



February 18, 2025

## **AGENDA MEMORANDUM**

**To:** Honorable Mayor and Members of Town Council

**Through:** David L. Corliss, Town Manager

**From:** Tara Vargish, PE, Director Development Services  
Jeff Brauer, Director Parks and Recreation

**Title:** **Discussion/Direction, Public Land Dedication for School Sites  
through the Development Review Process**

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### **Executive Summary:**

The Town Council has requested an overview of the Public Land Dedication (PLD) process for school sites. Since the 1980s, Castle Rock has required developers to dedicate land or provide cash-in-lieu to support school sites. This practice, currently regulated in Chapter 16.08 of the Town Municipal Code, ensures that development dedicates land to the Town for a variety of public needs, including future school sites.

Currently, the Town owns multiple parcels that have been identified as future school sites, with more to be acquired as development progresses. The School District reviews proposed dedications during the zoning process, but does not receive direct cash payments from the Town for land. Additionally, land is not conveyed to the School District until they have a planned school ready for construction. In a few cases, land has been conveyed to the School District as they partnered with a public charter school that built a school. All land that has been conveyed to the School District has a school currently constructed and operating on it.

This memo outlines the historical context, current process, and key considerations for school PLD, ensuring the Town's continued commitment to meeting school site needs.

### **Background**

Since the 1980s, Castle Rock has required developers to dedicate land or provide cash-in-lieu to support schools, parks, and public facilities. In 1984, the Town approved a resolution formalizing this policy for schools (Attachment A), ensuring that each development contributes to the school district's needs. Today, public land dedication requirements, including those for schools, are codified in Chapter 16.08 of the Town Municipal Code (Attachment B).

## **Current Public Land Dedication Process**

The Town of Castle Rock's public land dedication process is governed by a structured framework located in Chapter 16.08 (Land Dedication) of the Town Municipal Code. Key components of the current requirements include:

- **Dedication Requirements:** Developers must set aside land for public use based on the size and type of development. The specific acreage of public land is regulated in CRMC 16.08, and includes requirements specifically for park land, water facilities, fire station and police station, town administrative facilities, and school land. These areas are typically determined at time of zoning, and set for the maximum density. If future development after zoning increases the density, then additional public land dedications are calculated.
- **Land or Cash-In-Lieu Options:** If direct land dedication isn't feasible due to the site size or location, the Town collects money to acquire future land for public needs. This is called cash-in-lieu of dedicating land, and these funds are used by the Town to acquire land for parks, open space, and other public land needs such as school dedication. CRMC section 16.08.120 specifically states that funds collected for future school land will not be given to the School District.
- **Ownership and Conveyance:** The Town of Castle Rock is the owner of the PLD lands for all future uses. Dedicated school sites remain Town-owned until the School District formally requests a transfer.

## **Discussion**

There are approximately 19 public schools in Town, primarily owned by Douglas County School District, and a few owned by charter schools. These are shown on the attached map in red (Attachment A). Through past zoning approvals, there are 13 potential future school sites that have been identified, and these are listed in the table below and shown in blue on the map. The majority of these sites are currently owned by the Town as public land and are vacant, although a few have temporary recreational uses on them. 2 of these sites are still owned by the developer in Dawson Trails, and are scheduled to be conveyed to the Town when those areas are platted into buildable lots. There is one future school site currently proposed within Pine Canyon, which is under review by the Town for annexation and zoning. Additionally, there are two school sites in the Macanta development in unincorporated Douglas County just to the Town's northeastern boundary, that are owned by the School District. These are also shown on the attached map.

This table shows these potential future school sites.

