

ZONING REGULATIONS

Pioneer Ranch Planned Development

October 31, 2015

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SECTION I

GENERAL PROVISIONS

1.1 Adoption/Authorization

The Town Council has adopted the Pioneer Ranch PDP and Zoning Regulations pursuant to Section 17.60 of Title 17 (Zoning) of the Castle Rock Municipal Code after appropriate public notice and hearing

1.2 Applicability

The Pioneer Ranch PDP and Zoning Regulations shall run with and bind all landowners of record, their successors, heirs, or assigns of the land as approved by the Castle Rock Town Council.

1.3 Maximum Level of Development

The total number of dwelling units approved for development within the established Planning Areas is the *maximum* allowed for platting and development. The actual number of dwellings approved will be determined at the Final Plat and Final PD Site Plan stage of review based upon built product, environmental constraints, utility and street capacity, compatibility with surrounding land uses, and other relevant factors.

1.4 Relationship to Town Regulations

The provisions of this PDP and Zoning Regulations shall prevail and govern the development of the Pioneer Ranch PD, provided, however, that where the provisions of this Preliminary PD Site Plan and Zoning Regulations do not address a particular subject, the relevant provisions of the Town of Castle Rock Zoning Ordinance, as amended, or other applicable provisions of the Town Municipal code shall be applicable.

1.5 Phasing

The Phasing order indicated in the PDP Phasing Plan is advisory in nature and is not to be construed as obligatory upon Developer.

1.6 Development Agreement

In addition to these regulations, certain provisions of the development of this property are controlled by an agreement between the Town of Castle Rock and the PD property owners. This agreement, entitled _____, was adopted by the Town on the _____ day of _____, 2015, by Ordinance No. _____

SECTION II DEFINITIONS

2.1 Definitions

A. Pioneer Ranch Review Board (PRRB)

That group of Owners and designated professionals that are designated in accordance with the Conditions Covenants and Restrictions (CC&R's) to review and approve any and all building and/or modifications to same in the Pioneer Ranch PD, prior to construction.

B. CAMA

Common Area Maintenance Agreement (CAMA) is that certain agreement for Operation and Maintenance of Common Areas of Pioneer Ranch PD between the Owners and the Occupants hereto which encumbers the Site is recorded concurrently the Covenants, Conditions and Restrictions (CC&R's), pertaining to Mixed Use planning areas- (MU).

SECTION III CONTROL PROVISIONS

3.1 Planning Area Boundaries

There shall be flexibility in determining the exact location of the Planning Area (PA) boundaries due to the scale of the drawing and the diagrammatic depiction of use areas (rounded comers, separation from other areas, etc.) However, significant material changes or adjustments over 20% in nature to boundaries may only be made through the PD Amendment procedure as provided in the Town Code.

3.2 Road Alignments

The preliminary PD Site Plan is intended to depict general locations of roadways. Recognizing that final road alignments are subject to engineering studies, road realignments of arterial and collector streets are expected, and can be accomplished by the developer through the platting process, without any amendment to these regulations or to the plan itself.

3.3 Density Standards

The dwelling unit density depicted in the PD in any individual Planning Area is the anticipated density for that individual planning area and shall not be specifically applicable to any portion thereof. However, whereas portions of a plat may vary, no individual final plat may exceed the overall maximum allowable dwelling units within the PD, nor the maximum density allowed within each Planning Area / Zone District. Residential Planning Areas are established on the Preliminary PD Site Plan with a suggested size and density for that parcel.

3.4 Underground Utility Requirements

All proposed electrical and communication distribution lines shall be placed underground. All electrical transmission lines may either be placed above ground or underground at the discretion of the property owner and the utility company. Public

Service Company presently has overhead power transmission lines through this property. It is not the intent of the property owner or Public Service Company to place these lines underground.

SECTION IV ZONING DESIGNATIONS

4.1 SF-LD (Residential-Single Family Low Density – Up to 2 DU/Ac.)

A. Permitted Uses

- 1 Single-Family detached dwelling units.
- 2 Public parks, playgrounds, open space, and recreation areas including structures and facilities associated with the primary use, including, but not limited to the following: sports fields and courts; trails, walkways and paths; picnic areas, tables, either covered or uncovered; swimming pools; and tennis courts.
- 3 Local and collector roadways, either public or private.
- 4 Private recreational and park uses, and facilities, including, but not limited to a clubhouse and associated uses, tennis courts, swimming pools, and jogging, riding and bike trails.
- 5 Temporary residential sales offices; construction offices; trailers and storage areas; and model home complexes.
- 6 Community information center and kiosks.
- 7 Utilities and appurtenant facilities.
- 8 Signage, as provided by the Town of Castle Rock Municipal Code.

