

PLAT IDENTIFICATION SHEET



2003178162 1 PG

GRANTOR:

(owner/signer)

CASTLE ROCK INVESTMENTS LLC

GRANTEE:

(subdivision name or name of plat)

Castle Rock Marine
Preliminary PD Site Plan

LEGAL:

(section-township-range)

2-8-67

35-7-67

OFFICIAL RECORDS
DOUGLAS COUNTY CO
CAROLE R. MURRAY
CLERK & RECORDER
RECORDING FEE: \$11.00
1 PG

2003178162
12/18/2003 10:57 AM

CERTIFICATE OF OWNERSHIP

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

Charles M. Lewis
CASTLE ROCK INVESTMENTS LLC
1935 LIGGETT ROAD
CASTLE ROCK, CO 80104

SIGNED THIS 4th DAY OF December, 2003

NOTARY CERTIFICATES

STATE OF COLORADO)
) SS
COUNTY OF DOUGLAS)

SUBSCRIBED AND SWORN TO BEFORE ME THIS 4th DAY OF December, 2003.

BY Charles M. Lewis AS Member
OF CASTLE ROCK INVESTMENTS LLC.

WITNESS MY HAND AND OFFICIAL SEAL THIS 4th DAY OF December, 2003

MY COMMISSION EXPIRES 10/19/2006
Karen S. O'Brien
NOTARY PUBLIC

TOWN COUNCIL APPROVAL

THE PRELIMINARY PD SITE PLAN AND ZONING REGULATIONS FOR THE CASTLE ROCK MARINE PD WERE APPROVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO, ON THE 9th DAY OF December, 2003.

Walter S. Bennett 12-12-03
MAYOR DATE

ATTEST:
Rally Mui 12-12-03
TOWN CLERK DATE

CASTLE ROCK MARINE PRELIMINARY PD SITE PLAN A TRACT IN SECTION 2, T8S, R67W, 6TH P.M., AND SECTION 35, T7S, R67W, 6TH P.M., COUNTY OF DOUGLAS, STATE OF COLORADO 15.05 ACRES

TITLE CERTIFICATE

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.

AUTHORIZED REPRESENTATIVE LAND TITLE Guarantee
TITLE INSURANCE COMPANY

SIGNED THIS 4th DAY OF December, 2003.

NOTARY CERTIFICATES

STATE OF COLORADO)
) SS
COUNTY OF DOUGLAS)

SUBSCRIBED AND SWORN BEFORE ME THIS 4th DAY OF December, 2003, BY Eric Stearns AS Title Officer OF LAND TITLE GUARANTEE COMPANY

WITNESS MY HAND AND OFFICIAL SEAL THIS 4th DAY OF December, 2003

MY COMMISSION EXPIRES 10/19/2006
Karen S. O'Brien
NOTARY PUBLIC

SURVEYOR'S CERTIFICATE

I DAVID E ARCHER, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY AND LEGAL DESCRIPTION REPRESENTED BY THE CASTLE ROCK MARINE PRELIMINARY PD SITE PLAN WAS MADE UNDER MY SUPERVISION AND THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AND THIS SITE PLAN ACCURATELY REPRESENTS THAT SURVEY.

David E. Archer 6935 12-3-03
REGISTERED PROFESSIONAL LAND SURVEYOR DATE

PLANNING COMMISSION RECOMMENDATION

THE PRELIMINARY PD SITE PLAN AND ZONING REGULATIONS FOR THE CASTLE ROCK MARINE PD WERE RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION OF THE TOWN OF CASTLE ROCK, COLORADO, ON THE 10th DAY OF October, 2003.

