

**ORDINANCE NO. 2021-\_\_\_\_**

**AN ORDINANCE AMENDING TITLES 3, 4 AND 13 OF THE CASTLE ROCK MUNICIPAL CODE BY CHANGING STORMWATER DEVELOPMENT IMPACT FEES, WATER RESOURCES SYSTEM DEVELOPMENT FEES, WATER SYSTEM DEVELOPMENT FEES, WASTEWATER SYSTEM DEVELOPMENT FEES, WATER RESOURCES, STORMWATER AND WASTEWATER RATES, METER SET FEES; AND MAKING CERTAIN EDITORIAL UPDATES TO SUCH TITLES**

**WHEREAS**, in 2010, the Town Council of the Town of Castle Rock, Colorado (the “Town”) directed staff to prepare and present annual updates to Castle Rock Water rates and fees; and

**WHEREAS**, the Town Council has considered and accepted Castle Rock Water’s analyses and recommendations and the following reports prepared by Stantec Consulting Services, Inc.: (i) the 2021 Castle Rock Water Rates and Fees Study Update – Vol. 1 of 2: 2022–2026 Rates Final Report dated September 2021; and (ii) 2021 Castle Rock Water Rates and Fees Study Update – Vol. 2 of 2: System Development Fees Final Report dated September 2021; and

**WHEREAS**, increases in the actual rate of growth for the last five years over projected growth rates, changes to estimates on long term build out of the Town, and updates to long term capital plans to support growth increases the costs for: water rights construction costs and meters substantiate changes to the Water System Development Fees, Water Resources System Development Fees, Wastewater System Development Fees, Stormwater Development Impact Fees, Water Resources, Stormwater and Wastewater Rates, and Meter Set Fees; and

**WHEREAS**, such cost increases and retirement of certain debt substantiate changes to the Water Resources, Stormwater, and Wastewater rates, as well as updates to capital plans to support the Town’s long term renewable water plan.

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

**Section 1. Legislative Findings.** The recitals to this Ordinance are adopted as findings of the Town Council in support of enactment of this Ordinance, and, in addition, the Town Council finds that:

- A. The fee structure established by this Ordinance is supported by:
  - 1. 2021 Castle Rock Water Rates and Fees Study Update – Vol. 1 of 2: 2022- 2026 Rates Final Report dated September 2021;
  - 2. 2021 Castle Rock Water Rates and Fees Study Update – Vol. 2 of 2: 2022-2026 System Development Fees Final Report dated September 2021

3. The Agenda Memorandum dated September 21, 2021 prepared by the Director of Castle Rock Water and the accompanying PowerPoint presentation offered at first and second reading of this Ordinance; and

4. Public comment and testimony.

B. The fees and charges imposed by this Ordinance comply with the legislative restrictions on impact fees adopted by local governments in §29-20-104.5, C.R.S.

**Section 2. Effective Date.** Unless otherwise stated to the contrary, the rates, fees and charges established under this Ordinance shall take effect January 1, 2022.

**Section 3. Amendment.** The Residential and Non-Residential Stormwater Development Impact Fee tables in Subsections A and B of Section 3.16.030 of the Castle Rock Municipal Code (“CRMC”) are amended to read as follows:

**3.16.030 - Assessment and collection.**

Commencing January 1, ~~2021~~ 2022, impact fees shall be assessed and collected according to the following provisions, including Section 3.16.035:

A. *Residential uses.* No building permit shall be issued for any dwelling unit prior to the payment of the following applicable fees:

**Development Impact Fees for Residential Uses**

<b>Stormwater – Cherry Creek Basin</b> <i>(per dwelling unit)</i>	
<i>Unit Type</i>	<i>2021-2022 and thereafter</i>
Single-family Detached	\$911-\$947
Single-family Attached	\$609-\$633
Multi-family	\$552-\$574
<b>Stormwater – Plum Creek Basin</b> <i>(per dwelling unit)</i>	
<i>Unit Type</i>	<i>2021-2022 and thereafter</i>
Single-family Detached	\$1,425-\$1,539
Single-family Attached	\$951-\$1,027
Multi-family	\$863-\$932

For purposes of this Subsection, any remodeling activity which results in the creation of an additional dwelling unit shall be subject to the payment of the fee as specified in this Subsection. For purposes of this Subsection, *single-family detached* shall include duplexes and mobile homes.

