

Docusign Envelope ID: AB24D234-51F9-4248-AFA0-2D4E0D332A94

**THIRD AMENDMENT TO THE VILLAGES AT CASTLE ROCK – LIBERTY VILLAGE PORTION
PLANNED DEVELOPMENT ZONING REGULATIONS**

Date: February 6, 2026

Applicant: Town of Castle Rock - Castle Rock Fire (“Applicant”)

1. Applicants have requested an amendment to The Villages at Castle Rock, 2nd Amendment – Liberty Village Portion Planned Development (PD) Zoning Regulations approved by the Town Council by Ordinance 2004-09, recorded in the Douglas County public records (“Records”) on August 17, 2004, at reception no. 2004085668.
2. This Third Amendment to The Villages at Castle Rock – Liberty Village Portion PD Zoning Regulations (the “Third Amendment”) makes minor text amendments to Section 3.1.A of the Zoning Regulations, as follows:
 - 3.1 Open Space Use Areas - OSD, PUA and PLD.
 - A. OSD (Open Space Dedicated)
 1. Definition: Land proposed to meet the PD open space requirements and proposed to be dedicated to the Town.
 2. Permitted Uses: Open Space and passive recreation activities, including trails. **Other public uses – Fire station and logistics facility up to a maximum height of 50 feet on five acres or less near the intersection of Castle Oaks Drive and Pleasant View Drive.**
3. This Third Amendment qualifies as a “Minor Amendment” to the Zoning Regulations in accordance with Section 17.36.010 of the Castle Rock Municipal Code for the following reasons:
 - A. Section 3.1.C.2 of the Zoning Regulations already allows public uses within the PD; accordingly, no new land uses are being introduced to the PD Plan;
 - B. No area devoted to any single use is changed by more than 10%;
 - C. No density or intensity of any single use is changed by more than 10%;
 - D. No significant changes are made in the design; and
 - E. No new or additional impacts on adjacent properties are created.
4. This Third Amendment shall apply to all properties subject to the Zoning Regulations, as further described in the attached Exhibit A.
5. Except to the extent expressly modified by this Third Amendment, the Zoning Regulations shall remain in full force and effect. To the extent of any inconsistency between this Third Amendment and the Zoning Regulations, the terms and conditions of this Third Amendment shall control.

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ATTEST:

DocuSigned by:

Lisa Anderson

Lisa Anderson, Town Clerk

TOWN OF CASTLE ROCK:

DocuSigned by:

Tara Vargish

Tara Vargish, P.E., Director of Development Services

APPROVED AS TO FORM:

DocuSigned by:

Michael J. Hyman

Michael J. Hyman, Town Attorney

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Exhibit A
Legal Description

Tracts B-2-D, 8th Amendment to The Villages at Castle Rock, 2nd Amendment-Liberty Village Portion

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EXHIBIT B

**ZONING REGULATIONS
FOR
LIBERTY VILLAGE
(AN AMENDMENT TO THE VILLAGES OF CASTLE ROCK POD)**

TABLE OF CONTENTS:

Section I	General Provisions
Section II	Control Provisions
Section III	Use Areas
Section IV	Development Standards
Section V	Temporary Uses
Section VI	Accessory Uses Permitted in All Use Areas
Section VII	Planning and Design Controls
Section VIII	Final Planned Development Site Plans
Section IX	Transitional Use
Section X	Severability of Provisions

SECTION I
GENERAL PROVISIONS

- 1.1 **Adoption/Authorization.** The Town Council has adopted the Liberty Village Preliminary PD Site Plan and Zoning Regulations pursuant to Section 17.60 of Title 17 (Zoning) of the Castle Rock Municipal Code after appropriate public notice and hearing.
- 1.2 **Applicability.** The Liberty Village Preliminary PD Site Plan and Zoning Regulations shall run with and bind all landowners of record, their successors, heirs, or assigns of the land as approved by the Castle Rock Town Council.
- 1.3 **Maximum Level of Development.** The total number of dwelling units (1245) or total commercial, industrial or other non-residential floor area approved for development within the established Use Areas is the *maximum* allowed for platting and development. The minimum number of units shall be a reduction of no more than 20 percent in a planning area. The actual number of dwellings or 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.
- 1.4 **Relationship to Town Regulations.** The provisions of this Preliminary PD Site Plan and Zoning Regulations shall prevail and govern the development of the Liberty Village PD, provided, however, that where the provisions of the Preliminary PD Site Plan and Zoning Regulations do not address a particular subject, the relevant provisions of the Town of Castle Rock Zoning Ordinance, as amended, or any other applicable provisions of the Town Municipal Code shall be applicable.
- 1.5 **Development Agreement.** In addition to these regulations, certain provisions of the development of this PD property are controlled by an agreement between the Town of Castle Rock and the PD property owners.