Colley J. Latta 12/10/2003
CHAIRMAN DATE

Patricia A. Sillman 12-10-03
DIRECTOR OF DEVELOPMENT SERVICES DATE

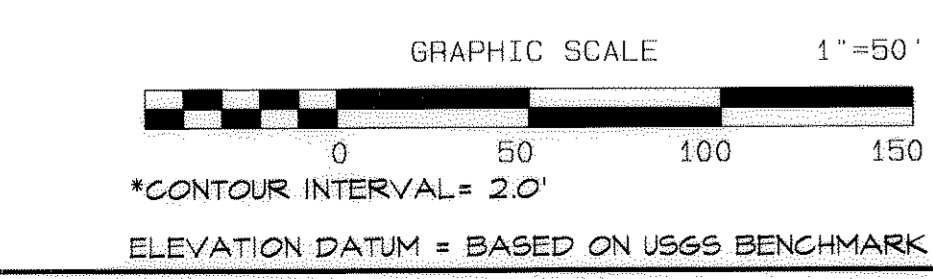
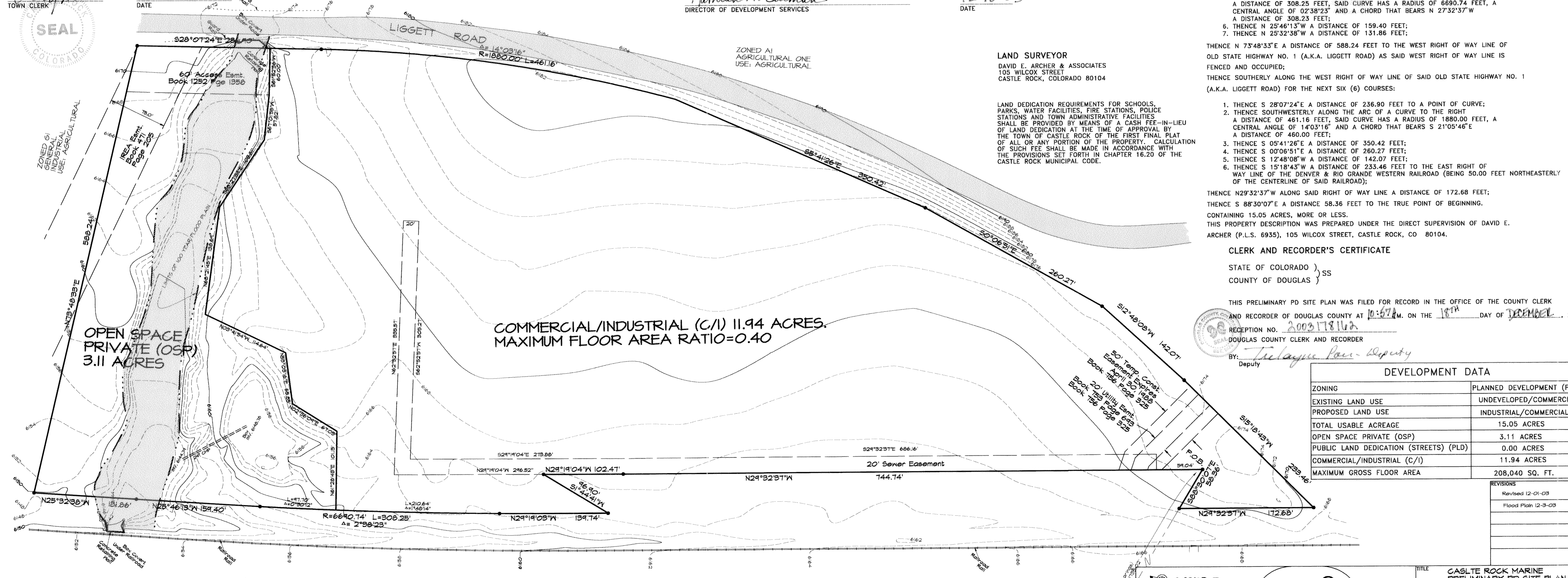
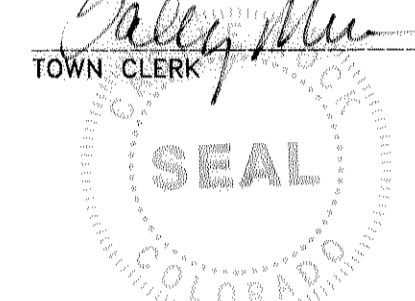


