

ORDINANCE NO. 26-06

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES,
COLORADO, AMENDING SECTION 27 SITE IMPROVEMENT PLAN OF THE CITY
OF CASTLE PINES ZONING ORDINANCE**

WHEREAS, the City of Castle Pines (the “City”) is a home rule municipality authorized to exercise its zoning and police powers to promote and protect the health, safety, and welfare of the public; and

WHEREAS, the City of Castle Pines Home Rule Charter (“Charter”) grants the City Council with all legislative powers and functions of municipal government including the power to adopt ordinances and resolutions that are consistent with the Charter, to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort, and convenience of the City and its residents; and

WHEREAS, per Section 2-7-10 of the City’s Municipal Code, the City Council established the Planning Commission of the City to, in part, perform all functions assigned to the Planning Commission by the City Council; and

WHEREAS, City Council adopted the City’s Zoning Ordinance, as amended from time to time (“Zoning Ordinance”), for the purpose of regulating and controlling the use of land within the City’s boundaries; and

WHEREAS, Zoning Ordinance Sections 109 – 111 set forth the required procedures to amend the Zoning Ordinance, which includes, in part, a public hearing before the Planning Commission at a duly noticed public meeting; and

WHEREAS, as authorized by Section 109 of the Zoning Ordinance, the City’s Planning Department seeks to amend Section 27 Site Improvement Plan of the Zoning Ordinance, as set forth in Section 2 of this Ordinance (the “Amendment”); and

WHEREAS, on July 23, 2026, during a public hearing at a duly noticed public meeting, the Planning Commission evaluated the proposed Amendment, referral comments, staff report, and public testimony thereon, and made a recommendation to City Council to approve the proposed Amendment; and

WHEREAS, City staff duly noticed a public hearing before City Council to consider the proposed Amendment, pursuant to Zoning Ordinance Section 111; and

WHEREAS, on July 23, 2026, during a public hearing at a duly noticed public meeting, the City Council evaluated the proposed Amendment, referral agency comments, staff report, the Planning Commission recommendation, and public testimony, and based thereon, the City Council desires to approve the proposed Amendment as set forth in this Ordinance; and

WHEREAS, the City Council finds that this Ordinance is in the best interest of the public health, safety, and welfare of the inhabitants of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO:

Section 1. The foregoing recitals are hereby adopted as findings and determinations of the City Council and are incorporated herein by this reference for all purposes.

Section 2. Section 27 Site Improvement Plan of the City's Zoning Ordinance is hereby amended to incorporate the following text amendments, where text shown in ~~striketrough~~ is deleted and text shown in **bold and underline** is added:

- A. Subsection 2701 Intent, is amended, in part, only as follows, and the remainder of the subsection shall remain the same:

The Site Improvement Plan (SIP) process is required to ensure **that** development will be consistent with **controlling subdivision and zoning regulations** ~~the Comprehensive Plan, Subdivision Ordinance, and Zoning Ordinance,~~ and all applicable federal, State, and local standards.

- B. Subsection 2702 Applicability, is amended as follows:

A SIP shall be required for any use or change in use for any development other than single family detached and City facilities. Proposed changes to an approved SIP shall be processed as either a **Major** Revision (**Section 2714**) or **Minor** Modification (**Section 2715**) to an ~~A~~approved SIP, as described herein. Except as otherwise provided herein, building permits shall not be issued for any development that does not have an approved SIP or is not in conformance with the approved SIP.

- C. Subsection 2703.01 is amended as follows:

- a. The SIP **is consistent with controlling subdivision regulations**~~supports the goals and objectives of the City of Castle Pines Comprehensive Plan;~~ and
- b. The SIP is consistent with the ~~City of Castle Pines Subdivision Ordinance and the~~ development and use standards of the City of Castle Pines Zoning Ordinance and Planned Development, as applicable; and
- 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; and
- 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.~~

e. All submittal requirements under this Section 27, including, without limitation, required information and plans, meet the requirements set forth in this Section 27; and

f. All fees and pass-through costs owed to the City are paid.

D. Subsection 2704.04.2 is amended as follows:

All referral agency comments shall be provided by staff to the applicant upon receipt. The applicant shall address the comments of all regulatory agencies received within the 21 calendar day referral period, or as extended by the applicant, by identifying in writing the extent to which the project or application has been revised in response to the comments. **“Regulatory agencies” means any federal, state, local, or special district governmental entity that has permitting, approval, enforcement, or regulatory authority over any aspect of the proposed SIP. “Regulatory agencies” does not include associations, committees, or other entities whose authority is based in private covenants, controls, and restrictions.**

E. Subsection 2704.05 is amended as follows:

Subsequent to the referral period(s), the applicant shall submit the revised SIP to satisfactorily address the issues raised during the referral period(s). The resubmittal shall include:

- Revised plan set;
- A written response to **regulatory** agency referral comments;
- Updated reports and studies, as necessary; and
- Draft SIPIA and related exhibits, as required.