This agreement, entitled Liberty Village Development Agreement, was adopted by the Town on the 27th day of April, 2004, by Ordinance No. 2004-09.

SECTION II CONTROL PROVISIONS

- 2.1 Use Area Boundaries: There shall be limited flexibility (a maximum of 10%) in determining the exact location and areas of Use Area Boundaries due to the scale of the drawings and the diagrammatic depiction of Use Areas. (Rounded corners and separation from other areas, etc.) Actual changes or adjustments to boundaries may only be made through the PD Amendment procedure as provided in the Town Code.
- 2.2 Road Alignments: The Preliminary PD Site Plan is intended to depict general locations of roadways. Recognizing that final road alignments are subject to engineering studies, minor road realignments of arterial and collector streets are expected, and can be accomplished by the developer through the platting process without any amendment to these regulations or to the Plan itself. Major road realignments, as determined by the Town Planning Director, shall follow the PD Amendment procedure as provided in the Town Code.

SECTION III USE AREAS

- 3.1 Single Family Use Areas: SF-1, SF-2, SF-3 & SF-4
- A. Permitted Uses:
1. Single-family detached residences, garages and accessory structures, i.e. gazebos, storage sheds, greenhouses, play equipment.
 2. Public recreation facilities, parks, playgrounds, and their structures.
 3. Temporary sales office, model homes and construction trailers.
 4. Accessory Dwelling Unit. A dwelling unit permitted on the same lot as single-family dwelling unit. An Accessory Dwelling Unit shall not exceed the greater of 800 sq. ft. or 33% of the floor area of the primary dwelling unit and must be located in the same structure as the primary dwelling unit or in an accessory structure that contains other uses accessory to the primary dwelling unit. Accessory Dwelling Units shall not be included in the calculation of total dwelling units for a neighborhood use area, unless the water tap size needed for the primary dwelling unit and the accessory dwelling unit exceeds the tap size for one Single Family Equivalent. In such case, the Accessory Dwelling Unit shall be included in the

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calculation for the dwelling units in such a neighborhood use area.

5. Accessory Uses are defined in R-1 Section 17.20.020 "G" of the Town Municipal Code.

B. Uses by Special Review:

1. Churches and other religious institutions.
2. Public and quasi-public facilities.

3.2 Commercial: C

A. Permitted Uses.

1. As defined in the B-2 General Business District including self-storage facilities.

3.1 Open Space Use Areas - OSD, PUA and PLD.

A. OSD (Open Space Dedicated)

1. Definition: Land proposed to meet the PD open space requirements and proposed to be dedicated to the Town.
2. Permitted Uses: Open Space and passive recreation activities, including trails. Other public uses – Fire station and logistics facility up to a maximum height of 50 feet on five acres or less near the intersection of Castle Oaks Drive and Pleasant View Drive.

B. PUA (Private Use Area)

1. Definition: Land proposed to meet the PD open space requirements and proposed to be held in private ownership.
2. Permitted Uses: Private parks, including active and passive recreation activities.

C. PLD (Public Land Dedication)

1. Definition: Land proposed to meet the land dedication requirements of the subdivision code of the Town.
2. Permitted Uses: Parks, schools and other public uses, active and passive recreation activities, preservation of land for public purposes, and including such structures and other improvements not inconsistent

DocuSign Envelope ID: AB24D234-51F9-4248-AFA0-2D4E0D332A94

with the Land Dedication and Planned Development District ordinances.

3.4 Utilities Dedication Use Area - UD.

- A. Definition: Land proposed to be dedicated for utility purposes, including but not limited to, water, sanitary sewer and storm water purposes.
- B. Permitted Uses:
 - 1. All Town owned and operated utilities.
 - 2. Other public and/or private utilities as authorized on a Final PD Site Plan.
 - 3. All uses permitted in the OSD and OSP Use Areas.

3.5 Maximum Permitted Densities.

- A. Single Family Area, SF-1: Average gross density of one-half (0.6) dwelling unit per acre within each such general use area
- B. Single Family Area, SF-2: Average gross density of 3.5 dwelling units per acre within each such general use area.
- C. Single Family Area, SF-3: Average gross density of 4.5 dwelling units per acre within each such general use area.
- D. Single Family Area, SF-4: Average gross density of 5.0 dwelling units per acre within each such general use area.
- E. The densities assigned to the various planning areas may not be exceeded. A reduction in density is permitted in all planning areas. In addition, the transfer of density between planning areas of similar densities is permitted, however, in no case may the number of units be increased in a planning area unless the same number of units are decreased in another planning area.

