



Meeting Date: April 15, 2025

AGENDA MEMORANDUM

To: Honorable Mayor and Members of Town Council

Through: David L. Corliss, Town Manager

From: Tara Vargish, PE, Director, Development Services
Kevin Wrede, Planning Manager, Development Services

Title: Ordinance Amending Various Provisions of Chapter 15.64 and Section 17.04.060 of the Castle Rock Municipal Code Regarding the Mailing of Written Notice of Public Hearings to Neighboring Property Owners and Homeowner Associations (*Second Reading*)

Executive Summary

The ordinance was approved on first reading on April 1, 2025 by a vote of 7 to 0 with a change to increase the written notice distance for projects over 40 acres to 1,500 feet. Staff has also added a definition of “adjacent properties” to the ordinance.

At the February 18, 2025 Town Council meeting, staff was directed to bring forward an amendment to the Town’s public hearing noticing code as it relates to land use applications, specifically to provide an increase in the noticing distances for larger development projects, as well as to create a smaller noticing distance for the few single lot residential projects that require public hearing.

The code amendment creates generally four categories for land use cases, and recommends the following noticing distances, as well as notification to associated HOAs:

- Projects 40 acres or larger: noticing distance increased to 1,500 ft
- Projects under 40 acres and all Downtown public hearing items: noticing distance to remain at 500 feet
- Historic Preservation Board public hearing items: noticing distance of 300 ft
- Single lot, less than 10 units, and not any of the above items: notice adjacent property owners.

The proposed ordinance would amend Chapter 15.64 Historic Preservation and Chapter 17.04.060 Notice for Public Hearing.

Background

Since 2019, Castle Rock has progressively enhanced its public notification processes to foster greater community awareness and participation in land use decisions. Current noticing requirements include:

- Mailed notices to property owners within 500 feet, at least 15 days prior to public hearings and neighborhood meetings.
- Up to three (3) neighborhood meetings required for rezoning and major site development projects.
- At least two (2) public hearings, typically before the Planning Commission and Town Council.
- On-site postings with a QR code linking to the Town's public notice webpage.
- Digital outreach, including email subscriptions, social media postings, and the Development Activity Map.

In early 2025, Town Council requested staff bring a discussion item forward to review the current noticing distances, and potential impacts of increasing the mailed noticing distance. At the February 18, 2025 Town Council meeting, this discussion included a comprehensive review of the current notice distance requirements, comparison with neighboring jurisdictions, and an analysis of cost impacts of potential increases of 2,500 ft. Discussion also focused on creating different noticing distance based on the size of the project, and that 1,500 ft seemed like an appropriate upper end to the noticing distance for the larger projects. There was also discussion on single lot projects, typically completed by a homeowner, and how they are not the same scale of project as the larger developments.

Town Council, after reviewing the current noticing requirements and discussing the information presented, requested that staff return with recommendations and an ordinance to modify the existing distance requirements to address their desire to increase distance requirements for larger development applications.

Discussion and Recommendation

Town staff has reviewed current distancing requirements for mailed noticing and recommends updates aligned with Town Council's direction from the February 18, 2025, meeting. Staff proposes categorizing projects by acreage with varying mailed distance requirements, and addressing smaller projects previously subject to a one-size-fits-all approach since 2019.

During this review, staff identified that Historic Preservation projects, regulated under Chapter 15.64, lack specific mailed notice requirements. While applicants have followed general land use noticing, staff recommends codifying this practice. Proposed noticing distances for Historic Preservation Board applications—such as demolition, landmarking, alterations, and new construction—would be 300 feet, aligning with a typical block length in the Craig & Gould neighborhood. Public notice signs will continue to be posted on properties.

The table below outlines the proposed code amendments, including example projects and their corresponding mailed distance requirements. Large projects (40+ acres) would require a 1,500-foot notice, while projects under 40 acres and all Downtown developments would remain at 500 feet. Historic Preservation Board applications would be noticed at 300 feet, and a new category for single lots (not subject to the Historic Preservation Board) would require noticing only adjacent properties. Additionally, HOA mailed noticing requirements of ½ mile have been added for both large and small project categories to leverage existing HOA communication networks.

Development Project	Minimum Notice Radius	HOA Notice	Examples
40 acres or more	1,500 Feet	Yes, ½ Mile if HOA present	<ul style="list-style-type: none"> • Pine Canyon • Bella Mesa North • Lost Canyon • Pioneer Ranch • Dawson Trails Maj PD Amendment • Meadows 16 6 • Miller's Landing Rezoning • Chateau Valley
Less than 40 acres (unless listed below), and Downtown Site Development Plans	500 Feet	Yes, ½ Mile if HOA present	<ul style="list-style-type: none"> • Avilla (9 acres, 105 units) • Meadowmark (6 acres, 200 units) • Wellspring (2.9 acres, 30 Units) • Brickyard SDP • Echelon MF (26 acres) • Encore SDP • Hyundai USBR (4 acres) • Calvary Zoning/SDP Riverwalk/View • Scileppi's
Historic Preservation Board applications	300 feet	Yes, if in HOA	<ul style="list-style-type: none"> • 24 S. Cantril (new Construction) • 104 N. Lewis Street (Demo & New Build) • 114 N. Lewis Street (Addition)
Single residential lot, up to 10 units	Adjacent Properties	Yes, if in HOA	<ul style="list-style-type: none"> • Front Street Triplex (6 units) • ADUs
Single Lot Board of Adjustment Applications	Adjacent Properties	Yes, if in HOA	<ul style="list-style-type: none"> • Deck • Setback issues • Appeal of administrative decision

The code amendment also includes new language that the Town may request a greater noticing distance if it determines the project has a substantial regional impact. Additionally, clarifying language has been added that if the written and posted notices are made in good faith, that occurrences of mail delivery not occurring to some residents or signs being damaged or removed do not affect the validity of the public hearings. This is similar to language in other jurisdictions' codes, as issues with mail delivery and high winds or theft of signs do occur.

Castle Rock's public notice and neighborhood meeting requirements are among the most comprehensive in the region. The updated distance requirements provide a more structured approach to ensuring residents remain informed based on project scale and impact. These changes, along with the existing noticing efforts, ensure Castle Rock remains among the leaders in public outreach and communication with respect to land use applications.

Staff recommends implementing the revised notice distance requirements as shown in the matrix above while continuing all existing digital outreach and community engagement strategies.

Proposed Motion

"I move to approve the Ordinance, as introduced by title."

Attachments

Attachment A: Ordinance

Attachment B: Noticing Distance Matrix