

TOWN OF NEW CASTLE, COLORADO
ORDINANCE NO. TC 2022-4

AN ORDINANCE OF THE NEW CASTLE TOWN COUNCIL AMENDING
SECTIONS 16.04.060 & 17.104.020 OF THE NEW CASTLE MUNICIPAL
CODE

WHEREAS, from time to time, Town staff reviews the subdivision and zoning regulations set forth in Titles 16 and 17 of the Town of New Castle Municipal Code (“Code”) for necessary or desirable updates or amendments; and

WHEREAS, Town staff has identified the need to amend Sections 16.04.060 and 17.104.020 of the Code to correct certain inaccuracies resulting from prior Code amendments; and

WHEREAS, the Planning & Zoning Commission (“Commission”) conducted a public hearing regarding the changes set forth in this Ordinance on March 9, 2022, and approved Resolution PZ 2022-2 recommending that Council approve said changes; and

WHEREAS, Town Council has reviewed the proposed changes to Sections 16.04.060 and 17.104.020 of the Code and desires to adopt the same.

NOW, THEREFORE, BE IT ORDAINED BY THE NEW CASTLE TOWN COUNCIL AS FOLLOWS:

1. **Recitals.** The foregoing recitals are incorporated by reference herein as findings and determinations of the Council.

2. **Amendments.** Sections 16.04.060 and 17.104.020 of the Code are hereby amended as set forth below, with added language in **bold** and **underlined** and removed language ~~stricken~~. Code language not expressly amended by this Ordinance shall remain unchanged and in full force and effect.

Section 16.04.060 – Planning Commission

The planning commission is responsible for making investigations and reports on the design and improvement of proposed subdivisions and requiring conformance of such subdivisions with the town's comprehensive plan and any transportation, land use, or other special plans as may be adopted by the town council. This title shall be implemented and administered utilizing the assistance and cooperation of elected and appointed officials of the town, Garfield County and the state as well as the services of consultants when required. **Except for those plats that may be approved administratively under this title, no** ~~No~~ plat of a subdivision of land within the jurisdiction and scope of this title shall be filed and recorded until it has been **approved reviewed** by the planning commission, ~~as well as~~ **and approved** by the council, ~~and~~ **with** such approval indicated by the signature of the ~~chairperson of the planning commission~~ **mayor** on the final plat.

Section 17.104.020 – Zone District Classifications

Castle Valley Ranch, a planned unit development, is divided into the following zone district classifications. Except for lands within an approved subdivision plat, the boundaries for each zone district and planning area and the location of roadways and easements shall be general only. The precise boundaries and locations of all such features shall be shown on each filing as the same is subdivided and a final plat thereof recorded; provided, however, no major deviations shall be allowed from the general boundaries shown on the updated PUD master plan map. All future subdivision and development of the PUD shall be subject to the approval by the town council of a final subdivision plat and a final PUD development plan for each new filing in accordance with the procedures set forth in ~~Titles 13 and 14~~ **Titles 16 and 17** of this code. In accordance with and subject to the procedures and standards set forth in ~~Title 14~~ **Title 17**, the uses, densities, and other restrictions of each of the zone district classifications listed below may be modified or amended as part of the PUD development plan process for future filings, and the precise zone district text for each filing shall be determined at the time of approval of a final PUD development plan for that filing.

3. Vested rights. Nothing in this Ordinance is intended to or shall alter or interfere with any vested rights that may exist as of the effective date of this Ordinance.

4. Severability. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

5. Effective Date. This Ordinance shall be effective fourteen days after final publication pursuant to section 4.3 of the Town Charter.

INTRODUCED on April 5, 2022, at which time copies were available to the Council and to those persons in attendance at the meeting, read by title, passed on first reading, and ordered published in full and posted in at least two public places within the Town as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the Town of New Castle, Colorado, on April 19, 2022, read by title and number, passed without amendment, approved, and ordered published as required by the Charter.

TOWN OF NEW CASTLE, COLORADO
TOWN COUNCIL

By:



Art Riddle, Mayor

ATTEST:

 CMC
Melody Harrison, Town Clerk

