

Docusign Envelope ID: AB24D234-51F9-4248-AFA0-2D4E0D332A94

**THIRD AMENDMENT TO THE VILLAGES AT CASTLE ROCK – LIBERTY VILLAGE PORTION
PLANNED DEVELOPMENT ZONING REGULATIONS**

Date: February 6, 2026

Applicant: Town of Castle Rock - Castle Rock Fire ("Applicant")

1. Applicants have requested an amendment to The Villages at Castle Rock, 2nd Amendment – Liberty Village Portion Planned Development (PD) Zoning Regulations approved by the Town Council by Ordinance 2004-09, recorded in the Douglas County public records ("Records") on August 17, 2004, at reception no. 2004085668.
2. This Third Amendment to The Villages at Castle Rock – Liberty Village Portion PD Zoning Regulations (the "Third Amendment") makes minor text amendments to Section 3.1.A of the Zoning Regulations, as follows:

3.1 Open Space Use Areas - OSD, PUA and PLD.

A. OSD (Open Space Dedicated)

1. Definition: Land proposed to meet the PD open space requirements and proposed to be dedicated to the Town.
 2. Permitted Uses: Open Space and passive recreation activities, including trails. **Other public uses – Fire station and logistics facility up to a maximum height of 50 feet on five acres or less near the intersection of Castle Oaks Drive and Pleasant View Drive.**
3. This Third Amendment qualifies as a "Minor Amendment" to the Zoning Regulations in accordance with Section 17.36.010 of the Castle Rock Municipal Code for the following reasons:
 - A. Section 3.1.C.2 of the Zoning Regulations already allows public uses within the PD; accordingly, no new land uses are being introduced to the PD Plan;
 - B. No area devoted to any single use is changed by more than 10%;
 - C. No density or intensity of any single use is changed by more than 10%;
 - D. No significant changes are made in the design; and
 - E. No new or additional impacts on adjacent properties are created.
 4. This Third Amendment shall apply to all properties subject to the Zoning Regulations, as further described in the attached Exhibit A.
 5. Except to the extent expressly modified by this Third Amendment, the Zoning Regulations shall remain in full force and effect. To the extent of any inconsistency between this Third Amendment and the Zoning Regulations, the terms and conditions of this Third Amendment shall control.

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ATTEST:

DocuSigned by:

Lisa Anderson

Lisa Anderson, Town Clerk

TOWN OF CASTLE ROCK:

DocuSigned by:

Tara Vargish

Tara Vargish, P.E., Director of Development Services

APPROVED AS TO FORM:

DocuSigned by:

Michael J. Hyman

Michael J. Hyman, Town Attorney

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Exhibit A
Legal Description

Tracts B-2-D, 8th Amendment to The Villages at Castle Rock, 2nd Amendment-Liberty Village Portion

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EXHIBIT B

ZONING REGULATIONS FOR LIBERTY VILLAGE (AN AMENDMENT TO THE VILLAGES OF CASTLE ROCK POD)

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SECTION I

GENERAL PROVISIONS

- 1.1 **Adoption/Authorization.** The Town Council has adopted the Liberty Village Preliminary PD Site Plan 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 Liberty Village Preliminary PD Site Plan 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 (1245) or total commercial, industrial or other non-residential floor area approved for development within the established Use Areas is the *maximum* allowed for platting and development. The minimum number of units shall be a reduction of no more than 20 percent in a planning area. The actual number of dwellings or floor area approved will be determined at the Final Plat and Final PD Site Plan stage of review based upon 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 Preliminary PD Site Plan and Zoning Regulations shall prevail and govern the development of the Liberty Village PD, provided, however, that where the provisions of the 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 any other applicable provisions of the Town Municipal Code shall be applicable.
- 1.5 **Development Agreement.** In addition to these regulations, certain provisions of the development of this PD property are controlled by an agreement between the Town of Castle Rock and the PD property owners.

This agreement, entitled Liberty Village Development Agreement, was adopted by the Town on the 27th day of April, 2004, by Ordinance No. 2004-09.

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SECTION II **CONTROL PROVISIONS**

- 2.1 Use Area Boundaries: There shall be limited flexibility (a maximum of 10%) in determining the exact location and areas of Use Area Boundaries due to the scale of the drawings and the diagrammatic depiction of Use Areas. (Rounded corners and separation from other areas, etc.) Actual changes or adjustments to boundaries may only be made through the PD Amendment procedure as provided in the Town Code.
- 2.2 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, minor 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. Major road realignments, as determined by the Town Planning Director, shall follow the PD Amendment procedure as provided in the Town Code.

