



Town of New Castle **Planning and Code
Administration Department**
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Memo

To: Town Council
From: Tim Cain
Date: May 30, 2013
RE: C-1 Cash-in-lieu

Background: In 2004 and 2005 Steve Rippy and Davis Farrar assisted the Planning and Zoning Commission (P&Z) by conducting an extensive study of downtown parking which also included the north and south side streets. Based on land acquisition and construction costs, their analysis concluded that the value of each downtown parking space was estimated to be \$8,900. On June 22, 2005 P&Z recommended to council that, as an option for providing off street parking in the C-1 Zone District, prospective new home builders pay cash in lieu of \$9,000 per parking space for a new residential dwelling unit. Currently only one and one-half off street parking spaces are required.

Council agreed with P&Z and passed TC Resolution 2005-7 on July 19, 2005. The resolution states in part, "At the sole discretion of the Town Council, up to fifty percent (50%) of the parking for **residential use** in the Central Business District may be satisfied by a payment of cash-in-lieu of parking to be utilized by the Town solely for acquisition of public spaces within the Central Business District. On May 19, 2009 Town Council reaffirmed its position and adopted TC-2009-13. To date there has been no new residential housing constructed and, thus, there is not an account set up to purchase and construct public parking in the downtown core (C-1).

After passing Ordinance 2012-1 in May 2012, which extended the off-street parking moratorium in the C-1 Zone District for one year, council discussed that there was a need to address a fee in lieu for commercial off-street parking. Although on council consent agenda, on May 21, 2013 council will consider TC Resolution 2013-9 extending the commercial off-street parking moratorium for another two years.

Discussion: TC-2005-7 does not apply to other types of uses such as **Commercial Residential** (hotels, motels, club or lodge), **Institutions** (nursing home, rest home for the aged, hospital), **Places of Public Assembly** (churches, library, schools), **Commercial** (retail store, service and repair shop, offices other than medical or dental, eating and drinking establishments, mortuaries) **Commercial Amusements** (dance halls, skating rinks) and **Industrial** (storage warehouse). Currently, **Institutions**, **Commercial Amusements** and **Industrial** are neither permitted nor conditional uses and are not allowed in the C-1 Zone District.

There are an estimated *98 parking spaces in the C-1 Zone District. The **C-1 district covers from 1st Ave. to 7th Ave. on the north side of Main St. and from Mattivi Ave. to 8th St. on the south side of Main St. It also includes the area north of the ***Union Pacific Railroad right-of-way and the streets southerly of the east-west alley lying north of Main St. I did not calculate the number of parking spaces southerly of the east-west alley lying north of Main St. Painted spaces are 22 ft. in length (allows for extended cab truck

parking).

Here's the breakdown:

North Side of Main St.

1st to 2nd = 6 spaces (unpainted; if each space were 21 ft.)

2nd to 3rd = 7 spaces (includes unpainted 20 ft. compact car space in front of Bob's Bicycle Shop)

3rd to 4th = 7 spaces

4th to 5th = 8 spaces (2 spaces are limited to 30 minute parking, Monday – Friday, 8:00 A.M. – 5: P.M.)

5th to 6th = 9 spaces

6th to 7th = 5 spaces

Sub-total = 42

South Side of Main St.

Mattivi Ave. to Jasper Ward = 16 spaces (includes 12 unpainted parking spaces & one painted handicap parking space; includes 1 compact car parking space)

Jasper Ward to Van Deventer Ave. = 19 spaces (includes one painted handicap parking space which partially blocks the entrance to Garcia's driveway)

Ritter Plaza Alley = 5 spaces (includes one handicap parking space)

Van Deventer Ave. to Kamm Ave. = 5 spaces

Kamm Ave. to 7th St. (677 W. Main St.) = 5 spaces

7th to 8th = 6 spaces (unpainted; it is **2 ft. less wide** than other on-street parking

Sub-total = 51 spaces

TOTAL = 98 spaces

* The total number may be less if one is to follow strict adherence to rules and regulations

** The Municipal Code is incorrect in that it state the C-1 zone district includes businesses east of Elk Creek; the north side of Main St. from 7th to 8th St is the Commercial Transitional Zone

***The Municipal Code refers to Rio Grande Western Railroad

Recommendation: Because the valuations of properties have declined significantly in the last four years, it appears that we need to revise the cash-in-lieu fee of parking amount at \$3,000 per parking space.

PLANNING STAFF MEMORANDUM

TO: NEW CASTLE PLANNING COMMISSION
FROM: DAVIS FARRAR - WESTERN SLOPE CONSULTING
SUBJECT: PARKING IN THE DOWNTOWN
DATE: 3/23/04
CC: STEVE RIPPY, JEFF SIMONSON, DAVID MCCONAUGHY

The recent review of the Watts applications for variances associated with a 3-story mixed-use project initiated discussion about parking requirements in downtown New Castle. The premise was that the existing parking regulations when applied to downtown properties result in off-street parking areas that may render a downtown lot unbuildable.

The following steps were (or should) be completed as part of the methodology to address existing downtown parking requirements and evaluate alternative standards.

1. Investigate the existing downtown off-street parking requirements and compare them to parking standards specified in the Institute of Transportation Engineers, 1987 Parking Generation Manual.
2. Complete an inventory of potentially available parking spaces between 1st Street and 7th Street along and one block north and south of Main.
3. Review literature provided by Planning Advisory Service on downtown parking and methodologies associated with alternative standards.
4. Develop one or more alternative parking standard scenarios for review and evaluation by the planning commission.
5. Present the proposed parking scenarios to downtown residents, businesses and property owners for review, discussion and input.
6. Develop a draft downtown parking ordinance (if it is deemed necessary) for consideration by the planning commission and recommendations to the New Castle Town Council.

Comparison of New Castle parking standards to ITE Standards.

Category	New Castle	ITE
Office	3.33/1,000 sq. ft.	2.79/1,000 sq. ft.
Retail	6.66/1,000 sq. ft.	3.97/1,000 sq. ft.
Service	4.99/1,000 sq. ft.	4.17/1,000 sq. ft.
Medical Service	8.66/1,000 sq. ft.	4.11/1,000 sq. ft.
Restaurant	1/3 Seats	12.49/1,000 sq. ft.
Residential (per Unit)	2/Dwelling Unit	1.21/unit
Mixed-use	Not enumerated	3.25/1,000 sq. ft.
Government	3.33/1,000 sq. ft.	3.84/1,000 sq. ft.

General Parking Inventory Downtown.

In New Castle, the downtown area between A-Avenue and 7th Streets consists of seven blocks that generally are 225 feet long on the north side of Main Street. The public right-of-way on the avenues north of Main are 60 feet wide.

