

ORDINANCE NO. 2023-002

AN ORDINANCE APPROVING THE INITIAL ZONING FOR 409.008 ACRES OF LAND LOCATED IN THE SOUTH HALF OF SECTION 30 AND THE NORTH HALF OF SECTION 31, TOWNSHIP 7 SOUTH, RANGE 66 WEST, AND THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, COLORADO, PURSUANT TO A ZONING APPLICATION SUBMITTED BY CANYONS SOUTH, LLC (Canyons Far South Annexation)

WHEREAS, Canyons South, LLC (the “Owner”) is the owner of 409.008 acres of land located south of Crowfoot Road, east of Founders Parkway, north of Crimson Sky Drive and west of Castle Oaks Drive, as more particularly described on the attached *Exhibit 1* (the “Property”); and

WHEREAS, the Property is the subject of a petition for annexation to the Town of Castle Rock (the “Town”), which annexation was approved by the Town Council at tonight’s meeting; and

WHEREAS, the Owner has submitted an application to the Town for the initial zoning of the Property (the “Zoning Application”), requesting that it be classified as Planned Development; and

WHEREAS, according to Section 20.02.030 of the Castle Rock Municipal Code (“CRMC”), the Town Council may evaluate any pending zoning requests for the Property concurrently with the annexation request, and the annexation hearing may be combined and held concurrently with the required public hearing on the zoning classification of the Property (the “Combined Hearings”); and

WHEREAS, in addition, prior to the date set for the Combined Hearings, the Owner’s Zoning Application shall be reviewed in a public hearing by the Planning Commission; and

WHEREAS, the Planning Commission and Town Council have conducted the required public hearings in accordance with the applicable provisions of the CRMC.

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

Section 1. Findings. Based upon the testimony and evidence presented at the Combined Hearings, pursuant to the requirements of Section 17.02.060.C. of the CRMC, the Town Council makes the following findings:

- A. The zoning of the Property is not subject to any existing land use intergovernmental agreements;

- B. The proposed zoning conforms to the most recently adopted versions of the Town's Vision and Comprehensive Master Plan. The Property is not located within the boundaries of any sub-area or corridor plan;
- C. The proposed zoning and use of the Property are compatible with existing and planned development on adjacent properties and in the surrounding area;
- D. The redevelopment and future operation of the Property will be undertaken in accordance with Town regulations and technical criteria and, as such, any impacts upon the natural environment, including air, water, noise, stormwater management, wildlife and vegetation, will be minimal;
- E. The Property will have access to Town services and infrastructure adequate to support its orderly development; and
- F. Development of the Property is anticipated to have a generally positive economic impact on the Town.

Section 2. Zoning Approval. The Property is hereby zoned to Planned Development zoning. The Town's Zoning District Map will be amended to reflect the zoning classification of Planned Development for the Property.

Section 3. Plan Approval. The Canyons Far South Planned Development Plan and Zoning Regulations in the form attached as *Exhibit 2* is hereby approved.

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 relationship to the legislative object sought to be obtained.

APPROVED ON FIRST READING this 21st day of February, 2023, by the Town Council of the Town of Castle Rock, Colorado by a vote of 7 for and 0 against, after publication; and

PASSED, APPROVED AND ADOPTED ON SECOND AND FINAL READING this 7th day of March, 2023, by the Town Council of the Town of Castle Rock, Colorado by a vote of ___ for and ___ against.

ATTEST:

TOWN OF CASTLE ROCK

Lisa Anderson, Town Clerk

Jason Gray, Mayor

Approved as to form:

Michael J. Hyman, Town Attorney

Approved as to content:

Tara Vargish, Development Services Director