PROPERTY DESCRIPTION

A TRACT OF LAND SITUATED IN THE NORTH 1/2 OF SECTION 2, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 2 AND CONSIDERING THE SOUTH LINE OF SAID NORTH 1/2 OF THE NORTHWEST 1/4 TO BEAR S 88°30'07"E WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;
THENCE S 88°30'07"E ALONG SAID SOUTH LINE A DISTANCE OF 1735.02 FEET TO THE EAST RIGHT OF WAY LINE OF THE DENVER & RIO GRANDE WESTERN RAILROAD (BEING 100.00 FEET NORTHEASTERLY OF THE CENTERLINE OF SAID RAILROAD) AND TO THE TRUE POINT OF BEGINNING;
THENCE NORTHWESTERLY ALONG THE EAST RIGHT OF WAY LINE OF SAID RAILROAD FOR THE NEXT SEVEN (7) COURSES:
1. THENCE N 29°32'37"W A DISTANCE OF 744.74 FEET;
2. THENCE N 29°19'04"W A DISTANCE OF 102.47 FEET;
3. THENCE S 01°44'41"W A DISTANCE OF 96.90 FEET;
4. THENCE N 29°19'03"W A DISTANCE OF 139.74 FEET TO A POINT OF CURVE;
5. THENCE NORTHWESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 308.25 FEET, SAID CURVE HAS A RADIUS OF 6690.74 FEET, A CENTRAL ANGLE OF 02°38'23" AND A CHORD THAT BEARS N 27°32'37"W A DISTANCE OF 308.23 FEET;
6. THENCE N 25°46'13"W A DISTANCE OF 159.40 FEET;
7. THENCE N 25°32'38"W A DISTANCE OF 131.86 FEET;
THENCE N 73°48'33"E A DISTANCE OF 588.24 FEET TO THE WEST RIGHT OF WAY LINE OF OLD STATE HIGHWAY NO. 1 (A.K.A. LIGGETT ROAD) AS SAID WEST RIGHT OF WAY LINE IS FENCED AND OCCUPIED;
THENCE SOUTHERLY ALONG THE WEST RIGHT OF WAY LINE OF SAID OLD STATE HIGHWAY NO. 1 (A.K.A. LIGGETT ROAD) FOR THE NEXT SIX (6) COURSES:
1. THENCE S 28°07'24"E A DISTANCE OF 236.90 FEET TO A POINT OF CURVE;
2. THENCE SOUTHWESTERLY ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 461.16 FEET, SAID CURVE HAS A RADIUS OF 1880.00 FEET, A CENTRAL ANGLE OF 14°03'16" AND A CHORD THAT BEARS S 21°05'46"E A DISTANCE OF 460.00 FEET;
3. THENCE S 05°41'26"E A DISTANCE OF 350.42 FEET;
4. THENCE S 00°06'51"E A DISTANCE OF 260.27 FEET;
5. THENCE S 12°48'08"W A DISTANCE OF 142.07 FEET;
6. THENCE S 15°18'43"W A DISTANCE OF 233.46 FEET TO THE EAST RIGHT OF WAY LINE OF THE DENVER & RIO GRANDE WESTERN RAILROAD (BEING 50.00 FEET NORTHEASTERLY OF THE CENTERLINE OF SAID RAILROAD);
THENCE N29°32'37"W ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 172.68 FEET;
THENCE S 88°30'07"E A DISTANCE 58.36 FEET TO THE TRUE POINT OF BEGINNING.
CONTAINING 15.05 ACRES, MORE OR LESS.
THIS PROPERTY DESCRIPTION WAS PREPARED UNDER THE DIRECT SUPERVISION OF DAVID E. ARCHER (P.L.S. 6935), 105 WILCOX STREET, CASTLE ROCK, CO 80104.

