapter 17.42.

(Ord. No. 2025-009>, § 3, 2-18-2025; Ord. 2012-18 §1, 2012)

17.42.120 - Demolition requirement, process and removal of landmarking status.

Any application for a demolition permit within the DOD shall comply with the provisions and criteria set forth in Section 15.64.090, CRMC.

(Ord. 2012-18 §1, 2012)

17.42.130 - Violation and penalties.

- A. No person shall violate any of the provisions of the ordinances of the Town, including the provisions of this Chapter. Except in cases where a different punishment is prescribed by any ordinance of the Town, any person who violates any of the provisions of the ordinances of the Town or this Chapter shall be punished by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment not to exceed one (1) year, or by both such fine and imprisonment.
- B. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation is committed, continued or permitted by any such person, and he or she shall be punished accordingly.

(Ord. 2012-18 §1, 2012)