B. *Nonresidential uses.* No building permit shall be issued for the occupancy of any structure to be used primarily for nonresidential use prior to the payment of the following applicable fees (per 1,000 square feet of gross floor areas):

**Development Impact Fees for Non-Residential Uses**

<b>Stormwater - Cherry Creek Basin</b> <i>(per 1,000 sq. ft.)</i>	
<i>Unit Type</i>	<i>2021-2022 and thereafter</i>
Commercial/Industrial	<del>\$411</del> \$427
<b>Stormwater - Plum Creek Basin</b> <i>(per 1,000 sq. ft.)</i>	
<i>Unit Type</i>	<i>2021-2022 and thereafter</i>
Commercial/Industrial	<del>\$643</del> \$694

**Section 4. Amendment.** Subsection 4.04.150.A. of the CRMC is amended to read as follows:

**4.04.150 - Renewable water resource fee.**

A. In order to defray the cost incurred by the Town in the acquisition and development of renewable water resources consistent with the water plan and this Chapter, there is imposed a renewable water resource fee as a condition to the right to connect to the municipal water system. The renewable water resource fee is established at the following schedule of fees in effect as of the date of a complete building permit application, provided however, in order to qualify for the 0.67 SFE, the applicant must meet additional engineering criteria beyond meter capacity as established by Castle Rock Water:

**Renewable Water Resource Fee**

<i>Meter Size</i>	<i>SFE</i>	<i>Meter Capacity (GPM*)</i>	<i>2021-2022 and thereafter</i>
$\frac{5}{8}'' \times \frac{3}{4}''$	.67	20	<del>\$12,401</del> \$14,261
$\frac{3}{4}'' \times \frac{3}{4}''$	1.00	30	<del>\$18,504</del> \$21,280
1"	1.67	50	<del>\$30,909</del> \$35,545
1.5"	3.33	100	<del>\$61,633</del> \$70,878
2" C2	6.67	200	<del>\$123,452</del> \$141,969

2" T2	8.33	250	<del>\$154,175</del> \$177,301
3" C2	16.67	500	<del>\$308,536</del> \$354,817
3" T2	21.67	650	<del>\$401,078</del> \$461,240
4" C2	33.33	1,000	<del>\$616,887</del> \$709,420
4" T2	41.67	1,250	<del>\$771,247</del> \$886,934
6" C2	66.67	2,000	<del>\$1,233,958</del> \$1,419,052
6" T2	83.33	2,500	<del>\$1,542,308</del> \$1,773,654

\*Potential flow capacity in gallons per minute.

**Section 5. Amendment.** Subsection 13.12.080.A. of the CRMC is amended to read as follows:

**13.12.080 - System development fees.**

A. In order to defray the capital costs of utilizing, expanding and developing municipal facilities for the provision of water, system development fees shall be assessed in accordance with the following schedule of rates in effect as of the date of submission of a complete building permit application, provided however, in order to qualify for the 0.67 SFE system development fee, the applicant must meet additional engineering criteria beyond meter capacity as established by Castle Rock Water:

**Water System Development Fee**

<i>Meter Size</i>	<i>SFE</i>	<i>Meter Capacity (GPM*)</i>	<i>2021-2022 and thereafter</i>
5/8" x 3/4"	.67	20	<del>\$2,701</del> \$2,890
3/4" x 3/4"	1.00	30	<del>\$4,030</del> \$4,312
1"	1.67	50	<del>\$6,731</del> \$7,202
1.5"	3.33	100	<del>\$13,421</del> \$14,361
2" C2	6.67	200	<del>\$26,883</del> \$28,765
2" T2	8.33	250	<del>\$33,573</del> \$35,923
3" C2	16.67	500	<del>\$67,187</del> \$71,890
3" T2	21.67	650	<del>\$87,339</del> \$93,453
4" C2	33.33	1,000	<del>\$134,333</del> \$143,736
4" T2	41.67	1,250	<del>\$167,947</del> \$179,703
6" C2	66.67	2,000	<del>\$268,707</del> \$287,516
6" T2	83.33	2,500	<del>\$335,853</del> \$359,363

\*Potential flow capacity in gallons per minute.

