

Chapter 17.28 - Business/Commercial/Industrial Districts

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 No. 2019-028, § 2, adopted September 17, 2019, repealed the former Ch. 17.28, §§ 17.28.010—17.28.060, and enacted a new Ch. 17.28 as set out herein.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.
- 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.

(Ord. No. 2019-028, § 2, 9-17-2019)

17.28.020 - Reserved.

17.28.030 - Uses.

- 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 as follows:

<i>Use</i>	<i>B Business/ Commercial</i>	<i>I-1 Light Industrial</i>	<i>I-2 General Industrial</i>	<i>WNZOD Wolfensberger Overlay</i>	<i>DOD Downtown Overlay</i>	<i>FSOD Front Street Overlay</i>
Airport	N	N	N	N	N	N

Alcoholic beverage sales	P	P	P	P	P	N
Asphalt/concrete plant	N	N	P	N	N	N
Assisted living/memory care	UBSR	UBSR	UBSR	UBSR	P	UBSR
ATM/kiosk (stand-alone)	P	P	P	P	P	P
Auto body and vehicle/RV/boat equipment and repair	UBSR	P	P	P	N	N
Automobile/vehicle/RV/boat/motorcycle/all-terrain vehicles/equipment sales and leasing	UBSR	P	P	UBSR	N	N
Automobile service/fuel station/wash/rental	P	P	P	P	P	N
Bed and breakfast	P	N	N	P	P	P
Cemetery	UBSR	UBSR	UBSR	N	N	N
Clinic	P	P	P	P	P	P
College/university/voc-tech	P	P	N	P	P	N
Commercial amusement, indoor	P	P	UBSR	P	P	N
Commercial amusement, outdoor	UBSR	UBSR	UBSR	N	N	N

Day care center	UBSR	UBSR	UBSR	P	P	UBSR
Disposal service	N	N	N	N	N	N
Educational facility	UBSR	N	N	UBSR	UBSR	UBSR
Gym/health club	P	P	UBSR	P	P	P
Heavy industry	N	N	UBSR	N	N	N
Helistop/heliport	UBSR	UBSR	UBSR	UBSR	UBSR	UBSR
Hospital	P	P	P	P	P	N
Hotel/motel	P	N	N	P	P	P
Institutional care	N	UBSR	P	N	N	N
Kennel/doggy daycare	UBSR	UBSR	UBSR	P	UBSR	UBSR
Light industry	N	P	P	P	N	N
Live-work unit	P	N	N	N	P	P
Medical lab	P	P	P	P	P	N
Mineral extraction	N	N	N	N	N	N
Multi-family	UBSR	N	N	P	P	P
Multi-modal transit facility	UBSR	UBSR	UBSR	UBSR	P	UBSR
Nursery/greenhouse	UBSR	P	P	P	P	UBSR
Nursing home	UBSR	N	N	UBSR	UBSR	UBSR
Office	P	P	P	P	P	P
Oil and gas production	UBSR	UBSR	UBSR	N	N	N

Parking facility (stand-alone lot/structure)	P	P	P	P	P	P
Place of worship	P	UBSR	UBSR	P	P	UBSR
Private club	P	P	UBSR	P	P	P
Public facilities	P	P	P	P	P	UBSR
Recreation, indoor	P	P	UBSR	P	P	P
Recreation, outdoor	P	P	P	P	P	P
Recycling center and salvage	N	N	P	N	N	N
Recycling drop-off	P	P	P	P	P	N
Rehabilitation clinic/facility	N	UBSR	P	N	N	N
Restaurant	P	P	P	P	P	P
Retail	P	P	P	P	P	P
Self storage facility	N	P	P	UBSR	N	N
Service, commercial	P	P	P	P	P	P
Service, personal	P	N	N	P	P	P
Service, repair	P	P	P	P	N	UBSR
Sexually oriented business	N	P	P	N	N	N
Shooting range, indoor	UBSR	P	P	P	P	P
Storage yard	N	P	P	N	N	N
Studio classes	P	N	N	P	P	P

Towing and storage of inoperable vehicles	N	UBSR	P	N	N	N
Urgent care	P	N	N	P	P	N
Utilities, public	UBSR	UBSR	UBSR	UBSR	UBSR	UBSR
Vehicle/RV/boat storage	N	UBSR	P	P	N	N
Veterinary clinic	P	P	P	P	P	P
Warehousing and distribution	N	P	P	P	N	N

- 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. 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)

Chapter 17.43 - FSOD Front Street Overlay District

17.43.010 - Purpose and intent.

The purpose of the Front Street Overlay District (FSOD) is to establish architectural, landscaping, design, building, 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.

(Ord. 2013-41 §4, 2013)

17.43.020 - Certain regulations inapplicable.

The FSOD is intended to encourage mixed-use within the same structure or block and fit into the general context of the community in the FSOD. Accordingly, a structure or development within the FSOD shall not be required to comply with the provisions of Chapter 17.50, Residential/Nonresidential Interface Regulations. These requirements will not apply to single-family detached homes that are used for residential purposes only.