F. Subsection 2704.06 is amended as follows:

Following submittal of the revised SIP based on staff and referral comments, staff shall schedule a public ~~meeting~~ **hearing** before the Planning Commission. ~~A public meeting does not require any public notice or property posting.~~ **A public hearing requires public notice in accordance with Section 2705 herein.**

G. Subsection 2704.06.02 is amended as follows:

At the scheduled public ~~meeting~~ **hearing**, Planning Commission shall consider the SIP referral agency comments, applicant responses, staff report, ~~and application, and~~ **public comment** and shall approve, approve with conditions, or deny the application based upon conformance with the approval standards stated herein. At the public ~~meeting~~ **hearing**, the Planning Commission may, at its discretion, continue ~~the public hearing and its~~ consideration of the SIP to a **location**, time and date certain up to a maximum of sixty (60) days unless otherwise agreed to by the applicant. The Planning Commission’s decision is final unless the applicant appeals as set forth in Section 2704.06.03 herein.

H. Subsection 2704.06.03 is amended as follows:

The applicant may file with the Director a written notice of appeal of Planning Commission's final decision on a SIP to City Council within ~~thirty (30)~~ twenty-eight (28) days of the final decision. The SIP will be scheduled for a public hearing before the City Council for de novo review and final action. The hearing shall be scheduled for the earliest available meeting taking into consideration the ~~1514~~-day public noticing requirements. The applicant is responsible for public hearing notice in accordance with Subsection 2705 herein.

I. Subsection 2704.06.04 is amended as follows:

At the scheduled public hearing, City Council shall consider the SIP referral agency comments, applicant responses, staff report, application, public comment, ~~and testimony~~ and Planning Commission decision and shall approve, approve with conditions, or deny the application based upon conformance with the requirements stated herein. At the public hearing the City Council may, at its discretion, continue the public hearing and its consideration of the SIP to a location, time, and date certain.

J. Subsection 2704.07 is amended as follows:

Once the SIP is deemed approved, the applicant shall submit one (1) final plan set incorporating any changes prepared on 24" x 36" matte mylar film with original, notarized signatures. Unsigned mylars will not be accepted. ~~The Requirements for Release of CO or Requirements for Release of Final Inspections form, as applicable, shall be executed and submitted to the staff planner prior to SIP approval.~~ The SIPIA shall be fully executed by the owner and City prior to SIP approval.

K. Subsection 2705 Public Hearing Notice Requirements, is amended as follows:

The applicant shall be responsible for the public notification requirements of at the public hearings before Planning Commission and City Council on appeal. In calculating the time period for public notification the day of ~~publishing~~, posting, or mailing shall be counted toward the total number of days required. The day of the hearing shall not be counted towards this total.

The degree of accuracy required for the information contained in these public notices shall be that of substantial compliance with the provisions of this Section. Substantial compliance for these public notices shall be determined by Planning Commission or City Council, as applicable.

L. Subsection 2705.01 WRITTEN NOTICE, is amended, in part, only as follows, and the remainder of the subsection shall remain the same:

At least ~~1514~~ days prior to the ~~City Council~~ public hearing, the applicant shall mail a written notice of the hearing by first-class mail to:

M. Subsection 2705.02 POSTED NOTICE, is amended as follows:

At least ~~15~~¹⁴ days prior to the ~~City Council~~^{public} hearing, the applicant shall post a notice on the land under consideration. The notice shall consist of at least one sign facing each abutting public or private street open for travel, within 10 feet of the property line abutting such street, placed on posts at least four feet above ground level. In the event the Director determines a sign cannot be placed abutting such street and be visible from such street or that there is no abutting public or private street open for travel, the ~~staff planner~~^{Director} may require an alternate location for a sign. Additional signs may be required by the Director. Each sign shall measure not less than 3' x 4'. Letter size shall be a minimum of three inches high. Such notice shall read (as edited to reflect the applicable hearing body, date, and time):

NOTICE OF PUBLIC HEARING BEFORE
THE CITY OF CASTLE PINES ~~CITY COUNCIL~~ (PLANNING COMMISSION
OR CITY COUNCIL)

This land shall be considered for a Site Improvement Plan. The public hearing before the (Planning Commission or City Council) is (date), ~~in the Council's Hearing Room, 360 Village Square Lane, Castle Pines, CO~~ at (insert address for location of hearing), at (time). For more information call City Planning at ~~303-705-0225~~(insert phone number).