Table 1: Potential Future School Sites

<b>General Location</b>	<b>Approx. Size</b>	<b>Owner- Year conveyed to Town</b>	<b>Notes</b>
1. Bella Mesa South	12.3 acres	Town - 2021	Planned for a future elementary.
2. Castle Oaks/Terrain	3.82 acres	Town - 2016	Not large enough for traditional elementary, may be DCSD support facility.
3. Castlewood Ranch	62.8 acres	Town - 1999	Originally identified for future High School. Site is challenged with cap rock which increase cost of construction.
4. Cobblestone Ranch	11.21 acres	Town - 2007	Planned as a possible elementary school.
5. Crystal Valley North – West	54.88* acres	Town - 2002	*54.88 acres for combined park/school, possible elementary school. Steep slopes.
6. Crystal Valley North – East	20.17 acres	Town - 2015	Parcel zoned for residential development, request to return to developer.
7. Crystal Valley South	20.22* acres	Town - 2018	*20.22 acres for combined park/school area. Elementary was included in a past unsuccessful bond initiative.
8. Dawson Trails north	12.7 acres	developer	To be conveyed to Town when adjacent platting occurs. Planned for a future elementary.
9. Dawson Trails south	12.2 acres	developer	To be conveyed to Town when adjacent platting occurs. Planned for a future elementary.
10. Montaine	16.74 acres	Town - 2019	Planned for a future elementary.
11. Plum Creek South	7.94 acres	Town - 2004	Site has rock and slope challenges.
12. Red Hawk	10 acres	Town - 2006	Dedicated as a possible elementary school. Was included in a past unsuccessful school bond initiative.
13. Sapphire Pointe/Gemstone Park	3.68 acres	Town - 2002	Combined Fire Station/Park/School site. 3.68 acres that are 500 ft or more away from powerlines.
14. Pine Canyon (under review)	12.7 acres	developer	Proposed annexation and zoning not yet approved.
15. Macanta/Crowfoot	27.1 acres	DCSD	Planned for future middle.
16. Macanta South	10.09 acres	DCSD	Planned for a future elementary.

For the 13 future school sites currently in Town, only 1 has a special agreement that allows for it to be conveyed back to the developer if the School District states they will not use it. This agreement is explained in more detail in the following section. The other 12 sites are all owned by the Town for public land use, with no special agreement to revert back to the original developer.

#### Crystal Valley Ranch Parcel

There is one parcel of land in Town that was identified as having the option of developing as either a middle school, or reverting back to the developer for residential development. This 20 acre parcel is located in Crystal Valley Ranch, and is part of a contractual Development Agreement between the Town and the developer. This agreement states the 20 acre middle school parcel will revert back to the developer if the School District gives written notices to Town that it will never utilize the site for a school. The Development Agreement states that if the School District provides that letter, then the site may be developed in accordance with the development plan for the parcel.

In January of 2025, the School District determined they would not use this site for a school, and sent a letter to the Town to that affect. Town staff is working through next steps on how to convey this parcel back to the developer. This is the only parcel with this unique “revert” back language, and it is zoned for residential development. Other public land held by the Town is zoned for a variety of public uses.

#### General Questions on Conveyance and Use of Land

Recently staff has received questions regarding future land for schools. These questions include:

- When is the Town required to convey land to the School District?
- If the School District receives the land, and then chooses not to build a school, does the land go back to the Town?
- If the School District doesn't build on it, are they able to sell it to others for non-school development?
- Is the School District able to sell land to other school entities for profit?
- If the School District is not planning to utilize all of the future school sites, is the Town able to permanently use this land for other uses?

The current Town regulations in 16.08.120 is the only mention of the Town conveying land to the School District when requested to accommodate planned school construction. As this discussion continues, it may be appropriate to direct staff to make recommendations of future code changes to clarify the overall school land conveyance process, the timing of the dedication, and how that land is used if the School District chooses not to build a school on it.

Additionally, the code could be amended to make it clear that if land is not utilized within a set timeframe for a school use, then it can be used by the Town for other public uses that serve the community, such as expanded parks or open space areas.

#### **Summary:**

The Town code requirements ensure adequate land is available for future schools through its Public Land Dedication process. Currently, multiple Town-owned parcels are

designated for school use, with additional sites to be acquired as development progresses. The School District plays a key role in reviewing PLD sites but does not receive direct cash payments from the Town, and land is conveyed only when a school is planned for construction.

Recent questions regarding land conveyance, reallocation of unused school sites, and the School District's authority to repurpose or sell dedicated land highlight the need for further Town policy and possibly code clarification. As development continues, the Town Council may consider directing staff to evaluate potential updates to Chapter 16.08 of the Municipal Code to ensure clear guidelines on school land dedication, timing of conveyance, and alternative land uses if a school is not constructed.

Ongoing collaboration with the School District will remain essential to balancing development needs with long-term school site planning.

**Attachments:**

Attachment A: 1984 Resolution

Attachment B: Castle Rock Municipal Code Section 16.08

Attachment C: Map of Existing and Potential Future School Sites