The blocks south of Main Street between Mativi Avenue and 8th Street vary in length as follows:

Mativi to Jasper Ward = 390 feet

Jasper Ward to Ritter Avenue = 250 feet

Ritter Avenue to Vandeventer Avenue = 400 feet

Vandeventer Avenue to Kamm Avenue = 250 feet

Kamm Avenue to 8th Street = 570 feet

It is assumed for purposes of this analysis that there is a 20-foot setback from each block corner along Main Street on the north and south sides of Main. It is also assumed that each parallel parking space is 18.75 feet long. All parking along Main Street will be parallel parking. This is in keeping with the CDOT standards for state highways.

On the North-South avenues it is assumed that angle parking is allowed on the east sides of the avenues and parallel parking is allowed on the west sides of the avenues. A 20-foot setback from the corner intersection at Main Street is assumed on each avenue. Angled parking spaces are assumed to be 10 feet wide and parallel spaces are assumed to be 18.75 feet long.

The following parking space availability calculations have not been corrected for factors that preclude parking such as fire hydrants, driveways and other factors that eliminate a parking space. A field investigation will be completed to adjust the calculation table for reality.

It should be noted that a Parking Demand Analysis has not been completed for downtown New Castle. This type of analysis would investigate the existing demand for parking generated by downtown businesses and government buildings. A demand analysis would investigate the types

of uses, retail/office square footage, number of residential units, and other factors associated with parking generation. Obviously, existing parking demand must be subtracted from the total available spaces downtown in order to derive the net available parking.

In summary, the table below yields the following results:

There are approximately 155 potential parallel parking spaces along Main Street between A-Avenue and 7th/8th Street. There are approximately 147 combination parallel/angle parking spaces one block north & south of Main Street on the avenues between A-Avenue and Kamm Avenue. There are a grand total of 302 potential angle/parallel parking spaces in the study area within downtown New Castle.

It should be noted that the average person is willing to walk a maximum of approximately 800 feet from their parked vehicle to their destination. Destinations with a more powerful draw and a lack of available parking will cause pedestrians to walk longer distances. However, one should consider their own willingness to walk to a destination from a parking space as a gauge to measure this reality.

New Castle Downtown Parking Calculations - Based upon Block Length Only

Parking on Main St

Blk Name	Block Length	Space Length	Corner Setback	# S-Bks/Blk	Spaces/Block
A-Av to 1st	175	18.8	20.0	2.0	7
1st to 2nd	225	18.8	20.0	2.0	10
2nd to 3rd	225	18.8	20.0	2.0	10
3rd to 4th	225	18.8	20.0	2.0	10
4th to 5th	225	18.8	20.0	2.0	10
5th to 6th	225	18.8	20.0	2.0	10
6th to 7th	225	18.8	20.0	2.0	10
Mativi to Jasper Ward	390	18.8	20.0	2.0	19
Jasper Ward to Ritter Avenue	250	18.8	20.0	2.0	11
Ritter Avenue to Vandeventer Avenue	400	18.8	20.0	2.0	19
Vandeventer Avenue to Kamm Avenue	250	18.8	20.0	2.0	11
Kamm Avenue to 8th Street	570	18.8	20.0	2.0	28
				Subtotal	155

Parking One Block No & So of Main

Blk Name	Block Length	Space Length	Corner Setback	# S-Bks/Blk	Spaces/Block
A-Av	100	18.8	20.0	1.0	4
A-Av	100	10.0	20.0	1.0	8
1st	100	18.8	20.0	1.0	4
1st	100	10.0	20.0	1.0	8
2nd	100	18.8	20.0	1.0	4
2nd	100	10.0	20.0	1.0	8
3rd	100	18.8	20.0	1.0	4
3rd	100	10.0	20.0	1.0	8
4th	100	18.8	20.0	1.0	4
4th	100	10.0	20.0	1.0	8
5th	100	18.8	20.0	1.0	4
5th	100	10.0	20.0	1.0	8
6th	100	18.8	20.0	1.0	4
6th	100	10.0	20.0	1.0	8
Mativi	100	18.8	20.0	1.0	4
Mativi	100	10.0	20.0	1.0	8
Jasper Ward	100	18.8	20.0	1.0	4
Jasper Ward	100	10.0	20.0	1.0	8
Ritter Avenue	100	18.8	20.0	1.0	4
Ritter Avenue	100	10.0	20.0	1.0	8
Vandeventer Avenue	100	18.8	20.0	1.0	4
Vandeventer Avenue	100	10.0	20.0	1.0	8
Kamm Avenue	100	18.8	20.0	1.0	4
Kamm Avenue	100	10.0	20.0	1.0	8
				Subtotal	147
				GRAND TOTAL	302

Review of Options Identified in the Literature.

Solutions to historic downtown areas vary greatly from community to community. Larger communities often have the benefit of public transit systems that can, when used in conjunction with other systems, greatly reduce the demand for downtown parking. New Castle has some limited public transit available but the frequency of service limits the benefit of this public transit system with regard to parking demand reduction.

Time Limited or Metered Parking.

Parking meters or posted parking time limits can be an effective tool for encouraging use of public transit and increasing the turnover of parking spaces. The systems have an initial setup cost and require allocation of enforcement staff to administer. Typically, the systems are not intended to be a revenue generator but rather a mechanism with which the public is encouraged to use public transit and to reduce longer-term parking. Glenwood Springs and Carbondale utilize a two-hour maximum parking period.

Valet Parking.

Businesses in communities with larger downtowns may utilize valet parking. In this way, vehicles could be shuttled to remote parking areas while the owners shop. This does not appear to be a viable option for New Castle at this time.

Increased off-Street Parking Availability.

Off-street parking can be made available through parking requirements specified in the municipal regulations. New Castle presently utilizes this system. Downtown off-street parking requirements are land consuming as single level parking. Municipalities or downtown parking districts may also utilize parking structures above and/or below ground to increase available off-street parking. Obviously, New Castle is not able to afford this very expensive option. The Town could consider acquiring one or more vacant properties to provide for future downtown parking. Property acquisition should consider the impacts of property location on potential future retail functions. For example, it may not make sense to purchase vacant property fronting on Main Street because of the future retail value of that property to the community.

Elimination of Off-street Parking Requirements in Downtown & Credit for Adjacent On-Street Parking.

A number of larger communities eliminate the requirement for off-street parking in the downtown under certain circumstances. Some communities eliminate all requirements for existing buildings and maintain a requirement for new construction. New Castle's regulations in section 13-14-010 (E) allude to an "exemption" from off-street parking requirements. The code states, "The Central Business District, as identified on the Town zoning map, may be exempt from the requirements of this chapter." The municipal code does not set forth standards against which properties may be judged to be "exempt".

Some communities provide credit for on-street parking that may be available to downtown properties. Credit may be granted for on-street parking that is immediately adjacent to or within a certain distance from the subject property. New Castle allows some flexibility for required parking "not farther than three hundred (300) feet from the building or use they are required to serve, measured in a straight line from the building." Elimination of off-street parking requirements without other options or effective public transit systems will likely adversely impact downtown parking availability. Rifle, Glenwood Springs and Carbondale do not have off-street parking requirements in their regulations for the downtown. Glenwood Springs and Carbondale are struggling to provide adequate downtown parking.