**Wastewater System Development Fee\***

<i>Meter Size</i>	<i>SFE</i>	<i>Meter Capacity (GPM*)</i>	<i>2019-2022 and thereafter</i>
5/8" x 3/4"	.67	20	<del>\$2,695</del> \$2,802.80
3/4" x 3/4"	1.00	30	<del>\$4,023</del> \$4,183.92
1"	1.67	50	<del>\$6,718</del> \$6,986.72
1.5"	3.33	100	<del>\$13,397</del> \$13,932.88
2" C2	6.67	200	<del>\$26,833</del> \$27,906.32
2" T2	8.33	250	<del>\$33,512</del> \$34,852.48
3" C2	16.67	500	<del>\$67,063</del> \$69,745.52
3" T2	21.67	650	<del>\$87,178</del> \$90,665.12
4" C2	33.33	1,000	<del>\$134,087</del> \$139,450.48
4" T2	41.67	1,250	<del>\$167,638</del> \$174,343.52
6" C2	66.67	2,000	<del>\$268,213</del> \$278,941.52
6" T2	83.33	2,500	<del>\$335,237</del> \$348,646.48

**Section 6. Amendment.** Subsection 13.12.100 of CRMC is amended to read as follows:

**13.12.100 - Meter set fees.**

No new potable water, wastewater or irrigation water service shall be extended to any user until payment of proper tap fees in accordance with the schedule enumerated below is made. The fee shall be assessed and payable at the time of submission of a complete building application. The payment of the tap fee is for the privilege to tap to the main and an inspection by the Town and is supplementary to the system development fees imposed under Section 13.12.080. The construction of the service line is to be completed by the user, stubbed at a properly designated point as determined by the Director of Castle Rock Water.

**Meter Set Fee Schedule**

<i>Meter Size &amp; Type</i>	<i>Single Port</i>	
	<i>Indoor Installation</i>	<i>Outdoor Installation</i>
5/8" x 3/4" iPERL	<del>\$425.76</del> \$486.94	<del>\$430.03</del> \$489.40
3/4" ally	<del>\$718.56</del> \$839.95	<del>\$722.83</del> \$842.41
1" iPERL	<del>\$497.07</del> \$579.14	<del>\$501.34</del> \$581.60
1.5" OMNI C2, 1,000 gallon pulse	<del>\$1,579.22</del> \$1,847.37	<del>\$1,583.49</del> \$1,849.83
2" OMNI C2, 1,000 gallon pulse	<del>\$1,786.61</del> \$2,101.44	<del>\$1,790.88</del> \$2,103.90
3" OMNI C2, 1,000 gallon pulse	<del>\$2,189.07</del> \$2,533.90	<del>\$2,193.34</del> \$2,536.36

4" OMNI C2, 1,000 gallon pulse (irrigation)	<del>\$3,590.27</del> \$4,166.14	<del>\$3,594.54</del> \$4,168.60
6" OMNI C2, 1,000 gallon pulse	<del>\$6,031.26</del> \$7,005.40	<del>\$6,035.53</del> \$7,007.86
1.5" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	<del>\$1,179.61</del> \$1,378.63
2" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	<del>\$1,353.16</del> \$1,593.22
3" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	<del>\$1,617.60</del> \$1,864.66
4" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	<del>\$2,866.30</del> \$3,318.97
6" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	<del>\$4,961.75</del> \$5,755.11

<i>Meter Size &amp; Type</i>	<i>Dual Port</i>	
	<i>Indoor Installation</i>	<i>Outdoor Installation</i>
5/8" x 3/4" iPERL	<del>\$465.61</del> \$487.83	<del>\$482.49</del> \$553.41
3/4" Ally	<del>\$758.41</del> \$840.84	<del>\$775.29</del> \$906.42
1" iPERL	<del>\$536.92</del> \$580.03	<del>\$553.80</del> \$645.61
1.5" OMNI C2, 1,000 gallon pulse	<del>\$1,619.07</del> \$1,848.26	<del>\$1,635.95</del> \$1,913.84
2" OMNI C2, 1,000 gallon pulse	<del>\$1,826.46</del> \$2,102.33	<del>\$1,843.34</del> \$2,167.91
3" OMNI C2, 1,000 gallon pulse	<del>\$2,228.92</del> \$2,534.79	<del>\$2,245.80</del> \$2,600.37
4" OMNI C2, 1,000 gallon pulse	<del>\$3,630.12</del> \$4,167.03	<del>\$3,647.00</del> \$4,232.61
6" OMNI C2, 1,000 gallon pulse	<del>\$6,071.11</del> \$7,006.29	<del>\$6,087.99</del> \$7,071.87
1.5" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	<del>\$1,232.07</del> \$1,442.64
2" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	<del>\$1,405.62</del> \$1,657.23
3" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	<del>\$1,670.06</del> \$1,928.67
4" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	<del>\$2,918.76</del> \$3,382.98
6" OMNI T2, 1,000 gallon pulse (irrigation)	N/A	<del>\$5,014.21</del> \$5,819.12

**Section 7. Amendment.** The Renewable Water Service Charge table in Section 13.12.112 of the CRMC is amended to read as follows:

