

**ORDINANCE NO. 2015-25**

**AN ORDINANCE AMENDING THE BROOKWOOD PD ZONING REGULATIONS  
CONCERNING FENCES**

**WHEREAS**, by Ordinance 2002-17, the Town Council approved the Brookwood PD Zoning Regulations (“Zoning Regulations”)

**WHEREAS**, Brookwood, LLC (“Owner”) has made application to the Town of Castle Rock for approval of a major amendment to the Zoning Regulations; and

**WHEREAS**, the Zoning Regulations currently prohibit the installation of fences within the Brookwood PD and the Owner would like to amend the Zoning Regulations to remove such restriction; and

**WHEREAS**, public hearings on the major amendment have been held before the Planning Commission and Town Council in accordance with the applicable provisions of the Castle Rock Municipal Code.

**NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK AS FOLLOWS:**

**Section 1. Amendment.** Section 5.5 of the Brookwood PD Zoning Regulations is amended to read as follows:

**5.5 Fences and Retaining Wall**

- A. (Repealed)
- B. Fence permits from the Town of Castle Rock are required for the construction of any fence in excess of current Town Standards.
- C. Retaining walls which are within three feet of a public right-of-way, drainage or other easement which are in excess of 30” in height shall require certification by a professional engineer as to design and structural stability. Town of Castle Rock standards shall apply for all other walls.
- D. No barbed wire or electric fence shall be permitted
- E. No fence over 42 inches in height shall be permitted within the front setback.
- F. The maximum height of any single retaining wall shall not exceed eight feet.

**Section 2. Ratification.** In all other respects the Brookwood PD Zoning Regulations shall remain in full force and effect.

**Section 3. 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 4. 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 to the legislative object sought to be obtained.

**APPROVED ON FIRST READING** this 21 day of July, 2015 by a vote of 7 for and 0 against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

**PASSED, APPROVED AND ADOPTED** this 4 day of August, 2015, by the Town Council of the Town of Castle Rock, Colorado, on second and final reading 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:**

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Robert J. Slentz, Town Attorney

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Bill Detweiler, Director of Development Services