

ORDINANCE NO. 3.26

AN ORDINANCE PROVIDING FOR THE ZONING OF NEWLY ANNEXED LAND OF MONTCLAIRE BUILDING CORPORATION

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF CASTLE ROCK, COLORADO:

SECTION 1. That the following described land heretofore annexed to the Town of Castle Rock, upon Petition of Montclair Building Corporation, a Colorado corporation, be and the same is hereby zoned PUD Planned Unit Development District, in compliance with the provisions of and as ascribed in Ordinance No. 3.21 of the Town of Castle Rock, said land being located in Douglas County, State of Colorado, to-wit:

*gla.  
Zoning  
Ord*

Starting at a point which is point of beginning, which point bears E 20 feet from the SE cor of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Sec 11, Township 8 S, Range 67 W, thence E 385 feet, thence S 165 feet, thence S 58 $^{\circ}$ 0' W 285 feet, more or less, to the intersection of the E right-of-way line of the County Road known as the Lake Gulch Road, thence N 30 $^{\circ}$ 0' W along said right-of-way line 230 feet, more or less, thence N 12 $^{\circ}$ 0' W 120 feet to the point of beginning, containing two acres, more or less, located in the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Sec 12, Township 8 S, Range 67 W

PASSED, ADOPTED AND ORDERED FINALLY PUBLISHED this 6th day of July, 1972.

TOWN OF CASTLE ROCK

By *A. H. Bengert*  
Mayor

ATTEST:

*Ed Nelson*  
City Clerk

# PUBLIC NOTICE

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*Consists of 6 pages*

### PURPOSE

Land use zoning encourages the most appropriate use of land and protects all property against adverse effects of neighboring developments. Zoning does for a town what rooms do for a home in dividing the living, working and production areas so that each section may best serve its special purpose without interfering with other activities.

- In general, the public health, safety and welfare are promoted through zoning in the following manner:
1. Property values are protected in residential areas, since factories, gasoline filling stations or other such uses cannot locate next to homes and thus make such residences less desirable places in which to live.
  2. Established business areas are protected against the indiscriminate development of business buildings wherever vacant or cheap land exists.
  3. Industrial potentiality is increased by the reservation of adequate land for such use.
  4. Financing companies make higher loans in areas protected by zoning.
  5. The public tax base is stabilized and maintained.
  6. Increased safety against fire and consequent lower fire insurance rates result from the prevention of overcrowding and the segregation of hazardous uses.
  7. Property owners are protected against possible loss of light and air due to the bulk and proximity of neighboring developments.
  8. Where public water supplies are not available, the purity of individual water sources is maintained by adequate lot areas.
  9. Fire fighting efficiency is aided by the reservation of front, rear and side yards.
  10. Public health is protected from diseases resulting from unsanitary and overcrowded conditions.
  11. Street and highway congestion, safety, and construction costs are influenced by off-street parking requirements, specifications for adequate sight distance at intersections, and major front yard setback lines.
  12. Utility mains and other public facilities may be more efficiently designed and extended where zoning indicates future land use and densities.
  13. The attractive environment of the Town of Castle Rock is protected and enhanced by providing encouragement and incentives for well designed developments.

### ORDINANCE NO. 3, 21

AN ORDINANCE ESTABLISHING LAND USE ZONING DISTRICTS IN THE TOWN OF CASTLE ROCK; REGULATING THE USE OF THE LAND AND THE USE, BULK, HEIGHT, AREA AND YARD SPACES OF BUILDINGS; ADOPTING A MAP OF SAID ZONING DISTRICTS; PROVIDING FOR THE ADJUSTMENT, ENFORCEMENT AND AMENDMENT THEREOF; PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS; AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF CASTLE ROCK:

### SECTION I DISTRICTS

#### ESTABLISHMENT OF DISTRICTS

In order to carry out the provisions of this ordinance, the Town of Castle Rock is hereby divided into the following zoning districts:

- R-1 - Single Family Residence District
- R-2 - Single Family and Duplex Residence District
- R-3 - Multi-Family Residence District
- M. H. - Mobile Home District
- B-1 - Highway Commercial District
- B-2 - General Business District
- I-1 - Light Industrial District
- I-2 - General Industrial District
- PUD - Planned Unit Development District

#### BOUNDARIES

The boundaries of these districts are established as shown on a map entitled "Zoning District Map" of the Town of Castle Rock, dated Sept 7, 1972, which map is hereby made a part of this ordinance.

District boundary lines are lot lines, the center lines of streets, alleys, highway right-of-ways, railroad right-of-ways or such lines extended; section lines; municipal corporate lines; or other lines drawn to scale on the Zoning District Map.

Disputes concerning the exact location of any district boundary line shall be decided by the board of adjustment. Where a lot is divided at the time of enactment of this ordinance by subsequent amendments, by a zoning district boundary line, the less restrictive zone requirements may be extended not more than 25 feet into the more restrictive zoning district adjacent to such line.

#### ANNEXED TERRITORY

Any territory hereafter annexed to the Town of Castle Rock shall be in the R1, Residence District, until changed by an amendment to this ordinance. Such amendment to this ordinance may take place at the time of annexation provided all required hearings have been completed.

### SECTION II APPLICATION OF REGULATIONS

#### APPLICATION

Except as hereinafter provided, no building, or other structure, or land shall be used and no building or other structure shall be erected, reconstructed, or structurally altered except in conformance with the regulations herein specified for the district in which such building is located.

### SECTION III R1. SINGLE FAMILY RESIDENCE DISTRICT

#### USES PERMITTED:

- One-family dwellings.
- Public schools, universities, parks, playgrounds, golf courses and recreational areas and their structures; churches and church schools; hospitals;
- ... provided that for all such uses each principal building is located at least 25 feet from all property lines.
- Electric transmission and distribution lines, telegraph and telephone lines, telephone exchanges, water reservoirs and gas regulator stations
- ... where no public office and no repair or storage facilities are maintained other than water reservoirs.
- Accessory buildings and uses.
- Home occupation
- ... provided the total area used for such purposes does not exceed one-third the total first floor area of the users dwelling unit.

- Fences, hedges, walls and trees
- ... provided such uses do not obstruct motorists' vision at street, road, highway and railroad intersections.
- Signs
- ... provided each dwelling or use has not more than one identification sign; that such sign does not exceed one square foot per dwelling or 10 square feet for public or semi-public buildings or uses or for the prospective rental or sale of property.

