

PLAT IDENTIFICATION SHEET



2003150878 2 PGS

GRANTOR:

(owner/signer)

T.R. Farm Holdings, LLC

OFFICIAL RECORDS
DOUGLAS COUNTY CO
CAROLE R. MURRAY
CLERK & RECORDER
RECORDING FEE: \$21.00
2 PGS

2003150878
10/15/2003 03:15 PM

GRANTEE:

(subdivision name or name of plat)

Brookwood Preliminary P.D. Site Plan

LEGAL:

(section-township-range)

25-7-67

Brookwood Preliminary PD Site Plan

A Part of the Northwest 1/4, Section 25, T. 7 S., R. 67 W., 6th P.M.,
6th P.M., Town of Castle Rock, County of Douglas, State of Colorado

PROPERTY DESCRIPTION

PARCEL I

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN BEING ASSUMED TO BEAR N 02°15'52" W;

BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 25; THENCE ALONG THE SOUTHERLY BOUNDARY OF DIAMOND RIDGE ESTATES FILING NO. 1 THE FOLLOWING THREE (3) COURSES:

1. N 02°47'08" E, A DISTANCE OF 552.87 FEET;
2. N 02°14'35" W, A DISTANCE OF 329.00 FEET;
3. N 44°56'25" E, A DISTANCE OF 1610.00 FEET;

THENCE ALONG THE NORTHERLY BOUNDARY OF THAT PARCEL OF LAND DESCRIBED IN A QUIT CLAIM DEED RECORDED UNDER RECEPTION NUMBER DC9560540 IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER ALSO BEING THE SOUTHERLY BOUNDARY OF SAID DIAMOND RIDGE ESTATES FILING NO. 1 THE FOLLOWING FIVE (5) COURSES:

1. S 50°11'37" E, A DISTANCE OF 147.99 FEET;
2. N 45°42'26" E, A DISTANCE OF 51.43 FEET;
3. S 47°41'27" E, A DISTANCE OF 612.58 FEET;
4. S 50°31'41" E, A DISTANCE OF 478.94 FEET;
5. S 46°32'07" E, A DISTANCE OF 283.28 FEET;

THENCE ALONG THE EASTERLY BOUNDARY OF THAT PARCEL OF LAND DESCRIBED UNDER RECEPTION NUMBER DC9644454 IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER THE FOLLOWING TWO (2) COURSES:

1. S 28°42'29" W, A DISTANCE OF 119.25 FEET;
2. S 27°39'12" W, A DISTANCE OF 358.23 FEET;

THENCE N 63°46'05" W, A DISTANCE OF 434.95 FEET;
THENCE S 26°13'55" W, A DISTANCE OF 242.00 FEET;
THENCE S 63°46'05" E, A DISTANCE OF 428.95 FEET;

THENCE ALONG THE WESTERLY BOUNDARY OF THAT PARCEL OF LAND DESCRIBED UNDER RECEPTION NUMBER DC9644454 IN THE RECORDS OF THE DOUGLAS COUNTY CLERK AND RECORDER, S 27°39'12" W, A DISTANCE OF 440.02 FEET;

THENCE S 89°13'55" W ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 25, A DISTANCE OF 1790.12 FEET TO THE POINT OF BEGINNING;

CONTAINING AN AREA OF 3,074,575 SQUARE FEET OR 70.58 ACRES, MORE OR LESS.

PARCEL II

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CONTAINING AN AREA OF 104,531 SQUARE FEET OR 2.40 ACRES, MORE OR LESS.

NOTES

1. THE DELINEATION OF LAND USE AREAS AND CORRESPONDING ACREAGE DEPICTED IN THIS PLAN HAVE BEEN APPROXIMATED AND ARE NOT INTENDED TO SHOW EXACT BOUNDARY AREAS.

2. THE EXISTING ZONING FOR THE SITE IS A1. PARCEL I IS CURRENTLY UNDEVELOPED. PARCEL II CONSISTS OF A HOMESTEAD AND RANCH COMPLEX.

