

ORDINANCE NO. 83-24AN ORDINANCE AMENDING THE
ZONING DISTRICT MAP OF
THE TOWN OF CASTLE ROCK, COLORADO
(ASPEN MEADOWS P.U.D.)

WHEREAS, the Board of Trustees of the Town of Castle Rock find that:

- (a) A petition has been filed with the Town Clerk praying for an amendment to the Zoning District Map of the Town of Castle Rock, and;
- (b) That said petition has been forwarded to the said Board of Trustees, and;
- (c) That public meetings and hearings, following notice duly made and published pursuant to applicable Colorado Statutes and Town of Castle Rock Ordinances, have been held before the Planning and Zoning Commission of the Town of Castle Rock, and the Board of Trustees of the Town of Castle Rock, and;
- (d) That the amendment sought to the said Zoning District Map complies with the stated purposes of the Planned Unit Development Ordinance 17.48 as set forth in subsection 17.48.010 thereof.

NOW, THEREFORE, BE IT ORDAINED, BY THE BOARD OF TRUSTEES OF THE TOWN OF CASTLE ROCK, as follows:

That the Zoning Classification of the lands, consisting of 3.0 acres, described in Exhibit "A", attached hereto and made a part hereof, (hereinafter the "land") is changed from Zoning Classification R-3 (Multi Family District) to Zoning Classification PUD (Planned Unit Development District).

SECTION I.

DEFINITIONS

1.1 Apartment Units. Dwelling units which are not individually owned, but rented or leased to the occupants thereof.

1.2 Building Ground Coverage. That portion of the ground on any building site which is covered by structures having a floor, walls and fully enclosed roof.

Building ground coverage shall not include patios, decks or patio decks, tennis courts, surface, underground, or partially underground parking areas, (provided such partially underground parking areas shall not protrude more than six (6) feet from the average surrounding grade), roadways, bike paths or pedestrian ways or such other uses not meeting the above definition.

1.3 Building Height. The vertical distance from the average grade surrounding a structure to the uppermost point of the roof structure. Chimneys, ventilators, skylights, solar collectors, air conditioning and heating units, antennas and necessary mechanical appurtenances usually constructed above roof level are not to be considered in determining building height.

1.4 Condominium Units. Dwelling units in which individual ownership is limited to finite space (air space) within a structure. Condominium unit owners will not individually own land underneath such units. All common elements or facilities including the land are owned in undivided interest, in common, by individual unit owners.

1.5 Off-street Parking. Parking located in areas other than on public streets, or private streets which are utilized by more than one dwelling unit. Such off-street parking may be either enclosed or unenclosed.

1.6 Parking Space. One parking space as defined by the zoning ordinances of the Town of Castle Rock.

1.7 Townhome Units. Dwelling units which share common walls or abutting walls. Townhome unit owners will own the land beneath such units and may own land surrounding such units, provided, however, that common, undivided ownership of certain common elements or facilities is also permitted.

SECTION II.

PRIVATE OPEN SPACE

2.1 ~~The land shall~~ contain a minimum amount of private open space equal to ~~20%~~ of its total acreage, none of which shall be credited to the public land dedication requirement. All such private open space which is to be held as common open space shall be perpetually protected by appropriate protective covenants and title to such common open space shall be held by a non-profit corporate entity which shall bear the responsibility of maintaining and controlling such private common open space.

SECTION III.

PERMITTED DENSITY

3.1 It is the intent of this Ordinance to permit the development of 48 dwelling units. Density permitted is expressed in terms of anticipated ranges of density. In no event shall the total number of dwelling units upon the land exceed 48 dwelling units.

SECTION IV.

PERMITTED USES

4.1 Permitted Uses.

- (a) Townhome units.
- (b) Condominium units.
- (c) Apartment units.

4.2 Private open space to include areas for landscaping, passive and/or active recreation facilities, gardens, community centers and storm water detention and drainage areas.

