

Memo

To: Mayor Bob Gordon and Town Councilors

From: Tim Cain

Date: July 27, 2015

Re: C-1 Off-Street Parking Sunset Provision

Background/Discussion: After holding two readings at public meetings on May 1, 2012 and May 15, 2012, the Town Council adopted Ordinance 2012-1 which extended Ordinance 2010-4 for one year expiring on May 31, 2013. Ordinance 2012-1 allowed for future extensions by resolution rather than by ordinance. TC Resolution 2013-9 was approved by Town Council on May 31, 2013 and expired on May 31, 2015. The Resolution required one and one-half off-street residential parking spaces for new dwelling units. It also required no commercial off-street parking spaces in the C-1 Zone District. In addition, it was set to expire after two years.

Recommendation: Staff would like to extend by resolution off-street parking provisions for three years. If devolution occurs within in this time, it is possible staff will re-introduce either and ordinance or resolution.

**TOWN OF NEW CASTLE, COLORADO
RESOLUTION 2015-9**

**A RESOLUTION OF THE TOWN OF NEW CASTLE, COLORADO,
EXTENDING THE EXPIRATION OF THE REQUIREMENTS FOR OFF-STREET
PARKING IN THE C-1 ZONE DISTRICT FOR THREE YEARS.**

WHEREAS, the Town of New Castle (“Town”) adopted Ordinance 2004-10 to add a section to Title 17 of the New Castle Municipal Code addressing off-street parking requirements and standards in the Town's C-1 zone district; and

WHEREAS, Section 17.92.010 of the Town Code provides that the Town Council may, from time to time, on its own motion, amend, supplement, or repeal the regulations and provisions of Title 17 of the Town Code; and

WHEREAS, the Town adopted Ordinance 2005-19 to clarify Ordinance 2004-10; and

WHEREAS, the Town adopted Ordinance 2010-4 imposing off-street parking requirements within the C-1 zoning district, and said requirements were set to expire twenty-four (24) months (“Expiration Deadline”) after the effective date of Ordinance 2010-4 unless reenacted by the Town Council; and

WHEREAS, the Town adopted Ordinance 2012-1 extending the Expiration Deadline for twelve (12) months in the C-1 zone district expiring on May 31, 2013; and

WHEREAS, Ordinance 2012-1 allows for Council to extend the Expiration Deadline by Resolution in lieu of Ordinance; and

WHEREAS, by Resolution 2013-9, the Town Council extended the Expiration Deadline for an additional twenty-four (24) months, making the Expiration Deadline to May 31, 2015; and

WHEREAS, the Town seeks to encourage development in the C-1 zone district while ensuring that there is adequate off-street parking in the C-1 zone district; and

WHEREAS, the Town Council finds and determines that further extending the Expiration Deadline of the off-street parking regulations for the C-1 zone district is in the best interests of the Town.

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

1. Recitals. The Town Council incorporates the foregoing recitals as findings of the Town Council

2. Extension. Pursuant to Section 2 of Ordinance number 2012-1, the Expiration Deadline set forth in Section 5 of Ordinance number 2010-4 concerning parking requirements in the C-1 zone district is hereby extended for an additional thirty-six (36) months to May 31, 2018. All other terms and Conditions of those ordinances remain in full force and effect.

3. Effective Date. This Resolution shall be effective immediately upon passage and shall apply retroactively as of June 1, 2015.

THIS RESOLUTION was adopted by the New Castle Town Council at its regular meeting on the 4th day of August, 2015.

TOWN OF NEW CASTLE, COLORADO

By: _____
Bob Gordon, Mayor

ATTEST:

Melody Harrison, Town Clerk