Reduction of required off-street parking based upon an impact study.

Some communities allow for reduced off-street parking when an applicant completes a study demonstrating that the proposed use(s) will generate parking demands less than the rates defined in the regulations. If the use changes, parking demands will have to be reevaluated to ensure that parking demands do not increase unless additional parking is provided. This may be an option that New Castle should consider.

Analyze existing parking requirements to ensure compliance with real-world parking generation standards i.e. Institute of Transportation Engineers, 1987 Parking Generation Manual or other applicable standards.

New Castle's off-street parking requirements appear to exceed the ITE standards in a number of categories. The residential standard specified in the ITE Manual may be directed to small downtown apartments. The source for this information did not specify the type of residential unit. This particular information should be used with caution. It seems practical that New Castle could revise the off-street parking requirements for the downtown based on the ITE Manual.

Shared Parking.

Sharing of parking spaces is a good solution for uses that do not conflict based upon time demand for parking space. For example, a church with a large parking lot that has services on Sunday and infrequent evening meetings could share parking space with nearby businesses with daytime parking demands. Most older downtown business districts rely partially or entirely on shared parking that includes on-street parking as well as public parking lots. These arrangements require agreements between parties to address issues such as liability, maintenance, lighting and litter.

Variation in Required Parking Stall Size.

There once was a time when smaller fuel-efficient vehicles were seen on the highways. It is likely that increasing fuel cost will result in increased use of smaller fuel-efficient vehicles. This change would allow utilization of smaller parking stalls as small as 7.5 by 15 feet up to 8 by 18 feet for as many as 35% of the required parking spaces.

Cash In Lieu Of Parking.

New Castle could allow a reduction in off-street parking requirements in exchange for cash in lieu of parking. These funds would allow for future acquisition of public parking areas to serve the parcels with reduced parking and the community in general. It is important that cash in lieu of programs be established with a commitment to purchase land for parking and a method of implementation to ensure that future parking is realized. The Town may wish to option one or more available parcels that make sense for downtown parking. The Town could then pursue property acquisition and utilize cash in lieu of funds for debt repayment.

Viable Options for New Castle.

- The most viable solution for New Castle appears to be a combination of several options. First, New Castle should evaluate whether the existing parking requirements for the downtown realistically match real-world parking demands. Parking standards could be altered where they appear to be too high or too low.
- Allow a site-specific analysis of parking demands as a basis for altering parking requirements. Section 13-14-040 "Standards for Unlisted Uses" allows the planning commission and Town Council to alter parking requirements based upon "a report" for "uses not specifically listed". This section of the code could be modified to allow an applicant to prepare a professional report justifying an alteration in parking requirements.
- Elimination of all downtown off-street parking is not recommended for New Castle. Elimination of off-street parking will ultimately place the parking burden on the public

sector thereby requiring use of public funds to provide parking that presently is an obligation of the private sector.

- New Castle should evaluate the existing off-street parking standards in the downtown in comparison to those specified in the Institute of Traffic Engineers, 1987 Parking Generation Manual and other applicable standards. Inaccurate parking requirements may be modified to ensure a match with real-world demands.
- The parking regulations could be modified to allow for a realistic percentage of "compact" parking stalls. This would free up property for additional spaces.
- Shared parking may be a realistic option for downtown. Further investigation is necessary to determine where shared parking could be implemented. The Town could facilitate this process by providing model shared parking agreements for use by property owners. The town regulations could be modified to incorporate this option.
- Credit for existing adjacent on-street parking could be granted to provide relief for the off-street requirements. The Town may wish to consider requiring adjoining property owners to upgrade or construct defined on-street parking spaces as compensation for use of the public right-of-way.

The goal of all of these approaches should be to ensure that off-street parking standards for the downtown do not diminish the historical character of Main Street while, at the same time, the parking problems are not increased and the burden of parking does not fall entirely on the public sector.

PLANNING STAFF MEMORANDUM

TO: NEW CASTLE PLANNING COMMISSION
FROM: DAVIS FARRAR - WESTERN SLOPE CONSULTING
SUBJECT: DOWNTOWN PARKING
DATE: 5/24/04
CC: STEVE RIPPY, DAVID MCCONAUGHY

The planning commission considered downtown parking at their regular meeting of April 28, 2004. The commission considered an April 23, 2004 draft ordinance and a memorandum from the Town Planner dated April 26, 2004 as a starting point for their discussions. The commission requested that the staff provide additional information on the following items:

1. Determine the potential additional parking available in the downtown.
2. Inventory the vacant land in the downtown.
3. Calculate parking demand based upon future development of the remaining vacant parcels.
4. Complete a calculation of the parking ratios for the Castle Valley Plaza.

The commission supported requiring parking off the alley for Main Street properties. There was also support for requiring parking for residential use, but with a lower parking requirement such as 1.5 or 1 space per unit instead of the required 2 spaces per unit in the present code.

The Town Administrator has completed an inventory of the available parking spaces in the downtown area. Additionally, an analysis was made of parking at the Castle Valley Plaza. The details of these calculations are included in the attached calculation tables.

Summary of findings:

1. The downtown area (between 2nd Street and 7th Street) has a current parking demand of 194 spaces.
2. 22 vacant lots in this area are projected to create a future demand of 176 parking spaces.
3. This yields a total current & future parking demand in the C1 zone of 370 spaces. Available parking in the C1 district, based upon our inventory, yields 233 spaces. Staff projects a deficit of 137 spaces at final build out of the downtown. This number will vary based upon the actual downtown build out and future changes in use.

4. Parking at Castle Valley Plaza is based upon 1 space/300 square feet and Central Business District calculates to 1 space/416 square feet. If Central Business District parking were based upon an overall standard of 1-space/300 square feet, the calculation would yield 513 parking spaces. Under this scenario, the Central Business District would yield a surplus of 143 spaces, thereby, offsetting the projected deficit of 137 spaces.
5. The parking space acquisition estimate based upon available Main Street properties is \$8,367 per space.

Parking Space Inventory and Cost Calculations.

Parking Calculations Between 2nd Street – 7th Street

Current Business & Resident Demand:

Category	Parking Spaces
Business:	178
Residential:	16
Total:	194

Future Commercial Demand:

Category	Parking Spaces
Vacant Lots: (22)	176

Total C-1 Zone Parking Demand: 370

Future Commercial Parking Demand:	370
Current Business District Parking Inventory:	233
Parking Shortage at Final Build out:	137

Note:

Future parking demand numbers have been based upon 25-foot lots with 2-story building on each lot. Each building has been calculated with dimensions of 25'x 80'; Retail use on first floor and 2 apartments on second floor. On site parking spaces on existing business's and residents have been accounted for in the numbers. Two on site parking spaces have been accounted for on each vacant lot.