The mother-in-law/nanny units are not calculated in the maximum 1245 dwelling units.

SECTION IV
DEVELOPMENT STANDARDS

- 3.3 Overall Project Standards. The standard zoning requirements of the Town of Castle Rock Zoning Ordinance including off-street parking, landscaping, site

DocuSign Envelope ID: AB24D234-51F9-4248-AFA0-2D4E0D332A94

development, accessory and temporary uses, and use by special review and variance processes shall apply to this PD, except as modified by the following subsections:

3.4 General

<u>Standard</u>	<u>Use Areas</u>					
	<u>SF-1</u>	<u>SF-2</u>	<u>SF-3</u>	<u>SF-4</u>	<u>COMM</u>	<u>OS&PLD</u>
Gross Density	0.6 du/ac	3.5 du/ac	4.5 du/ac	5.0 du/ac		NA
Minimum Lot Area	43,560 SF	7200 SF ⁵	6000SF ⁶	5000 SF		NA
Lot Width						
Setbacks: ¹						
Front (back of walk) ²	25'	20'	20'	20'	³	-
Rear	25'	15'	15'	15'		-
Side Interior Lot	25'	5'	5'	5'		-
Side to Street	25'	15'	15'	15'		-
Max. Bldg. Height ⁴	35' - not including walkout					25'

Parking: Minimum off-street parking shall be as required pursuant to applicable ordinance of the Town of Castle Rock.

¹ Eaves, porches, bay windows, etc. may extend a maximum of 2 feet into the setback area. Play structures require a 6' setback. Retaining walls are allowed in the setback area.

² Accessory structures require a 30' front setback in SF-1 and 25' front setback in SF-2, SF-3 and SF-4 and are prohibited beyond the front face of the home or main structure.

³ To provide maximum flexibility for innovative design, the development criteria for minimum building setbacks will be determined at Final PD Site Plan.

⁴ As defined in the Town of Castle Rock Zoning Ordinance.

⁵ The lots in PA6 adjacent to the north property line shall be a minimum of 8000 SF.

⁶ The lots in PA4 adjacent to the south property line shall be a minimum of 7200 SF.

4.3 Fencing.

When a Building Envelope is shown on the Final PD Site Plan, privacy fencing will only be allowed within the Building Envelope. Privacy fencing is prohibited in the required front setback and beyond the front face of the home or main structure. However, one, two or three rail, open fencing (approved by the Homeowner Association) will be allowed at property boundaries.

4.4 Exterior Lighting.

No exterior lights of any sort may be erected, placed, installed or otherwise incorporated into the property, adjacent road right-of-way or adjacent property or open space wherein any glare or direct light is visible beyond the perimeter of the property. This applies to all lighting including, but not limited to entry lights, garage lights, driveway illumination and interior lights visible from off the property.

4.5 Utilities

All public utility distribution lines must be placed underground within residential planning areas.

SECTION V
TEMPORARY USES

5.1 **Temporary Uses:**

- A. Single family homes may be used as models and/or sales and information offices in those use areas where there are a Permitted Use. Provided, however that the use will cease within sixty days of a Certificate of Occupancy being issued for the last dwelling unit in this PD.
- B. 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 IN ALL USE AREAS

3.2 **Accessory Uses.**
FOR ALL USE AREAS

- A. Underground utility and communications distribution lines and above ground utility and transmission lines.
- B. Roadways, bike paths, pedestrian and equestrian trails.
- C. Parking Areas.

FOR ALL USE AREAS EXCLUDING OPEN SPACE SSE AREAS (OSD, PUA, PLD)

- D. Mobile sales and information units, provided that:
 - 1. Such temporary structure is located within a final plat.
 - 2. Sales are limited to those units within the subdivision in which the office is located.
 - 3. Adequate access, parking and sanitary facilities are provided.
 - 4. No such unit shall be maintained more than 30 days after the last lot or unit is sold.

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- E. Home Occupation, including both large and small in-home day care facilities as defined by the Town of Castle Rock Zoning Ordinance.
- F. Facilities for the acquisition, treatment and storage of water.
- G. Facilities for the collection, treatment and disposal of sewage.
- H. Facilities for the collection, storage and distribution of solar and geothermal energy sources.
- I. Local transit ways and terminals.
- J. Sales and information centers to include display dwelling units and private construction and sales offices for developers, subdevelopers and builders associated with the planned development.
- K. Accessory Dwelling Units.