MINIMUM AREA OF LOT	per dwelling	9,000 square feet
	per dwelling unit	9,000 square feet
MINIMUM WIDTH OF LOT	per dwelling	75 feet
	per dwelling unit	75 feet
MINIMUM SIDE YARD	principal buildings	7 feet
	accessory buildings	2 feet
	where abutting a street - all buildings	10 feet
MAXIMUM HEIGHT OF BUILDINGS	principal buildings	35 feet
	accessory buildings	20 feet
MINIMUM FRONT YARD	all buildings	25 feet
MINIMUM REAR YARD	principal buildings	25 feet
	accessory buildings	10 feet
MINIMUM OFF-STREET PARKING	dwellings	two spaces for every dwelling unit
	auditoriums and churches	one space for every 100 square feet of meeting place floor area
	hospitals and schools	one space for every 500 square feet of total floor area

### SECTION IV R2. SINGLE FAMILY AND DUPLEX RESIDENCE DISTRICT

#### USES PERMITTED

Any use permitted in the R1 District subject to all requirements specified for such district unless otherwise stated herein

- Two-family dwellings

MINIMUM AREA OF LOT	per dwelling	6,000 square feet
	per two-family dwelling	9,750 square feet
MINIMUM WIDTH OF LOT	per dwelling	50 feet
	per two-family dwelling	75 feet
MINIMUM SIDE YARD	principal buildings	5 feet
	accessory buildings	2 feet
	where abutting a street - all buildings	10 feet
MINIMUM FRONT YARD	all buildings	25 feet
MINIMUM REAR YARD	principal buildings	25 feet
	accessory buildings	10 feet
MAXIMUM HEIGHT OF BUILDINGS	principal buildings	35 feet
	accessory buildings	20 feet

(Continued)

**PUBLIC NOTICE** (Continued)

**MINIMUM OFF-STREET PARKING**

- dwelling
  - two spaces for every dwelling unit
- auditoriums and churches
  - one space for every 100 square feet of meeting place floor area
- hospitals and schools
  - one space for every 500 square feet of total floor area

**SECTION V  
R3, MULTI-FAMILY RESIDENCE DISTRICT**

**USES PERMITTED**

- Any use permitted in the R1 and R2 Districts
  - subject to all requirements specified for such districts unless otherwise stated herein.
- Multiple-family dwellings
- Boarding and rooming houses
- Dormitories
- Fraternity and sorority houses

**MINIMUM AREA OF LOT**

- per dwelling . . . . . 6,000 square feet
- per additional dwelling unit . . . . . 750 square feet

**MAXIMUM HEIGHT OF BUILDINGS**

- principal buildings . . . . . 50 feet
- accessory buildings . . . . . 20 feet
- principal buildings between 50 feet and 100 feet in height -

The Board of Trustees can grant a height exception for principal buildings over 50 feet in height but less than 100 feet if it finds that the proposed building would not block the view of nearby residents; that the proposed exception would result in a more attractive building; and that the proposed building would not reduce the light and air on surrounding properties to the extent that a health hazard would be created. In granting such an exception, the Board of Trustees shall make a finding of fact based upon the above requirements and this finding of fact shall be included in the official minute book of the Town Council.

**MINIMUM FRONT YARD**

- all buildings . . . . . 15 feet

**MINIMUM SIDE YARD**

- principal buildings . . . . . 5 feet
- accessory buildings . . . . . 2 feet
- where abutting a street - all buildings . . . . . 15 feet

**MINIMUM REAR YARD**

- all buildings . . . . . 10 feet

**MAXIMUM BUILDING COVERAGE**

- all buildings . . . . . 35% of lot area

**MINIMUM OFF-STREET PARKING**

- dwelling
  - 2 spaces for every dwelling unit (either structure or surface)
- rooming houses, dormitories, fraternity and sorority houses
  - one space for every two guest rooms or every four guest beds (whichever is greater)

**SECTION VI  
MH - MOBILE HOME DISTRICT**

(areas for mobile home parks and mobile home sub-divisions)

**GENERAL REQUIREMENTS**

A Site Development Plan, meeting all the requirements of Section XI of this Resolution, shall be a part of each request for rezoning to MH - Mobile Home District. The minimum size parcel for which an application for rezoning to MH - Mobile Home District shall be considered is ten acres, except when the parcel abuts an existing MH District. Connection to public water and public sewer facilities shall be required for each mobile home and other principal use in an MH District.

No dependent mobile homes, as defined herein, shall be allowed in a mobile home park or a mobile home subdivision.

**USES PERMITTED BY RIGHT**

- Mobile Home Parks
- Mobile Home Subdivisions
- Accessory buildings and uses.

**USES PERMITTED BY SPECIAL REVIEW**

- Private campgrounds;
- Nursery schools and day care centers;
- Non-profit neighborhood recreation centers.

**MOBILE HOME PARK REQUIREMENTS**

Maximum density shall not exceed seven mobile homes per gross acre. No mobile home shall be occupied unless situated on a mobile home space, within an MH zone. Each mobile home space shall contain a minimum area of 4,000 square feet and shall have a minimum width of 40 feet. Each mobile home shall be located a minimum distance of ten feet from each boundary of the mobile home space upon which it is situated.

No mobile home shall be located less than 35 feet from any exterior boundary of a mobile home park which abuts a public right-of-way, nor less than 15 feet from any other exterior boundary.

Each mobile home park shall provide a yard not less than 25 feet in width along each boundary abutting a public right-of-way; such yard (s) shall be landscaped except for those portions used for ingress and egress.

All mobile home units and accessory buildings or uses shall face upon and take access from an interior roadway. Each mobile home park shall have two separate entrance and exit roadways, each of which shall be not less than 40 feet wide from flow line to flow line and shall connect to a dedicated public right-of-way not less than 50 feet in width, and which shall be hard surfaced with asphalt or concrete.

Interior roadways shall be not less than 36 feet wide from flow line to flow line, except that when such roadways are restricted to one-way traffic or when two off-roadway parking spaces are provided on each mobile home space, interior roadway widths may be reduced to 30 feet. All private interior roadways and driveways shall be hard surfaced with asphalt or concrete.

One off-roadway parking space shall be provided on each mobile home space and shall not be located less than ten feet from the interior roadway from which it takes access. Each such parking space shall be hard surfaced with asphalt or concrete and shall measure no less than 11 feet by 23 feet.

A storage area for trailers of all types, boats, detached pickup campers, motor homes, etc., shall be provided in an amount equal to 100 square feet per mobile home space. Such storage area shall be hard surfaced with asphalt or concrete and shall be screened from view by a solid fence not less than six feet in height.

