

ORDINANCE NO. 2025-027

AN ORDINANCE AMENDING THE TOWN OF CASTLE ROCK'S ZONE DISTRICT MAP BY APPROVING THE REZONING OF 810 NORTH WILCOX STREET

WHEREAS, Ardeshir and Sylvia Delsouz (the "Applicants"), have submitted an application to rezone the property located at 810 North Wilcox Street (the "Property") in the Town of Castle Rock (the "Town") from Planned Development to B-Business/Commercial; and

WHEREAS, at the present time, the Property consists of a 2,400-square foot convenience store on the south side of the Property and a gas canopy with five gas pumps on the north side of the Property; and

WHEREAS, if the proposed rezoning were to be approved, the Property would also be subject to the requirements of the Downtown Overlay District; and

WHEREAS, by bringing the Property within the Downtown Overlay District, the Project will now be subject to the more appropriate design standards that govern the remainder of the Downtown area; and

WHEREAS, a public hearing on the proposed rezoning was held before the Planning Commission on July 10, 2025, after which the Planning Commission voted to recommend Town Council approval; and

WHEREAS, a public hearing was conducted at the July 15, 2025, regular meeting of the Town Council in accordance with the applicable provisions of the Castle Rock Municipal Code ("CRMC"); and

WHEREAS, based upon the testimony and evidence presented at the public hearing, the Town Council finds and determines that the proposed rezoning:

- (i) Conforms with and advances the objectives of the Town's Vision 2030 and the Comprehensive Master Plan;
- (ii) Conforms with and advances the objectives of the Town's Downtown Master Plan; and
- (iii) Satisfies the review and approval criteria for the rezoning of property set forth in CRMC Section 17.02.060;

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

Section 1. Zoning District Map Amendment. The Town's Zoning District Map is amended to place the Property within the B-Business/Commercial Zone District and the Downtown Overlay District.

Section 2. Repeal. Town Ordinance No. 1985-07 authorizing the rezoning of the Property to the Q Petroleum Planned Development District is hereby repealed in its entirety and shall no longer be of any force or effect.

Section 3. 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 invalid by a court of competent jurisdiction, such judgment shall not affect the remaining provisions of this Ordinance.

Section 4. Safety Clause. The Town Council finds and declares that this Ordinance is promulgated and adopted for the public health, safety and welfare and bears a rational relation to the legislative object sought to be obtained.

APPROVED ON FIRST READING this 15th day of July, 2025, by the Town Council of the Town of Castle Rock, Colorado, by a vote of 7 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 19th day of August 2025, by the ~~Town~~ Council of the Town of Castle Rock, Colorado, by a vote of 7 for and 0 against.

ATTEST:
DocuSigned by:

Lisa Anderson

298A8A4EDEE34AF...

Lisa Anderson, Town Clerk



TOWN OF CASTLE ROCK
DocuSigned by:

Jason Gray

A7938A42F3A845A...

Jason Gray, Mayor

Approved as to form:
DocuSigned by:

Mike Hyman

E7347E32A6794D1

Michael J. Hyman, Town Attorney

Approved as to content:
DocuSigned by:

Tara Vargish

CF5BED67CCC54B8...

Tara Vargish, Director of Development Services



Town of Castle Rock

Agenda Memorandum

Agenda Date: 8/19/2025

Item #: 8. File #: ORD 2025-027

To: Honorable Mayor and Members of Town Council

Through: David L. Corliss, Town Manager

From: Tara Vargish, PE, Director, Development Services
Brad Boland, AICP, Long Range Project Manager, Development Services

Ordinance Amending the Town of Castle Rock's Zone District Map by Approving the Rezoning of 810 North Wilcox Street (Second Reading - Approved on First Reading on July 15, 2025, by a vote 7-0) (7-Eleven)

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.

Budget Impact

The proposed B zoning with DOD overlay will not have an impact on the Town budget.

Recommendation

The Planning Commission will have a public hearing on July 10, 2025 and provide a recommendation.

Proposed Motion

Option 1: Approval

"I move to approve the Ordinance, as introduced by title."

Option 2: Approval with Conditions

"I move to approve the Ordinance, with the following conditions:" (list conditions)

Option 3: Continue item to next hearing (need more information to make decision)

"I move to continue this item to the Town Council meeting on [date], at [time]."