B. Accessory Uses (permitted only in conjunction with a use by right)

- 1 Detached private garages.
- 2 Home occupations.
- 3 Open space and ponds to include storm water drainage detention areas.
- 4 Sheds

C. Uses Permitted by Special Review

- 1 Churches and other religious institutions.
- 2 Day Care Centers including in-home day care.
- 3 Public and quasi-public facilities.
- 4 Any other uses that would be similar in nature and impact and compatible with the uses permitted above, as determined by the Director of Community Development.

4.2 SF (Residential-Single Family Medium Density – Up to 6.5 DU/Ac.)

A. Permitted Uses

- 1 Single-Family detached dwelling units.
- 2 Single-Family attached dwelling units (duplex's).
- 3 Public parks, playgrounds, open space, and recreation areas including structures and facilities associated with the primary use, including, but not limited to the following: sports fields and courts, trails, walkways and paths; picnic areas, tables, either covered or uncovered; swimming pools; and tennis courts.
- 4 Local and collector roadways, either public or private.
- 5 Private recreational and park uses, and facilities, including, but not limited to a clubhouse and associated uses, tennis courts, swimming pools, and jogging, riding and bike trails.
- 6 Temporary residential sales offices; construction offices; trailers and storage areas; and model home complexes.
- 7 Community information center and kiosks.
- 8 Utilities and appurtenant facilities.
- 9 Signage, as provided by the Town of Castle Rock Municipal Code.
- 10 The zone district shall allow for cluster single family detached and single family attached homes where all exterior yard (excluding private patio) and open space shall be maintained by a mandatory homeowners association if desired.
- 11 Up to four homes may be shared by a private drive 15' in width, and the specification for the construction of these driveways shall meet all Castle Rock requirements with respect to pavement and base course depth.

B. Accessory Uses (permitted only in conjunction with a use by right)

- 1 Detached private garages.
- 2 Home occupations.
- 3 Open space and ponds to include storm water drainage detention areas.
- 4 Sheds

C. Uses Permitted by Special Review

- 1 Churches and other religious institutions.
- 2 Day Care Centers including in-home day care.
- 3 Public and quasi-public facilities.
- 4 Any other uses that would be similar in nature and impact and compatible with the uses permitted above, as determined by the Director of Community Development.

4.3 MU (Mixed Use – up to 20.0 DU/Ac.)

A. Intent

The intent for the Mixed Use Zone District is to create development that is diverse and unique and offers creative site planning solutions for attached product types which add variety to the Pioneer Ranch community. Mixed use may offer a variety of multi-family and commercial unit types with varying building characteristics including townhomes, condominiums, apartments, retail and, office uses.

Multi-family residential may be served by private drives (reducing pavement and utility lengths), have common walls, and be maintained by an Owners Association.

B. Permitted Uses

- 1 Multi-Family shall consist of single or multi-level attached dwellings (for rent or fee simple), and may include common area and elements available for common use by the residents.
- 2 Multi-story independent living, assisted living and/or nursing home facility offering personalized assistance, supportive services and health care in a professionally managed group living environment.
- 3 Local and collector roadways, either public or private.
- 4 Private recreational and park uses, and facilities including, but not limited to, tennis courts; swimming pools; and jogging, riding and bike trails; and clubhouse and associated uses.
- 5 Temporary residential sales offices; construction offices, trailers and storage areas; and model home complexes.
- 6 Community information center and kiosks.
- 7 Utilities and appurtenant facilities.
- 8 Signage, as provided by the Town of Castle Rock Municipal Code.
- 9 Automobile repair garage and/or convenience service station provided that wrecked, junked or abandoned motor vehicles shall not be stored on the property;
- 10 Automobile sales and service
- 11 Bakery; up to twenty percent (20%) wholesale;
- 12 Banks/financial institutions;
- 13 Catering services;
- 14 Clinics;
- 15 Clubs, lodges and service organizations;
- 16 Confectionery shop;
- 17 Fine arts gallery and/or fine arts studio;
- 18 Government and public facilities;
- 19 Hospital/ Health Care Park;
- 20 Hotel/motel;
- 21 Indoor/outdoor recreation facilities;