An area or areas amounting to not less than ten percent of the gross area of the mobile home park, excluding any area dedicated as public right-of-way, shall be provided for recreation use. Such area (s) shall not include any area designated as a mobile home space, storage area, or required yard.

All public utilities within the mobile home park shall be underground. Service, utility and recreation buildings and appurtenances, garbage and trash containers, rodent and insect control, and water and sewage provisions must comply with all regulations of the State, Douglas County, Tri-County Health Department, and the Town of Castle Rock.

Maximum height of any building shall be 35 feet. All trash, refuse and storage shall be kept in closed containers or within a building or area enclosed by a solid fence at least six feet in height.

Wheels may be removed from mobile homes, but running gear may be removed only for a reasonable period of time for repair purposes.

No permanent addition of any kind shall be built onto, nor become part of, any mobile home. Skirting of a mobile home is permissible, but such skirting shall not attach the mobile home permanently to the ground, provide a harborage for rodents, or create a fire hazard.

No vehicle in excess of three-fourths (3/4) ton carrying capacity shall be kept, stored, or parked on any public right-of-way or private roadway within a mobile home park except while making normal deliveries.

No trailer of any type, boat or detached pickup camper shall be kept, stored or parked on any public right-of-way or private roadway within a mobile home park for more than 24 hours.

Walkways not less than 30 inches in width shall be provided from mobile home spaces to service buildings and on both sides of all streets within a mobile home park. Such walkways shall be hard surfaced with asphalt or concrete and lighted at night with a minimum illumination of at least 0.8 footcandles. Twenty-five watt lamps at intervals of not more than 100 feet shall meet requirements.

Every mobile home park shall provide sanitary facilities for emergency use in a service building or office building; such facilities shall consist of at least one flush-type toilet and one lavatory.

Exposed ground surfaces in all parts of a mobile home park shall be hard surfaced with asphalt or concrete or other solid material, or shall be protected with a vegetative growth which will prevent soil erosion and eliminate dust.

**MOBILE HOME PARK DEVELOPMENT PLAN**

Before issuance of a building permit, the applicant must apply for and receive approval from the Town of Castle Rock of a Mobile Home Park Development Plan. Such plan shall be drawn at a scale of one inch equals 100 feet in India ink or other equally substantial solution, on tracing cloth or mylar with outer dimensions of 24 inches by 36 inches. The plan shall be complete in detail showing the following:

- Title, scale, north arrow and date;
- Legal description of property, together with a complete reference to the book and page of records of the County;
- Primary control points, or descriptions and "ties" to such control points, to which all dimensions, angles, bearings, and similar data shall be referred;
- Location and description of monuments;
- Certification of title showing that applicant is the land owner;
- Statement by owner dedicating public rights-of-way and any sites for public use, and deeding development rights to the Town for the area (s) designated for recreation use by residents of the park; acceptance of these development rights by the Town shall not mean that the Town accepts responsibility for developing and maintaining the recreation area (s). The owner retains that responsibility;
- Certification by surveyor or engineer certifying to accuracy of survey and plan;
- Certification for approval by the Town Planning Commission and the Board of Trustees;
- One of the following assurances concerning required improvements: a bond or certified check available to the Town in sufficient amount to guarantee completion of all required improvements; protective covenants to the effect that no mobile home space may be rented until required improvements are constructed; or such other written statement as may be approved by the Board of Trustees giving full assurance that required improvements will be completed.
- Tract boundary lines and right-of-way lines of bounding and interior streets dedicated or to be dedicated to the public with accurate dimensions, bearings or deflection angles, and radii, arcs and central angles of all curves;
- Location, dimensions and purpose of any easements;
- Number to identify each mobile home space;
- Purpose for which sites, other than mobile home spaces, are dedicated or reserved;
- Location, names and paving width, flow line to flow line, of each interior street or roadway and each access street or roadway;
- Location and width of walkways;
- Location and dimensions of mobile home spaces, recreation area (s), storage area (s) and sites for other uses, and off-street parking spaces;
- Proposed finished grade shown in contour intervals not to exceed two feet;
- Location, material (or species) and height of all walls, fences and screen plantings;
- Location of all outside facilities for waste or refuse storage;
- Location of each structure, the use or uses to be contained therein, maximum height, and approximate location of entrances and loading points, not including mobile homes;
- Provisions for the lighting of roadways and walkways;
- Location, height, size, orientation and illumination of all signs;
- Type of surfacing material to be used in each area of the mobile home park;
- Drainage plan showing existing and proposed installations (channels, culverts, inlets, etc.) and discharges (cfs with calculation sheets) that may affect adjacent lands;
- Complete road or intersection plans where modifications or additions to the public road system are proposed;
- Proposed treatment of potential flood plain areas including construction plans and supporting data as required;
- Such other information as may be requested by the building inspector, health officer, or Town Engineer to enable him to determine that the proposed mobile home park will comply with all requirements.

**MOBILE HOME SUBDIVISION REQUIREMENTS**

- Minimum Lot Area: 5,000 square feet
- Minimum Lot Width: 50 feet
- Minimum Front Yard:
  - Abutting a public right-of-way: 25 feet
  - Abutting a private right-of-way: 15 feet

(Continued)

Minimum Side Yard:  
 Abutting a public right-of-way: 25 feet  
 Abutting a private right-of-way: 15 feet  
 Not abutting a public or private right-of-way: 10 feet  
 Minimum Rear Yard: 10 feet  
 Maximum Building Height: 35 feet  
 Street Width: Dedicated streets shall conform to all requirements of the Town of Castle Rock; private streets may be allowed and shall be a minimum of 30 feet in width, flow line to flow line. All streets shall be hard surfaced with asphalt or concrete.  
 Walkways: Pedestrian walkways shall be provided on both sides of all streets, shall be a minimum of 30 inches in width, and shall be hard surfaced with asphalt or concrete.  
 Off-street Parking: Two off-street parking spaces shall be provided on each lot.  
 A storage area for trailers of all types, boats, detached pickup campers, motor homes, etc., shall be provided in an amount equal to 100 square feet per lot in the mobile home subdivision. Such storage area shall be hard surfaced with asphalt or concrete and shall be screened from view by a solid fence not less than six feet in height.  
 An area or areas amounting to not less than ten percent of the gross area of the mobile home subdivisions, excluding any area dedicated as public right-of-way, shall be provided for recreation use.  
 All public utilities within the mobile home subdivision shall be underground.  
 Service, utility and recreation buildings and appurtenances, garbage and trash containers, rodent and insect control, and water and sewage provisions must comply with all regulations of the State, Douglas County, Tri-County Health Department, and the Town of Castle Rock.  
 Wheels and running gear may be removed from mobile homes.  
 Skirting of a mobile home is permissible, but such skirting shall not provide a harborage for rodents or create a fire hazard.  
 No vehicle in excess of three-fourths (3/4) ton carrying capacity shall be kept, stored, or parked on any public right-of-way or private roadway within a mobile home subdivision except while making normal deliveries.  
 No trailer of any type, boat or detached pickup camper shall be kept, stored or parked on any public right-of-way or private roadway within a mobile home subdivision for more than 24 hours.  
 For each mobile home subdivision there shall be created a homeowners association, of a type acceptable to the Town, which shall be responsible for operation and maintenance of private roadways and walkways, exterior boundary fencing, storage areas, and recreation areas and facilities.  
 Each mobile home subdivision shall be platted according to the procedure specified in the Town's Ordinances and regulations and, except as modified herein, shall be subject to all requirements set forth in the Subdivision Regulations.

