

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 20th 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

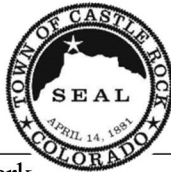
PASSED, APPROVED AND ADOPTED ON SECOND AND FINAL READING this 3rd day of September, 2024, by the Town Council of the Town of Castle Rock by a vote of 5 for and 2 against.

ATTEST:

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Lisa Anderson, Town Clerk



TOWN OF CASTLE ROCK

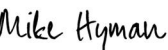
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Jason Gray, Mayor

Approved as to form:

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Michael J. Hyman, Town Attorney

Approved as to content:

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Tara Vargish, Director of Development Services

**Metzler Ranch Planned Development
Zoning Regulations,
2nd Amendment**

(Applicable to Metzler Ranch Filing No. 9, Lot No. 7)

**Adopted by Town of Castle Rock Town Council
September 3, 2024
Ordinance No. 2024-012**

SECTION 1: GENERAL PROVISIONS

1.1 PURPOSE

A. Statement of Purpose

The purpose of these Planned Development (PD) Zoning Regulations is to amend the Metzler Ranch Planned Development Zoning Regulations, 1st Amendment, approved by Ordinance No. 2010-24 and recorded at Reception No. 2011003860, to allow limited health care services, as a permitted use by right.

B. Application

These standards shall apply to the property located at 864 Barranca, state parcel number 2351351160001, as shown on the Metzler Ranch Preliminary PD Site Plan, Fourth Major Amendment 2010. These PD Zoning Regulations run with the land, and bind owners of record and successors in interest to the property.

1.2 AUTHORITY

A. Authority

The enabling authority of these amended Zoning Regulations is the Town of Castle Rock Municipal Code (CRMC), Chapters 17.32 Planned Development District, 17.34 PD Plan and 17.36 Amendments to PD Plan and PD Zoning Regulations, as amended.

B. Adoption

The Town Council has approved and adopted the Metzler Ranch Planned Development Zoning Regulations, 2nd Amendment, pursuant to Chapters 17.32, 17.34 and 17.36 of Title 17 of the Castle Rock Municipal Code, after appropriate public notice and hearing.

C. Relationship to Town of Castle Rock Regulations

All Town ordinances and regulations, as the same are amended from time to time, shall apply to, and be enforceable in the Metzler Ranch Preliminary PD Site Plan, Fourth Major Amendment 2010. Accordingly, such Town ordinances and regulations shall govern and control over any conflicting provisions in the PD Plan and PD Zoning Regulations, unless such conflicting provision is vested as an express development right under the applicable development agreement.

D. Maximum Level of Development

The total amount of non-residential square footage approved for development within Metzler Ranch Filing No. 9, Lot No. 7 is the maximum allowed for platting and development. Maximum level of development to be established

at the time of the Site Development Plan, and subject to site requirements and constraints.

1.3 CONTROL PROVISIONS

A. Incorporation of the Planned Development Plan

The Metzler Ranch Preliminary PD Site Plan, Fourth Major Amendment 2010 includes the type, location, boundaries and acreage of the land use area, as shown on sheets 1 and 2 of the PD Plan, is hereby incorporated by reference into these PD Zoning Regulations.

B. Use Area Boundaries

Where a Use Area abuts an internal local street or drive, the boundary shall be the centerline of the street. Where a Use Area abuts an arterial or collector street the boundary shall be the right-of-way of that street, as indicated on the PD Plan.

C. Amendments to the PD Plan and PD Zoning Regulations

Future amendments to the Metzler Ranch Preliminary PD Site Plan, Fourth Major Amendment 2010, or these Metzler Ranch Planned Development Zoning Regulations, 2nd Amendment, shall be subject to the criteria established in CRMC, Chapter 17.36.

D. Road Alignments

The Metzler Ranch PD infrastructure is constructed. Any major road re-alignments, as determined by the Town of Castle Rock Development Services Director, shall follow the PD Amendment procedures established in the Town of Castle Rock Municipal Code.

E. Severability of Provisions

In the event any provision herein shall be determined to be illegal or void by the final order of any court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

SECTION 2: DEVELOPMENT AGREEMENT

In addition to these amended regulations, Metzler Ranch Planned Development Zoning Regulations, 2nd Amendment is subject to the applicable provisions of the Metzler Ranch Development Agreement, adopted by the Town of Castle Rock on the 24th day of October, 1996, by Ordinance 96-42 and recorded under Reception No. 199672147, as amended.

SECTION 3: OVERALL PROJECT STANDARDS

These Planned Development regulations shall not preclude the application of Town ordinances, including revisions to Municipal Code, which are of general application

throughout the Town, unless such application would conflict with an express vested property right. The standard zoning requirements of the Town of Castle Rock Zoning Ordinance (Title 17) including off-street parking, development standards, landscaping, site development, accessory and temporary uses, and use by special review and variance processes shall apply to this Planned Development, except as modified by the following sections.

