

To: Town Council

From: Jeri Brown 6/19/2018

Title 17 Castle Rock Municipal Code (Excerpts)

17.01.010 - Compliance with regulations.

A. No land shall be used or occupied and no structure shall be designed, erected, altered, used or occupied except in conformity with all regulations established in the Castle Rock Municipal Code, including this Title.

17.01.020 - Interpretation; conflict with other laws.

A. The interpretation and application of the provisions of this Title shall be held to be minimum requirements adopted for the promotion of the public health, safety and welfare. Whenever the requirements of this Title are at variance with the requirements of the Castle Rock Municipal Code or any other lawfully adopted rule, regulation, or ordinance, the more restrictive or that imposing the higher standards shall govern.

17.10.010 - Applicability.

A. The general design principles set forth in this Chapter apply to the design and layout of PD Plans, Site Development Plans, Subdivision Plats (see Title 16, CRMC), and Construction Documents (see Title 15, CRMC), as well as to the design and layout of individual lots, sites or tracts.

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17.10.020 - Purpose and intent.

This Chapter is intended to ensure that the development of land is done in such a manner as to:

A. Protect and provide for the public health, safety and general welfare of the Town;

B. Promote orderly growth and provide for the harmonious development of the Town in accordance with the Comprehensive Plan;

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F. Preserve and enhance the natural beauty and topography of the Town and ensure appropriate development with regard to such natural features;

G. Mitigate the pollution of air, streams and ponds, ensure the adequacy of stormwater facilities, safeguard the water supply, and encourage the wise use and management of the natural environment;

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I. Protect the character and the social and economic stability of the Town;

J. Conserve and enhance the value of land throughout the Town and the value of buildings and improvements upon the land;

K. Provide for the safe and efficient circulation of traffic throughout the Town, the mitigation of congestion in the streets and highways and along pedestrian ways; and

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17.10.030 - Land suitability.

A. Terrain, vegetation, unique site feature preservation.

1. In the site planning and layout of any development, consideration shall be given to the relationship of roads, lots and buildings to existing slopes, grades, natural vegetation and drainage ways. All structures and roadways shall achieve a fit with the landscape that is not unduly intrusive.

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3. Unique site features, which would add value to a subdivision or site development or to the Town, such as topographic or rock formations, trees or brush stands, historic sites or areas and similar irreplaceable features shall receive special consideration in any project design, site planning or development proposal. Such features shall be left undisturbed and preserved in the subdivision or site design to the greatest extent practicable.

4. Significant natural drainage ways shall not be disturbed or re-routed except where of general benefit to the overall development.

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6. Consideration shall be given to wildlife impacts in the layout of open space areas within the development. All development proposals involving sensitive lands should be referred to the State Division of Wildlife for information and comment on animal habitat preservation. Where designated threatened or endangered species are present, the developer must conform to all applicable state and federal restrictions and permitting requirements.

B. Grading should be shaped to complement the natural land forms rather than shaping the slope to accommodate structures, roads, and lots. Lots and structures in sloping areas should be designed to conform to the slope by means of stepped foundations or similar methods that will keep grading and site preparation to a minimum.

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Chapter 17.14 - Definitions

For the purpose of this Title, certain words or phrases are defined below. When not inconsistent with the content, words used in the present tense include the future, words in the singular number include the plural number, words in the plural number include the singular number, and the masculine includes the feminine.

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Setback means the minimum required distance between a building or other structure and a property line. Retaining walls less than 48-inches in height will not be considered a structure for the purposes of enforcing setback requirements.

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Structure means anything constructed or erected which requires a location on the ground or is attached to something having a location on the ground, but not including fences (or walls used as fences) less than 6-feet in height, poles, lines, cables or other transmission or distribution facilities of public utilities. All signs shall be considered structures. Retaining walls less than 48-inches in height will not be considered a structure for the purposes of enforcing setback requirements.

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Chapter 17.50 - Residential/Nonresidential Interface Regulations

17.50.040 - Buffers and transitional screening.

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B. When development is proposed on nonresidential development adjacent to developed residential property, 100% of the buffer and transitional screening shall be provided on the nonresidential property at the time of development.

17.50.040 - Buffers and transitional screening.

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D. Buffers shall be kept free of buildings, structures and parking lots. Retaining walls may be included within a buffer.

Table: Small building <75,000 sf. 30'

2030 Comprehensive Plan, RESPONSIBLE GROWTH:

Principle RG-5: Infill development that is sensitive to the scale and character of the surrounding neighborhoods

RG-5.1: SCALE AND CHARACTER

Infill development in new and existing neighborhoods shall ensure compatibility with the surrounding neighborhoods, including the maintenance of the predominant existing setbacks and the use of complimentary building materials, colors, and forms, while allowing flexibility for innovative design solutions.

RG-5.2: BUFFERS AND MITIGATION MEASURES

Incorporate appropriate buffers or other mitigation measures such as, but not limited to, landscape screening, fencing or walls between residential areas and other land use activities to minimize noise, traffic or other conditions that may pose a nuisance or danger to residents.

List of Ordinance Violations (Jeri Brown 5/24/18):

- 17.14 Definitions (Retaining wall over 4 ft is a structure)
- 17.32.010 PD District Purpose
- 17.32.010 B Preserve existing landscape
- 17.32.010 E Harmonious with surrounding neighbourhoods
- 17.34.030 PD Plan approval criteria
- 17.34.030 A 3 Design principle compliance (Gateway)
- 17.34.030 B 1 Appropriate relationships between use areas
- 17.34.030 C 1 Adequate [traffic] circulation
- 17.34.030 C 3 Circulation and connectivity: safe street system
- 17.34.030 D 5 Consideration of future streets
- 17.34.030 D 6 Mitigate all traffic impacts
- 17.34.030 F 1 Preservation of Natural Features
- 17.34.040 A 3 Town regulations govern and control
- 17.38.010 C Compatibility with neighbourhoods
- 17.50.010 A Assure that impacts are mitigated
- 17.10.030 B Grading to natural land forms (rather than shaping the slope)
- 17.10.030 C Roads in steeply sloping areas
- 17.10.030 F 1 Sensitivity to drainage, topography ... view sheds
- 17.32.010 PD District Purpose
- 17.32.010 B Preserve existing landscape
- 17.32.010 E Harmonious with surrounding neighbourhoods
- 17.34.030 PD Plan approval criteria
- 17.34.030 A 3 Design principle compliance
- 17.34.030 B 1 Appropriate relationships between use areas
- 17.34.030 C 1 Adequate [traffic] circulation
- 17.34.030 C 3 Circulation and connectivity: safe street system
- 17.34.030 D 5 Consideration of future streets
- 17.34.030 D 6 Mitigate all traffic impacts
- 17.34.030 F 1 Preservation of Natural Features Consideration of Wildlife
- 17.34.030 F3 Consideration of Wildlife
- 17.34.040 A 3 Town regulations govern and control
- 17.38.010 C Compatibility with neighbourhoods
- 17.50.010 A Assure that impacts are mitigated
- 17.50.010 A1 Minimize visibility of non-residential uses
- 17.50.010 A3 Visually attractive transitions
- 17.50.020 Definitions (mitigation of impact on residential areas)
- 17.50.030 A1 Applicability of non-residential adjacent to residential
- 17.50.040 F Required buffers ... must be kept free of **structures** (see **17.14**)
- 2020 Comprehensive Master Plan (elements still in place)
- 2030 Comprehensive Master Plan
 - RG-5.1 Infill must be compatible in scale
 - RG-5.2 Buffers and mitigation measures