SECTION VII  
 B-1 HIGHWAY COMMERCIAL DISTRICT

USES PERMITTED

- Service Station } Wrecked or abandoned motor vehicles shall not
- Auto Repair Garage } be allowed to be stored on the property.
- New and used car lot }
- Restaurant and lounge }
- Trailer sales and service }
- Motel }
- Recreation facilities
- such as bowling alleys, miniature golf, golf driving range
- Plant nursery
- Professional or business office
- Hospitals for animals
- Including boarding and lodging; provided that there shall be no open kennels maintained and provided that all facilities will be in buildings designed to minimize the sound escaping to outside areas
- Drive-in restaurant
- Car wash
- Garden shop
- Mortuary

MAXIMUM HEIGHT OF BUILDINGS . . . . . 35 feet  
 MAXIMUM BUILDING COVERAGE . . . . . 35% of lot area  
 MINIMUM UNLOADING AREA

For buildings in excess of 3,000 square feet in area, an unloading area of at least 12 feet by 30 feet shall be provided on the lot adjacent to the alley. However this requirement can be waived if a portion of the off-street parking area is designed to function in a safe and attractive manner as the unloading area. The area used for unloading shall not be used to meet the off-street parking requirements.

MINIMUM OFF-STREET PARKING

- office buildings - 1 space for each 200 square feet of floor area
- commercial buildings - 1 space for each 200 square feet of floor area
- mortuary - 1 space for every 4 persons for which seating is provided in the main auditorium
- motel - 1 space for each guest room or dwelling unit
- restaurants and lounges - 1 space for each 80 square feet of indoor public floor area

MINIMUM FRONT YARD . . . . . 20 feet from the front property line  
 MINIMUM REAR YARD . . . . . 20 feet which may include one-half the width of the alley

SECTION VIII  
 B-2 GENERAL BUSINESS DISTRICT

PERMITTED USES

- Retail stores, sales and display rooms and shops
- Business service establishments
- Offices
- Hotels and Motels
- Financial Institutions
- Eating and Drinking Establishments
- Amusement and Recreation Establishments and Areas
- Wholesaling, exclusive of manufacturing
- Business schools, studios and vocational schools, not involving processes of a light or heavy industrial nature.
- Clubs and lodges
- Churches and other religious institutions
- Public buildings and lands
- ~~Parking lots and parking areas~~
- Service and sales establishments for automobiles, including body repair and used car lots but not including storage of junked or wrecked automobiles or trucks
- Transportation terminals other than truck terminal
- Personal service establishments which are hereby defined as businesses in which the sale of merchandise is a very small proportion of the total receipts of such business
- Any use permitted and as regulated in the R-3 district, except that no R-1 and R-2 use shall be permitted.

MAXIMUM HEIGHT . . . . . 50 feet

MINIMUM FRONT YARD

A minimum front yard of 25 feet from the property line shall be required unless at least 30% of the lots in the affected block are built upon, in which case the average front yard of the existing buildings will apply.

MINIMUM UNLOADING AREA

For buildings in excess of 3,000 square feet in area, an unloading area of at least 12 feet by 30 feet shall be provided on the lot adjacent to the alley. However this requirement can be waived if a portion of the off-street parking area is designed to function in a safe and attractive manner as the unloading area. The area used for unloading shall not be used to meet the off-street parking requirements.

MINIMUM OFF-STREET PARKING

Off-street parking is required for any new permitted business use unless at least 30% of the lots in the affected block are built upon at the time of the passage of this ordinance in which case off-street parking is not required. . . . . where applicable, the parking requirements listed under the R-3 and/or B-1 zone districts - otherwise one space for every 200 square feet of total floor area.

SECTION IX  
 I-1 LIGHT INDUSTRIAL DISTRICT

PERMITTED USES

- Any kind of scientific research, manufacturing, compounding, assembling, processing, or treatment of products, distribution centers, food and beverage processing, and similar non-offensive "light" industrial uses provided the following limitations are placed on all such uses:
  - (a) all permitted principal uses shall be operated primarily within an enclosed structure
  - (b) dust, fumes, odors, refuse matter, smoke, vapor, noise, lights and vibrations shall be confined to the premises of the lot upon which such use is located
  - (c) travel and parking portions of the lot shall be surfaced with asphalt, concrete, compressed gravel or equivalent surfacing, and
  - (d) outdoor storage areas shall be concealed from view from abutting streets and highways, and from adjoining residential zoning districts.

ACCESSORY BUILDINGS AND USES:

MAXIMUM HEIGHT OF BUILDINGS . . . . . 35 feet  
 MAXIMUM LOT COVERAGE . . . . . 35% of lot area  
 MINIMUM FRONT YARD . . . . . 25 feet from the front property line  
 MINIMUM REAR YARD . . . . . 20 feet which may include one-half the width of the alley  
 MINIMUM SIDE YARD . . . . . 12 feet  
 MINIMUM UNLOADING AREA

For buildings in excess of 3,000 square feet in area, an unloading area of at least 12 feet by 30 feet shall be provided on the lot adjacent to the alley. However this requirement can be waived if a portion of the off-street parking area is designed to function in a safe and attractive manner as the unloading area. The area used for unloading shall not be used to meet the off-street parking requirements.

