

ORDINANCE NO. 25-08
AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF CASTLE PINES, COLORADO, VACATING THE
CANYONSIDE SUBDIVISION FILING NO. 2, 1ST AMENDMENT

WHEREAS, the City of Castle Pines (the “City”) has received an application from North Canyons Development Company, LLC (the “Property Owner”) to vacate the replat known as Canyonside Subdivision Filing No. 2, 1st Amendment recorded at Reception No. 2024001462 in the Office of the Douglas County Clerk and Recorder (the “County Clerk’s Office”), as such replat was corrected by the Plat Correction Certificate recorded at Reception No. 2024033851 in the County Clerk’s Office (collectively, the “Subject Plat”); and

WHEREAS, the Subject Plat is a replat of Lot 4, Lot 5, Tract A, and Tract B, Canyonside Subdivision Filing No. 2 recorded at Reception No. 2022012594 in the County Clerk’s Office and attached hereto for reference as **EXHIBIT A** (“Filing No. 2”), and Lot 3, Canyonside Subdivision Filing No. 1 recorded at Reception No. 2021054776 in the County Clerk’s Office and attached hereto for reference as **EXHIBIT B** (“Filing No. 1”); and

WHEREAS, the proposed plat vacation is governed by the Canyons Subdivision Regulations set forth in Appendix F of the Annexation and Development Agreement at Reception No. 2009100334 in the County Clerk’s Office (the “Canyons Subdivision Regulations”); and

WHEREAS, Section 1 of the Canyons Subdivision Regulations state that Article 7C, Subdivision Plat Vacation, of the Castle Pines Subdivision Regulations (the “Plat Vacation Regulations”) are incorporated into the Canyons Subdivision Regulations as if fully set forth therein; and

WHEREAS, the Subject Plat was approved contemporaneously with and in furtherance of the Site Improvement Plan for Canyonside BMC Residential II, Case No. SIP-2022-003, approved by the City of Castle Pines Planning Commission on January 26, 2023 (the “SIP”); and

WHEREAS, the post-approval requirements for the SIP set forth in City Zoning Ordinance Section 2704.07 were never satisfied and, therefore, per City Zoning Ordinance Section 2704.09 the application for the SIP was closed and the Planning Commission approval of the SIP is void; and

WHEREAS, the Site SIA/SIPIA (Canyonside Filing No. 2, Amendment 1, Case No. FPL – 2022-001 AND Lot 4, Lot 5, Tract A, Tract B, Canyonside Filing No. 2 and Lot 3, Canyonside Filing No. 1 Site Improvement Plan, Case No. SIP2022-003) recorded at Reception No. 2024001463 in the County Clerk’s Office (the “SIA/SIPIA”), which established the requirements for site improvements based on the Subject Plat and SIP, was terminated effective May 15, 2025, as evidenced by the Acknowledgment of Termination recorded at Reception No. 2025022661 in the County Clerk’s Office; and

WHEREAS, the proposed plat vacation includes the vacation of dedicated rights-of-way and dedicated public easements, and is therefore subject to the public hearing process described in Section 706C of the Plat Vacation Regulations; and

WHEREAS, public infrastructure has not been constructed in connection with the Subject Plat; the only public infrastructure existing within the boundaries of the Subject Plat is utility infrastructure within easement areas conveyed with Filing No. 1 and Filing No. 2; and

WHEREAS, the proposed plat vacation was reviewed by City staff and appropriate referral agencies, including affected special districts and utility providers, and no objections to the proposed plat vacation were received; and

WHEREAS, the City Council held a duly noticed public hearing on May 22, 2025, in accordance with Plat Vacation Regulations Sections 706C and 707C, at which time the proposed plat vacation was considered; and

WHEREAS, based on the evidence presented to the City at the public hearing, including the City staff report and any written and oral testimony received, the City Council finds the proposed plat vacation meets the approval standards set forth in Plat Vacation Regulations Section 703C as follows: (1) vacation of the Subject Plat is in accordance with the City's Comprehensive Plan; (2) the vacation of the Subject Plat is in accordance with the purpose and intent of the City's Subdivision Regulations and Canyons Subdivision Regulations; and (3) approval of the Subject Plat will not adversely affect the public health, safety, or welfare; and

WHEREAS, as evidenced by the void SIP, the terminated SIA/SIPIA, and Property Owner's representation that they have no intent to develop their property as shown on the Subject Plat, the City Council further finds that the Subject Plat is no longer necessary and should be vacated.