SECTION III **USE AREAS**

- 3.1 Single Family Use Areas: SF-1, SF-2, SF-3 & SF-4
 - A. Permitted Uses:
 1. Single-family detached residences, garages and accessory structures, i.e. gazebos, storage sheds, greenhouses, play equipment.
 2. Public recreation facilities, parks, playgrounds, and their structures.
 3. Temporary sales office, model homes and construction trailers.
 4. Accessory Dwelling Unit. A dwelling unit permitted on the same lot as single-family dwelling unit. An Accessory Dwelling Unit shall not exceed the greater of 800 sq. ft. or 33% of the floor area of the primary dwelling unit and must be located in the same structure as the primary dwelling unit or in an accessory structure that contains other uses accessory to the primary dwelling unit. Accessory Dwelling Units shall not be included in the calculation of total dwelling units for a neighborhood use area, unless the water tap size needed for the primary dwelling unit and the accessory dwelling unit exceeds the tap size for one Single Family Equivalent. In such case, the Accessory Dwelling Unit shall be included in the

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calculation for the dwelling units in such a neighborhood use area.

5. Accessory Uses are defined in R-1 Section 17.20.020 "G" of the Town Municipal Code.

B. Uses by Special Review:

1. Churches and other religious institutions.
2. Public and quasi-public facilities.

3.2 Commercial: C

A. Permitted Uses.

1. As defined in the B-2 General Business District including self-storage facilities.

3.1 Open Space Use Areas - OSD, PUA and PLD.

A. OSD (Open Space Dedicated)

1. Definition: Land proposed to meet the PD open space requirements and proposed to be dedicated to the Town.
2. Permitted Uses: Open Space and passive recreation activities, including trails. Other public uses – Fire station and logistics facility up to a maximum height of 50 feet on five acres or less near the intersection of Castle Oaks Drive and Pleasant View Drive.

B. PUA (Private Use Area)

1. Definition: Land proposed to meet the PD open space requirements and proposed to be held in private ownership.
2. Permitted Uses: Private parks, including active and passive recreation activities.

C. PLD (Public Land Dedication)

1. Definition: Land proposed to meet the land dedication requirements of the subdivision code of the Town.
2. Permitted Uses: Parks, schools and other public uses, active and passive recreation activities, preservation of land for public purposes, and including such structures and other improvements not inconsistent

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with the Land Dedication and Planned Development District ordinances.

3.4 Utilities Dedication Use Area - UD.

- A. Definition: Land proposed to be dedicated for utility purposes, including but not limited to, water, sanitary sewer and storm water purposes.
- B. Permitted Uses:
 - 1. All Town owned and operated utilities.
 - 2. Other public and/or private utilities as authorized on a Final PD Site Plan.
 - 3. All uses permitted in the OSD and OSP Use Areas.

3.5 Maximum Permitted Densities.

- A. Single Family Area, SF-1: Average gross density of one-half (0.6) dwelling unit per acre within each such general use area
- B. Single Family Area, SF-2: Average gross density of 3.5 dwelling units per acre within each such general use area.
- C. Single Family Area, SF-3: Average gross density of 4.5 dwelling units per acre within each such general use area.
- D. Single Family Area, SF-4: Average gross density of 5.0 dwelling units per acre within each such general use area.
- E. The densities assigned to the various planning areas may not be exceeded. A reduction in density is permitted in all planning areas. In addition, the transfer of density between planning areas of similar densities is permitted, however, in no case may the number of units be increased in a planning area unless the same number of units are decreased in another planning area.

The mother-in-law/nanny units are not calculated in the maximum 1245 dwelling units.

SECTION IV **DEVELOPMENT STANDARDS**

- 3.3 Overall Project Standards. The standard zoning requirements of the Town of Castle Rock Zoning Ordinance including off-street parking, landscaping, site

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development, accessory and temporary uses, and use by special review and variance processes shall apply to this PD, except as modified by the following subsections:

3.4 General

Standard

Use Areas

	<u>SF-1</u>	<u>SF-2</u>	<u>SF-3</u>	<u>SF-4</u>	<u>COMM</u>	<u>OS&PLD</u>
Gross Density	0.6 du/ac	3.5 du/ac	4.5 du/ac	5.0 du/ac		NA
Minimum Lot Area	43,560 SF	7200 SF ⁵	6000SF ⁶	5000 SF		NA
Lot Width						
Setbacks: ¹						
Front (back of walk) ²	25'	20'	20'	20'	³	-
Rear	25'	15	15'	15'		-
Side Interior Lot	25'	5'	5'	5'		
Side to Street	25'	15'	15'	15'		-
Max. Bldg. Height ⁴	35' - not including walkout					25'
Parking: Minimum off-street parking shall be as required pursuant to applicable ordinance of the Town of Castle Rock.						

¹ Eaves, porches, bay windows, etc. may extend a maximum of 2 feet into the setback area. Play structures require a 6' setback. Retaining walls are allowed in the setback area.

² Accessory structures require a 30' front setback in SF-1 and 25' front setback in SF-2, SF-3 and SF-4 and are prohibited beyond the front face of the home or main structure.

³ To provide maximum flexibility for innovative design, the development criteria for minimum building setbacks will be determined at Final PD Site Plan.

⁴ As defined in the Town of Castle Rock Zoning Ordinance.

