

**ORDINANCE NO. 2015-60**

**AN ORDINANCE AMENDING SECTION 17.42.070.C OF THE CASTLE ROCK MUNICIPAL CODE REGARDING THE CRITERIA FOR INCREASING BUILDING HEIGHTS IN THE DOWNTOWN OVERLAY DISTRICT**

**WHEREAS**, it was recognized that existing language in the Downtown Overlay District was causing confusion regarding restoration or funding of restoration for landmarked properties; and

**WHEREAS**, the Town's Downtown Overlay Ordinance provides for additional building height to further development of the downtown; and

**WHEREAS**, the uncertainty and inability to define the appropriate level of restoration or funding of restoration within the downtown has resulted in confusion with the development community and staff.

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

**Section 1. Amendment.** Section 17.42.070.C of the Castle Rock Municipal Code is amended in its entirety to read as follows:

C. A landowner may request one additional floor (with the corresponding increase in building height) in the Downtown Core District, or two additional floors in the North and South Districts through the Board. The Board, at its discretion, may grant an additional floor request after considering the following criteria:

1. Whether the project will incorporate design elements found in-a adjacent-Landmark structures ~~into its design~~; and
2. the impacts of the increased building height on adjacent properties.

**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 15<sup>th</sup> day of December, 2015 by a vote of - 5 - 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 5th day of January, 2016, by the Town Council of the Town of Castle Rock by a vote of  
for and against.

**ATTEST:**

**TOWN OF CASTLE ROCK**

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Sally A. Misare, Town Clerk

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Paul Donahue, Mayor

**Approved as to form:**

**Approved as to content:**

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Robert J. Slentz, Town Attorney

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Bill Detweiler, Director of Development Services