MINIMUM OFF-STREET PARKING . . . . . 1 space for each 500 square feet of floor area

SECTION X  
 I-2 GENERAL INDUSTRIAL DISTRICT

USES PERMITTED

- Buildings and premises may be used for any purpose whatsoever not in conflict with any ordinance of the Town of Castle Rock provided, however, that no building or occupancy permit shall be issued for any of the following or similar uses:
  1. All residential uses except the residence of a caretaker of an industrial plant.
  2. Cement, lime, gypsum, rock wool or plaster of paris manufacturing.
  3. Acid manufacturing.
  4. Explosive manufacturing or storage.
  5. Glue manufacturing, fat rendering, distillation of bones and organic fertilizer manufacturing.
  6. Petroleum refining and refining of crank case oil; rubber manufacturing.
  7. Milling or smelting of ores.
  8. Garbage offal, or dead animal reduction or dumping.
  9. Slaughter of animals.
  10. Junk yard unless surrounded by opaque screening walls or fences at least 8 feet high.

MAXIMUM HEIGHT OF BUILDINGS . . . . . 50 feet  
 MINIMUM FRONT YARD . . . . . 25 feet from property line  
 MINIMUM REAR YARD . . . . . 20 feet which may include one-half the width of the alley  
 MINIMUM SIDE YARD . . . . . 15 feet  
 MINIMUM UNLOADING AREA

For buildings in excess of 3,000 square feet in area, an unloading area of at least 12 feet by 30 feet shall be provided on the lot adjacent to the alley. However this requirement can be waived if a portion of the off-street parking area is designed to function in a safe and attractive manner as the unloading area. The area used for unloading shall not be used to meet the off-street parking requirements.

MINIMUM OFF-STREET PARKING

Off-street parking is required for any new permitted use unless at least 30% of the lots in the affected block are built upon at the time of the passage of this ordinance - when required, one space for every 500 square feet of total floor area.

SECTION XI  
 PUD - PLANNED UNIT DEVELOPMENT DISTRICT

The intent and purpose of this zone district is to permit diversification of the town zoning plan as a part of the plan without in any way jeopardizing or reducing zoning standards which promote the public safety, convenience, health, and general welfare and preserve personal and property rights. This district is created for the purpose of allowing compatible uses to be developed in accordance with a general development plan in harmony with surrounding neighborhoods and in order to promote beneficial and economical use of land in the physical and economic development of the town.

PERMITTED USES

Any use or accessory use permitted and as regulated in any other zone district in this ordinance or as regulated in accordance with the requirements of the final site plan required in this section.

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# PUBLIC NOTICE

(Continued)

## REQUIREMENTS

- (a) A planned unit development district shall include an area of not less than one acre.
- (b) The land proposed to be rezoned to PUD shall be under single development control through one owner, corporation or agency.
- (c) In residential developments the minimum amount of functional open space (exclusive of parking or streets) shall be 25% of the total acreage.
- (d) Areas designated as open space or park shall be protected perpetually by appropriate covenants and some type of home owners association to control, construct and maintain the mutually owned property.

## PROCEDURE

The procedure for establishment of a PUD district shall be as follows:

**APPLICATION** - A PUD district may be established in accordance with Section XVI-Amendments by application to the Board of Trustees of the Town of Castle Rock which application shall include a preliminary site plan of the proposed development.

**PRELIMINARY SITE PLAN** - The preliminary site plan accompanying the application for the establishment of a PUD zoning district shall be drawn to scale and shall show the following information:

- (a) A map or survey of the subject area;
- (b) The general development or building area(s) and general use(s) of the same showing buffer and setback spaces, if any;
- (c) The height of proposed buildings and structures;
- (d) The location and amount of off-street parking provided;
- (e) The traffic solution relative to vehicular and pedestrian traffic within the subject area and to established street systems serving the subject area;
- (f) The storm drainage solution relative to storm water within the subject area and to established drainage systems serving the subject area; and
- (g) The time schedule for the completion of the proposed development, which may include separate time tables for logical separate phases of development.

**HEARING ON APPLICATION** - The Board of Trustees shall hear the application in accordance with the usual procedure for amendments as provided in Section XVI. The Board may: (1) grant the application, with or without conditions; (2) deny the application; or (3) refer the application back to the applicant for modification. In taking action on the application the Board shall make findings of fact concerning whether the proposed development is in substantial harmony with the stated purposes of this zoning ordinance and this particular zone district; whether the establishment of the proposed PUD district is desirable for public convenience and welfare; and whether the proposed development is designed to create a desirable environment which will be in harmony with the surrounding neighborhoods. The Board of Trustees may impose conditions on the proposed development in order to insure that the required findings of fact can be met.

**FINAL SITE PLAN** - After the Board of Trustees has approved the preliminary site plan, a final site plan shall be submitted to the Council for approval. The final site plan shall show the information required for the preliminary site plan, modified to comply with any conditions or requirements made by the Board. Upon approval of the final site plan, the Board may then adopt an ordinance establishing the proposed district for such part of the territory proposed for the PUD district as is included in the final site plan.

## COMPLIANCE WITH FINAL SITE PLAN - REVOCATION

The Board of Trustees, in addition to its usual powers, can repeal the ordinance establishing the proposed PUD district if:

- (a) The project for which the PUD district was established is not carried out pursuant to the approved final site plan; provided that the Board may allow modifications of the final site plan, before completion of the proposed development, as hereinafter provided, upon application therefor;
- (b) The project for which the PUD district is established is not completed within a period of two years next after the effective date of the ordinance establishing the PUD district or within such other period of time set forth and approved by the Board of Trustees as part of the final site plan.

After said revocation of the PUD district the Board shall amend the said zoning ordinance to re-zone the subject territory, all in accordance with the procedures set forth in Section XVI of this ordinance.

After approval of the final site plan by the Board of Trustees the same shall constitute a permanent site plan and shall not be modified nor shall any additions be made thereto except with the approval of the Board, which approval shall be based on standards analogous to those for the approval of the original site plan which approval shall not be unreasonably withheld. Before approval of any such modification by the Board, the Board shall hold a public hearing on the proposed modification in keeping with the hearing procedure described in Section XVI.

After final action by the Board of Trustees, the official zoning map of the Town shall be changed to reflect the new PUD zoning. A copy of the approved final site plan shall be retained by the Board as part of its formal records.

## SECTION XII

### SUPPLEMENTARY REGULATIONS

Regulations specified in other sections of this ordinance shall be subject to the following interpretations and exceptions.

#### ILLUMINATION OF USES

..... any light used to illuminate signs, parking areas or for any other purposes shall be so arranged as to reflect the light away from nearby residential properties, and away from the vision of passing motorists.