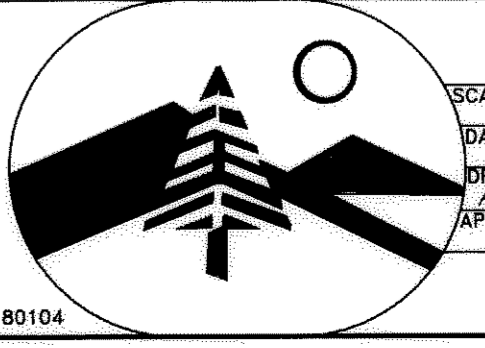
LAND DEDICATION REQUIREMENTS FOR SCHOOLS, PARKS, WATER FACILITIES, FIRE STATIONS, POLICE STATIONS AND TOWN ADMINISTRATIVE FACILITIES SHALL BE PROVIDED BY MEANS OF A CASH FEE-IN-LIEU OF LAND DEDICATION AT THE TIME OF APPROVAL BY THE TOWN OF CASTLE ROCK OF THE FIRST FINAL PLAT OF ALL OR ANY PORTION OF THE PROPERTY. CALCULATION OF SUCH FEE SHALL BE MADE IN ACCORDANCE WITH THE PROVISIONS SET FORTH IN CHAPTER 16.20 OF THE CASTLE ROCK MUNICIPAL CODE.

LAND SURVEYOR
DAVID E. ARCHER & ASSOCIATES
105 WILCOX STREET
CASTLE ROCK, COLORADO 80104



THIS PLAN CONSTITUTES A SITE-SPECIFIC DEVELOPMENT PLAN PURSUANT TO CHAPTER 15.24 OF THE CASTLE ROCK MUNICIPAL CODE AND C.R.S. 24-68-101, ET SEQ., AND ESTABLISHES VESTED-PROPERTY RIGHTS FOR A PERIOD NOT TO EXCEED BEYOND DECEMBER 31, 2009 (AS FURTHER PROVIDED IN THE CASTLE ROCK MARINE DEVELOPMENT AGREEMENT) TO UNDERTAKE AND COMPLETE THE DEVELOPMENT AND USE OF THE PROPERTY IN ACCORDANCE WITH THIS PLAN.

DAVID E. ARCHER & ASSOCIATES, INC.
LAND DEVELOPMENT CONSULTING SURVEYING & ENGINEERING
PHONE (303) 688-4642
105 WILCOX ST. CASTLE ROCK, COLORADO 80104



DEVELOPMENT DATA	
ZONING	PLANNED DEVELOPMENT (PD)
EXISTING LAND USE	UNDEVELOPED/COMMERCIAL
PROPOSED LAND USE	INDUSTRIAL/COMMERCIAL
TOTAL USABLE ACREAGE	15.05 ACRES
OPEN SPACE PRIVATE (OSP)	3.11 ACRES
PUBLIC LAND DEDICATION (STREETS) (PLD)	0.00 ACRES
COMMERCIAL/INDUSTRIAL (C/I)	11.94 ACRES
MAXIMUM GROSS FLOOR AREA	208,040 SQ. FT.

REVISIONS	
Revised	12-01-03
Flood Plain	12-3-03

TITLE	CASTLE ROCK MARINE PRELIMINARY PD SITE PLAN IN SECTION 2, T8S, R67W & SECTION 35, T7S, R67W DOUGLAS COUNTY, COLORADO.
CLIENT	CASTLE ROCK MARINE
JOB NUMBER	99-0269
Sheet	of 1

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Wed Dec 03 09:11:39 2003

2003178161
12/18/2003 10:57 AM

ORDINANCE NO. 2002-56



2003178161 13 PGS

AN ORDINANCE AMENDING THE TOWN'S ZONE DISTRICT MAP BY APPROVING THE CASTLE ROCK MARINE PRELIMINARY PD SITE PLAN AND THE CASTLE ROCK MARINE PD ZONING REGULATIONS; AND APPROVING THE CASTLE ROCK MARINE ANNEXATION AND DEVELOPMENT AGREEMENT; AND VESTING A SITE SPECIFIC DEVELOPMENT PLAN

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

WHEREAS, Owner has requested approval of the Castle Rock Marine PD Zoning Regulations in the form attached as *Exhibit 2*, as the same affect the Property (Zoning Regulations): and

WHEREAS, Owner has requested approval of the Castle Rock Marine Preliminary PD Site Plan (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; and

WHEREAS, Owner and Town have agreed to the terms and conditions of the Castle Rock Marine Annexation and Development Agreement; and

WHEREAS, the Town Council finds that the Site Plan shall be vested as a site specific development plan in accordance with the Castle Rock Marine Annexation and Development Agreement through December 31, 2009 (subject to earlier termination as provided in the Castle Rock Marine Annexation and Development Agreement), under authority of Town by Chapter 15.24 of the Castle Rock Municipal Code and C.R.S. §24-68-101, et seq.