Current Parking Inventory / Business District

Street	Location	# Spaces
Main Street	North Side 2nd Street to 3rd Street	7
Main Street	North Side 3rd Street to 4th Street	9
Main Street	North Side 4th Street to 5th Street	10
Main Street	North Side 5th Street to 6th Street	10
Main Street	North Side 6th Street to 7th Street	8
Main Street	In Front of Burning Mountain Park	7
Main Street	South Side Jasper Ward to Ritter Plaza	7
Main Street	South Side Ritter Plaza to Community Center	7
Main Street	South Side Community Center to Vandeventer	8

Main Street	South Side Vandeventer to Kamm Ave.	8
Main Street	South Side Kamm Ave. to Ambulance Building	4
Main Street	Community Center Parking Lot	19
Main Street Total:		104

Street	Location	# Spaces
2nd Street	Length of 200'	25
3rd Street	Length of 200'	21
4th Street	Length of 200'	21
5th Street	Length of 200'	25
6th Street	Length of 200'	25
Jasper Ward		3
Ritter Plaza		4
Kamm Ave.		5
Side Street Total:		129

Total Business District Parking Space Inventory:

233

Angle Parking on the north side of Main Street would provide an additional 27 parking spaces.

Parking Space Acquisition Estimate:

Location	Size	# Spaces	Cost
2nd Street	25'x 100'	(10 Spaces)	\$150,000
3rd Street	25'x 100'	(10 Spaces)	\$150,000
4th Street	25'x 100'	(10 Spaces)	\$20,000
4th Street	25'x 100'	(10 Spaces)	\$190,000
5th Street	25'x 100'	(10 Spaces)	\$40,000
Main Street	50'x 100'	(19 Spaces)	\$110,000
Main Street	50'x 100'	(19 Spaces)	\$110,000
Main Street	25'x 100'	(10 Spaces)	\$50,000
Total Cost:		(98 Spaces)	\$820,000
<i>Acquisition Cost/Space</i>			\$8,367

Note:

The use of Main Street property for parking in this example provides parking spaces and reduces the parking demand by forty-one (41) spaces this is achieved by utilizing commercial lots that contribute to that demand. By utilizing the Main Street parking lots and five (5) lots off of the north alley the parking demand shortfall would be eliminated.

Comparable Parking Statistics:

Description	Total Building S.F.	Total Parking Spaces
Castle Valley Plaza (at Build Out)	132,733	443
Downtown District (Current)	66,000	194
Downtown District (2 nd Floor Apts-Future)	44,000	66
Downtown District (Commercial-Future)	44,000	110
Total:	154,000	370

Downtown Building Inventory:	Square Feet	Parking Spaces Needed
161 W. Main/Taxidermy	2,976	8
201 W. Main/Garcia's	2,500	9
238 W. Main/Pittenger	5,500	20
239 W. Main/NC Café	1,700	6
298 W. Main/Mattivi Building	4,278	16
299 W. Main/Hearth & Home	4,700	16
302 W. Main/Spirits	1,286	3
303 W. Main/McCune	1,995	4
312 W. Main/Gresock	1,458	4
316 W. Main/Antiques Etc.	1,014	3
331 W. Main/Ringer	1,136	3
356 W. Main/Canyon Club	1,368	3
423 W. Main/Community Center	3,200	10
450 W. Main/Town Hall	3,780	7
457 W. Main/Hogback	840	1
500 W. Main/Stevens	1,278	4
502 W. Main/Elk Creek Mining	3,737	13
503 W. Main/Rogell	2,769	6
589 W. Main/Shrull	1,296	2
Total Improved Commercial Space:	46,811	138
22 Vacant Spaces (22 x 2,000)	44,000	154
Total:	90,811	292

Conclusions.

Staff hopes that this information is useful when used in conjunction with the draft ordinance and previous staff comments on the issue of parking downtown. For the most part, a review of the draft ordinance indicates that a few small modifications to the draft are necessary to accommodate current and future parking demands. Paragraph "C" in the draft ordinance requires 50% of the required parking spaces in the Central Business District to be provided on site behind the building and off the alley. A more realistic and practical solution would be to require 2

parking spaces off of the alley for each 25' of lot width. This would allow 2 spaces and space for a dumpster or trash receptacle.

It may also be necessary to modify the cash in lieu of parking language. The draft ordinance allows a maximum of 20% of the parking requirement to be satisfied by payment of cash in lieu for parking. Commission may wish to discuss this language and modify it based upon the previous calculations.

Staff looks forward to continuing the discussion of downtown parking at the meeting of May 26, 2004.

- 1 • There are 23 one-bedroom units in 4 five-plex buildings and 1 four-plex building;
2 each unit is approximately 538 square feet
- 3 • There is 1 two-bedroom manager's unit, which is 788 square feet
- 4 • These are rental units, controlled by the senior housing association.
- 5 • A community center is located in the center of the complex; it features a large open
6 room, office space, a kitchen, laundry facilities, central trash pick-up area, postal
7 area and some outdoor patio space. Access to the center will be by sidewalk.
8 There are handicapped curb cuts to cross the street.
- 9 • The private roadway through the complex will have parking on either side, with a
10 very low speed limit. All buildings will face this roadway.
- 11 • Everything will be easily adaptable for handicapped usage and 1 unit will be built
12 handicapped accessible. Any expense to convert a unit will be borne by the
13 association.
- 14 • The elevations are stone base with siding of different widths. The units include
15 dormers and the roofline is stepped to give each unit some individuality and
16 identity.
- 17 • The architectural review committee for Castle Valley Ranch has given them some
18 good comments regarding the elevations and they will be resubmitting a plan to the
19 committee.
- 20 • The residency requirements are 65 years or older and income no greater than
21 \$35,000 per year. The manager must also meet these requirements.
22

23 **Staff Presentation**

24 Mr. Farrar commented that staff had suggested removing the proposed entry to the
25 project from Castle Valley Boulevard since it is a main arterial, a divided roadway, and
26 has limitations for access. Instead, they asked the applicant to consider a 2-way street
27 with entry from Rio Grande and South Wild Horse. The buildings back onto Castle Valley
28 Boulevard and are set back according to current zoning requirements. There are no
29 back doors on the units and this green space behind the buildings would be non-usable.
30 Staff suggested that Mr. Bollenbach redesign the project without the setback
31 constraints to see if it would offer a better layout. In addition because the project will
32 require that the parcel be rezoned, it could be designed to best fit the parcel and
33 setbacks could be determined during this process. Mr. Bollenbach agreed that this
34 could maximize the site, offering larger front lawns facing into the project and still
35 provide the necessary parking.
36

37 The Commission agreed that a revised layout with access to the project from the side
38 streets as staff recommended would be preferable. The only concern would be traffic
39 cutting through the project as a short cut to avoid Castle Valley Boulevard.
40

