

ORDINANCE NO. 2015 - 53

AN ORDINANCE APPROVING AN AMENDMENT TO 4.11 OF THE PROMENADE AT CASTLE ROCK PLANNED DEVELOPMENT ZONING REGULATIONS ADOPTING THE PROMENADE AT CASTLE ROCK MASTER SIGNAGE AND WAYFINDING PLAN

WHEREAS, by Ordinance No. 2015-09, the Town Council approved the Promenade at Castle Rock Planned Development Zoning Regulation (“Zoning Regulations”); and

WHEREAS, it has been determined that it is necessary and appropriate to amend 4.11 of the Zoning Regulations in order to incorporate the Promenade at Castle Rock Master Signage and Wayfinding Plan (“Promenade Master Sign Plan”) into the Zoning Regulations as the regulatory mechanism for certain signage within the Promenade at Castle Rock Planned Development; and

WHEREAS, the amendment applies only to 4.11 of the Zoning Regulations and all other provisions shall remain in full force and effect; and

WHEREAS, the Town’s Sign Code Regulations contemplate sign plans to address the diverse needs of an assortment of residential and commercial projects; and

WHEREAS, although the Town of Castle Rock’s Municipal Code anticipates a variety of sign plan concepts, the signage and wayfinding within the Promenade at Castle Rock presents a number of unique and distinct features; and

WHEREAS, members of the Town’s Development Services Department worked closely with the developer to design a signage and wayfinding plan that meets the Town’s objectives related to the location, size, height, number, elevation, design, aesthetics, material, and sign area; and

WHEREAS, it is Council’s desire to take reasonable steps within its power as the governing body to encourage collaborative efforts between Town personnel and a developer that meet the distinctive needs of development and that are consistent with the needs of the Town related to health, safety, and welfare as well as identification, directional, informational, and esthetic goals and objectives; and

WHEREAS, Council finds that the Promenade Master Sign Plan meets the substantive intent and elements of the Town’s Sign Code Regulations; and

WHEREAS, Council finds that the Promenade Master Sign Plan meets Town goals and objectives related to the health, safety, and welfare of the residents and that the design, size, and location of the proposed signage and wayfinding also meet the Town’s purposes related to visual communication including the right of businesses to identify themselves; and

WHEREAS, Council finds that the Promenade Master Sign Plan strikes a reasonable balance between the right of businesses to identify themselves and their purposes while protecting the rights of individuals and the visual environment of the community against visual discord and signage that is not compatible with the adjacent uses.

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

Section 1. Amendment. Section 4.11 of the Zoning Regulations is amended in its entirety to read as follows:

4.11 Signs

The “Promenade at Castle Rock Master Signage and Wayfinding Plan” (“Promenade Master Sign Plan”) depicts a master sign plan for the Promenade PD. The Promenade Master Sign Plan is attached hereto and incorporated herein by reference as **Appendix B** to these Zoning Regulations.

Application for an amendment to the Promenade Master Sign Plan will be considered a minor amendment and may be approved administratively if the following criteria apply:

1. Does not increase the size of any sign structure more than 10%.
2. Does not increase the sign area of any sign more than 10%.
3. Does not increase the combined total number of signs designated P, PS, M, MS to more than 11 total signs.
4. Does not constitute a significant change in design.
5. Does not create new or additional impacts to adjacent properties.

Such amendments which are not classified as minor shall be processed as a major amendment and require Town Council approval.

In addition, other signage within the Promenade at Castle Rock PD will be processed and approved in accordance with Title 19 of the Castle Rock Municipal Code. All freestanding signage within Promenade at Castle Rock PD shall be depicted on the applicable Site Development Plan.

Section 2. 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 3. 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 relation to the legislative object sought to be obtained.

APPROVED ON FIRST READING this 17th day of November, 2015, by a vote of 6 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 1st day of December, 2015, by the Town Council of the Town of Castle Rock 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