Item #: 8. File #: ORD 2025-027

Attachments

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



Meeting Date: July 15, 2025

AGENDA MEMORANDUM

To: Honorable Mayor and Members of Town Council

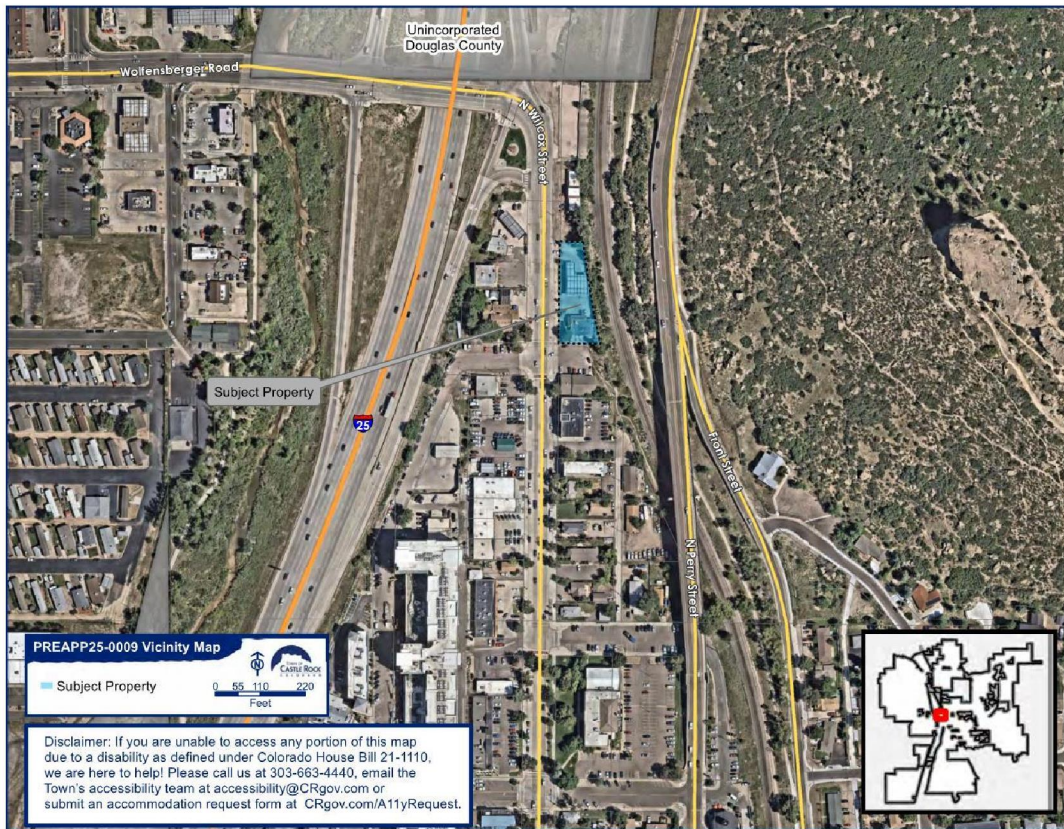
Through: David L. Corliss, Town Manager

From: Tara Vargish, PE, Director, Development Services
Brad Boland, AICP, Long Range Project Manager, Development Services

Title: **An Ordinance Amending the Town’s Zone District Map by Approving a Rezoning of 810 N. Wilcox St.**

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 currently comprises of a 2,400 square foot convenience store that was built in 1985 and 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 property is proposed to be rezoned to 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, and therefore be zoned consistent with surrounding properties.

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), or I-1 (light industrial). 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. A few properties in Downtown, not subject to the DOD, are zoned a custom PD (Planned Development).

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. While the 7-11 property is not currently proposing a mixed use development, the other design guidelines of the DOD would apply and help achieve a consistent zoning to this northern area of the 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. After this rezoning process, 7-11 is planning on a small expansion on the property which would require a Site Development Plan in the under 10,000 square feet category.

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 to B business-commercial 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 and on July 7, 2025. A third neighborhood was not required, as the questions raised at the neighborhood meetings were concerning the future Site Development Plan, and not pertinent to the rezoning request.

Budget Impact

The proposed B zoning with DOD overlay 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*

Recommendation

The Planning Commission voted 6 to 0 to recommend approval of the rezoning to Town Council, as proposed.

Proposed Motion

Option 1: Approval

"I move to approve the Ordinance, as introduced by title."