41 **PUBLIC HEARINGS:**

42 **Proposed amendment to New Castle Municipal Code to modify C-1 Zoning**
43 **Regulations with respect to off-street parking (continuation of the hearings of**
44 **March 24 and April 28, 2004) 7:55 PM**

45 Applicant: Town of New Castle
46

47 **Staff Presentation:** (Town Planner Davis Farrar)

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- 21 2. 22 vacant lots in this area are projected to create a future demand of 176
 22 parking spaces.
- 23 3. This yields a total current & future parking demand in the C1 zone of 370
 24 spaces. Available parking in the C1 district, based upon our inventory, yields
 25 233 spaces. Staff projects a deficit of 137 spaces at final build out of the
 26 downtown. This number will vary based upon the actual downtown build out
 27 and future changes in use.
- 28 4. Parking at Castle Valley Plaza is based upon 1 space/300 square feet and
 29 Central Business District calculates to 1 space/416 square feet. If Central
 30 Business District parking were based upon an overall standard of 1-
 31 space/300 square feet, the calculation would yield 513 parking spaces.
 32 Under this scenario, the Central Business District would yield a surplus of 143
 33 spaces, thereby, offsetting the projected deficit of 137 spaces.
- 34 5. The parking space acquisition estimate based upon available Main Street
 35 properties is \$8,367 per space.

36
 37 **Parking Calculations Between 2nd Street – 7th Street**

Category	Parking Spaces
Current Business & Resident Demand	
Business:	178
Residential:	16
Total	194
Future Commercial Demand	
Vacant Lots (22)	176
Total C-1 Parking Demand	370
Current Business District Parking Inventory	233
Parking Shortage at Final Build Out	137

1 Future parking demand numbers have been based upon 25-foot lots with 2-story
 2 building on each lot. Each building has been calculated with dimensions of 25'x 80';
 3 Retail use on first floor and 2 apartments on second floor. On site parking spaces on
 4 existing business's and residents have been accounted for in the numbers. Two on site
 5 parking spaces have been accounted for on each vacant lot.
 6

7 **Current Parking Inventory/Business District**

Street	Location	# Spaces
Main Street	North Side 2nd Street to 3rd Street	7
Main Street	North Side 3rd Street to 4th Street	9
Main Street	North Side 4th Street to 5th Street	10
Main Street	North Side 5th Street to 6th Street	10
Main Street	North Side 6th Street to 7th Street	8
Main Street	In Front of Burning Mountain Park	7
Main Street	South Side Jasper Ward to Ritter Plaza	7
Main Street	South Side Ritter Plaza to Community Center	7
Main Street	South Side Community Center to Vandeventer	8
Main Street	South Side Vandeventer to Kamm Ave.	8
Main Street	South Side Kamm Ave. to Ambulance Building	4
Main Street	Community Center Parking Lot	19
Main Street Total:		104

8

Street	Location	# Spaces
2 nd Street	Length of 200'	25
3 rd Street	Length of 200'	21
4 th Street	Length of 200'	21
5 th Street	Length of 200'	25
6 th Street	Length of 200'	25
Jasper Ward		3
Ritter Plaza		4
Side Street Total:		129

Total Business District Parking Space Inventory:	233
---	------------

9

10 Angle parking on the north side of Main Street would provide an additional 27 parking
 11 spaces.
 12

13

Parking Space Acquisition Estimate:

Location	Size	# Spaces	Cost
2nd Street	25'x 100'	(10 Spaces)	\$150,000
3rd Street	25'x 100'	(10 Spaces)	\$150,000
4 th Street	25'x 100'	(10 Spaces)	\$20,000
4th Street	25'x 100'	(10 Spaces)	\$190,000
5th Street	25'x 100'	(10 Spaces)	\$40,000
Main Street	50'x 100'	(19 Spaces)	\$110,000
Main Street	50'x 100'	(19 Spaces)	\$110,000
Main Street	25'x100'	(10 spaces)	\$50,000
Total Cost:		(98 Spaces)	\$820,000
Acquisition Cost/Space			\$8,367

1 The use of Main Street property for parking in this example provides parking spaces
 2 and reduces the parking demand by forty-one (41) spaces. This is achieved by
 3 utilizing commercial lots that contribute to that demand. By utilizing the Main Street
 4 parking lots and five (5) lots off of the north alley the parking demand shortfall would
 5 be eliminated.

6
 7

Comparable Parking Statistics:

Description	Total Bldg S.F.	Total Parking Spaces
Castle Valley Plaza (at Build Out)	132,733	443
Downtown District (Current)	66,000	194
Downtown District (2 nd Floor Apts-Future)	44,000	66
Downtown District (Commercial-Future)	44,000	110
Total:	154,000	370

Downtown Building Inventory:	Square Feet	Spaces Needed
161 W. Main/Taxidermy	2,976	8
201 W. Main/Garcia's	2,500	9
238 W. Main/Pittenger	5,500	20
239 W. Main/NC Café	1,700	6
298 W. Main/Mattivi Building	4,278	16
299 W. Main/Hearth & Home	4,700	16
302 W. Main/Spirits	1,286	3
303 W. Main/McCune	1,995	4
312 W. Main/Gresock	1,458	4
316 W. Main/Antiques Etc.	1,014	3
331 W. Main/Ringer	1,136	3
356 W. Main/Canyon Club	1,368	3
423 W. Main/Community Center	3,200	10
450 W. Main/Town Hall	3,780	7
457 W. Main/Hogback	840	1
500 W. Main/Stevens	1,278	4
502 W. Main/Elk Creek Mining	3,737	13
503 W. Main/Rogell	2,769	6
589 W. Main/Shrull	1,296	2
Total Improved Commercial Space:	46,811	138

22 Vacant Spaces (22 x 2,000)	44,000	154
--------------------------------------	---------------	------------

Total:	90,811	292
---------------	---------------	------------

8 Staff hopes that this information is useful when used in conjunction with the draft
 9 ordinance and previous staff comments on the issue of parking downtown. For the
 10 most part, a review of the draft ordinance indicates that a few small modifications to
 11 the draft are necessary to accommodate current and future parking demands.
 12 Paragraph "C" in the draft ordinance requires 50% of the required parking spaces in the
 13 Central Business District to be provided on site behind the building and off the alley. A
 14 more realistic and practical solution would be to require 2 parking spaces off of the alley
 15 for each 25' of lot width. This would allow 2 spaces and space for a dumpster or trash
 16 receptacle.

