

**ORDINANCE NO. 2018-015**

**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 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

**Section 2. Amendment.** Table 64-1 set forth in Section 17.54.040 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 3. Amendment.** Section 17.54.090.A is amended in its entirety to read as follows:

A. 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.

5. For each parking space eliminated as a result of a reduction in parking requirements granted by the Director of Development Services within the North or 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 1st day of May, 2018 by a vote of 5 for and 0 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 15th day of May, 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