

ORDINANCE NO. 85-67

AN ORDINANCE AMENDING THE
ZONING DISTRICT MAP OF
THE TOWN OF CASTLE ROCK, COLORADO
(PARK STREET BUSINESS CENTER II P.U.D.)

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

- (a) A petition has been filed with the Town Clerk requesting 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 32,967 square feet, described in Exhibit "A", attached hereto and made a part hereof, is changed from Zoning Classification I-1 (Light Industrial District) and R-1 (residential) to Zoning Classification PUD (Planned Unit Development District).

SECTION I.

DEFINITIONS

1.1 Building. A structure containing walls and a roof, designed for human occupancy.

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 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 or Structure Height. The vertical distance from the average grade surrounding a structure to the uppermost point of the roof or highest point of the 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 or structure height.

1.4 Structure. Any improvement, excluding parking areas, requiring the issuance of a building permit for erection or construction, which is not defined as a Building.

SECTION II.

USE AREAS

2.1 The land shall be divided into use areas as generally located on "Park Street Business Center II P.U.D. Preliminary Site Plan", approved contemporaneously herewith, which is incorporated by reference into this Ordinance. Said use areas shall be as designated below.

<u>Type Use Area</u>	<u>Acreage</u>
Business	3,900 square feet
Light Industrial	4,388 square feet
Landscaping, walks, parking loading and drives and other areas outside designated use areas	24,679 square feet
TOTAL AREA	32,967 square feet

SECTION III.

USES

3.1 Business Use Area.

The following are permitted uses in the Business Use Area:

- (a) Retail sales and service of new and used recreational vehicles and equipment including motorcycles, all-terrain vehicles, snowmobiles, hot tubs, spas, skis and sporting equipment and supplies.
- (b) Business service establishments.
- (c) Offices.
- (d) Wholesaling, exclusive of manufacturing.
- (e) All uses permitted in the Light Industrial (I-1) Zone District, as the zone district permitted uses may be amended from time to time by ordinance.

The following uses are uses by special review:

- (a) Eating and drinking establishments;
- (b) Financial institutions;
- (c) All uses allowed by special review in the Light Industrial (I-1) Zone District, as the zone district may be amended from time to time by ordinance.

3.2 Light Industrial.

The following uses are permitted uses in the Light Industrial Use Area:

- (a) All uses permitted in the Light Industrial (I-1) Zone District, as the zone district permitted uses may be amended from time to time by ordinance.

The following uses are uses by special review:

- (a) All uses allowed by special review in the Light Industrial (I-1) Zone District, as the zone district may be amended from time to time by ordinance.

SECTION IV.

PERMITTED ACCESSORY USES

4.1 All use areas.

- (a) Underground utility and communications distribution lines, to specifically include cable television distribution trunks and lines.
- (b) Fences.
- (c) Signage.

SECTION V.

BUILDING AND STRUCTURE LIMITATIONS

5.1 Maximum Building and Structural Ground Coverage - 35% of land, aggregate of all use areas.

5.2 Maximum Building Heights. 35 feet.

5.3 Maximum Structure Heights. 35 feet.

SECTION VI.

MINIMUM BUILDING SETBACKS

6.1 Minimum Setbacks (exclusive of parking areas and building sidewalks)

Front - 15 feet

Rear - 20 feet

Side - 5 feet

SECTION VII.

SUBMISSION OF FINAL PLANNED UNIT
DEVELOPMENT PLANS AND/OR PLATS

7.1 Following the approval of this Ordinance, the owner of the land shall present final site plans for all or any portion or portions of the use areas as are then ready for occupancy.

7.2 No structural building permit or certificate of occupancy will issue until a final site plan and final plat for such area has been presented to and 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. 83-22, 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.

PARKING REQUIREMENTS

8.1 Off-street parking is required for all land uses developed in the Planned Unit Development. The P.U.D. site plan approved herewith provides 43 parking spaces. As a condition of any use being made within the Planned Unit Development, off-street parking shall be provided for such use in accordance with the then applicable off-street parking ordinance and regulations.

SECTION IX.

P.U.D. TERMINATION

9.1 At such time as the Town's zone district regulations are substantially amended by ordinance, the owner(s) of the lands zoned hereby shall terminate the Planned Unit Development and rezone to Light Industrial (I-1) provided that any use of the property being made in accordance with this ordinance as of the date of termination of the P.U.D. zone, may be maintained as a legal non-conforming use subject to the non-conforming use provisions of the Municipal Code.


SECTION X.

SEVERABILITY OF PROVISIONS

10.1 In the event that any provision hereof shall be determined to be illegal or void by the final order of any court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

Passed and approved on first reading this 12th day of December, 1985, by vote of the Board of Trustees of the Town of Castle Rock, Colorado, 4 for and 0 against.

Passed and approved on second reading this 19th day of December, 1985, by vote of the Board of Trustees of the Town of Castle Rock, Colorado, 3 for and 0 against.



George J. Kennedy, Mayor
Town of Castle Rock

ATTEST:



Richard R. Wilson, Town Clerk

Approved as to form:

Bruce B. Lassman,
Town Attorney

Approved for Board action:

P. Joseph Knopinski,
Town Administrator

Publication Date: December 26, 1985

EXHIBIT "A"

PARCEL 1

Lot 6
Castle Industrial Park
Town of Castle Rock
Douglas County, Colorado

-and-

PARCEL 2

A tract of land situated in the Northwest 1/4 of the Northwest 1/4 of Section 11, Township 8 South, Range 67 West of the 6th Principal Meridian, Town of Castle Rock, Douglas County, Colorado, more particularly described as follows:

Beginning at the Southwest corner of Lot 6, Castle Industrial Park;

Thence S 17°49'40"E a distance of 95.49 feet;

Thence N 70°33'00"E a distance of 158.75 feet to the Southeast corner of said Lot 6;

Thence Westerly along the South line of said Lot 6 along the arc of a curve to the left a distance of 21.93 feet, said curve has a radius of 459.30 feet and a central angle of 2°44'10" to a point of tangent;

Thence N 78°09'40"W along said South line and along said tangent a distance of 161.00 feet to the point of beginning;

Containing 7620 square feet, more or less.