- 22 Laboratory except those which involve any hazardous process or emit noxious noise, dust and odor;
 - 23 Laundry, coin-operated; collection station;
 - 24 Museum;
 - 25 Offices;
 - 26 Personal service shops, such as barber, beauty parlor;
 - 27 Pharmacy;
 - 28 Post office;
 - 29 Printing/ copy shops;
 - 30 Private/public schools;
 - 31 Public utilities;
 - 32 Repair, rental, service of any item retailed in the I-B district;
 - 33 Restaurants, cafes and other places serving food and beverages;
 - 34 Retail business stores;
 - 35 Supermarket
 - 36 Studios, including television and radio broadcasting stations, but excluding antenna towers and microwave dishes;
 - 37 Tailoring;
 - 38 Theaters;
 - 39 Upholstering;
 - 40 Utilities Offices;
- Accessory uses (see Town Code Section 17.64.150). (Ord. No. 86.13 Section 1 (part) 1986

C. Accessory Uses (permitted only in conjunction with a use by right)

- 1 Attached or detached garages or covered carports.
- 2 Home occupations.
- 3 Off-street parking.
- 4 Open spaces and ponds, to include storm water drainage detention areas.

D. Uses Permitted by Special Review

Uses permitted by special review in the MU district shall be as follows:

- 1 Churches and other religious Institutions.
- 2 Day care centers including in-home day care.
- 3 Public and quasi-public facilities.

- 4 Any other uses that would be similar in nature and impact and compatible with the uses permitted above, as determined by the. Director of Community Development.
- 5 Ambulance Service;
- 6 Caretaker's residence;
- 7 Child care centers;
- 8 Small animal clinics;
- 9 Mortuary;
- 10 Radio and television antenna towers; and
- 11 Single-family and Single Family Attached dwellings.

All uses by special review shall meet the requirements of Town Code Chapter 17.72. (Ord. No. 86.13 Section 1 (part), 1986)

4.4 Open Space Use Areas

A. Definitions

- 1 OS: Land proposed to the PD Open Space requirements and proposed to be dedicated to the Town of Castle Rock for public and private use.
- 2 PL: Land proposed to be dedicated to meet the land dedication requirements of the subdivision code of the Town.

B. Permitted Uses

- 3 Parks, schools, trails, and other public uses; active and passive recreation activities; clubhouse and associated uses, preservation of land for public purposes; and including such structures and 'other improvements not inconsistent with the Land Dedication and the Planned Development District ordinances.

SECTION V DEVELOPMENT STANDARDS

5.1 Overall Project Standards

The standard zoning requirements of the Town of Castle Rock Zoning Ordinance including off-street parking, landscaping, site development, accessory and temporary uses, and use by special review and variance processes, shall apply to this PD, except as modified by the following subsection.

5.2 Development Standards – BULK, DIMENSION AND SETBACK STANDARDS

Zoning Category	SF-LD	SF-MD	MU	OS
Planning Area ^{2,4}	PA-6, PA-8, PA-7	PA-2 ⁷ , PA-3, PA-4, PA-5 ⁷ , PA-9	PA-1, PA-10	OS or PLD
Maximum Gross Density in DU/Ac	2	6.5	20.0	NA
Maximum FAR	-		0.35	-
Anticipated Units ²	100	543	480	-
Min. Lot Area				
Single Family Home	0.25 Acre	4000 sf	-	
Paired Home (alley or front loaded)	-	2000 sf		
Alley Loaded Home		3000 sf		
Multi Family		-		
Max. Bldg. Ht.	-			30'
Residential	35'	35'	40' ⁸	
Commercial	-		45'	

Setbacks	SF-LD	SF-MD	MU	OS
Building Setback from Founders Parkway	40'		20'	
Building Setback from Front Street				
Parking Setback from Founders Parkway	-		10'	
Parking Setback from Front Street				
Setback from internal collector	10'			
Residential Setbacks	SF-LD	SF-MD	MU	OS
Minimum Front Yard Setback ^{3, 7} (Principal Uses)	25'	20'-Front Load 15'-Side Load 10'-Alley Load	5' All Conditions	5' (ROW)
Minimum Side Yard Setback ^{1,3} (Principal Uses)	10'	5'-Front Load 5'-Alley Load	5' All Conditions	0'
Minimum Side Yard Setback ³ (Accessory Uses)	10'	5'-Front Load 5'-Alley Load	5' (R.O.W) 0' (Int. Lot Line)	
Minimum Rear Yard Setback ^{3, 5, 7} (Principal Uses)	30'	20'-Front Load 5'-Alley Load	5' (to Alley)	
Minimum Rear Yard Setback ³ (Accessory Uses)	10'	5'-Front Load 5'-Alley Load	5' (R.O.W) 0' (Int. Lot Line)	
Commercial Setbacks ⁶	SF-LD	SF-MD	MU	OS
Minimum Front Yard Setback ³ (Principal Uses)	NA		10'	NA
Minimum Side Yard Setback ^{1,3} (Principal Uses)				
Minimum Side Yard Setback (Accessory Uses)			5'	
Minimum Rear Yard Setback ^{3,5} (Principal Uses)			10'	
Minimum Rear Yard Setback (Accessory Uses)			5'	