1 It may also be necessary to modify the cash in lieu of parking language. The draft
2 ordinance allows a maximum of 20% of the parking requirement to be satisfied by
3 payment of cash in lieu for parking. Commission may wish to discuss this language and
4 modify it based upon the previous calculations.
5

6 **Public Comments**

7 Margot and Dennis Eicher, owners of 2 lots on Main Street:

- 8 • Requiring so many parking spaces per square foot of commercial space reduces the
9 amount of available commercial development in the downtown area, thereby
10 affecting potential revenue to the Town.
- 11 • If 2 lots were valued at \$100,000, providing 2 parking spaces on the lots would be
12 taking \$20,000 worth of land from an owner. With the cost of building today, and
13 the fact that the Town has no track record of retail succeeding in the downtown
14 area, it creates a delicate balance between success and failure. All these additional
15 costs would have to be charged back to the renter, thereby jeopardizing his
16 business and any potential revenue to the Town.
- 17 • The Town should provide the infrastructure in the downtown area, including
18 parking.
- 19 • The Town provided incentives to the large developer of Castle Valley Plaza, but
20 offers nothing to the small business owner. This ordinance penalizes the small
21 business owner who needs these incentives more than the larger developer.
- 22 • Perhaps a building permit fee could be assessed that goes into a parking fund for
23 future acquisition.
- 24 • A future retail business would have more incentive to locate in Castle Valley Plaza
25 because they do not have to pay for parking.
- 26 • Business breeds business. The Town needs to have block to block businesses to
27 give someone a real incentive to stop. The downtown area is very small and
28 parking should not be on Main Street.
- 29 • Most owners would probably build with retail on the ground floor with residential
30 above which would give the Town a net gain in parking spaces.
- 31 • An informal survey of Castle Valley Ranch residents indicated that they rarely go
32 downtown. Many asked why they would go downtown. There is currently nothing
33 to draw our residents there.
34

35 **Discussion Highlights:**

- 36 • The extreme option would be to waive all parking requirements in the downtown.
37 However, communities that waive this generally have public transit available
- 38 • Retail business benefits the Town through sales tax revenue. Residential is a net
39 drain on Town resources.
- 40 • The ITE standards upon which the ordinance is based may not fit the Town's model.
- 41 • The targeted lots for commercial parking are off Main Street, particularly north of
42 the alley.
- 43 • It is not fair to burden future commercial development with providing all the
44 parking.
- 45 • Perhaps the focus should be to require on-site parking for residential units and let
46 commercial balance itself. This could also provide employee parking during the day
47 when the resident is at work and on-street parking at night for retail customers.

- 1 • It appears that this revised ordinance needs to be liberalized further so that a
2 potential downtown developer would not feel penalized and would be able to
3 financially survive.
- 4 • The Town needs to focus on the future and start targeting some potential property
5 to purchase for parking purposes.
- 6 • An off-street parking requirement for residential would provide an incentive for
7 commercial development.

8
9 Public hearing closed at 9:04 PM

10
11 **Comments:**

12 Mr. Farrar suggested that the Commission keep in mind the other components of the
13 ordinance that may be tools to consider in their discussion. In response to a question
14 regarding the possibility of angle parking on Main Street if a parking crisis situation
15 should occur, Mr. Farrar stated that CDOT is extremely opposed to it and would be
16 difficult to work with.

17
18 Mr. McConaughy asked the Commission to focus on the terms of the proposed
19 ordinance beginning on paragraph B:

20 B. Parking space requirements for each use in the central business district shall be as
21 follows:

- 22 1. For residential dwelling units located above the ground floor level of a
23 building, one and one-half parking spaces per dwelling unit and one-half
24 bicycle space per bedroom;
- 25 2. For a retail store, except as provided in section 17.108.020(F)(2), one (1)
26 space per two hundred and fifty (250) square feet of floor space and one-
27 half bicycle space per one thousand (1,000) square feet of floor area
- 28 3. For offices other than medical and dental, one (1) space per three hundred
29 (300) square feet of floor area and one-half bicycle space per one thousand
30 (1,000) square feet of floor area.
- 31 4. For medical and dental clinics, one space per two hundred fifty (250) square
32 feet of floor area and one-half bicycle space per one thousand square
33 (1,000) feet of floor area.
- 34 5. For eating or drinking establishments, one (1) space per three (3) seats and
35 one-half bicycle space per one thousand (1,000) square feet of floor area.

36
37 C. A minimum of fifty percent (50%) of the required parking spaces in the central
38 business district shall be provided on site behind the building and off of the alley.

39
40 D. Loading may take place within the right-of-way as long as it does not create a
41 safety hazard for vehicle or pedestrian traffic.

42
43 E. Off-site parking available within four hundred (400) feet of the front entry of a
44 building owned or controlled under a permanent and recorded parking
45 encumbrance agreement shall count towards the parking space requirement for
46 the applicable use set forth in subsection (A) of this section.

47
48 F. For every twenty-five (25) feet of linear building frontage abutting a developed

1 public right-of-way on which legal on-street parking is available and is not
2 restricted by fire hydrants, landscaping planters, handicap ramps (unless the
3 space is designated for handicap use only) or similar restrictions, one parking
4 space shall be counted toward the parking space requirement for the applicable
5 use set forth in subsection (A) of this section. For purposes of this subsection, an
6 alley is not considered a public-right-of-way and a fractional space of .6 or greater
7 equals one parking space.
8

9 G. Shared Parking. Separate properties in the central business district may share
10 parking facilities with the approval of the Town Manager. Requests for approval
11 shall be submitted to the Town Manager in a form provided by the Town and shall
12 contain the following:
13

- 14 1. A descriptive narrative;
- 15 2. A parking plan drawn to scale showing the location of the properties, the
16 location and size of parking spaces, pedestrian access and other relevant
17 information;
- 18 3. A calculation of the number of parking spaces required for each property
19 pursuant to this section;
- 20 4. Proof of ownership or lease of the area to be used for parking;
- 21 5. Proof that there is a convenient pedestrian connection between the
22 properties;
- 23 6. Proof that the properties are within five hundred (500) feet of each other;
- 24 7. Proof that the commercial uses of the properties have different hours of
25 operation which are separated by at least one hour;
- 26 8. A draft of an long-term shared parking agreement which names the Town as
27 a third-party beneficiary with the right but not the obligation to ensure
28 compliance with the agreement; and
- 29 9. An application fee.
30

31 H. Compact vehicle parking spaces. Up to twenty-five percent (25%) of the required
32 parking spaces in the central business district may be designed for compact
33 vehicles. Perpendicular compact vehicle parking spaces shall be a minimum of
34 seven and a half (7.5) feet wide by fifteen (15) feet deep and shall have signage
35 indicating that they are reserved for compact vehicles only.
36

37 I. Parking Study Option. A special exemption to the parking requirements set forth
38 in subsection (A) of this section may be granted by the Board of Adjustment
39 where it is demonstrated through a professionally prepared and documented
40 parking study that the demand for parking for a particular use is less than the
41 minimum parking required for that use.
42