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

Section 1. Approval. The Property is rezoned to Planned Development (PD) and the Zoning Regulations and Site Plan are approved for the Property.

Section 2. Development Agreement and Vesting. The Castle Rock Marine Annexation and Development Agreement is hereby approved. The Mayor and other proper Town officials are hereby authorized to execute the Agreement by and on behalf of the Town of Castle Rock, Colorado. The vesting of the Site Plan authorized under Article VII of the Castle Rock Marine Annexation and Development Agreement is approved, which vests the Site Plan as a site specific development plan for a term ending no later than December 31, 2009. The notice of vesting of the Site Plan required under 15.24.100 of the Castle Rock Municipal Code shall be given within 14 days of the date of this ordinance.

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

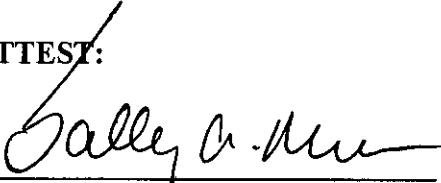
court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this ordinance.

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.

INTRODUCED this 18th day of November, 2002 for public comment, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and


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

ATTEST:



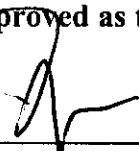
Sally A. Misarz, Town Clerk

TOWN OF CASTLE ROCK



Millie S. Bennett, Mayor

Approved as to form:



Robert J. Slentz, Town Attorney

Approved as to content:



Kathleen Sellman, Asst. Town Manager/DSE

Exhibit 1



DAVID E. ARCHER & ASSOCIATES, INC.

PROFESSIONAL LAND SURVEYORS & ENGINEERS

105 WILCOX STREET * CASTLE ROCK, CO 80104
PHONE (303) 688-4642 * FAX (303) 688-4675 * DARCHSURV@AOL.COM

DECEMBER 3, 2003
JOB NO. 99-0269
PAGE 1 OF 1

PROPERTY DESCRIPTION

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Exhibit 2

**CASTLE ROCK MARINE PLANNED DEVELOPMENT (PD)
ZONING REGULATIONS**

**SECTION I
GENERAL PROVISIONS**

- 1.1 These Zoning Regulations constitute an amendment to the Town of Castle Rock Zoning Ordinance, and the Zoning District Map of the Town of Castle Rock, and establish permitted densities, uses and development standards for the Land.
- 1.2 When these regulations do not address a particular subject, the relevant provisions of the Town of Castle Rock Zoning Ordinance, as amended, shall apply. Relevant sections include, but are not limited to, PD Planned Development District, Definitions, Landscaping Requirements, Off-street Parking, and General Site Development and Use Standards.
- 1.3 The Land has been divided into Use Areas on the Castle Rock Marine Preliminary PD Site Plan, approved contemporaneously herewith, incorporated by reference into these Zoning Regulations.

The aggregate number of acres within each Use Area shall be as indicated under each type designation on the Plan.

- 1.4 Adoption/authorization. The Castle Rock Town Council has adopted the Castle Rock Marine Preliminary PD Site Plan and zoning regulations pursuant to Chapter 17.60 of the Castle Rock Municipal Code after appropriate public notice and hearing.
- 1.5 Applicability. The Castle Rock Marine Preliminary PD Site Plan and zoning regulations as approved by the Town Council shall run with and bind all landowners of record, their successors, heirs or assigns of the land.
- 1.6 Maximum level of development. The total commercial/industrial, or other nonresidential floor area approved for development with the established use areas is the maximum allowed for platting and development. The actual floor area approved will be determined at the final plat and final PD site plan stage of review based upon environmental constraints, utility and street capacity, compatibility with surrounding land uses and other relevant factors.
- 1.7 Development Agreement. In addition to these regulations, certain provisions of the development of this PD property are controlled by an agreement between the Town and the PD property owners.