5.2.1 Footnotes for Bulk, Dimension & Setback Standards

¹ IF FEE SIMPLE LOTS ARE CREATED WITHIN BUILDINGS, THERE IS NO SETBACK REQUIREMENT BETWEEN INTERNAL UNITS.

² DWELLING UNITS ARE TRANSFERABLE BETWEEN RESIDENTIAL PLANNING AREAS SO LONG AS THEY DO NOT EXCEED THE MAXIMUM DENSITY FOR THE LAND USE DISTRICT AND THE TOTAL MAXIMUM NUMBER OF UNITS ALLOWED IN PIONEER RANCH

³ INCIDENTAL ARCHITECTURAL FEATURES SUCH AS CORNICES, EAVES, CANOPIES, CHIMNEYS, BAY WINDOWS, ORNAMENTAL FEATURES AND OTHER SIMILAR ARCHITECTURAL FEATURES MAY PROJECT NOT MORE THAN TWO (2) FEET INTO ANY REQUIRED SETBACK PROVIDED THESE PROJECTIONS ARE AT LEAST THREE (3) FEET FROM ANY LOT LINE ON SIDE LOT LINES AND FIVE (5) FEET FROM THE FRONT AND REAR LOT LINE ON THE SFD PATIO HOMES.

⁴ PERMITTED USES SHALL BE THOSE PERMITTED IN THE TOWN OF CASTLE ROCK'S MUNICIPAL CODE TABLE OF PERMITTED USES FOR THE COMPARABLE ZONE DISTRICT. THOSE USES LISTED ABOVE THAT DIFFER FROM THE MUNICIPAL CODE SHALL APPLY TO THIS PD.

⁵ DECKS MAY ENCROACH by 50% INTO ANY REAR SETBACK.

⁶ AWNINGS, BLADE SIGNS, INCIDENTAL ARCHITECTURAL FEATURES SUCH AS CORNICES, EAVES, CANOPIES, CHIMNEYS, BAY WINDOWS, ORNAMENTAL FEATURES AND OTHER SIMILAR ARCHITECTURAL FEATURES MAY PROJECT NOT MORE THAN FIVE (5) FEET INTO ANY REQUIRED SETBACK.

⁷ ANY PRIMARY STRUCTURE WITHIN PA2 AND PA 5 DIRECTLY ADJACENT TO THE NEIGHBORING PROPERTIES OF METZLER RANCH, PINON SOLEIL AND THE HAVEN SHALL HAVE A MINIMUM SETBACK OF 35'.

⁸ A MAXIMUM OF THREE (3) STORIES IS ALLOWED: HOWEVER, A MEZZANINE OR ENTRESOL SPACE IS PERMITTED AS AN ADDITIONAL STORY IF IT HAS AN INTERIOR ENTRANCE CONNECTION TO THE THIRD FLOOR UNIT, DOES NOT PROVIDE A SEPARATE, PRIMARY EXTERIOR ENTRANCE TO THE BUILDING, AND THE BUILDING HEIGHT REMAINS AT OR UNDER 40 FEET.

5.2.2 All setbacks shall be measured in a perpendicular direction from the property line to the foundation of the building.

5.2.3 Garages may be converted for occupancy if a minimum 2-car garage (attached or detached) is provided as an accessory use.

5.3 Multi Family and Non-Residential Architectural Standards

A. Architectural Standards (MU)

1 In order to ensure an architecturally compatible and unified development, the type and design of each building, now or in the future, shall be of first quality construction and architecturally designed so that its exterior elevation (including signs) and color will be structurally and aesthetically compatible and harmonious with all other buildings within the Pioneer Ranch

2 Prior to construction of any building or modification of same, The Pioneer Ranch Review Board shall must first review and approve appearance and character of said building(s).

B. Common Areas - (MU)

1 The Common Area is hereby reserved for the sole and exclusive use of the Owners, Occupants and their Permittees. The Common Area may be used for vehicular driving and parking areas, pedestrian traffic, directional signs, walkways, perimeter walls, retaining walls, fences, parking lot lighting, utilities, landscaping and for the other uses specified herein.