43 J. Cash in Lieu of Parking. Upon a recommendation by the Planning and Zoning
44 Commission and at the sole discretion of the Town Council, up to twenty percent
45 (20%) of the parking requirement for a particular use in the central business
46 district may be satisfied by a payment of cash in lieu of parking to be utilized by
47 the Town solely for acquisition of public parking spaces within the central business
48 district. The amount of the cash in lieu fee shall be determined annually by the

1 Town Council upon a recommendation of the Planning and Zoning Commission
2 and shall be based upon an objective analysis of the cost of providing public
3 parking spaces in the central business district.
4

5 The Commission amended the ordinance as follows:

- 6 • B-1 should read "for residential dwelling units at one and one-half spaces per
7 dwelling unit and one-half bicycle space per bedroom;
- 8 • Eliminate B-2, B-3, B-4 and B-5
- 9 • C should read "all required residential parking spaces in the central business district
10 shall be provided on-site behind the building and off the alley."
- 11 • D and E remain the same.
- 12 • Eliminate F
- 13 • G, H, and I remain the same.
- 14 • J should remain for residential use and the percentage should be modified to 50%
15

16 **Motion:** Recommend that Town council approve the proposed ordinance 2004-? as
17 amended (Breslin/Sander). Voting yes: Apostolik, Breslin, Gundelfinger, O'Brien,
18 Owens Sander. Voting no: None. **Motion carried.**
19

20 **NEW BUSINESS:**

21 Project Coordinator Jim Stevens advised that Town Council preferred to initiate pre-
22 annexation discussions with Mr. Greg McKennis in a small committee of 2 Councilors
23 and 2 Planning and Zoning Commissioners prior to a discussion at ascheduled public
24 meeting. The meeting is tentatively scheduled for June 22, 2004. Chairman Breslin
25 and Commissioner O'Brien volunteered. Since Mayor Wentzel is attending and is a
26 member of the Planning Commission, a decision will be made at the next meeting as to
27 who will attend.
28

29 **ADJOURNED AT 9:35 PM**



36 ATTEST:

37
38
39 Sandy Sanchez
40 Sandy Sanchez, Deputy Town Clerk

TOWN OF NEW CASTLE
PLANNING & ZONING COMMISSION

Frank Breslin
Frank Breslin, Chairman

TOWN OF NEW CASTLE, COLORADO
RESOLUTION NO. TC-2005-7

A RESOLUTION OF THE TOWN OF NEW CASTLE, COLORADO,
ESTABLISHING A FEE FOR CASH IN LIEU OF PARKING.

WHEREAS, on July 6, 2004, the New Castle Town Council approved Ordinance 2004-10, adding Section 17.76.120 New Castle Municipal Code ("Town Code") addressing off-street parking requirements and standards in the Town's Central Business District; and

WHEREAS, the Town seeks to encourage development in the Central Business District while ensuring the District supports adequate off-street parking; and

WHEREAS, Section 17.76.120(I) establishes a cash in lieu of parking option whereby, upon recommendation by the Planning and Zoning Commission and at the sole discretion of the Town Council, up to fifty percent (50%) of the parking required for residential use in the Central Business District may be satisfied by a payment of cash in lieu of parking to be utilized by the Town solely for acquisition of public spaces within the Central Business District; and

WHEREAS, the aforementioned Section further provides that the amount of the cash in lieu fee shall be determined annually by the Town Council upon a recommendation of the Planning and Zoning Commission and shall be based upon an objective analysis of the costs of providing public parking spaces in the Central Business District; and

WHEREAS, Town staff has calculated, and the Planning and Zoning Commission has recommended that the Town Council approve, a cash in lieu fee in the amount of \$9,000.00 based on land acquisition and construction costs within the Town of New Castle; and

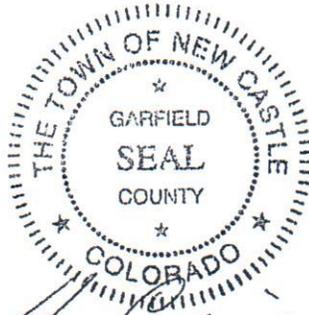
WHEREAS, the Town Council has reviewed the fee calculations and finds and determined that it is in the best interests of the Town to adopt the proposed figure as the cash in lieu requirement.

NOW, THEREFORE, BE IT RESOLVED BY THE NEW CASTLE TOWN COUNCIL AS FOLLOWS:

1. Recitals. The foregoing recitals are incorporated herein as findings and determinations of the New Castle Town Council.
2. Approval. The Town Council hereby approves \$9,000.00 as the fee for cash in lieu of parking provided for in Section 17.76.120(I) of the Town Code.

THIS RESOLUTION was adopted by the Town of New Castle, Colorado by a vote of 5 to 0 on the 19th day of July, 2005.

TOWN OF NEW CASTLE, COLORADO



ATTEST:

Lisa Cain

Lisa Cain, Town Clerk

By:

Robert L. Wentzel *Per Town*
Bill Wentzel, Mayor

**TOWN OF NEW CASTLE, COLORADO
RESOLUTION NO. PZ 2013-3**

A RESOLUTION OF THE NEW CASTLE PLANNING AND ZONING
COMMISSION RECOMMENDING APPROVAL OF AN AMENDMENT TO
PORTIONS OF CHAPTERS 17.36 AND 17.76 OF THE NEW CASTLE
MUNICIPAL CODE CONCERNING THE REQUIREMENTS OF OFF-
STREET PARKING AND CONDITIONAL AND NONPERMITTED USES IN
THE C-1 COMMERCIAL ZONE DISTRICT.

WHEREAS, Town Staff and the Economic Advisory Committee have conducted extensive research into the needs, wants, and requirements of the Town concerning the location, placement and requirements for commercial uses and requirements throughout the downtown area; and

WHEREAS, after discussing various potential changes to the municipal code, the Staff has recommended that the Town amend portions of its municipal code to expand the number and type of conditional uses in the C-1 Commercial Zone District; and

WHEREAS, the Town sees the need to better incorporate flexibility and creativity in the range of potential commercial uses in the downtown core; and

WHEREAS, it is believed that this change will provide greater and more diverse commercial opportunities in the Town for employers, employees, and residents, thus supporting the Town's goals to foster sustainable job growth within the Town and create a "live-work" environment; and

WHEREAS, by expanding commercial opportunities the Town hopes to foster a more vibrant and dynamic downtown environment, encourage and grow pedestrian traffic and increase walkability; and

WHEREAS, pursuant to section 17.92.030(B) of the New Castle Municipal Code the Planning Commission held a public hearing on May 22, 2013 to consider the Town's application to amend the municipal code; and

WHEREAS, based on the testimony presented by staff and the general public, the Planning Commission desires to recommend that the Town Council approve changes to the municipal code to expand the uses in the C-1 Commercial Zone District.

NOW, THEREFORE, BE IT RESOLVED BY THE NEW CASTLE PLANNING AND ZONING COMMISSION AS FOLLOWS:

1. Recitals Incorporated by Reference. The foregoing recitals are incorporated by reference herein as findings and determinations of the New Castle Planning Commission.