#### FLOOD PLAIN

For the purpose of this ordinance there are hereby established and designated on the Zoning District map of the Town of Castle Rock, "Major Flood Channels" within which no building or other structure except a flood control dam or irrigation structure shall be constructed unless and until the plans for such building or structure are first approved by the Board of Trustees (or Planning Commission), following a public notice as described in Section XV and a public hearing related to the following special conditions:

- (1) Any building or structure which is approved shall be located so as to offer minimum obstruction to the flow of flood water and shall not cause lands outside of the natural flood channel to be flooded;
- (2) no dwellings shall be permitted;
- (3) no schools, churches, or other places of public assembly shall be permitted;
- (4) storage of materials which could be moved by flood waters shall be prohibited.

Until such time as the Board of Trustees designates "Major Flood Channels" no structure shall be erected within 100 feet from the centerline of a stream located in any zone district.

#### VISIBILITY AT INTERSECTIONS

No substantial impediment to visibility above 2-1/2 feet above ground level shall be created or maintained at street intersections in any R District within a triangular area described as follows:  
..... along both intersecting edges, and then along a direct line connecting these points.

#### SMALL LOTS - MINIMUM LOT AREA, WIDTH AND SIDE YARD

..... where an individual lot was held in separate ownership from adjoining properties before March 3, 1956 and has less area and/or less frontage than required in other sections of this ordinance, such a lot may be occupied by not more than one dwelling, provided that in no event shall any such lot have a frontage of less than 45 feet and the minimum required side yard in all R Districts shall be 5 feet. (For the purposes of this exception, two platted lots with widths of 25 feet each shall be considered to be one lot.)

#### INDIVIDUAL WATER SYSTEMS

Where individual water systems are used in place of public water facilities, minimum lot area and minimum lot frontage per dwelling unit shall be subject to approval of the Town Health Officer or his authorized representative, but shall not be less than the following requirements:  
Unsubdivided land - two acres and 300 feet;  
subdivided land - one acre and 150 feet.

#### INDIVIDUAL SEWERAGE FACILITIES

No individual sewerage facilities will be allowed in the Town of Castle Rock. All new structures and/or uses shall be connected to the Town's sewerage system.

#### REDUCTION

No part of an area or frontage required for a lot for the purpose of complying with the provisions of this ordinance shall be included as an area or frontage required for another building.

#### MAXIMUM HEIGHT OF BUILDINGS

..... the height limitations of this ordinance shall not apply to church spires, belfries, cupolas, penthouses or domes not used for human occupancy, nor to chimneys, ventilators, skylights, water tanks, silos, parapet walls, comices without windows, antennas, or necessary mechanical appurtenances usually carried above the roof level, or to public buildings or structures located more than one foot horizontally from the property line for each foot of building height.

#### MINIMUM YARDS

Reduction  
..... no part of a yard required for any building for the purpose of complying with the provisions of this ordinance shall be included as a yard for another building, and all yards shall be open and unobstructed except as otherwise provided herein.

#### Architectural features

..... comices, canopies, eaves or similar architectural features may extend into a required yard not more than 2 feet.

#### Porches

..... open, unenclosed, uncovered porches at ground level may extend into a required yard not more than 6 feet.

#### Fire escapes

..... fire escapes may extend into a required yard not more than 6 feet.

#### MINIMUM FRONT YARD - MAJOR HIGHWAYS

In accordance with the procedure required in Section XVII of this ordinance there may be established and designated on the Zoning District Map, Major Highways, on which the minimum front yard setback shall be not less than 100 feet from the highway centerline. Where this requirement may conflict with a front yard otherwise required in a zoning district, the larger front yard setback shall be required, except in the case of identification signs and off-street parking areas which shall not be bound by the major highway setback requirement.

#### Reversed corner lots

..... The side yard along the street side of a reversed corner lot shall be not less than the required front yard for principal buildings and accessory buildings along such a side street.

#### Public Utility facilities

..... public utility transmission and distribution facilities may build to within two feet of a side lot line.

#### MINIMUM REAR YARD

#### Accessory buildings

..... permitted accessory buildings may be located in the required rear yard for a principal building.

#### Public utility facilities

..... public utility transmission and distribution facilities may be exempt from minimum rear yard requirements.

#### MINIMUM OFF-STREET PARKING

#### Space

..... Each off-street parking space shall be not less than 11 feet wide by 23 feet long and 7 feet high; shall be provided with vehicular access to a street or alley; shall be within 200 feet of the principal building in any R District; shall be surfaced, landscaped, and properly drained; and except in the R-1 and R-2 districts shall not be located in any required front or side yard.

#### Reduction

..... No part of an off-street parking space required for any building or use for the purpose of complying with the provisions of this ordinance shall be included as a part of an off-street parking space similarly required for another building or use.

#### Existing buildings and uses

..... The off-street parking requirements of this ordinance shall apply only to building and uses newly constructed, extended, or restored, after March 3, 1956 and shall not apply to buildings lawfully repaired or improved where no increase of floor area exists.

## SECTION XIII

### NON-CONFORMING USES

Except as provided in this section, the lawful use of any building or land existing at the time of enactment of this ordinance, or of any amendments to this ordinance, may be continued even though such use does not conform to the requirements of this ordinance.

#### UNSAFE BUILDINGS

Any non-conforming building or portion thereof declared unsafe by the Town Building Inspector may be strengthened or restored to a safe condition.

#### REPAIRS AND MAINTENANCE

Ordinary repairs and maintenance of a non-conforming building shall not be deemed an extension of such non-conforming building and shall be permitted.

#### RESTORATION

A non-conforming building which has been damaged by fire or other causes may be restored to its original condition provided such work is commenced within 180 days of such calamity.

#### ABANDONMENT

Whenever a non-conforming use has been discontinued for a period of 180 days, such use shall not thereafter be re-established, and any future use shall be in conformance with the provisions of this ordinance.

#### CHANGES IN USE

A non-conforming use shall not be changed to a use of lower, or less restrictive classification; such non-conforming use may,

(Continued)

**PUBLIC NOTICE** (Continued)

however, be changed to another use of the same or higher classification, and when so changed to a use of a higher classification shall not thereafter be changed to a use of a lower classification.

**EXTENSIONS**

A non-conforming use shall not be extended, but the extension of a conforming use to any portion of a non-conforming building shall not be deemed the extension of such non-conforming use.

**DISPLACEMENT**

No non-conforming use shall be altered, extended or restored so as to displace any conforming use.