3. THERE ARE NO FEMA REGULATED FLOOD PLAIN AREAS ON THE SITE.

4. THERE ARE NO EXISTING MAJOR UTILITIES ON THE SITE.

5. THE CONTOUR INTERVAL IS 2'.

6. ALL PLD WILL BE CASH-IN-LIEU AND PAID AT THE TIME OF FINAL PLAT.

7. APPROVAL OF THIS PRELIMINARY PD SITE PLAN DOES NOT CONSTITUTE APPROVAL OF ANY DEVIATIONS FROM TOWN REGULATIONS AND STANDARDS. ALL DEVIATIONS FROM TOWN REGULATIONS AND STANDARDS ARE SUBJECT TO THE APPROPRIATE PROCEDURES FOR APPROVAL.

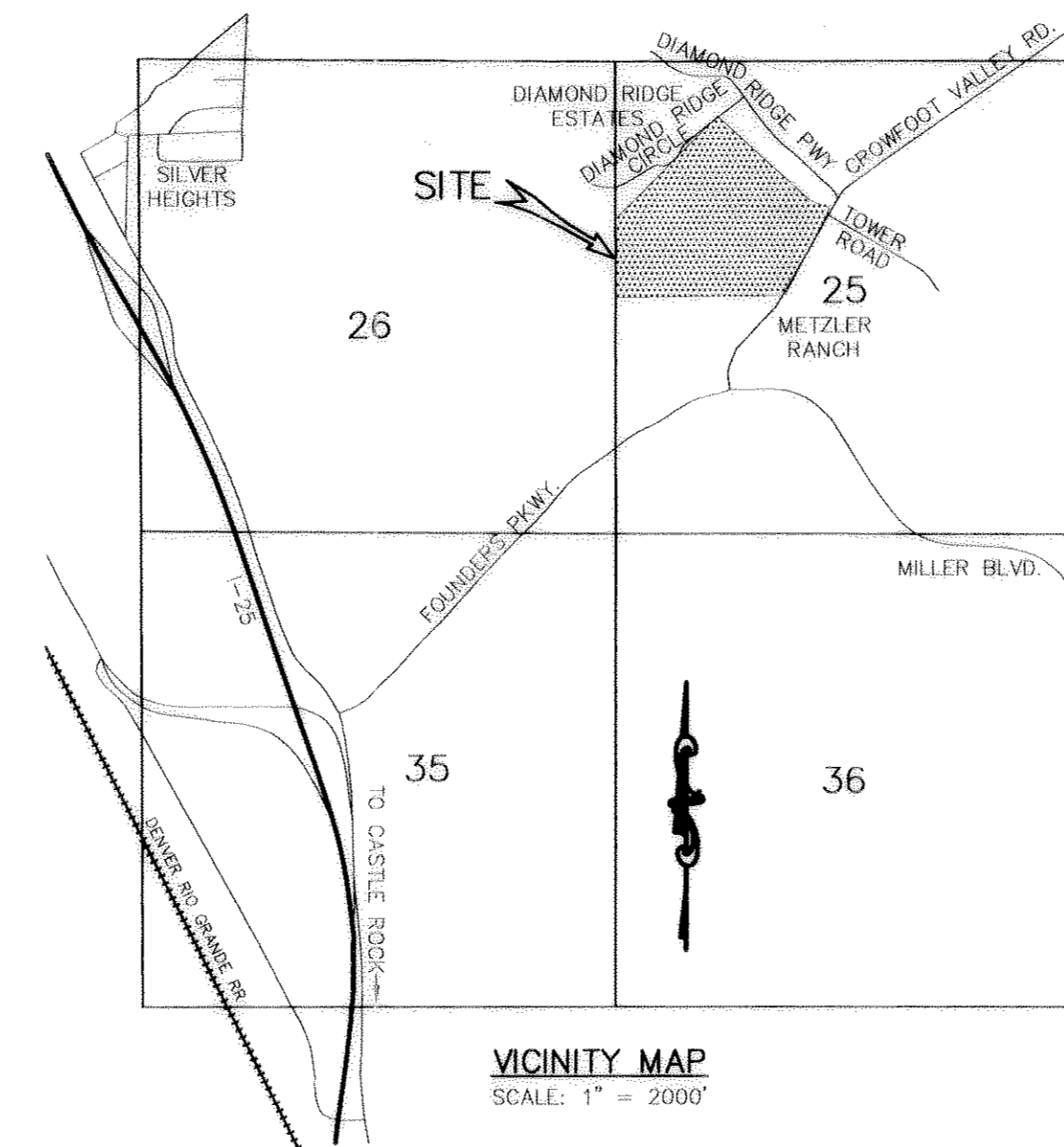
8. ZONING REGULATIONS SHALL COMPLY WITH URBAN WILDLIFE INTERFACE. THE URBAN/WILDLIFE INTERFACE AREA VEGETATION MANAGEMENT PLAN IS REFERENCED IN THE ZONING REGULATIONS.