File No./Name: _____

N. Subsection 2705.02.1 is amended, in part, only as follows, and the remainder of the subsection shall remain the same:

An affidavit of sign posting shall be submitted for the file in the Planning Division at least 7 days prior to the applicable public hearing~~hearings~~. The sign(s) shall be photographed by the applicant and attached to the affidavit as follows:

~~The sign shall be removed by the applicant within 2 weeks following the final decision by the Council.~~

O. A new Subsection 2705.02.2 is added as follows:

2705.02.2 The sign shall be removed by the applicant within 2 weeks following the final decision.

P. Subsection 2705.03 PUBLISHED NOTICE, is deleted in its entirety.

Q. Subsection 2706.08.6 is amended as follows:

Describe how the development complies with the ~~Comprehensive Plan,~~applicable zoning district or Planned Development, the Mixed-Use Design Guidelines, as

adopted by City Council and as amended, from time to time, and the intent of this Section.

R. Subsection 2706.09 is amended as follows:

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

S. Subsection 2706.10 is amended as follows:

The SIP shall depict and convey the purpose, vision and design ~~principles~~**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~~
- ~~• GESC report and plan~~
- ~~• Utility drawing(s)~~
- ~~• A survey of the site certified by a professional land surveyor~~
- ~~• Offsite improvement plans, as required~~

T. Subsection 2706.11 is amended as follows:

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

U. Subsection 2706.12 is amended as follows:

Engineering plans, reports, and studies. ~~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.~~

2706.12.1 Engineered site construction drawings

2706.12.2 Traffic Impact Analysis

2706.12.3 Phase III drainage report and plan**2706.12.4 GESC report and plan****2706.12.5 Offsite improvement plans, as required**

2706.12.6 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, slope, water, noise, wildlife, environmental, lighting, shadow, or photo-simulations. 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.

- V. Subsection 2706.14 is deleted in its entirety.
- W. Subsection 2706.15 is renumbered 2706.14.
- X. In Subsection 2707.07, both approval certificates are amended, in part, only as follows, and the remainder of the subsection shall remain the same:
- Acceptance of site construction drawings by City Engineer shall be required (as applicable) prior to issuance of building permits. Acceptance of site construction drawing expires ~~three (3)~~**two(2)** years after the date of signature.
- Y. Subsection 2713.01 is amended to delete the last sentence as follows: ~~The applicant shall perform the tasks required by the Requirements for Release of CO prior to scheduling any final site inspections.~~
- Z. Subsection 2713.02.2 is amended to delete the last sentence as follows: ~~The applicant shall perform the tasks required by the Requirements for Release of Final Inspections form prior to scheduling any final site inspections.~~

Section 3. 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, in accordance with Section 6.8 of the Charter.

Section 4. No Existing Violation Affected. Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any ordinance hereby repealed or amended by this Ordinance, or any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 5. Codification Amendments. City staff and the codifier of the City Zoning Ordinance are hereby authorized and directed to make such numerical and formatting changes as may be necessary to incorporate the provisions of this Ordinance into the City Zoning Ordinance so the codified Zoning Ordinance omits the legislative formatting in this Ordinance.

Section 6. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general zoning and police powers 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 7. 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.

Section 8. Applicability. The code amendments approved and adopted by this Ordinance shall not apply to complete applications for a Site Improvement Plan submitted to the City before the effective date of this Ordinance.

INTRODUCED, READ, AND PASSED ON FIRST READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO THE 11th DAY OF AUGUST 2026.

READ, PASSED, AND ADOPTED ON SECOND READING, AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES, COLORADO THE 25th DAY OF AUGUST 2026.



ATTEST:

Tobi Duffey, MMC, City Clerk

Tracy Engerman (Sep 1, 2026 07:31:38 MDT)

Tracy Engerman, Mayor

Approved as to form:

Linda Michow (Aug 31, 2026 16:11:39 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 August 11, 2026; 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 August 25, 2026”; and finally passed and adopted by the City Council on August 25, 2026, following a duly noticed public hearing and published on the City’s official website and posted at the City Clerk’s office on August 12, 2026.

ATTEST:



Tobi Duffey, MMC, City Clerk