- 1.8 Overall Project Standards. The standard zoning requirements of the Town 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 herein.

SECTION II DEFINITIONS

Definitions. In addition to the standard definitions found in Title 17 of the Castle Rock Municipal Code, the following definitions of terms shall apply to this planned development:

2.1 Building

Any built structure having a floor, walls and fully enclosed roof.

2.2 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 unenclosed patios, decks or patio decks, tennis courts, surface parking areas, roadways, bike paths, or pedestrian ways or such other uses not meeting the above definition.

2.3 Building Height

The vertical distance from the average finished grade (not including berming or grading for the purpose of permitting a higher building) surrounding a structure to the uppermost point of the roof structure. Chimneys, ventilators, skylights, solar collectors, air conditioning and heating units, antennas, architectural projections and necessary mechanical appurtenances usually constructed above roof level are not to be considered in determining building height.

2.4 Building Setback

The horizontal distance between a building or structure and a platted lot line (including ROW and PD boundary lines but excluding PD Use Area boundary lines). This distance does not include the projections of eaves, overhangs, fireplaces, patios, decks, fire escapes, mechanical units or similar architectural appurtenances except that no projection shall extend beyond any ROW or PD boundary line.

2.5 Developer

Castle Rock Investments, LLC or its successors or assigns as Developer.

2.6 Floor Area Ratio (FAR)

The gross floor area of all buildings on a lot divided by the lot area.

2.7 Land

The property described on Exhibit A attached hereto.

2.8 Occupant

Any and each owner, lessee and/or Person that from time to time is entitled to use and occupy any portion of the Commercial/Industrial area under any lease, sublease, license or concession agreement or other instrument or arrangement.

2.9 Owner

The record holder of fee title to all or any portion of the Castle Rock Marine PD site, their respective heirs, personal representatives, assigns and successors in interest.

2.10 Permittees

All Occupants and all customers, employees, agents, contractors, vendors, suppliers, visitors, and other business invitees of Owners and Occupants insofar as their activities relate to the intended use or construction of the Castle Rock Marine PD.

2.11 Site

Shall refer to the Castle Rock Marine PD as described by the PD Site Plan and its associated documents which have been approved by the Town of Castle Rock of the County of Douglas, Colorado a copy of which is attached as Exhibit B, and incorporated herein by reference.

2.12 Site Plan or PD Site Plan

The plan for development on the Castle Rock Marine PD and which has been approved by the Town of Castle Rock of the County of Douglas, a copy of which is attached as Exhibit B, and incorporated herein by reference.

SECTION III USE AREAS

3.1 General Use Areas

- A. The land shall be divided into general use areas as indicated on the Preliminary PD Site Plan. Said general use areas shall consist of Commercial/Industrial (C/I) and Open Space Private (OSP). The aggregate number of acres within each type of use area is indicated on the Preliminary PD Site Plan. Development Standards for each of the use areas are established by this Ordinance. Allowed uses in each of the areas are set forth in this Section.

3.2 Commercial/Industrial (C/I) Use Area

- A. Intent: This District is established for the purpose of allowing commercial and industrial uses of the property, specifically the following uses.
- B. Uses Permitted by Right:
1. Auto repair garage: junked or abandoned vehicles shall not be allowed to be stored on the property.
 2. Automobile parking lots.
 3. Automobile sales and service.
 4. Banks, financial institutions.
 5. Boat and boat accessory sales, service, storage, and rental (both new and used) to include but not limited to jet skis and other personal water transportation devices.
 6. Car wash.
 7. Catering services.
 8. Equipment repair sales and rental.
 9. Feed stores.
 10. Government and public facilities.
 11. Indoor recreational facilities.