LAND USE SUMMARY:

BROOKWOOD LAND USE DATA				
LAND USE	ACRES	MAX. D.U.	DENSITY	PERCENT
RESIDENTIAL				
R-SF-1 P.A.1	25.87	18	0.69 D.U./AC	35.45%
R-SF-2 P.A.2	32.24	54	1.67 D.U./AC	44.18%
RESIDENTIAL TOTALS	58.11	72	1.24 D.U./AC	79.63%
OPEN SPACE (PRIVATE)	14.87			20.37%
TOTAL	72.98			100.00%

COSTIN ENGINEERING CONSULTANTS, INC.

ENGINEERING
LAND SURVEYING
CONSTRUCTION MANAGEMENT
7353 S. Alton Way, Suite A115
Englewood, Colorado 80112
PH (303) 790-4969
DATE 10/26/01
REV. 3/6/02
Rev. Per Town 03/20/02
Rev. Per Town 03/31/02
PROJ. NO. 411.0013



Sheet Index

Sheet 1 - Cover Sheet--Description & Approvals
Sheet 2 - Site Plan & Land Use Summary

OWNERSHIP CERTIFICATION

THE UNDERSIGNED ARE ALL OF THE OWNERS OF CERTAIN LANDS KNOWN HEREIN AS THE BROOKWOOD PD IN THE TOWN OF CASTLE ROCK.

THOMAS R. KOWALSKI, AS MANAGER OF TR FARM HOLDINGS LLC, A COLORADO LIMITED LIABILITY COMPANY

SIGNED THIS 9TH DAY OF SEPT, 2003

NOTARY STATEMENT

STATE OF COLORADO)
COUNTY OF DOUGLAS)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 9TH DAY OF September, 2003, BY THOMAS R. KOWALSKI, AS MANAGER OF TR FARM HOLDINGS, LLC A COLORADO LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND SEAL. MY COMMISSION EXPIRES 05/14/2005

Carol D. Linsley
NOTARY PUBLIC
8400 E. Crescent Parkway
Greenwood Village, Co 80111
ADDRESS

CAROL D. LINSLEY
NOTARY PUBLIC
STATE OF COLORADO
MY COMMISSION EXPIRES 05/14/2005

OWNERS:

TR FARM HOLDINGS, LLC A COLORADO LIMITED LIABILITY COMPANY
8400 E. CRESCENT PARKWAY, #310
GREENWOOD VILLAGE, COLORADO 80111
(303) 694-4673

LAND PLANNER:

DAVID A. CLINGER & ASSOCIATES, LTD.
21759 CABRINI BOULEVARD
GOLDEN, COLORADO 80401
(303) 526-9126

ENGINEER/SURVEYOR:

COSTIN ENGINEERING CONSULTANTS, INC.
7353 S. ALTON WAY, SUITE A115
ENGLEWOOD, COLORADO 80112
(303) 790-4969

DEVELOPER:

BROOKWOOD L.L.C., A COLORADO LIMITED LIABILITY COMPANY
56 INVERNESS DRIVE EAST SUITE 105
ENGLEWOOD, COLORADO 80112
(303) 799-6194

DATE: OCTOBER 26, 2001

TITLE CERTIFICATION

I, Eric Stearns, AN AUTHORIZED REPRESENTATIVE OF LAND TITLE GUARANTEE COMPANY, A TITLE INSURANCE COMPANY LICENSED TO DO BUSINESS IN THE STATE OF COLORADO, HAVE MADE AN EXAMINATION OF THE PUBLIC RECORDS AND STATE THAT ALL OWNERS, MORTGAGEES AND LIENHOLDERS OF THE PROPERTY ARE LISTED IN THE CERTIFICATE OF OWNERSHIP AND LIENHOLDER SUBORDINATION CERTIFICATE.

