

ORDINANCE NO. 18-02

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF CASTLE PINES, COLORADO ADOPTING MIXED USE DESIGN
GUIDELINES AND AMENDING SECTION 27 OF THE CASTLE PINES ZONING
ORDINANCE TO INCORPORATE SAID DESIGN GUIDELINES BY REFERENCE**

WHEREAS, the City of Castle Pines (the “City”) is a statutory municipality incorporated and organized pursuant to the provisions of Section 31-2-101, *et seq.*, C.R.S.; and

WHEREAS, Section 29-20-104, C.R.S., grants municipalities the authority to plan for and regulate the planned and orderly use of land on the basis of the impact thereof on the community; and

WHEREAS, the City is authorized pursuant to Section 31-15-401, C.R.S., to exercise its police powers to promote and protect the health, safety, and welfare of the community and its inhabitants; and

WHEREAS, in accordance with the authority under Title 31, Article 23, upon municipal incorporation, the City Council adopted by reference the Douglas County Zoning Resolution and Douglas County Subdivision Resolution via Ordinance No. 08-04, as amended (Collectively, the “Zoning Ordinance”); and

WHEREAS, the City adopted the Castle Pines 2016 Comprehensive Plan that emphasizes enhancement of Castle Pines’ unique existing community character; and

WHEREAS, in accordance with the goals and policies set forth in the Comprehensive Plan, the City desires to adopt mixed-use design guidelines; and

WHEREAS, in accordance with Section 109 of the Zoning Ordinance, the proposed amendment to the Zoning Ordinance has been referred to the Planning Commission, which has submitted its recommendation to the City Council; and

WHEREAS, in accordance with Sections 109 and 111 of the Zoning Ordinance, notice of each public hearing before the Planning Commission and the City Council to consider the proposed amendment to the Zoning Ordinance as described in this Ordinance was duly published at least fifteen (15) days prior to each such hearing; and

WHEREAS, in furtherance of the best interests of the City and the preservation and protection of the health, safety, prosperity, security, and general welfare of residents and landowners, the City Council desires to amend the Zoning Ordinance as described herein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Castle Pines, Colorado:

Section 1. Incorporation of Recitals. The foregoing recitals are hereby affirmed and incorporated herein by this reference as findings of the City Council.

Section 2. Section 2703 of Section 27 of Castle Pines Zoning Ordinance. Section 2703, titled Approval Standards, of Section 27 of the Castle Pines Zoning Ordinance is amended to read in full as follows, with text in ALL CAPS showing additions and strike-through text showing deletions:

2703 Approval Standards

2703.01 The following criteria shall be considered by the Planning Commission, or City Council on appeal, for approval of a SIP:

- a. The SIP supports the goals and objectives of the City of Castle Pines Comprehensive Plan;
- b. The SIP is consistent with the City of Castle Pines Subdivision Ordinance, the development and use standards of the City of Castle Pines Zoning Ordinance and Planned Development, as applicable;
- c. THE SIP COMPLIES WITH AND IS RESPONSIVE TO THE OVERALL INTENT AND VISION EMBODIED IN THE CITY-ADOPTED MIXED-USE DESIGN GUIDELINES, AS DETERMINED BY THE CITY.
- d. The SIP complies with the City's technical standards and requirements including the City of Castle Pines Roadway Design & Construction Standards Manual; City of Castle Pines Storm Drainage Design & Technical Criteria Manual; and City of Castle Pines Grading, Erosion and Sediment Control (GESC) Manual; and
- e. The SIP furthers the public health, safety and welfare of the community.

Section 3. Section 2706 of Section 27 of Castle Pines Zoning Ordinance. Section 2706, titled Submittal Requirements, of Section 27 of the Zoning Ordinance is amended to read in full as follows, with text in ALL CAPS showing additions and strike-through text showing deletions:

2706 Submittal Requirements

The applicant shall be required to submit the following information to the Community Development Department, UNLESS DETERMINED TO BE INAPPLICABLE AND THUS WAIVED BY THE COMMUNITY DEVELOPMENT DIRECTOR. Incomplete applications shall not be accepted for processing.

2706.01 A completed SIP submittal checklist.

2706.02 A completed land use application form.

2706.03 Proof of ownership consisting of a current title insurance policy or title commitment no more than thirty (30) calendar days old from the date of the application, or other documentation acceptable to staff.