**COMPLETION**

Any building or structure for which a building permit has been issued prior to the date of enactment of this ordinance may be completed and used in accordance with the plans, specifications and permits on which said building permit was granted, if construction is commenced within 60 days after the issuance of said permit and diligently prosecuted to completion.

**SECTION XIV  
BOARD OF ADJUSTMENT**

**POWERS AND DUTIES**

The Board of Adjustment shall have the following powers and duties, all of which shall be exercised, subject to the laws of the State of Colorado and subject to appropriate conditions and safeguards, in harmony with the purpose and intent of this ordinance and in accordance with the public interest and the most appropriate development of the neighborhood.

1. To hear and decide appeals from, and review any order, requirement, decision or determination made by an administrative official charged with enforcement of the regulations established by this ordinance.
2. To authorize upon appeal in specific cases, exceptions to the
  - a. Minimum area of lot
  - b. minimum width of lot
  - c. maximum height of buildings
  - d. minimum front yard
  - e. minimum side yard
  - f. minimum rear yard
  - g. minimum off-street parking requirements, where by reason of exceptional shape, size or topography of lot, or other exceptional situation or condition of the building or land, practical difficulty or unnecessary hardship would result to the owners of said property from a strict enforcement of this ordinance.

**PROCEDURE**

The Board of Adjustment shall hold a public hearing on all applications and appeals with the following special conditions required:

1. A notice of said hearing shall be published in a newspaper of general circulation within the Town at least 14 days prior to the hearing date.
2. For applications for variances of the physical requirements of this ordinance, a written notice of said hearing shall be sent by first-class mail at least 14 days prior to the hearing date to owners of property adjacent to the property in question.
3. For applications for variances of this ordinance, a fee of \$20.00 shall be charged to cover the cost of advertising and processing.
4. Before any exception or variance is granted, the Board of Adjustment shall include a written finding in its minutes as part of the record in each case, stating specifically the exceptional conditions, the practical difficulties or unnecessary hardship involved.
5. Unless otherwise stated in the Board of Adjustment minutes, variance permits shall be valid for a period of time not to exceed six months from the time such variance is granted.

**ORGANIZATION**

A Board of Zoning Adjustment is hereby established, the members of which shall be appointed by the Board of Trustees. The word "Board" used in this section, shall be construed to mean the Board of Zoning Adjustment. The Board shall consist of five members. Until otherwise provided, the members of the Board shall serve without compensation.

Each member shall serve for a period of three years, except that of the first appointed board, one member shall serve for one year and one member for two years. Any member of the Board may be removed for cause by the Board of Trustees upon written charges and after a public hearing. Vacancies shall be filled for the unexpired term in the same manner as in the case of original appointments. Associate members of such Board may be appointed for short periods to take the place of any member who may be temporarily unable to act owing to absence from the town, illness or interest in the case before the Board or any other cause.

The members of the Board of Adjustment shall select their own chairman and appoint a secretary. The services of any town employee shall be available to the Board. The Board shall adopt such rules and regulations as it may deem necessary to carry into effect the provisions of this ordinance. Meetings shall be held at such times as may be necessary and shall be open to the public. The Board shall keep minutes of its proceedings, showing the vote of each member upon every question.

**SECTION XV  
AMENDMENTS**

**GENERAL PROCEDURE**

Amendments to this ordinance shall be in accordance with the laws of the State of Colorado.

**SPECIAL PROCEDURE**

Before amending this ordinance, the Board of Trustees shall hold a public hearing on the proposed amendment with the following special conditions required:

1. Unless amended upon motion of the Board of Trustees, a petition will be filed setting forth the desired amendment and reasons therefor. The Town Clerk will set a hearing date consistent with publication and notice requirements.
2. A notice of said hearing shall be published in a local newspaper at least 15 days prior to the hearing date.
3. For proposed amendments to the "Zoning District Map", a written notice of said hearing shall be sent by first-class mail at least 15 days prior to the hearing date to owners of property within the area in question and within 300 feet of the area in question.
4. For all proposed amendments to the "Zoning District Map", except for PUD amendments, a fee of \$50.00 shall be charged to cover the cost of advertising and processing. For all PUD amendments to the "Zoning District Map", a fee of \$50.00 plus \$5.00 per acre shall be charged to cover the cost of advertising, processing and plan review. For all other proposed amendments, a fee of \$20.00 shall be charged to cover advertising and processing costs.

**CHANGES IN THE OFFICIAL ZONING DISTRICT MAP**

If, in accordance with the amendment provisions of this ordinance, changes are made in district boundaries or other matters shown on the Zoning District Map, such changes shall be made promptly after the amendment has been approved by the Board of Trustees. The amending ordinance shall provide that such changes or amendments shall not become effective until they have been duly entered upon the Zoning District Map.

**SECTION XVI  
ENFORCEMENT**

This ordinance shall be enforced by the Town Building Inspector, the Town Health Officer, the Town Clerk, and their authorized representatives. No building permit or business or occupational use license shall be issued except in compliance with the provisions of this ordinance.

**SECTION XVII  
INTERPRETATION, CONFLICT WITH OTHER LAWS**

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements adopted for the promotion of the public health, safety and welfare. Whenever the requirements of this ordinance are at variance with the requirements of any other lawfully adopted rules, regulations or ordinance, the more restrictive or that imposing the higher standards shall govern.

**SECTION XVIII  
DEFINITIONS**

For the purpose of this ordinance certain words or phrases are defined as follows:

When not inconsistent with the content, words used in the present tense include the future; words in the singular number include the plural number; words in the plural number include the singular number and the masculine includes the feminine.

**"ACCESSORY BUILDING"**

A detached subordinate building, the use of which is customarily incidental to that of the main building or to the main use of the land and which is located on the same lot with the main building or use.

**"ACCESSORY USE"**

A use naturally and normally incidental to, subordinate to and devoted exclusively to the main use of the premises.

**"BOARDING AND ROOMING HOUSE"**

A building or portion thereof which is used to accommodate, for compensation, five or more boarders or roomers, not including members of the occupant's immediate family who might be occupying such building. The word "compensation" shall include compensation in money, services or other things of value.

**"BUILDING"**

Any structure built for the shelter or enclosure of persons, animals, chattels or property of any kind; and not including advertising sign boards or fences.

**"BUILDING HEIGHT"**

The vertical distance from the "Grade" to the uppermost point of the roof structure.

**"CLUB"**

An association of persons, whether incorporated or unincorporated for some common purpose but not including groups organized primarily to render a service carried on as a business.

**"DWELLING"**

Any building or portion thereof which is used as the private residence or sleeping place of one or more human beings, but not including hotels, motels, tourist courts, clubs, hospitals, or similar uses.