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

Section 1. The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the City Council.

Section 2. The City Council hereby approves the vacation of the entire Canyonside Subdivision Filing No. 2, 1st Amendment recorded at Reception No. 2024001462 in the County Clerk's Office and the Plat Correction Certificate recorded at Reception No. 2024033851 in the County Clerk's Office. Without limiting the foregoing, the approved vacation shall include the vacation of all lots and tracts established by the Subject Plat and all rights-of-way and easements dedicated by the Subject Plat.

Section 3. Upon the effective date of this Ordinance, the property within the boundaries of the Subject Plat shall be once again subject to the Canyonside Subdivision Filing No.2 recorded at Reception No. 2022012594 in the County Clerk's Office and attached hereto for

reference as **EXHIBIT A**, and Canyonside Subdivision Filing No. 1 recorded at Reception No. 2021054776 in the County Clerk's Office and attached hereto for reference as **EXHIBIT B**.

Section 4. Recordation. In accordance with Section 706C.06 of the Plat Vacation Regulations, the City Council directs the Department of Community Development staff to record this Ordinance in the Office of the Douglas County Clerk and Recorder within thirty (30) days of its approval.

Section 5. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Castle Pines, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

Section 6. Publication and Effective Date. The City Clerk is hereby directed to cause publication of this Ordinance in accordance with Section 6.5 of the Charter. This Ordinance shall be effective thirty (30) days after final publication on the City's official website and posting at the City Clerk's office pursuant to Section 1-3-40 of the Municipal Code.

INTRODUCED, READ, AND PASSED ON FIRST READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO the 10th day of JUNE, 2025.

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 JULY, 2025.



ATTEST:

Tobi Duffey

Tobi Duffey, MMC, City Clerk

Tracy Engerman
Tracy Engerman (Jul 9, 2025 16:37 MDT)

Tracy Engerman, Mayor

Approved as to form:

Linda Michow
Linda Michow (Jun 27, 2025 11:36 MDT)

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 on June 10, 2025; published by title only in the *Douglas County News-Press*, together with the statement that "[t]he complete text of the ordinance is available through the City Clerk's office and on the City's official website with second reading and public hearing to be held on June 24, 2025"; and finally passed and adopted by the City Council on June 24, 2025, following a duly noticed public hearing and published on the City's official website and posted at the City Clerk's office on June 11, 2025.

ATTEST:



