

ORDINANCE NO. 2018-

AN ORDINANCE AMENDING CHAPTERS 17.42 AND 17.54 OF THE CASTLE ROCK MUNICIPAL CODE CONCERNING PARKING REQUIREMENTS FOR DEVELOPMENT IN THE DOWNTOWN OVERLAY DISTRICT

WHEREAS, the Town of Castle Rock is a home rule municipal corporation and the Town Council is empowered to adopt such ordinances as are necessary to protect health, safety and welfare of the community; and

WHEREAS, the existing parking requirements in the Downtown Overlay District are insufficient with respect to residential and commercial/business development; and

WHEREAS, it is necessary to ensure adequate parking is provided for newly constructed, multi-family residential and business/commercial uses within the Downtown Overlay District; and

WHEREAS, public hearings have been held on this Ordinance before the Planning Commission and Town Council as required by the Town regulations.

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

Section 1. Amendment. Section 17.42.080.B.7 of the Castle Rock Municipal Code is amended in its entirety to read as follows:

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 parking space per 500 square feet of new construction. The first 2000 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, whether remaining or to be demolished, shall be excluded from the required parking calculation.
- 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.

ATTACHMENT A

c. No on-site parking is allowed on the side of a structure abutting a street, as determined by the Director

Section 2. Amendment. Section 17.42.100.B of the Castle Rock Municipal Code is amended to add a new subparagraph 11, to read as follows:

11. North Downtown Non-Residential Parking Area parking requirements, provided however, in the event the parking requirements (number of spaces) is reduced, the property owner/developer shall pay to Town \$10,000 for each parking space eliminated. Such payment shall be paid to Town prior to and as a condition to recordation of the applicable Site Development Plan.

Section 3. Amendment. Table 64-1 set forth in Section 17.54.100 of the Castle Rock Municipal Code is amended to add the following requirement under Residential Dwellings:

<i>Use Category</i>	<i>Description</i>	<i>Requirement and permitted parking spaces</i>
Multifamily – Downtown overlay District	For: Studio unit 1-bedroom unit 2 and 3-bedroom unit	1 on-site parking space per unit

Section 4. Amendment. Section 17.54.090.A is amended in its entirety to read as follows:

A. Excluding developments within the North Non-Residential Downtown Parking Area as defined in 17.42.080, based on the following criteria, the Director of Development Services may grant a parking reduction, not to exceed twenty-five percent of the required parking, for commercial, institutional, industrial and mixed-use developments,:

1. The nature of the use, the size of the site or other physical constraints, or location of the site within the Downtown or the Historic District result in a situation where the parking requirements cannot be met on site without unnecessary hardship, practical difficulties or negative impact on the visual character of the site or neighborhood;
2. The applicant can satisfactorily demonstrate by means of a parking study that the parking needs of the use will be adequately served, and, if the reduction is due to the nature of the use, the applicant shall provide assurance that the nature of the use will not change;
3. A mix of uses is proposed and the parking needs of all the uses can be accommodated through joint use of parking spaces with varying time periods of use; or
4. The applicant provides an acceptable proposal for an alternate mode of transportation program, including assurances that the use of alternate modes of transportation will adequately supplant the need for on-site parking on an ongoing basis.

ATTACHMENT A

5. For each parking space eliminated as a result of a reduction in parking requirements granted by the Director of Development Services within the South Downtown Non-Residential Downtown Parking Area, the property owner/developer shall pay to Town \$10,000 for each parking space eliminated. Such payment shall be paid to Town prior to and as a condition to recordation of the applicable Site Development Plan.

Section 5. 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 6. 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 _____, 2018 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 _____, 2018, 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

Jennifer Green, Mayor

Approved as to form:

Approved as to content:

Robert J. Slentz, Town Attorney

Bill Detweiler, Director of Development Services

FIGURE 4
Downtown Overlay District
Non-Residential Parking Areas

