

ORDINANCE NO. 2015-25

**AN ORDINANCE AMENDING THE BROOKWOOD PD ZONING REGULATIONS
CONCERNING FENCES**

WHEREAS, by Ordinance 2002-17, the Town Council approved the Brookwood PD Zoning Regulations (“Zoning Regulations”)

WHEREAS, Brookwood, LLC (“Owner”) has made application to the Town of Castle Rock for approval of a major amendment to the Zoning Regulations; and

WHEREAS, the Zoning Regulations currently prohibit the installation of fences within the Brookwood PD and the Owner would like to amend the Zoning Regulations to remove such restriction; and

WHEREAS, public hearings on the major amendment have been held before the Planning Commission and Town Council in accordance with the applicable provisions of the Castle Rock Municipal Code.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK AS FOLLOWS:

Section 1. Amendment. Section 5.5 of the Brookwood PD Zoning Regulations is amended to read as follows:

5.5 Fences and Retaining Wall

- A. (Repealed)
- B. Fence permits from the Town of Castle Rock are required for the construction of any fence in excess of current Town Standards.
- C. Retaining walls which are within three feet of a public right-of-way, drainage or other easement which are in excess of 30” in height shall require certification by a professional engineer as to design and structural stability. Town of Castle Rock standards shall apply for all other walls.
- D. No barbed wire or electric fence shall be permitted
- E. No fence over 42 inches in height shall be permitted within the front setback.
- F. The maximum height of any single retaining wall shall not exceed eight feet.

Section 2. Ratification. In all other respects the Brookwood PD Zoning Regulations shall remain in full force and effect.

Section 3. 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.

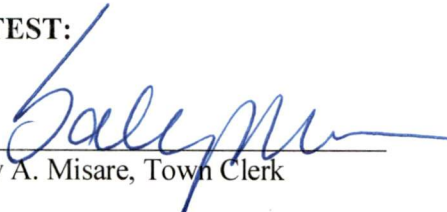
Section 4. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational to the legislative object sought to be obtained.

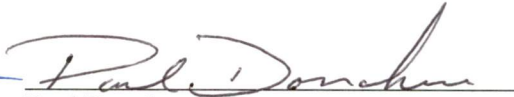
APPROVED ON FIRST READING this 21 day of July, 2015 by a vote of 7 for and 0 against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED AND ADOPTED this 4 day of August, 2015, by the Town Council of the Town of Castle Rock, Colorado, on second and final reading by a vote of 5 for and 0 against.

ATTEST:

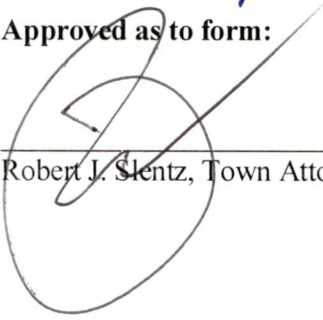
TOWN OF CASTLE ROCK


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