2 Unless otherwise' authorized in writing by the Pioneer Ranch Review Board, no building or structures shall be placed or constructed on the Common Area except project entry, marketing and directional signs, paving, bumper guards, parking curbs, landscape planters, lighting fixtures, perimeter walls and fences, utility pads, sidewalks, retaining walls and to the extent that they do not impede access to the rear or sides of buildings, trash enclosures (with all trash being hidden from view from the parking areas).

3 The sizes and arrangements of the Common Area improvements, including without limitation, access and service drives, striping, traffic directional indicators, signs, concrete bumpers, parking lot lighting, perimeter wall and fences, retaining walls and landscaped areas together with the necessary planning may not be changed without the written approval of the consenting owners.

5. No access lane or parking area on the site shall be altered without the consent of the Owner(s).

5.4 Fencing Standards

Perimeter fencing will be permitted within the PD as follows:

- A. Perimeter fencing, constructed of masonry or wood or other acceptable materials, shall be permitted provided such fencing is in conformance with applicable Town of Castle Rock Zoning Regulations at the time of Final Site Plan approval and must conform with the design guidelines established for Pioneer Ranch. Said fences may be used for the purposes of providing project identification, earth retaining, property delineation along right-of-way and ownership lines, and visual screening of proposed development such as parking areas.
- B. - Fences, walls or hedges shall be allowed within the building setbacks and lot, on private land. A building permit is required for any retaining wall greater than four (4) feet in height.
- C. Chain link fencing, barbed or above ground electrically charged wire is prohibited.

5.6 Lighting Standards

Exterior lighting will be permitted within the PD as follows:

- A. Lighting will be permitted at each of the primary entry areas with the purpose of illuminating the entry signage and associated entry features, such as entry walls, entryway landscaping, etc. Lighting is to be in conformance with applicable Town of Castle Rock Zoning Regulations at the time of approval

of the Final Site Plan.

- B. Exterior lighting designs for individual business establishments shall be reviewed and approved by an Pioneer Ranch Review Board. Such lighting shall be in conformance with applicable Town of Castle Rock Zoning Regulations at the time of approval of the Final Site Plan.
- C. Lighting shall be permitted in the parking areas to illuminate vehicular and pedestrian traffic movement.
- D. Landscape accent lighting shall be permitted in all areas of the PD to the extent that it is in conformance with applicable Town of Castle Rock Zoning Regulations at the time of approval of the Final Site Plan.

SECTION VI TEMPORARY USES

6.1 Temporary Uses

- A. Single family, townhome, multi-family and/or model home complexes may be used as models and/or sales and information offices in those Use Areas where they are a permitted use. Provided, however, that the use will cease within 120 days after all similar dwelling units have been rented, leased, or sold.
- B. Construction offices and material storage shall be permitted in all Use Areas during and for a period of 120 days after cessation of actual construction in those areas being served by such construction office or material storage area.
- C. Mobile sales and information units provided that:
 - 1. Such temporary structure is located within a final plat.
 - 2. Sales are limited to those units within the subdivision in which the temporary office is located.
 - 3. Adequate access, parking, and sanitary facilities are provided.
 - 4. No such unit shall remain more than 120 days after the last lot or unit is sold in this subdivision.

SECTION VII PRELIMINARY PLATS AND FINAL PLANNED DEVELOPMENT SITE PLANS

7.1 Submission of Final PD Site Plans and Plats and Additional Information

Following approval of the preliminary PD Site Plan, the property owners shall submit a Preliminary Plat or a combined Preliminary Plat / Final PD Site Plan for all or any portion or portions of the general planning areas that are ready for development. No building permit will be issued until a Final PD Site Plan and Final Subdivision Plat have been approved for the property by the Town Council and duly recorded.

SECTION VIII

TRANSITIONAL USE

8.1 Agricultural Uses

After approval of the Preliminary Site Plan incorporated herein by reference, any portion of the property described above which has not been subject to a Final PD may be used for agricultural purposes. Agricultural uses, for purposes of this section, shall mean farming, ranching, gardening, and building accessories to these uses.

Any activity permitted by this section shall be considered to be a valid preexisting non-conforming use within the area described above until a Final PO Site Plan for such area or areas has been approved. Provided, however, that the Town Council reserves the right to prohibit such agricultural uses in areas for which no Final PO Site Plan has been submitted if the Council determines that due to the proximity of such uses to developed areas a danger exists to the health, safety or welfare of the residents of such developed area(s).

SECTION IX

SEVERABILITY OF PROVISIONS

9.1 Enforcement

In the event that any provisions hereof 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.