(Ord. 2013-41 §4, 2013)

17.43.030 - 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 of such preemption by this Chapter, the underlying zoning district provisions and all other provisions of the CRMC shall be applicable and enforced within the FSOD.
- B. For the purpose of applying the Sign Code regulations under Title 19 of this Code in the FSOD, the actual use of the property within the FSOD shall be used to differentiate between residential and business area regulations.
- C. The FSOD shall have no application to those properties zoned PD until and unless such properties are rezoned.

(Ord. 2013-41 §4, 2013)

17.43.040 - Permitted uses.

In addition to the permitted and accessory uses allowed in the underlying zoning district, additional permitted uses have been added to all properties in the FSOD. See Section 17.28.030, CRMC, for the permitted uses matrix.

(Ord. 2013-41 §4, 2013)

17.43.050 - Development standards.

The following development standards shall apply within the FSOD:

- A. Maximum lot coverage: Forty percent (40%) of lot area;
- B. Setbacks: Underlying zoning setbacks will apply with the exception of front porches (nonenclosed structure with impervious surfaces) which may encroach into the setback by ten (10) additional feet.
- C. Maximum fence height: Ten (10) feet.

(Ord. 2013-41 §4, 2013)

17.43.060 - Design standards.

- A. Prior to the issuance of a structural building permit within the FSOD, all projects must be reviewed by the Town's Historic Preservation Board for compliance with the standards set forth in Chapter 15.64, CRMC.
- B. All project design should be based on the Castle Rock Design (see Resolution No. 2003-64).
 1. Rooftop equipment: All rooftop equipment for mixed-use and nonresidential structures 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.
 2. 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.
 3. 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 slats, cloth or other similar

measures are not considered to be opaque fences. An opaque berm and/or landscaping that provides the equivalent screening as a required opaque fence may be used.

4. Landscaping. This plan will allow for flexibility while setting forth minimum requirements. Xeriscape and water-wise vegetation is encouraged in the FSOD while recognizing the historic landscaping of the Craig and Gould neighborhood. 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. Seventy-five percent (75%) of the tree plantings must be large canopy trees. 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 and 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.

5. Screening/buffering requirements. The following are preferred vegetation and trees to be used for screening and buffering. The screening/buffering requirement is in addition to the landscaping requirements in Paragraph B.4. above. Screening and buffers are to be used on the sides and back of the property to protect different uses. The screening and buffering plan will provide ninety percent (90%) opacity in the summer months and seventy percent (70%) opacity in the winter months, within three (3) years of its installation.

<i>Scientific Name</i>	<i>Common Name</i>
Deciduous Trees	
<i>Acer platanoides</i> 'Columnar'	Columnar Norway Maple

<i>Quercus robur</i> 'Fastigiata'	Columnar English Oak
<i>Pyrus calleryana</i>	Ornamental Pear
Evergreen Trees	
<i>Juniperus chinensis</i> 'Hetzi Columnaris'	Hetzi Upright Juniper Other cultivars: 'Spartan,' 'Spearmint,' 'Blue Point'
<i>Juniperus scopulorum</i>	Rocky Mtn. Juniper Cultivars: 'Cologreen,' 'Gray Gleam,' 'Moonglow,' 'Pathfinder,' 'Skyrocket,' 'Wichita Blue'
<i>Picea pungens</i> 'Fat Albert'	Blue Spruce Other cultivars: 'Bakeri,' 'Hoopsi,' 'Iseli fastigiata,' 'Montgomery'
<i>Pinus flexilis</i> 'Vanderwolf's Pyramid'	Vanderwolf Pine
<i>Pinus heldreichii</i> (leucodermis)	Bosnian Pine
<i>Pinus nigra</i> 'Arnold Sentinel'	Columnar Austrian Pine
<i>Thuus occidentalis</i> 'Degroot's Spire'	American Arborvitae Other cultivars: 'Emerald Green'
Vines	
<i>Campsis radicans</i>	Trumpet Vine
<i>Lonicera heckrottii</i>	Goldflame Honeysuckle
<i>Lonicera japonica</i> 'Halliana'	Hall's Honeysuckle

<i>Parthenocissus tricuspidata</i>	Boston Ivy
<i>Parthenocissus quinquefolia</i> 'Englemann'	Virginia Creeper
<i>Polygonum aubertii</i>	Silver Lace Vine

6. Parking requirements.

- a. Parking will follow the Town's parking requirement. The Historic Preservation Board may reduce parking requirements by as much as one hundred percent (100%) on a case-by-case basis. The applicant will be required to submit data showing how the request for parking reductions will respect the blend of residential and commercial and the unique character of the FSOD and the Craig and Gould neighborhood.
- b. Parking lots located along public roadways will be required to provide a landscaping buffer that is four (4) feet or greater in width between the parking area and the public sidewalk.
- c. No on-site parking is allowed in front of any structure. All parking must be on the side or rear of a structure.

7. Sidewalk requirements. All sidewalks must be designed and built to meet the Town's sidewalk construction and design standards. 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. 2016-044, § 4.B., 12-6-2016; Ord. 2013-41 §4, 2013)

17.43.070 - Demolition requirement, process and removal of Landmarking status.

Chapter 15.64, CRMC, applies to the FSOD. Accordingly, any application for a demolition permit or removal of Landmarking status within the FSOD shall comply with the provisions and criteria set forth in Chapter 15.64.

(Ord. 2013-41 §4, 2013)

17.43.080 - 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. 2013-41 §4, 2013)