**"DWELLING, ONE-FAMILY"**

A detached building designed exclusively for occupancy by one family.

**"DWELLING, TWO-FAMILY"**

A detached building designed exclusively for occupancy by two families living independently of each other.

**"DWELLING, MULTIPLE-FAMILY"**

A building, or portion thereof, designed for or occupied by three or more families living independently of each other.

**"DWELLING UNIT"**

One or more rooms in a dwelling, apartment house or apartment hotel designed for occupancy by one family for living or sleeping purposes and having not more than one kitchen.

**"FAMILY"**

An individual or two or more persons related by blood or marriage, or a group of not to exceed five persons, (excluding servants) living together as a single housekeeping unit in a dwelling unit.

**"GRADE"**

Grade (ground level) is the average of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five feet of a sidewalk, said ground level shall be measured at the sidewalk.

**"HOME OCCUPATION"**

Any use conducted principally within a dwelling and carried on by the inhabitants there, without paid assistants, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. The individual office of a professional man or artist without assistants shall be considered Home Occupation, but the conducting of a clinic, hospital, barber shop, beauty parlor, tea room, tourist home, animal hospital, or any similar use, shall not be deemed to be a home occupation.

**"HOSPITAL"**

Any building or portion thereof used for the accommodation and medical care of the sick, injured or infirm persons and including sanitariums, but not including clinics, rest homes, and convalescent homes.

**"HOTEL"**

A building designed for occupancy as the more or less temporary abiding place of individuals who are lodged with or without meals, in which there are six or more guest rooms, and in which no provision is made for cooking in any individual room or suite.

**"KENNEL"**

Any premises, building or structure in or on which 4 or more animals of more than four months of age are harbored.

**"LOT"**

A parcel of real property as shown with a separate and distinct number or letter on a plot recorded in the Douglas County Court House, or when not so platted, in a recorded sub-division a parcel or real property abutting upon at least one public street and held under separate ownership.

**"LOT AREA"**

The total horizontal area within the lot lines of a lot.

**"LOT, REVERSED CORNER"**

A corner lot the side street line of which is substantially a continuation of the front lot line of the first lot to its rear.

**"LOT LINE, FRONT"**

The property line dividing a lot from a street. On a corner lot only one street line shall be considered as a front line and the shorter street frontage shall be considered the front line.

**"LOT LINE, REAR"**

The line opposite the front lot line.

**"LOT LINE, SIDE"**

Any lot lines other than front lot lines or rear lot lines.

**"NON-CONFORMING BUILDING"**

A building or structure or portion thereof conflicting with the provisions of this ordinance applicable to the zone in which it is situated.

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**PUBLIC NOTICE** (Continued)

**"NON-CONFORMING USE"**

The use of a structure or premises conflicting with the provisions of this ordinance.

**"OCCUPIED"**

The work "occupied" includes arranged, designed, built, altered, converted, rented or leased, or intended to be occupied.

**"PERSON"**

The word "person" shall also include association, firm, co-partnership or corporation.

**"PROFESSIONAL OFFICE"**

An office for professions such as physicians, dentists, lawyers, architects, engineers, artists, musicians, designers, realtors, teachers, accountants and others who through training are qualified to perform services of a professional nature and where no storage or sale of merchandise exists.

**"PUBLIC SEWER AND WATER FACILITIES"**

Those facilities of a municipality or sanitation district approved by the County Health Officer.

**"ROOM"**

An unsubdivided portion of the interior of a dwelling unit, excluding bathrooms, kitchens, closets, hallways, and service porches.

**"STREET"**

A public thoroughfare which affords the principal means of access to abutting property.

**"STRUCTURE"**

Anything constructed or erected, which requires location on the ground or attached to something having a location on the ground, but not including fences or walls used as fences less than six feet in height, poles, lines, cables, or other transmission or distribution facilities of public utilities.

**"USE"**

The purpose for which land or building is designed, arranged, or intended, or for which either is or may be occupied or maintained.

**"WIDTH OF LOT"**

The distance parallel to the front lot line measured between side lot lines through that part of the building or structure where the lot is narrowest.

**"YARD"**

An open space other than a court, on a lot, unoccupied and unobstructed from the ground upward, except as otherwise provided in this ordinance.

**"YARD, FRONT"**

A yard extending across the full width of the lot between the front lot line and the nearest line or point of the building.

**"YARD, REAR"**

A yard extending across the full width of the lot between the rear lot line and the nearest line or point of the building.

**"YARD, SIDE"**

A yard extending from the front yard to the rear yard between the side lot line and the nearest line or point of the building or accessory building attached thereto.

**SECTION XIX**

**VALIDITY**

Should any section, clause or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this ordinance as a whole, or any part thereof other than the part so declared to be invalid.

**SECTION XX**

**VIOLATIONS AND PENALTIES**

Any person or corporation, whether as principal, agent, employee, or otherwise, who violates any of the provisions of this ordinance shall be fined not exceeding \$100.00 for each offense, such fine to inure the Town of Castle Rock. Each day of the existence of any violation shall be deemed a separate offense.

The erection, construction, enlargement, conversion, moving or maintenance of any building or structure and the use of any land or building which is continued, operated or maintained, contrary to any provisions of this ordinance is hereby declared to be a violation of this ordinance and unlawful. Upon receipt of a signed complaint by any citizen, or the building inspector, and upon receipt of instructions to proceed from the Board of Trustees, the Town Attorney shall institute injunction, abatement or other appropriate action to prevent, enjoin, abate or remove such violation. Such action may also be instituted by any property owner who may be affected by a violation of this ordinance.

The remedy provided for herein shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law.

**SECTION XXI**

**REPEALS, EFFECTIVE DATE**

All ordinances of the Town of Castle Rock inconsistent herewith to the extent of such inconsistency, and no further, are hereby repealed. The repeal of any of the above-mentioned ordinances does not revive any other ordinance or portion thereof repealed by said ordinances. Such repeals shall not affect or prevent the prosecution of punishment of any person for the violation of any ordinance repealed hereby, for an offense committed prior to the repeal.

**SECTION XXII**

This ordinance is deemed necessary for the protection of the health and safety and for the welfare of the citizens of the Town of Castle Rock and shall become effective on November 1, 1971.

INTRODUCED, READ AND ORDERED PUBLISHED, September 2, 1971.

PASSED AND APPROVED, H. G. Burgess, Mayor

ATTEST: Jeanette Hill, Town Clerk

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