SIGNED THIS 16TH DAY OF September, 2003

BY: [Signature] AS Title officer
OF LAND TITLE GUARANTEE COMPANY

NOTARY STATEMENT

STATE OF COLORADO)
COUNTY OF DOUGLAS)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 16TH DAY OF September, 2003, BY ERIC STEARNS, AS Title officer OF LAND TITLE GUARANTEE COMPANY

WITNESS MY HAND AND SEAL. MY COMMISSION EXPIRES September 1, 2007

Susan J. Rasmussen
NOTARY PUBLIC

SUSAN J. RASMUSSEN
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires Sept. 1, 2007

512 Wilcox Street Castle Rock 80104
ADDRESS

SURVEYOR'S CERTIFICATE

I, PAUL D. NELSON, JR., A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY AND LEGAL DESCRIPTION REPRESENTED BY THE BROOKWOOD PRELIMINARY PD SITE PLAN WAS MADE UNDER MY SUPERVISION AND THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AND THIS SITE PLAN ACCURATELY REPRESENTS THAT SURVEY.

PAUL D. NELSON, JR., L.S. #11330

TOWN CERTIFICATION

A. PLANNING COMMISSION RECOMMENDATION

THE PRELIMINARY PD SITE PLAN AND ZONING REGULATIONS FOR THE BROOKWOOD PD WERE RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION OF THE TOWN OF CASTLE ROCK, COLORADO, ON THE 28TH DAY OF Feb, 2002.

Carol D. Linsley
CHAIRMAN
9-18-03
DATE

ATTEST:

Andrew A. Sellman
DIRECTOR OF DEVELOPMENT SERVICES
9-18-03
DATE

B. TOWN COUNCIL APPROVAL

THE PRELIMINARY PD SITE PLAN AND ZONING REGULATIONS FOR THE BROOKWOOD PD WERE APPROVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO, ON THE 15TH DAY OF Dec, 2002.

William S. Bennett
MAYOR
10-15-03
DATE

Attest:
Valley Men
TOWN CLERK
10-15-03
DATE

DOUGLAS COUNTY CLERK AND RECORDER CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE ON THE 15TH DAY OF October, 2002, AT 2:14 O'CLOCK P.M. AND WAS RECORDED UNDER RECEPTION NO. 2002150675

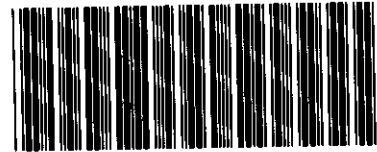
Christine Davis Deputis
DOUGLAS COUNTY CLERK AND RECORDER

SHEET 1 OF 2
BROOKWOOD

PRELIMINARY PD SITE PLAN

2003150877
10/15/2003 03:15 PM

ORDINANCE NO. 2002-17



2003150877 15 PGS

AN ORDINANCE AMENDING THE TOWN'S ZONE DISTRICT MAP BY APPROVING THE BROOKWOOD PRELIMINARY P.D. SITE PLAN AND THE BROOKWOOD PD ZONING REGULATIONS.

WHEREAS, Brookwood, LLC ("Owner") has requested PD Planned Development zoning of the parcel described in **Exhibit 1** (the "Property"); and

WHEREAS, Owner has requested approval of the Brookwood PD Zoning Regulations as described in the attached **Exhibit 2** as the same affect the Property (the "Zoning Regulations"); and

WHEREAS, Owner has requested approval of "Brookwood P.D. Site Plan" (the "Site Plan"); and

WHEREAS, public hearings on the Zoning Regulations and Site Plan have been held before the Planning Commission and Town Council in accordance with the applicable provisions of the Castle Rock Municipal Code;

NOW, THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO AS FOLLOWS:

Section 1. Approval. The Zoning Regulations and Site Plan are approved for the Property.

Section 2. Conditions. The Zoning Regulations and Site Plan are approved only after the following conditions are met:

- 1) The lots and internal roadways be removed from the Preliminary PD Site Plan; and
- 2) That all remaining engineering issues regarding the verification of drainage capacities be verified and resolved prior to recordation of the zoning.

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.