2. Recommendation. The Planning and Zoning Commission hereby recommends that the Town Council approve the following amendments to the New Castle Municipal Code:

A. 17.36.050 is amended as follows:

D. Any use not specifically defined in the permitted, conditional, or nonpermitted use categories shall be a conditional use.

B. There is hereby added a new section 17.36.060 as follows:

17.36.060 Nonpermitted Uses

The following uses are not permitted in the C-1 Commercial Zone District:

1. Outside storage of wrecked or inoperable vehicles or equipment, salvage, scrap or other such items.
2. Self-storage facilities
3. Petroleum, oil & gasoline storage
4. Recreation vehicle park
5. Propane storage
6. Auto wrecking and salvage yard
7. Auto storage yard
8. Truck repair and storage yard
9. Mobile home park
10. Asphalt batch plant
11. Concrete block and mixing plant
12. Concrete storage yard
13. Gravel extraction
14. Gravel storage
15. Mining operations
16. Adult entertainment establishment or sexually-oriented business
17. Testing laboratories, business research and development involving hazardous materials or pollution
18. Kennel

C. Section 17.76.120(I) is repealed and reenacted as follows:

- I. **Cash in Lieu of Parking.** Upon a recommendation of the planning and zoning commission and at the sole discretion of the town council, the off-street parking requirements in the C-1 zone district may be wholly or partly satisfied by a payment of cash in lieu of parking. Such payment shall be utilized by the town solely for acquisition, construction, or improvement of parking facilities within the downtown. The amount of the cash in lieu shall be set by the fee schedule adopted annually by the town, and shall be changed based on an objective analysis of the costs in providing public parking spaces downtown.

3. Cash in Lieu Amount. Based on the information provided by Staff at the hearing, the Planning and Zoning Commission recommends that the Town Council set the cash-in-lieu of parking amount at \$3000 per space, based in on an average parking space size of 200 square feet at the rate of \$13/square foot, plus attendant acquisition and construction costs.

THIS RESOLUTION PZ 2013-2 was adopted by the New Castle Planning and Zoning Commission by a vote of 4 to 0 on the 22nd day of May, 2013.



NEW CASTLE PLANNING AND
ZONING COMMISSION

By: _____

Chuck Apostolik
Chuck Apostolik, Chairman

ATTEST:

Wendy Mead
Wendy Mead, Deputy Town Clerk

TOWN OF NEW CASTLE, COLORADO
ORDINANCE 2013-4

AN ORDINANCE OF THE NEW CASTLE TOWN COUNCIL APPROVING AN AMENDMENT TO PORTIONS OF CHAPTERS 17.36 AND 17.76 OF THE NEW CASTLE MUNICIPAL CODE CONCERNING THE REQUIREMENTS OF OFF-STREET PARKING AND CONDITIONAL AND NONPERMITTED USES IN THE C-1 COMMERCIAL ZONE DISTRICT.

WHEREAS, Town Staff and the Economic Advisory Committee have conducted extensive research into the needs, wants, and requirements of the Town concerning the location, placement and requirements for commercial uses and requirements throughout the downtown area; and

WHEREAS, after discussing various potential changes to the municipal code, the Staff has recommended that the Town amend portions of its municipal code to expand the number and type of conditional uses in the C-1 Commercial Zone District; and

WHEREAS, the Town sees the need to better incorporate flexibility and creativity in the range of potential commercial uses in the downtown core; and

WHEREAS, it is believed that this change will provide greater and more diverse commercial opportunities in the Town for employers, employees, and residents, thus supporting the Town's goals to foster sustainable job growth within the Town and create a "live-work" environment; and

WHEREAS, by expanding commercial opportunities the Town hopes to foster a more vibrant and dynamic downtown environment, encourage and grow pedestrian traffic and increase walkability; and

WHEREAS, pursuant to section 17.92.030(B) of the New Castle Municipal Code the Planning Commission held a public hearing on May 22, 2013 to consider the Town's application to amend the municipal code; and

WHEREAS, based on the testimony presented by staff and the general public, the Planning Commission approved resolution PZ 2013-3, recommending that the Town Council approve changes to the municipal code to expand the uses in the C-1 Commercial Zone District as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF NEW CASTLE, COLORADO:

1. Recitals Incorporated by Reference. The foregoing recitals are incorporated by reference herein as findings and determinations of the New Castle Planning Commission.

2. Amendment. The Town Council hereby approves the following amendments to the New Castle Municipal Code:

A. 17.36.050 is amended as follows to add:

D. Any use not specifically defined in the permitted, conditional, or nonpermitted use categories shall be a conditional use.

B. There is hereby added a new section 17.36.060 as follows:

17.36.060 Nonpermitted Uses

The following uses are not permitted in the C-1 Commercial Zone District:

1. Outside storage of wrecked or inoperable vehicles or equipment, salvage, scrap or other such items.
2. Self-storage facilities
3. Petroleum, oil & gasoline storage
4. Recreation vehicle park
5. Propane storage
6. Auto wrecking and salvage yard
7. Auto storage yard
8. Truck repair and storage yard
9. Mobile home park
10. Asphalt batch plant
11. Concrete block and mixing plant
12. Concrete storage yard
13. Gravel extraction
14. Gravel storage
15. Mining operations
16. Adult entertainment establishment or sexually-oriented business
17. Testing laboratories, business research and development involving hazardous materials or pollution
18. Kennel

C. Section 17.76.120(I) is repealed and reenacted as follows:

- I. **Cash in Lieu of Parking.** Upon a recommendation of the planning and zoning commission and at the sole discretion of the town council, the off-street parking requirements in the C-1 zone district may be wholly or partly satisfied by a payment of cash in lieu of parking. Such payment shall be utilized by the town solely for acquisition, construction, or improvement of parking facilities within the downtown. The amount of the cash in lieu shall be set by the fee schedule adopted annually by the town, and shall be changed based on an objective analysis of the costs in providing public parking spaces downtown.

3. **Cash in Lieu Amount.** Based on the information provided by Staff at the hearing, the Town Council hereby sets the cash-in-lieu of parking amount at \$3000 per space. This number is based in on an average parking space size of 200 square feet at the rate of \$13/square foot plus attendant acquisition and construction costs.

4. **Effective Date.** This Ordinance shall be effective fourteen days after final publication pursuant to section 4.3 of the Town Charter.

INTRODUCED on June 4, 2013, at which time copies were available to the Council and to those persons in attendance at the meeting, read by title, passed on first reading, and ordered published in full and posted in at least two public places within the Town as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the Town of New Castle, Colorado on _____, 2013, read by title and number, passed without amendment, approved, and ordered published as required by the Charter.

TOWN OF NEW CASTLE, COLORADO

By: _____
Frank Breslin, Mayor

ATTEST:

Melody Harrison, Town Clerk