

**ORDINANCE NO. 2024-012**

**AN ORDINANCE APPROVING THE SECOND AMENDMENT TO THE METZLER RANCH PLANNED DEVELOPMENT ZONING REGULATIONS REGARDING THE PROPERTY LOCATED AT 864 BARRANCA DRIVE**

**WHEREAS**, on October 24, 1996, the Town Council (the “Town Council”) of the Town of Castle Rock (the “Town”) adopted Ordinance No. 1996-42 approving the Preliminary Site Plan (the “Site Plan”) and Zoning Regulations (the “Zoning Regulations”) for the Metzler Ranch Planned Development (the “Metzler Ranch PD”); and

**WHEREAS**, Metzler Ranch Filing 9, Lot 7, the street address of which property is 864 Barranca Drive (the “Property”), is located in a Commercial Use Area within the Metzler Ranch PD; and

**WHEREAS**, on September 7, 2010, the Town Council adopted Ordinance No. 2010-24 approving the First Amendment to the Zoning Regulations (the “First Amendment”), which First Amendment established nursing home and elderly assisted care living facilities as permitted uses for the Property; and

**WHEREAS**, the Property, which was developed with one building and an associated parking lot and operated as an assisted living and memory care facility for seniors, is now vacant; and

**WHEREAS**, recently, Sandstone Care, LLC (the “Applicant”), has expressed interest in repurposing the Property as a facility at which inpatient mental health care services will be provided to adolescents, 13 through 17 years of age (the “Applicant’s Facility”); and

**WHEREAS**, the Applicant has proposed a Second Amendment to the Zoning Regulations that govern the Property for the purpose of adding adolescent inpatient mental health care as a permitted use (the “Second Amendment”); and

**WHEREAS**, the proposed Second Amendment constitutes a major text amendment within the meaning of Section 17.36.010 of the Town Municipal Code and, as such, requires review by the Planning Commission and the Town Council; and,

**WHEREAS**, on August 8, 2024, following a public hearing, the Planning Commission voted unanimously to recommend approval of the Second Amendment to the Town Council; and

**WHEREAS**, a public hearing has been conducted at tonight’s meeting in accordance with the provisions of Sections 17.36.020 and 17.34.020 of the Town Municipal Code; and

**WHEREAS**, the Town Council finds and determines that the Second Amendment is in in substantial compliance with:

- (i) The goals and objectives of the Town’s Vision 2030 and the 2030 Comprehensive Master Plan; and

- (ii) The review and approval criteria found in Sections 17.36.020 and 17.34.030 of the Town Municipal Code.

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

**Section 1. Approval.** The Second Amendment to the Metzler Ranch Planned Development Zoning Regulations is hereby approved in the form as presented at tonight’s meeting. As a condition of approval and the issuance of a certificate of occupancy, the Applicant shall negotiate with and obtain the approval of the Town’s Fire and Rescue Department for an Emergency Management Plan regarding the operation of the Applicant’s Facility.

**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 to the legislative object sought to be obtained.

**APPROVED ON FIRST READING** this 20<sup>th</sup> day of August, 2024, by the Town Council of the Town of Castle Rock by a vote of 4 for and 3 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 3<sup>rd</sup> day of September, 2024, 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