Option 2: Approval with Conditions

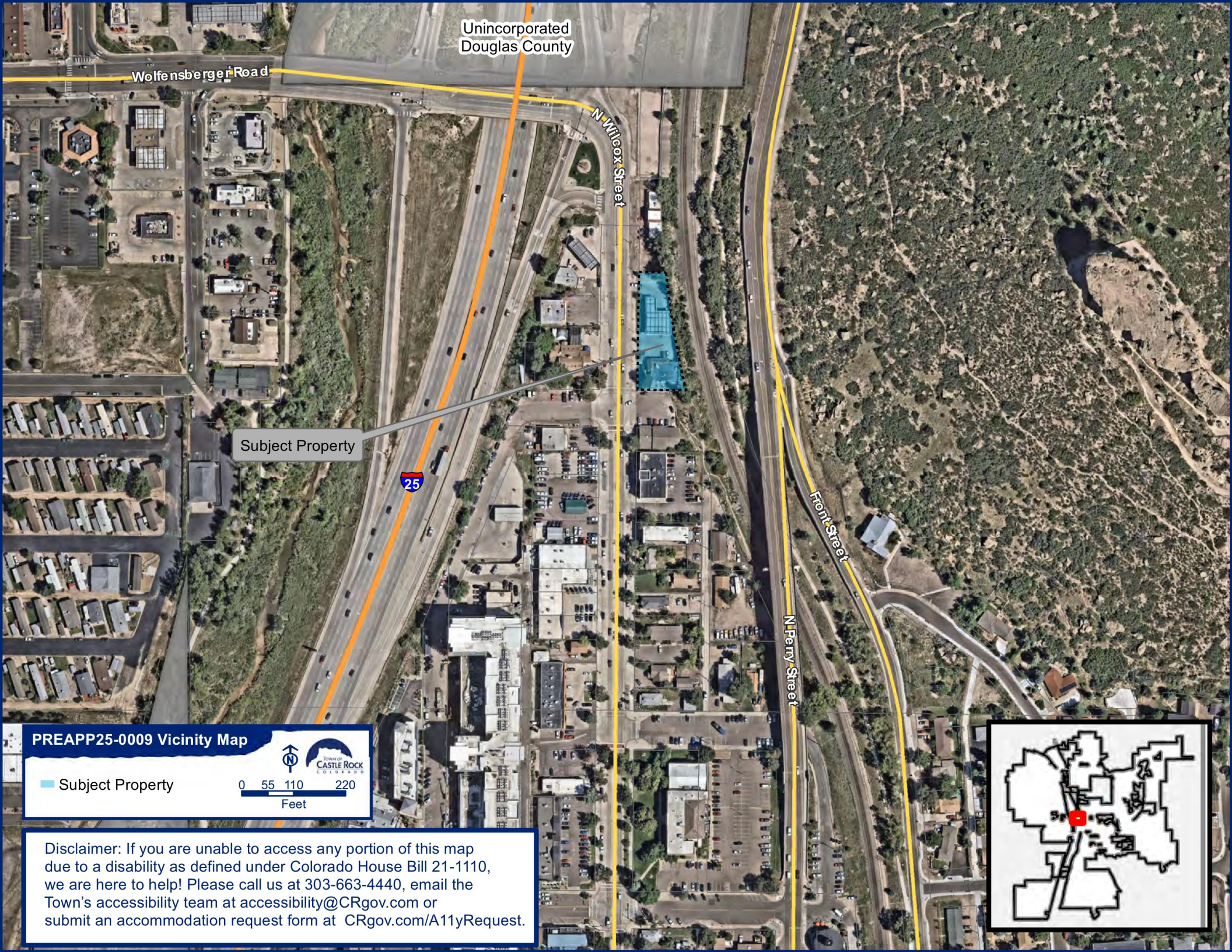
"I move to approve the Ordinance, with the following conditions:" (list conditions)

Option 3: Continue item to next hearing (need more information to make decision)

"I move to continue this item to the Town Council meeting on [date], at [time]."

Attachments

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



Unincorporated
Douglas County

Wolfensberger Road

N Wilcox Street

Subject Property

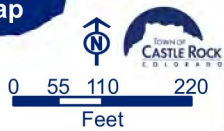
25

Front Street

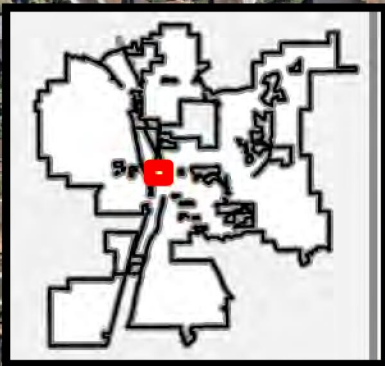
N Perry Street

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 or submit an accommodation request form at 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.

