

## **ORDINANCE NO. 2016-13**

### **AN ORDINANCE AMENDING THE BURT AT CASTLE ROCK PD ZONING REGULATIONS CONCERNING PERMITTED USES AND DEVELOPMENT STANDARDS FOR DESIGNATED USE AREAS**

**WHEREAS**, by Ordinance 2004-14, the Town Council approved the Burt at Castle Rock PD Zoning Regulations (“Zoning Regulations”); and

**WHEREAS**, Plum Creek Investment Group, LLC and Schoolhouse Castle Rock, LLC (collectively, “Owners”) have made application to the Town of Castle Rock for approval of a major amendment to the Zoning Regulations; and

**WHEREAS**, the Zoning Regulations currently do not permit certain light industrial uses within the Burt at Castle Rock PD and the Owners would like to amend the Zoning Regulations to permit such uses; and

**WHEREAS**, the Zoning Regulations currently permit a Floor Area Ratio of .30 and the Owners would like to amend the Zoning Regulations to increase the Floor Area Ratio to .40.

**WHEREAS**, the Zoning Regulations currently permit a Maximum Building Coverage of 30% and the Owners would like to amend the Zoning Regulations to increase the Maximum Building Coverage to 40%.

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

**Section 1. Amendment.** Sections 3.2.C and 4.1 of the Burt at Castle Rock PD Zoning Regulations are amended as follows:

#### **3.2. C Permitted Uses**

- 34) Business or Personal Storage
- 35) Vehicle Storage, operable
- 36) Vehicle Storage, inoperable, enclosed only
- 37) Commercial warehousing and logistics
- 38) Alcoholic beverages sales and production
- 39) Light industry, wholesale, manufacturing, processing and fabrication
- 40) Mini-storage facility
- 41) Storage Yard adequately screened by opaque fence
- 42) Auto service/fuel station/wash/rental

#### **4.1 Development Standards for Designated Use Areas**

Increase the Maximum Floor Area Ratio (FAR) to .40

Increase the Maximum Building Coverage to 40%

**Section 2. Ratification.** In all other respects the Burt at Castle Rock 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 3rd day of May, 2016 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 ON SECOND AND FINAL READING** this 17th day of May, 2016, 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:**

\_\_\_\_\_  
Robert J. Slentz, Town Attorney

\_\_\_\_\_  
Bill Detweiler, Director of Development Services