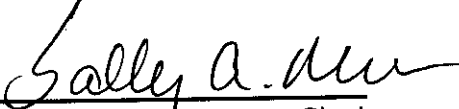
Section 4. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

SUBMITTED this 8th day of April, 2002 and approved for publication and further reading by a vote of the Town Council of the Town of Castle Rock of 7 for and 0 against.


PASSED, APPROVED AND ADOPTED this 9th day of December, 2002, by a vote of the Town Council of the Town of Castle Rock, Colorado of 7 for and 0 against.

ATTEST:

TOWN OF CASTLE ROCK



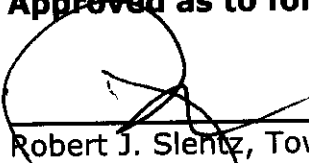
Sally A. Misare, Town Clerk



Millie S. Bennett, Mayor

Approved as to form:

APPROVED AS TO CONTENT:



Robert J. Slentz, Town Attorney



Development Services

EXHIBIT 1

PROPERTY DESCRIPTION

PARCEL I

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

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CONTAINING AN AREA OF 104,531 SQUARE FEET OR 2.40 ACRES, MORE OR LESS.

PD ZONING REGULATIONS
BROOKWOOD Planned Development

for

Glynn Shannon, L.L.C.
3559 Crowfoot Valley Road
Castle Rock, Colorado 80104

and

WGB Management, L.L.C.
56 Inverness Drive East, Suite 105
Englewood, Colorado 80112

by

David A. Clinger & Associates
21759 Cabrini Blvd
Golden, Colorado 80401
303.526.9126

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SECTION I GENERAL PROVISIONS

1.1 Adoption / Authorization

The Town Council has adopted the Brookwood 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 Brookwood 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 approved for development within the established Use 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 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 Brookwood 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 any other applicable provisions of the Town Municipal Code shall be applicable.

1.5 Phasing

The Phasing order indicated upon the Preliminary PD Site 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 PD 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 9th day of December Month, 2002, by Resolution No. 2002-147.

SECTION II DEFINITIONS

2.1 Definitions

In addition to the standard definitions in the Town of Castle Rock Zoning Ordinance (Title 17), the following definitions of terms shall apply to this Planned Development.

- A. **Ridgeline Ordinance:** Ordinance No. 99-15, an Ordinance enacting Chapter 17.14 of the Castle Rock Municipal Code which adopts a Skyline/Ridgeline Protection Overlay Zoning District.

SECTION III CONTROL PROVISIONS

3.1 Use Area Boundaries

There shall be some limited flexibility in determining the exact location of Use Area Boundaries due to the scale of the drawing and the somewhat diagrammatic depiction of Use Area (rounded corners, separation from other areas, etc.). However, the actual changes or adjustments 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, minor road realignments of local 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 alignments, as determined by the Town Planning Director, shall follow the PD Amendment procedure as provided in the Town Code.

3.3 Transfer of Density

The total number of permitted dwelling units within one or more Use Areas may be increased or decreased up to a maximum of 20%, as per the provisions of the PD section of the Town Code. In all cases, the total allowable number of dwelling units for the Brookwood PD shall not exceed 83 units.

3.4 Density Standards

The dwelling unit density permitted in any Use Area shall apply to the entire Use Area and shall not be specifically applicable to any portion thereof. Density of any Residential Use Area shall be computed by dividing the total number of dwelling units in the Use Area by the gross residential acres in the Use Area.

3.5 Utility Connections

Connection to public water and public sewage facilities shall be required for each principal building constructed in the future within Brookwood PD.

3.6 Setback Encroachments

Architectural features including, but not limited to, cornices, canopies, eaves, fireplaces, and roof overhangs may encroach into the building setback a maximum of two (2) feet. Items including, but not limited to, patios and decks, swimming pools, gazebos, and garden equipment storage sheds at ground level are permitted in the side and rear setbacks. Patios, decks and similar features four (4) feet and higher above ground level may extend a maximum of ten (10) feet into the rear setback.

3.8 Maximum Building Slopes

Maximum building slopes within the Use Areas shall not exceed 30%. In areas where slopes exceed 30%, appropriate engineering for individual building foundation will be required.