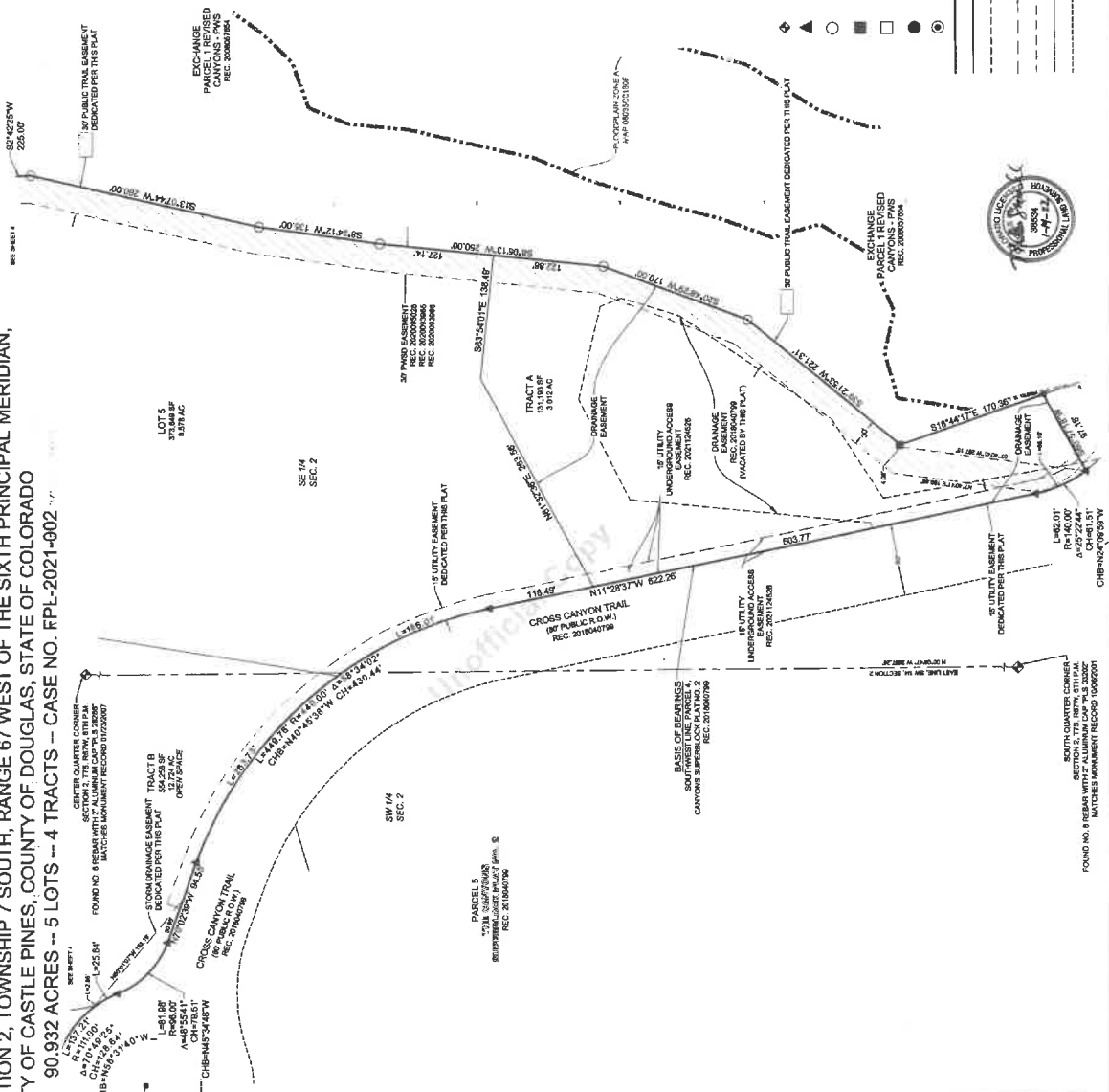
Tobi Duffey, MMC, City Clerk

EXHIBIT A
CANYONSIDE SUBDIVISION FILING NO.2

(ATTACHED)



CANYONSIDE SUBDIVISION FILING NO. 2
A REPLAT OF PARCEL 4, PLANNING AREA 3, THE CANYONS SUPERBLOCK PLAT NO. 2,
SOUTH HALF, SECTION 2, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY OF CASTLE PINES, COUNTY OF DOUGLAS, STATE OF COLORADO



CURVE #		CURVE TABLE		CHORD LENGTH		
C1	C2	LENGTH	RADIUS	CHORD BEARING	CHORD BEARING	
C1	C2	541.40	1384.00	273.222	N14°30'00"E	540.95
C2	C3	82.57	146.00	272.945	S24°30'00"E	81.51
C3	C4	448.70	640.00	30°30'00"	N42°30'00"E	452.44
C4	C5	81.98	90.00	40°00'00"	S45°30'00"E	70.51
C5	C6	130.21	111.00	70°00'00"	N05°30'00"W	128.64
C6	C7	138.57	108.00	30°00'00"	S72°00'00"E	133.30
C7	C8	87.20	120.00	34°13'01"	N07°30'00"E	95.80
C8	C9	107.52	400.00	40°00'00"	S40°30'00"E	104.51
C9	C10	84.25	150.00	22°00'00"	S48°30'00"E	82.84
C10	C11	104.64	90.00	32°17'47"	S07°30'00"W	103.46
C11	C12	98.88	144.00	34°00'00"	N02°30'00"E	96.57
C12	C13	113.45	195.00	50°00'00"	S20°00'00"W	108.83
C13	C14	88.84	160.00	20°04'47"	S78°00'00"E	87.60
C14	C15	65.54	300.00	12°00'00"	S21°30'00"E	64.41
C15	C16	71.87	200.00	20°00'00"	S41°00'00"W	71.47

EXHIBIT B
CANYONSIDE SUBDIVISION FILING NO. 1

(ATTACHED)

