

**ORDINANCE NO. 2022-**

**AN ORDINANCE AMENDING THE TOWN’S ZONE DISTRICT MAP BY APPROVING THE DAWSON TRAILS PLANNED DEVELOPMENT PLAN AND ZONING REGULATIONS**

**WHEREAS**, proper application has been made to the Town of Castle Rock (the “Town”) by Dawson Trails I, LLC and Dawson Trails II, LLC, (collectively, the “Applicant”) for an amendment to the zoning of the property described in the attached *Exhibit 1* (the “Property”); and

**WHEREAS**, development of the northern portion of the Property is presently governed by the Westfield Trade Center Preliminary Planned Unit Development Site Plan, while development of the southern portion of the Property (the “Dawson Ridge Portion”) is presently governed by the Dawson Ridge Preliminary Planned Unit Development Site Plan; and

**WHEREAS**, the Applicant has requested approval for the Dawson Trails Planned Development Plan and Zoning Regulations (the “PD Plan”); and

**WHEREAS**, with respect to the Dawson Ridge Portion of the Property, the Applicant is the successor in title to Dawson Ridge Metropolitan District No. 1 (the “District”); and

**WHEREAS**, the District and the Town are parties to that certain Suspension Agreement, dated October 8, 1992 (the “Suspension Agreement”); and

**WHEREAS**, among other things, the Suspension Agreement provides that, as a successor in title to the Dawson Ridge Portion, the rights, privileges, duties, and obligations of the District under that certain Annexation and Development Contract between the Town and Bellamah Community Development, dated November 15, 1984, shall be suspended until such time as the District or its successor in title has submitted a development plan to the Town for review and approval; and

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

**WHEREAS**, the Town Council finds and determines that the PD Plan complies with the applicable requirements set forth in Chapters 17.32, 17.34, and 17.36 of the Castle Rock Municipal Code, the Town’s Vision 2030 and the Comprehensive Master Plan; and

**WHEREAS**, the Town Council further finds and determines that the Applicant has satisfied the conditions of the Suspension Agreement with respect to the submission of a development plan.

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

**Section 1. Suspension Agreement.** The rights, privileges, duties, and obligations of the Applicant, as successor in title to the District with respect to the Dawson Trails Portion of the Property

shall hereby resume as of the effective date of this Ordinance.

**Section 2. Approval.** The Dawson Trails Planned Development Plan and Zoning Regulations in the form attached as *Exhibit 2* is hereby approved. To the extent that the Property is within the boundaries of the Dawson Ridge Preliminary Planned Unit Development Site Plan or the Westfield Trade Center Preliminary Planned Unit Development Site Plan, both Plans and the ordinances approving said Plans are hereby superseded by this Ordinance.

**Section 3. Effective Date.** With the effective date of this Ordinance, the Property is subject to the Castle Rock Municipal Code and all ordinances, resolutions, rules and regulations of the Town.

**Section 4. 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 5. 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 16th day of August, 2022 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 September, 2022, by the Town Council of the Town of Castle Rock by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against.

**ATTEST:**

**TOWN OF CASTLE ROCK**

\_\_\_\_\_  
Lisa Anderson, Town Clerk

\_\_\_\_\_  
Jason Gray, Mayor

**Approved as to form:**

**Approved as to content:**

\_\_\_\_\_  
Michael J. Hyman, Town Attorney

\_\_\_\_\_  
Tara Vargish, Director of Development Services