4.3 Uses by Special Review.

- (a) Apartment, townhouse and condominium units to be utilized as models and/or sales and information offices; provided any such use shall be discontinued when all dwelling units upon the land have been sold.

4.4 Permitted Densities. Average density of from 0 to 16 dwelling units per acre.

4.5 ~~Maximum Building Heights.~~ 35 feet.

4.6 Minimum Off Street Parking. One and one-half parking spaces per single bedroom unit, two parking spaces per unit containing two bedrooms or more.

4.7 Minimum Setbacks, Maximum Buildable Slopes. See Section VII. hereunder.

SECTION V.

PERMITTED ACCESSORY USES

5.1 Permitted Uses.

- (a) Utility and communications distribution lines.
- (b) Roadways, bike paths and pedestrian trails.
- (c) Parking areas.
- (d) Open spaces and ponds, to include storm water drainage detention areas.
- (e) Fences.

SECTION VI.

MINIMUM BUILDING SETBACKS AND MAXIMUM BUILDABLE SLOPES

6.1 To provide maximum flexibility for innovative design, the development of criteria for minimum building setbacks and maximum buildable slopes will be reserved until the presentation of final site plans, provided that no such final site plan will be presented for consideration or approved that does not contain specific criteria for the establishment of minimum setbacks and maximum buildable slopes and provided further that any structure constructed with a zero (0) lot line setback to the perimeter of the property described in Exhibit "A" shall have its roof pitch away from such adjoining property.

SECTION VII.

SUBMISSION OF FINAL PLANNED UNIT DEVELOPMENT PLANS AND/OR PLATS

7.1 That following the approval of this Ordinance, the owners of tracts within the above-described tract shall present final site plans for all or any portion or portions of the general use areas as are then ready for development.

7.2 No structural building permit will issue until a final site plan for such area has been presented to and approved by the Board of Trustees. No certificate of occupancy shall issue until a

final plat has been approved by the Board of Trustees.

7.3 In those cases where the Subdivision Regulations of the Town of Castle Rock require approval of a final plat by the Board of Trustees prior to sale or transfer of lands within the Planned Unit Development, no such final plat shall be approved by the Board of Trustees for any area for which a final site plan has not been approved for the lands so sold or transferred, unless such plat contains a note, on the face thereof, which shall state as follows:

"(Pursuant to Town of Castle Rock Ordinance No. 83-24, no building permit will issue for the erection of any structural improvement in any area described hereon for which a final site plan has not been approved by the Board of Trustees of the Town of Castle Rock.)"

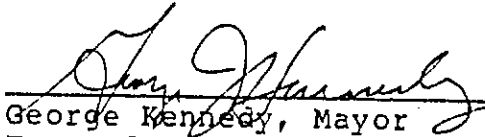
SECTION VIII.

SEVERABILITY OF PROVISIONS

8.1 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.

Passed and adopted this 19 day of April, 1984, by
vote of the Board of Trustees of the Town of Castle Rock, Colorado,
4 for and 2 against.

523-546


George Kennedy, Mayor
Town of Castle Rock



ATTEST:

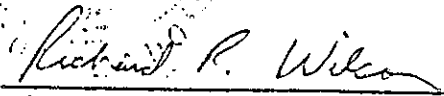

Richard Wilson, Town Clerk

EXHIBIT A

Tract of land located in the NW $\frac{1}{2}$ of NW $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section Twelve (12), Township eight (8) South, Range sixty seven (67) West of the Sixth (6th) P.M., Beginning at a point on the East side of the County Road from which the Quarter Corner between Section Eleven (11) and Section Twelve (12), said Township and Range, bears 5 $^{\circ}$ 30" West, 258 feet; thence North 89 $^{\circ}$ 30' East 450 feet, Thence South 00 $^{\circ}$ 30' East 290.4 feet, Thence South 89 $^{\circ}$ 30' West 450 feet; Thence North 00 $^{\circ}$ 30', West 290.4 feet; Along said County Road to the Point of Beginning, County of Douglas, State of Colorado.