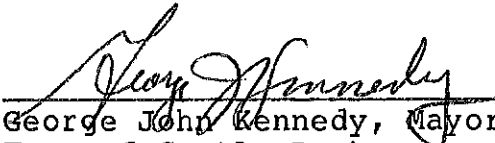
SECTION VI.

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:


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 is 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. 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

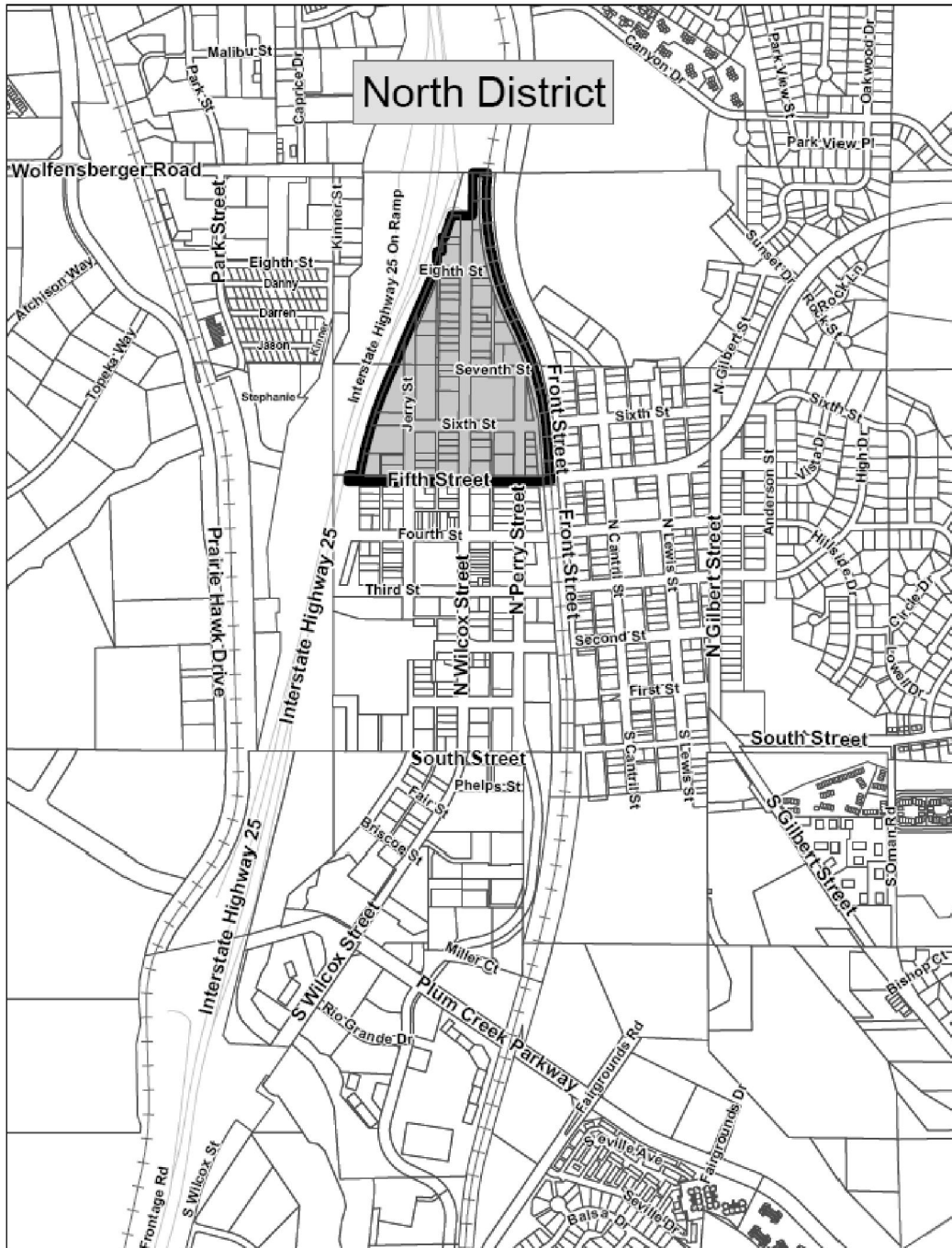
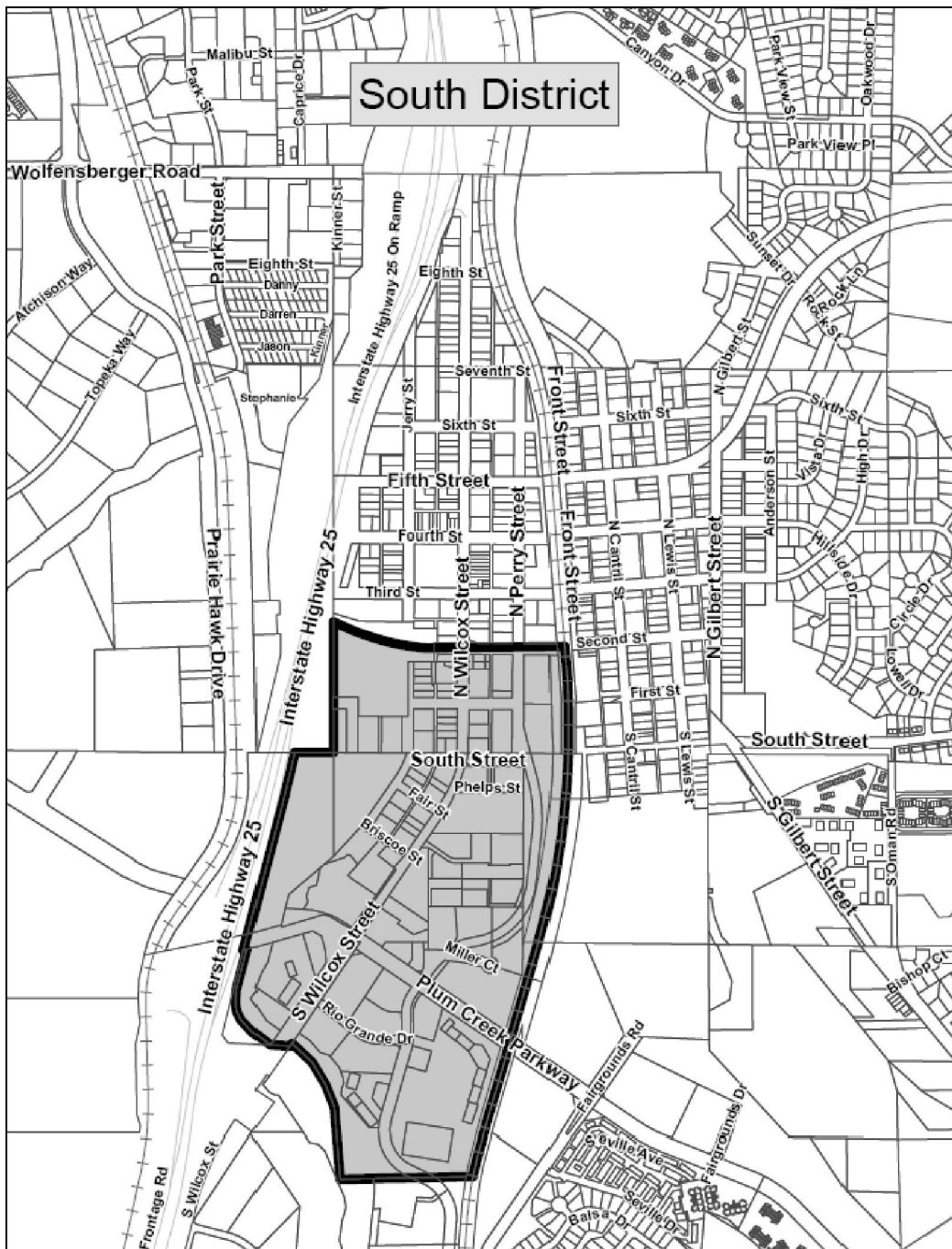