2706.04 A notarized letter of authorization from the landowner permitting a representative to process the application, unless the landowner and applicant are the same.

2706.05 A survey of the site certified by a professional land surveyor.

2706.06 Payment of Planning and Engineering Services fees. Building Services fees are collected when a building permit is submitted to Building Services.

2706.07 Stamped, addressed envelopes for staff to prepare courtesy notices to the following:

- Each landowner and any homeowners' association governing any area within 300 feet of the subject land
- All owners using a shared access easement that is proposed for the SIP access

2706.08 A narrative description of the project, addressing the following:

2706.08.1 Name and address of the landowner, the developer or representative, and the person or firm preparing the SIP, if different than the owner.

2706.08.2 The subdivision name, filing number, (planning area number when located in a Planned Development), and lot and block number; or street address and section, township, range if not in a subdivision.

2706.08.3 Zoning of the site and the zoning and current uses of adjacent land.

2706.08.4 Source of water and sanitation facilities. If the water source has irrigation limitations, describe the manner in which landscape irrigation is to be accomplished. If irrigation water is from an offsite source, provide the following:

- Name, address, and phone number of water provider
- Source of water
- Contractual details (i.e. delivery frequency, length of contract)

2706.08.5 Describe overall impacts of the proposed development to adjacent land.

2706.08.6 Describe how the development complies with the Comprehensive ~~Master Plan~~, THE MIXED-USE DESIGN GUIDELINES, AS ADOPTED BY CITY COUNCIL AND AS AMENDED, FROM TIME TO TIME, and THE intent of this Section.

2706.09 Evidence of a sufficient water supply for the proposed SIP shall be in accordance with the standards set forth in the applicable water supply zone as depicted on the Water Supply Overlay Map, Figure 18A, herein.

2706.10 ~~Two (2) copies of the SIP plan set, to include the following:~~ THE SIP SHALL DEPICT AND CONVEY THE PURPOSE, VISION AND DESIGN PRINCIPALS SET FORTH IN THE CITY'S MIXED-USE DESIGN GUIDELINES. THE FOLLOWING EXHIBITS SHALL INCORPORATE THE APPLICABLE DESIGN ELEMENTS OF THE MIXED-USE DESIGN GUIDELINES:

- Site plan (*Subsection 2708*)
- Landscape plan (*Subsection 2709*)
- Grading and drainage plan (*Subsection 2710*)
- Building elevations (*Subsection 2711*)
- Lighting plan (*Subsection 2712*)

Copies of the following development reports, unless waived by City Engineer:

- Engineered site construction drawings – two (2) copies
- Traffic study
- Phase III Drainage Report and plan
- GESD report and plan
- Utility drawing(s)
- A survey of the site certified by a professional land surveyor
- Offsite improvement plans, as required

2706.11 A colors and materials sample sheet with color photos of each material, the manufacturer's name, product number, and specifications.

2706.12 Detailed technical studies may be required, based upon the scale and impact of the project. These studies may include, but are not limited to, the following: soil, traffic, drainage, water, noise, wildlife, environmental, lighting, shadow, photo-simulations, or a material sample board. The City may require that an independent outside consultant be retained, at the applicant's expense, to perform such studies or review such studies when performed by the applicant.

2706.13 All required easements shall be submitted for review prior to approval of the SIP.

2706.14 The Requirements for Release of Certificate of Occupancy (CO) or Requirements for Release of Final Inspections form, as applicable, shall be executed and submitted to the staff planner.

2706.15 A Site Improvement Plan Improvements Agreement (SIPIA) shall be required to identify the scope and costs of improvements necessary to implement the SIP.

Section 4. Section 2707 of Section 27 of Castle Pines Zoning Ordinance. The first paragraph of Section 2707, titled General Plan Requirements, of Section 27 of the Zoning Ordinance is amended to read as follows, with text in ALL CAPS showing additions and strike-through text showing deletions:

The SIP shall be a detailed and accurate depiction of the proposed built environment WHICH SHALL INCORPORATE THE PURPOSE, VISION AND APPLICABLE DESIGN STANDARDS OF THE CITY'S MIXED-USE DESIGN GUIDELINES. The final engineered site and architectural drawings shall be consistent with the SIP. The following information shall be required, unless otherwise noted, on all plans (except the engineered site construction and utility plans). All plans shall be prepared to generally accepted professional standards.