⁵ The lots in PA6 adjacent to the north property line shall be a minimum of 8000 SF.

⁶ The lots in PA4 adjacent to the south property line shall be a minimum of 7200 SF.

4.3 Fencing

When a Building Envelope is shown on the Final PD Site Plan, privacy fencing will only be allowed within the Building Envelope. Privacy fencing is prohibited in the required front setback and beyond the front face of the home or main structure. However, one, two or three rail, open fencing (approved by the Homeowner Association) will be allowed at property boundaries.

4.4 Exterior Lighting

No exterior lights of any sort may be erected, placed, installed or otherwise incorporated into the property, adjacent road right-of-way or adjacent property or open space wherein any glare or direct light is visible beyond the perimeter of the property. This applies to all lighting including, but not limited to entry lights, garage lights, driveway illumination and interior lights visible from off the property.

4.5 Utilities

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All public utility distribution lines must be placed underground within residential planning areas.

SECTION V **TEMPORARY USES**

5.1 Temporary Uses:

- A. Single family homes may be used as models and/or sales and information offices in those use areas where there are a Permitted Use. Provided, however that the use will cease within sixty days of a Certificate of Occupancy being issued for the last dwelling unit in this PD.
- B. Construction offices and material storage shall be permitted in all use areas during, and for a period of 30 days after cessation of actual construction in those areas being served by such construction office or material storage area.

SECTION VI **ACCESSORY USES PERMITTED IN ALL USE AREAS**

3.2 Accessory Uses.

FOR ALL USE AREAS

- A. Underground utility and communications distribution lines and above ground utility and transmission lines.
- B. Roadways, bike paths, pedestrian and equestrian trails.
- C. Parking Areas.

FOR ALL USE AREAS EXCLUDING OPEN SPACE SSE AREAS (OSD, PUA, PLD)

- D. 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 office is located.
 - 3. Adequate access, parking and sanitary facilities are provided.
 - 4. No such unit shall be maintained more than 30 days after the last lot or unit is sold.

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- E. Home Occupation, including both large and small in-home day care facilities as defined by the Town of Castle Rock Zoning Ordinance.
- F. Facilities for the acquisition, treatment and storage of water.
- G. Facilities for the collection, treatment and disposal of sewage.
- H. Facilities for the collection, storage and distribution of solar and geothermal energy sources.
- I. Local transit ways and terminals.
- J. Sales and information centers to include display dwelling units and private construction and sales offices for developers, subdevelopers and builders associated with the planned development.
- K. Accessory Dwelling Units.

SECTION VII **PLANNING AND DESIGN CONTROLS**

7.1 This section applies only to the areas described below:

Single Family Use Areas: SF-1

7.2 **Building Envelopes.**

A. Description.

- 1. Development of lots within the areas described above shall be restricted to the confines of a described building envelope. Building envelopes shall be described as to size and dimensions on the face of the final plat.
- 2. Building envelopes for single-family detached residences shall include all clearing, grading, construction, irrigated landscaping and impervious areas, with the exception that entry driveways to the structure may extend from the building envelope to the principle access route.

B. Planning and Design Controls:

- 1. Siting: In the site planning, development and construction of any lot or structure, consideration shall be given to the relationship of roads and buildings to existing slope grades, and drainageways. All structures and roadways shall achieve a "fit" with the Landscape that is not intrusive and considers the following:

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- a. Significant natural drainage ways shall not be disturbed or rerouted except where of general benefit to the Planned Unit Development and shall be subject to the review and approval of the Town of Castle Rock.
- b. Unique site features, whether topographic or of a surficial nature shall receive special consideration in any site planning or development. Such features shall be left undisturbed wherever practical in lot development.
- c. Structures in sloping areas shall be designed to conform to the slope by means of "stepped" foundations or similar methods that will keep grading and site preparation to a minimum. In principle, structures shall accommodate slope in design rather than cause slope to accommodate structures.
- d. Grading shall be shaped to compliment the natural landforms.
- e. Roads in steeply sloping or heavily vegetated areas shall be designed to minimize the area of disturbance. Clearing of vegetation with the right-of-way shall be "feathered" to create more natural appearing edges and to accommodate snow stacking.

SECTION VIII

FINAL PLANNED DEVELOPMENT SITE PLANS

- 8.1 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 and Final PD Site Plan for all or any portion or portions of the general use areas as are then 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 IX

TRANSITIONAL USE

- 9.1 After approval of the Preliminary PD Site Plan incorporated herein by reference, any portion of the property described above, which has not been subject to a Final PD Site Plan, may be used for agricultural purposes. Agricultural uses, for purposes of this section, shall mean farming, ranching, gardening, and buildings accessory to these uses. In no event shall commercial feed yards, poultry or hog farms or kennels be permitted.

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Any activity permitted by this section shall be considered to be a valid pre-existing non-conforming use within the area described above until a Final PD 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 PD 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 X
SEVERABILITY OF PROVISIONS

- 10.1 In the event that any provision 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.