Figure 3



- 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

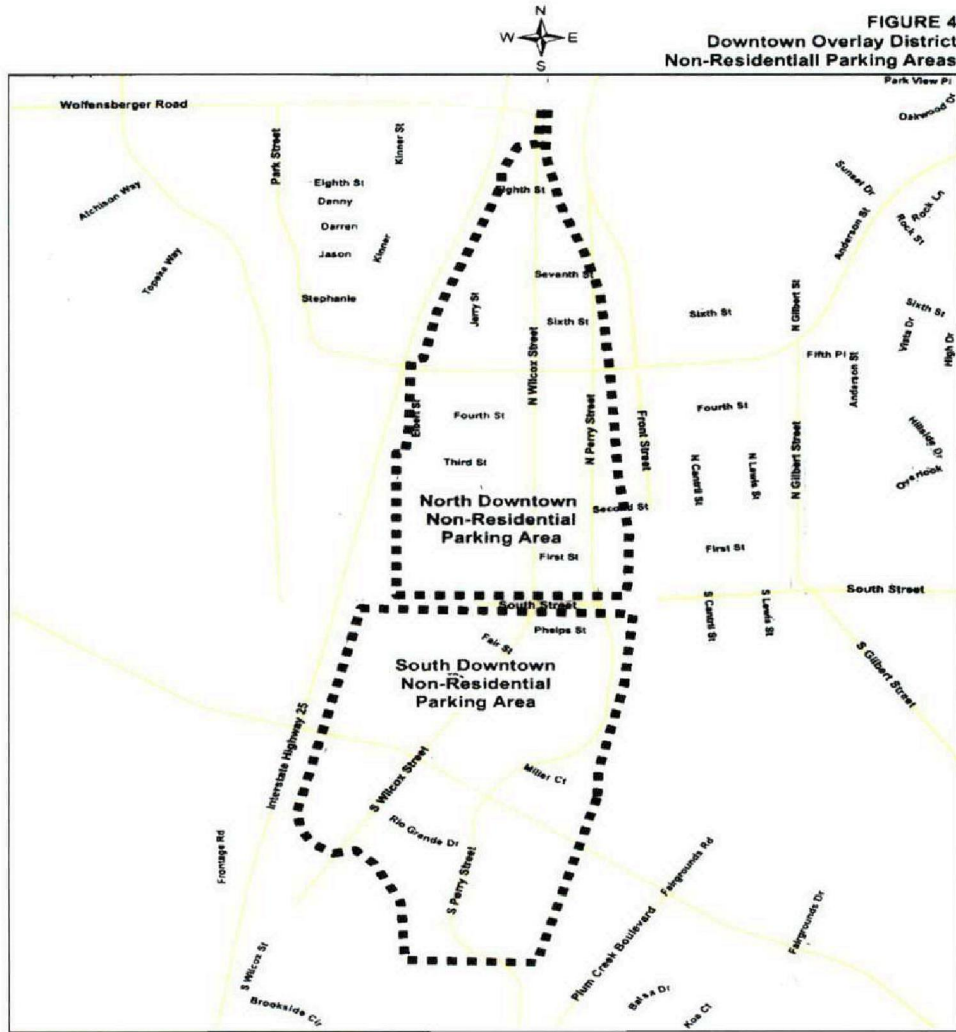
required for every twenty-two (22) linear feet (on center) or one (1) small canopy tree will be required for every fifteen (15) linear feet (on center) of property fronting along a public roadway. The landscaping plan is subject to approval by Castle Rock Water and Public Works Departments. Routine tree 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.

FIGURE 4
Downtown Overlay District
Non-Residential Parking Areas



- 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)

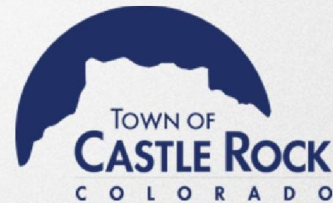
17.42.130 - Violation and penalties.

- 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)

810 N. WILCOX ST REZONING

TOWN COUNCIL
JULY 15, 2025



SITE LOCATION



BACKGROUND:

- Part of The Wilcox Addition Subdivision (1875)
- Zoned Q Petroleum PD In 1985
 - PD Allows For Automotive Repair, Gas Stations, Convenience Stores, Parking Lots, Offices, Restaurants
- Properties to the west, south and north are zoned Business/Commercial and are within the Downtown Overlay District

PROPOSED ZONING:

- Rezone property to business/commercial
- Downtown Overlay District would apply
- Allows for a wider variety of uses than currently allowed
- Prohibits some uses such as Automobile Repair
- Applies design standards that are appropriate for this downtown location



COMMUNITY OUTREACH AND FEEDBACK

Outreach Efforts

- 2 neighborhood meetings

Summary of Questions

- Questions concerning the potential SDP

Neighborhood Meetings		
Date	Format	Attendance
April 7, 2025	Virtual	3
July 7, 2025	Virtual	0

STAFF ANALYSIS

Staff finds the rezoning:

- Conforms to the Town Vision and the Comprehensive Master Plan
- Conforms to the Town's Downtown Masterplan
- Meets the review and approval criteria of the Municipal Code, Chapter 17.02.060

RECOMMENDATION

Planning Commission recommend approval of the rezoning of 810 N. Wilcox St. to Town Council by a vote of 6-0.