Section 5. Section 27 of Castle Pines Zoning Ordinance. Section 27, titled Site Improvement Plan, of the Castle Pines Zoning Ordinance is amended to add a new Section 2716, titled Mixed-Use Design Guidelines to read in full as follows, with text in ALL CAPS showing additions:

2716 MIXED USE DESIGN GUIDELINES ADOPTED.

2716.01 ADOPTION

THE CITY HAS ADOPTED MIXED-USE DESIGN GUIDELINES DATED _____ BY REFERENCE AS PUBLISHED BY THE CITY OF CASTLE PINES, 360 VILLAGE SQUARE LANE, SUITE B, CASTLE PINES, CO 80108, AS IF FULLY SET FORTH IN THIS SECTION 27. COPIES OF THE MIXED-USE DESIGN

GUIDELINES ARE ON FILE WITH THE CITY CLERK AND ARE AVAILABLE ON THE CITY'S WEBSITE FOR INSPECTION.

2716.02 PURPOSE

THE PURPOSE OF THE MIXED-USE DESIGN GUIDELINES IS TO PROMOTE AND REQUIRE THE USE OF COMMON DESIGN ELEMENTS THROUGHOUT ALL MIXED-USE OR NON-SINGLE FAMILY DETACHED DEVELOPMENTS TO ESTABLISH A UNIFIED AND COHESIVE VISION FOR THE CITY.

2716.03 APPLICABILITY

THE MIXED-USE DESIGN GUIDELINES SHALL APPLY TO ALL PROPERTIES IN THE FOLLOWING MIXED USE DISTRICTS IDENTIFIED IN SECTION 1.1 OF THE DESIGN GUIDELINES:

01. MIXED-USE MARKETPLACE;
02. MIXED-USE DOWNTOWN;
03. MIXED-USE COMMUNITY; AND
04. MIXED-USE NEIGHBORHOOD.

THE MIXED-USE DESIGN GUIDELINES SHALL NOT APPLY TO ANY DETACHED SINGLE FAMILY RESIDENTIAL UNITS OR CITY OWNED PROPERTY OR FACILITIES.

2716.04 AMENDMENTS

THE MIXED-USE DESIGN GUIDELINES MAY BE AMENDED IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN SECTION 1.4 OF THE DESIGN GUIDELINES.

Section 6. Severability. If any portion of this Ordinance is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

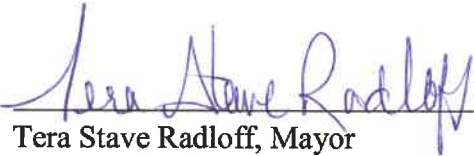
Section 7. Codification Amendments. The codifier of the City's Municipal Code is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance within the Castle Pines Zoning Ordinance. Except as modified herein, the remaining provisions of Section 27 shall remain in full force and effect.

Section 8. Effective Date. This Ordinance shall take effect and be in force thirty (30) days after publication following final adoption.

INTRODUCED, READ, AND PASSED ON FIRST READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO THE 27TH DAY OF MARCH, 2018.

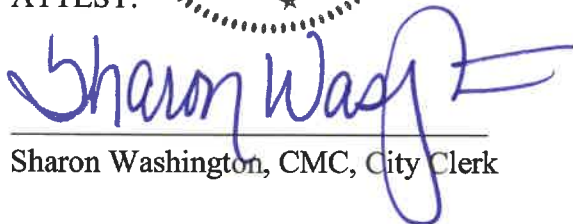
READ, PASSED AND ADOPTED ON SECOND READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO, THE 24TH DAY OF APRIL, 2018.




Tera Stave Radloff, Mayor

ATTEST:

Approved as to form:


Sharon Washington, CMC, City Clerk


Linda C. Michow, City Attorney

CERTIFICATION OF PUBLICATION

I hereby attest and certify that the within and foregoing Ordinance was introduced and read on first reading at a duly noticed public meeting of the Castle Pines City Council on March 27, 2018; published two times by title only in the *Douglas County News-Press*, together with the statement that “[t]he complete text of all ordinances is available through the City Offices and on the City’s official website” on March 7, 2018 and April 12, 2018; and finally passed and adopted by the City Council on April 24, 2018 following a duly noticed public hearing and ordered published by title only, with amendments if any, one time in the *Douglas County News-Press* on May 3, 2018.

ATTEST:


City Clerk

