

NOTICE OF PROPOSED ORDINANCE

Pursuant of Section 7-3 of the Town of Castle Rock Home Rule Charter, notice is hereby given that the Town Council will consider adoption of the following named and described ordinance during its meeting on December 15, 2015 at 6:00 P.M. at the Town of Castle Rock, Town Hall, 100 North Wilcox, Castle Rock, CO 80104.

Title of Proposed Ordinance:

An Ordinance Amending Section 17.42.070.C of the Castle Rock Municipal Code Regarding the Criteria for Increasing Building Heights in the Downtown Overlay District

Subject Matter Summary:

The purpose of the proposed Ordinance is to amend the criteria which the Design Review Board shall consider when reviewing requests for an additional floor (with the corresponding increase in building height) within the Downtown Overlay District.

The entire text of the proposed ordinance is contained herein or copies are available for public inspection at the office of the Town Clerk, 100 North Wilcox, Castle Rock, Colorado 80104 during normal working hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

Publication date: December 10, 2015

ORDINANCE NO. 2015-**AN ORDINANCE AMENDING SECTION 17.42.070.C OF THE CASTLE ROCK MUNICIPAL CODE REGARDING THE CRITERIA FOR INCREASING BUILDING HEIGHTS IN THE DOWNTOWN OVERLAY DISTRICT**

WHEREAS, it was recognized that existing language in the Downtown Overlay District was causing confusion regarding restoration or funding of restoration for landmarked properties; and

WHEREAS, the Town's Downtown Overlay Ordinance provides for additional building height to further development of the downtown; and

WHEREAS, the uncertainty and inability to define the appropriate level of restoration or funding of restoration within the downtown has resulted in confusion with the development community and staff.

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

Section 1. Amendment. Section 17.42.070.C of the Castle Rock Municipal Code is amended in its entirety to read as follows:

C. A landowner may request one additional floor (with the corresponding increase in building height) in the Downtown Core District, or two additional floors in the North and South Districts through the Board. The Board, at its discretion, may grant an additional floor request after considering the following criteria:

~~1. Whether the project developer has committed to restore or fund the restoration of a Landmarked structure (as defined in 15.64.060, CRMC).~~

12. Whether theThe project will incorporate a Landmark structure into its design; and-

23. ~~The~~ impacts of the increased building height on adjacent properties ~~are taken into consideration.~~

Section 2. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this ordinance.

Section 3. 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 ___ day of _____, 2015 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 _____, 2015, by the Town Council of the Town of Castle Rock by a vote of ___ for and ___ against.

ATTEST:

TOWN OF CASTLE ROCK

Sally A. Misare, Town Clerk

Paul Donahue, Mayor

Approved as to form:

Approved as to content:

Robert J. Slentz, Town Attorney

Bill Detweiler, Director of Development Services