SECTION IV USE AREAS

4.1 Single-Family Estate Use Areas (RSF-1)

A. Permitted Uses

1. Single-family estate detached dwelling units.
2. Local public roadways and private driveways.
3. Private recreational and neighborhood park uses, and facilities, including, but not limited to: cabana, trelliage, unlighted tennis courts, swimming pool, and jogging, non-motorized bike trails and picnic areas.

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.

C. Use Permitted by Special Review

1. Any other uses that would be similar in nature and impact, and compatible with the uses permitted above, as determined by the Director of Planning.

4.2 Single-Family Detached Home Use Areas (RSF-2)

A. Permitted Uses

1. Single-family homes shall consist of one-family dwellings, whether attached or detached, along with common area and elements available for common use by the residents.
2. Local public roadways, and private/shared driveways.
3. Private recreational and neighborhood park uses, and facilities including, but not limited to: cabana, trelliage, tennis courts, swimming pool, and jogging, non-motorized bike trails and picnic areas.

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

1. Home occupations.
2. Off-street parking.
3. Open spaces and ponds, to include storm water drainage detention areas.

C. Uses Permitted by Special Review

1. Any other uses that would be similar in nature impact, and compatible with the uses permitted above, as determined by the Director of Planning.

4.3 Open Space Use Areas (OSP)

A. Definitions

1. OSP: Land proposed to meet the PD open space requirements and proposed to be held in private ownership. All open space shall be owned and maintained by a mandatory Homeowners Association.

B. Permitted Uses

1. Private recreational and neighborhood park uses, and facilities including, but not limited to: cabana, trelliage, tennis courts, swimming pool, and jogging, non-motorized bike trails and picnic areas.
2. Open spaces and ponds, to include storm water drainage detention areas, and private/public access driveways.

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.

5.2 Residential Development Standards

	S.F. - Estate (RSF-1)	S.F. Detached (RSF-2)
Gross Density	1.4 DU/AC	1.7 DU/AC
Min. Lot Area	39,200	12,000
Max. Bldg. Ht.	35' (1)	35' (1)
Setbacks (minimum)		
Front to Garage	20' (2)	(3)
Front to Living Area	25' (2)	(3)
Rear *	30' (2)	(3)
Side Interior Lot	15' (2)	(3)
Side to Street	20' (2)	(3)

- (1) Maximum building heights may be restricted further based on conformance with the Skyline/Ridgeline Ordinance and shall be determined at the time of Preliminary Plat submittal.
- (2) Building envelopes vary and are governed by minimum building setbacks where possible. The Final PD Site Plan shall designate specific envelopes. Rear setback adjacent to the Bluff escarpment shall be 50' from the edge of said escarpment as may be determined by the geologic hazard report submitted at the time of Preliminary Plat.
- (3) Envelopes and/or setbacks shall be established at time of Final PD Site Plan.
- (4) There shall be a minimum 25' setback on all lots abutting Diamond Ridge Estates as depicted on the Preliminary PD Site Plan

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

5.2.2 Garages shall be a 2-car minimum and shall not be converted for occupancy. Attached garages may be converted for occupancy if a minimum 2 car garage (attached or detached) is provided as an accessory use.

5.3 Private Open Space Development Standards

- | | |
|------------------------------------|---------|
| A. Minimum Lot Size: | N/A |
| B. Maximum Building Height: | 35 feet |

C. Setbacks

- | | | |
|----|--------------------------------------|---------|
| 1. | Minimum front setback for structures | 25 feet |
| 2. | Minimum side setback for structure: | 15 feet |
| 3. | Minimum rear setback for structure: | 20 feet |
| 4. | Minimum setback for parking: | 10 feet |

5.4 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.

5.5 Fences and Retaining Walls

- A. No fences shall be permitted within Single-family Estate of Single-family home planning areas except for private patios, dog runs, etc. attached to the principal structure. Said fence shall be no higher than allowed by Town regulations, and shall be finished in a manor consistent with the architectural character of the structure. Property line fencing is not allowed with the exception of a project boundary fence. Any such boundary fence shall be constructed so as not to restrict wildlife movement through the site.
- 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 or public utility, 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 required front setback.
- F. The maximum height of any single retaining wall shall not exceed eight feet.

SECTION VI TEMPORARY USES

6.1 Temporary Uses

- A. Single family homes and / or model homes complexes may be used as models and / or sales and information offices in those Use Areas where they are 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 area 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.