12. Laboratories, except those generating hazardous wastes regulated under the Federal Resource Conservation and Recovery Act, and those containing operations that result in noxious noise, dust, and odor which leave the property on which such use is located.
13. Laundry, coin operated.
14. Lumber yards.
15. Manufacturing, processing, and fabrication.
16. Medical offices and clinics.
17. Motorcycle and motorcycle accessory sales, service, storage and rental (both new and used) to include but not limited to all terrain vehicles, snow mobiles, and other personal transportation devices.
18. Office/show room.
19. Offices.
20. Personal service shops.
21. Pet stores.
22. Plant nursery.
23. Printing/copy shops.
24. Recreational vehicle, motor home and accessory sales, service, storage, and rental (both new and used).
25. Restaurants, including "fast food" restaurants with drive-through service.
26. Retail mailing and packaging services.
27. Retail sales establishments.
28. Self-storage units.
29. Trailer and accessory sales, service, storage and rental (both new and used) to include but not limited to mobile homes, modular homes, utility trailers, and horse trailers.

- 30. Veterinary hospitals provided that outdoor kennels are prohibited.
- 31. Warehousing.
- 32. Wholesale sales.
- 33. Accessory uses permitted by right pursuant to this ordinance.

C. Uses by Special Review: None

3.3 Open Space Private (OSP) Use Area

- A. Intent: The intent of this Use Area is to provide private open space.
 - 1. Private Open Space.
 - 2. Accessory uses permitted by right pursuant to this ordinance.

**SECTION IV
DEVELOPMENT STANDARDS**

4.1 Development Standards for designated Use Areas

The development standards for each of the use areas indicated on the Preliminary PD Site Plan are set forth below:

A. Maximum Floor Area Ratio:

Commercial/Industrial Use Area:	.40 FAR
Open Space Private Use Area:	N/A

B. Building Setbacks:

Front Yard Setback:	15 feet from the Front Property line
Rear Yard Setback:	20 feet
Side Yard Setback:	5 feet
Between Structures:	Per Building Code

C. Maximum Building Height: 35 feet

D. Private Open Space/Landscape Area: 3.11 Acres

E. Parking: Per Town Code

4.2 Fencing Standards

- A. Perimeter fencing will be permitted and is in conformance with applicable Town of Castle Rock Zoning Regulations at the time of approval of the Final Site Plan.
- B. Fences, walls or hedges shall be allowed within the building setbacks, on private land.
- C. Above ground electrically charged wire is prohibited.

4.3 Lighting Standards

- A. Exterior lighting will be permitted within the PD as follows:
 - 1. Lighting is to be in conformance with applicable Town of Castle Rock Zoning Regulations at the time of approval of the Final Site Plan.
 - 2. Lighting will be permitted in the storage and parking areas for security purposes and to illuminate vehicular and pedestrian traffic movement.

4.4 Signage Standards

- A. Signage will be permitted within the PD as follows:
 - 1. Signage is to be in conformance with applicable Town of Castle Rock Zoning Regulations at the time of approval of the Final Site Plan.

4.5 Landscaping

- A. Landscaping is to be in conformance with applicable Town of Castle Rock Zoning Regulations in effect at the time of approval of the Final Site Plan.

**SECTION V
TEMPORARY USES**

5.1 Temporary Uses

- A. Construction offices and material storage shall be permitted in all use areas during, and for a period of 30 days after cessation of, actual construction in those areas being served by such construction office or material storage area.

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

6.1 Accessory Uses Permitted by Right

The following Accessory Uses are permitted by Right in all Use Areas:

- A. Above and underground utility and communications distribution lines, to specifically include cable television distribution lines.
- B. Roadways, bike paths, pedestrian and equestrian trails.
- C. Storm water drainage facilities and drainage detention areas.
- D. Fences, walls, retaining walls.
- E. Water and sewer facilities.
- F. Landscape improvements.

**SECTION VII
SUBMISSION OF FINAL PLANNED DEVELOPMENT SITE PLANS
AND/OR PLATS AND ADDITIONAL INFORMATION**

- 7.1 Following the approval of this Ordinance and Preliminary P.D. Site Plan and the Preliminary Plat, the owners of the above-described site shall present a Final PD Site Plan and Final Plat for all or any portion or portions of the general use area as are then ready for development.
- 7.2 No structural building permit will be issued until a Final Site Plan and Final Plat for such area have been approved by the Town Council and filed for the public record.

**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.