SECTION 4: DEFINITIONS

In addition to the standard definitions found in the Town of Castle Rock Zoning Ordinance, as amended, the following definitions of terms shall apply to this PD.

4.1 ADOLESCENT INPATIENT MENTAL HEALTH CARE

A private residential facility for teens ages 13 through 17 years of age who are experiencing mild to moderate mental health conditions, which such facilities services are designed to provide a diverse range of therapeutic approaches and treatment interventions to address symptoms associated with depression, anxiety, and mood instability. This use does not include alcohol and drug rehabilitation facilities.

4.2 ASSISTED LIVING/MEMORY CARE

A public or private residential facility designed to provide residents with assistance for activities of daily living and medication assistance for individuals with a level of cognitive impairment. This use does not include alcohol and drug rehabilitation facilities.

4.3 MILD MENTAL HEALTH CONDITION

Individuals who present with feelings of overwhelm, hopelessness, loss of interest in previously enjoyable activities, social withdrawal from family and friends, apprehensions about the future, excessive worry, and other intrusive thoughts that significantly impede their ability to perform daily living tasks.

4.4 MODERATE MENTAL HEALTH CONDITION

Individuals who present with excessive sadness leading to self-harm urges, suicidal ideation, loss of appetite, disrupted sleep patterns, severe anxiety causing inability to leave isolated spaces (e.g., bedroom or bathroom), development of unhealthy repetitive behaviors (e.g., counting, finger tapping), or dissociative thoughts from reality.

4.5 NURSING HOME

A public or private residential facility providing a high level of personal physical rehabilitation or nursing care for persons (such as the aged or chronically ill) who are unable to care for themselves properly. This use excludes care for alcohol and drug rehabilitation, mental illness or communicable disease.

4.6 SEVERE MENTAL HEALTH CONDITION

Individuals who present with significant impairment to function in daily life, are not attending to hygiene, who may be catatonic, have command hallucinations or be experiencing active suicidal or homicidal plans, multiple identities, or unsafe manic behaviors to include active aggression, delusions of grandeur or persecution.

SECTION 5: USE AREA – RESIDENTIAL / INPATIENT HEALTH CARE

5.1 INTENT

The intent of these standards is to establish permitted uses, prohibited uses, and development controls that protect the public health, safety and welfare, mitigate adverse impacts between land uses and advance the goals of the Town of Castle Rock Vision and Comprehensive Master Plan, as amended.

5.2 PERMITTED USES BY RIGHT

A. Nursing Home Care

- i. A public or private health care facility, providing short-term or long-term residential accommodations and health care for patients, with no restriction on age.
- ii. Maximum number of patient beds is 48.
- iii. Must be licensed by the State of Colorado
- iv. Facility to operate 24 hours per day, 7 days per week
- v. General services provided may include skilled nursing care, physical therapy, social interaction, meal preparation, laundry services, room cleaning, transportation and other personal services
- vi. Additional room accommodations may be provided for staff.

B. Assisted Living / Memory Care

- i. A private care facility, providing long-term residential accommodations, assistance with daily activities and medical support for up to clients, with no restriction on age.
- ii. Maximum number of resident beds is 48.
- iii. Must be licensed by the State of Colorado
- iv. Facility to operate 24 hours per day, 7 days per week
- v. General services provided may include medical assistance, coordinated activities and social interaction, meal preparation, laundry services, room cleaning, and transportation.
- vi. Additional room accommodations may be provided for staff.

C. Adolescent Inpatient Mental Health Care

- i. A private health care facility, providing short-term inpatient treatment of mild to moderate mental health conditions and mood disorders, such as anxiety, depression, stress, and trauma clients, ages 13 through 17 years of age.

- ii. Maximum number of client beds is 48, or the maximum allowed by the State of Colorado, whichever is less.
- iii. Must be licensed by the State of Colorado.
- iv. Facility to operate 24 hours per day, 7 days per week
- v. On-premises staffing consists of licensed clinical, medical and other professional services.
- vi. The required staff to client ratio must meet State of Colorado licensing criteria.
- vii. Personal services such as meal preparation, laundry services, cleaning, and transportation will be provided.
- viii. Additional room accommodations may be provided for staff.

5.3 PROHIBITED USES

- A. Any outpatient care or treatment,
- B. Treatment of severe mental health conditions,
- C. Treatment of substance abuse, alcohol or drug addiction or other dependencies,
- D. Treatment of clients with history committing criminal offenses of a sexual or violent nature, or
- E. Treatment associated with court-ordered treatment, or alternative sentencing programs.

5.4 DEVELOPMENT STANDARDS

Lot size, building separation and all setbacks will be established with the Site Development Plan. Maximum building height is 50 feet.