**13.12.112 - Service charges, all users, excluding bulk.**

Beginning with water service provided on or after January 1, ~~2021~~ 2022, the Town is empowered to levy and collect the following monthly charges for water service within its corporate limits during the calendar years as noted:

**Renewable Water Service Charge**

<i>Meter Size</i>	<i><del>2021</del>2022 and thereafter</i>
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5/8" x 3/4"	<del>\$26.15</del> \$26.93
3/4" x 3/4"	<del>\$26.15</del> \$26.93
1"	<del>\$99.11</del> \$102.08
1 1/2"	<del>\$187.50</del> \$193.13
2"	<del>\$313.54</del> \$322.95
3"	<del>\$588.90</del> \$606.57
4"	<del>\$1,502.32</del> \$1,547.39
6"	<del>\$2,429.34</del> \$2,502.22

Plus: Any applicable surcharges imposed under Subsection 13.15.040.C.

**Section 8. Amendment.** The bulk hydrant service charges in Section 13.12.116 of the CRMC is amended to read as follows:

A. "Bulk hydrant customers" shall mean those Castle Rock Water customers who obtain a bulk water permit for water to be pulled directly and metered from an existing hydrant. Bulk hydrant customers shall be charged as follows:

**Renewable Water Fixed Rate  
(\$ per monthly bill)**

<i>2018-2022 and thereafter</i>
<del>\$187.50</del> \$193.13

B. "Bulk station customers" shall mean those Castle Rock Water customers who obtain a bulk water permit for water to be pulled from the bulk water station located at 825 Justice Way, Castle Rock, Colorado. Bulk station customers shall be charged as follows:

**Renewable Water Fixed Rate  
(\$ per monthly bill)**

<i>2018-2022 and thereafter</i>
<del>\$26.15</del> \$26.93

**Section 9. Amendment.** Subsection 13.12.118 of the CRMC is amended to read as follows:

Beginning with wastewater service provided on or after January 1, 2020 2022, the Town is empowered to levy and collect the following monthly charges for wastewater services within its corporate limits during the calendar years noted:

**Wastewater Service Charge (\$ meter size)**

<i>Meter Size</i>	<i>2020 2022 and thereafter</i>
5/8" × 3/4"	\$9.02 \$8.56
3/4" × 3/4"	\$9.02 \$8.56
1"	\$14.36 \$13.64
1½"	\$20.82 \$19.78
2"	\$30.03 \$28.53
3"	\$50.17 \$47.66
4"	\$116.96 \$111.11
6"	\$184.77 \$175.53

**Plus:**

**Wastewater Volume Rate  
(\$ per 1,000 gallons of AWMC)**

<i>2020 2022 and thereafter</i>
\$6.39 \$6.07

**Section 10. Amendment.** Subsection 13.30.060 of the CRMC is amended to read as follows:

A. Effective with utility bills issued on or after January 1, 2018-2022, the monthly fee for each stormwater single-family equivalent shall be as follows:

**Stormwater Fee  
(\$ per SWSFE\*)**

<i>2018-2022 and thereafter</i>
\$7.12 \$7.30

**\*SFE Assignment**

<i>Customer Class</i>	<i>SWSFE</i>
Single-family residence	1
Multi-family and nonresidential	Parcel size times 80% imperviousness divided by 3,255 impervious square feet per SWSFE = number of SWSFEs for non-single-family

B. Customers receiving non-single-family utility charges may appeal for an adjustment of the stormwater utility fee if they can demonstrate that less than eighty percent (80%) of their property area is impervious.

**Section 11. Severability.** If any part or provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provisions or application, and to this end the provisions of this Ordinance are declared to be



severable.

**Section 12. Safety Clause.** The Town Council finds and declares that this Ordinance is promulgated and adopted for the public health, safety and welfare and this Ordinance bears a rational relation to the legislative object sought to be obtained.

**APPROVED ON FIRST READING** this 21st day of September, 2021 by a vote of \_\_ for and \_\_ 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 \_\_\_\_ day of \_\_\_\_\_, 2021, by the Town Council of the Town of Castle Rock by a vote of \_\_ for and \_\_ against.

**ATTEST:**

**TOWN OF CASTLE ROCK**

\_\_\_\_\_  
Lisa Anderson, Town Clerk

\_\_\_\_\_  
Jason Gray, Mayor

**Approved as to form:**

**Approved as to content:**

\_\_\_\_\_  
Michael J. Hyman Town Attorney

\_\_\_\_\_  
Mark Marlowe, Director of Castle Rock Water