SECTION VII FINAL PLANNED DEVELOPMENT SITE PLANS

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

Following the approval of the Preliminary PD Site Plan, the property owners shall submit a Final PD Site Plan for all or any 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 VIII TRANSITIONAL USE

- 8.1** 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 buildings accessory to these uses. In no event shall commercial feed yards,, poultry, or hog farms be permitted.

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 IX URBAN/WILDLAND INTERFACE AREA VEGETATION MANAGEMENT PLAN

Urban / Wildland Interface Area Vegetation Management Plan

- A. WITHIN 30 FEET OF A STRUCTURE (Building Envelope and Immediate Area)
1. Create a “defensible space” to reduce the likelihood of a damaging wildfire in the immediate vicinity of the home. Defensible space is the area where vegetation has been designed, installed and maintained to reduce the possibility of fire spreading between the landscape and the building.
 2. If native vegetation has been successfully retained in this area, prune tree canopies from the ground up to a minimum height of 8 feet. Remove any small or suppressed stems in the under story of dominant trees.
 3. When present, thin any shrubs, particularly Gamble Oak, growing below the canopy of larger retained trees.
 4. Prune retained coniferous trees to minimize crown overlap; Isolate individual trees by pruning back canopies to create a separation between trees.
 5. Thin dense, continuous Gamble Oak stands and prune taller specimens up from the ground to create a more open, tree-like form. Remove sections of large but low growing stands to create discontinuous islands of vegetation.
 6. Install a continuous non-irrigated rock mulch bed for a minimum of 3 feet around the perimeter of the building.
 7. Minimize foundation-type plantings, especially adjacent to combustible siding. Keep all shrubs planting a minimum of 3 to 5 feet from the foundation. Exclude more flammable shrub species (coniferous evergreens) and space shrubs to create low, non –continuous plantings near the building.
 8. Plant only deciduous tree species within this zone. Provide irrigation as required for the successful establishment and long term health of new trees.
 9. Plant trees far enough away from the building that, at maturity, tree canopies will not overhang the roof.
 10. Plant sod or seed with fire resistant grass seed mixes.
 11. Provide irrigation to turf grasses within this area to prevent summer dormancy.
 12. Maintain turf grass height to a maximum of 6 inches.
 13. Plant wildflowers only if they will be irrigated and will be cut back to a maximum height of 8 inches at the end of the growing season (following seed production).
 14. Dispose of all slash or plant trimmings outside of this zone (offsite or in Area C).
- B. BETWEEN 30 FEET AND 125 FEET FROM THE STRUCTURE (Tree Preservation Area)

Note that the extent of this zone is affected by slope, is greater when structures are at the top of the slope and when slopes are relatively steep. Slope is less critical when structures are at the base of a slope or on level ground.

1. Clear small diameter, snow bent, diseased, damaged or suppressed stems in the under story of larger pine trees.
2. Prune to raise the canopy of large, existing trees to 8 – 15 feet above the ground.

3. Thin shrubs growing directly beneath larger trees per Section A, No. 2 above.
4. Remove annually, dead stems and branches from shrubs and trees.
5. Space newly planted trees and large shrubs at least 20 – 25 feet apart to provide a minimum of 10 feet between crowns at maturity.
6. Prune the branches of smaller or newly planted trees as they grow, up to a height of 8 – 15 feet above the ground. Do not over prune the crowns of smaller trees.
7. Trim native grasses and wildflowers in the fall or spring to a maximum height of 8 inches.
8. Dispose of all slash or plant trimmings off site, or by burning (if permitted), chipping or cutting down and distributing throughout the area. Brush piles for wildlife should be located at the outer limits of this zone.
9. Retain one to two standing dead trees per acre for wildlife habitat.

C. BEYOND 125 FEET OF THE STRUCTURE (Preservation / Environmentally Sensitive Area)

1. Clear smaller under story trees and shrubs per Section B, No. 1 above.
2. Undertake selective thinning to improve health and appearance of wooded and native brush areas.
3. Remove smaller trees in crowded stands to increase tree spacing.
4. Retain an increased number of standing dead trees per acre for wildlife habitat unless they pose a threat to utilities or human use.
5. Slash or plant trimmings may be disposed of within this area.

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 provision shall remain in full force and effect.