SECTION VII
PLANNING AND DESIGN CONTROLS

7.1 This section applies only to the areas described below:

Single Family Use Areas: SF-1

7.2 Building Envelopes.

A. Description.

- 1. Development of lots within the areas described above shall be restricted to the confines of a described building envelope. Building envelopes shall be described as to size and dimensions on the face of the final plat.
- 2. Building envelopes for single-family detached residences shall include all clearing, grading, construction, irrigated landscaping and impervious areas, with the exception that entry driveways to the structure may extend from the building envelope to the principle access route.

B. Planning and Design Controls:

- 1. Siting: In the site planning, development and construction of any lot or structure, consideration shall be given to the relationship of roads and buildings to existing slope grades, and drainageways. All structures and roadways shall achieve a "fit" with the Landscape that is not intrusive and considers the following:

DocuSign Envelope ID: AB24D234-51F9-4248-AFA0-2D4E0D332A94

- a. Significant natural drainage ways shall not be disturbed or rerouted except where of general benefit to the Planned Unit Development and shall be subject to the review and approval of the Town of Castle Rock.
- b. Unique site features, whether topographic or of a surficial nature shall receive special consideration in any site planning or development. Such features shall be left undisturbed wherever practical in lot development.
- c. Structures in sloping areas shall be designed to conform to the slope by means of "stepped" foundations or similar methods that will keep grading and site preparation to a minimum. In principle, structures shall accommodate slope in design rather than cause slope to accommodate structures.
- d. Grading shall be shaped to compliment the natural landforms.
- e. Roads in steeply sloping or heavily vegetated areas shall be designed to minimize the area of disturbance. Clearing of vegetation with the right-of-way shall be "feathered" to create more natural appearing edges and to accommodate snow stacking.

SECTION VIII
FINAL PLANNED DEVELOPMENT SITE PLANS

- 8.1 Submission of Final PD Site Plans and plats and additional information. Following approval of the Preliminary PD Site Plan, the property owners shall submit a Preliminary Plat and Final PD Site Plan for all or any portion or portions of the general use areas as are then ready for development. No building permit will be issued until a Final PD Site Plan and Final Subdivision Plat have been approved for the property by the Town Council and duly recorded.

SECTION IX
TRANSITIONAL USE

- 9.1 After approval of the Preliminary PD Site Ptah incorporated herein by reference, any portion of the property described above, which has not been subject tv a Final PD Site Plan, may be used for agricultural purposes. Agricultural uses, for purposes of this section, shall mean farming, ranching, gardening, and buildings accessory to these uses. In no event shall commercial feed yards, poultry or hog farms or kennels be permitted.

DocuSign Envelope ID: AB24D234-51F9-4248-AFA0-2D4E0D332A94

Any activity permitted by this section shall be considered to be a valid pre-existing non-conforming use within the area described above until a Final PD Site Plan for such area or areas has been approved; provided, however, that the Town Council reserves the right to prohibit such agricultural uses in areas for which no Final PD Site Plan has been submitted if the Council determines that due to the proximity of such uses to developed areas a danger exists to the health, safety or welfare of the residents of such developed area(s).

SECTION 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.

OFFICIAL RECORDS
DOUGLAS COUNTY CO
CAROLE R. MURRAY
CLERK & RECORDER
RECORDING FEE: \$91.00
10 PGS

2004085669
08/17/2004 09:05 AM



PLAT IDENTIFICATION SHEET

MDC Land Corporation, Jerry B. Richmond, III, John J. Heaney, James L. Yates, Thomas Zieske, Theresa M. Kistner

GRANTOR(owner)

The Villages at Castle Rock, 2nd Amendment – Liberty Village Portion
Preliminary PD Site Plan

GRANTEE(name of plat)

Subdivision/Condo Name

Filing

Phase

Lot

Building

Block

Unit

20, 21, 22, 27, 28 & 29

7

66

OLD LEGAL(Section)

(Township)

(Range)

Preliminary PD Site Plan

The Villages at Castle Rock, 2nd Amendment—Liberty Village Portion

A PARCEL OF LAND LOCATED IN SECTIONS 20, 21, 22, 27, 28 & 29, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH P.M.
TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO (Including a Portion of Castle Oaks)

Legal Description (INCLUDES TWO PARCELS TO BE ANNEXED)

A parcel of land located in Sections 20, 21, 22, 27, 28, and 29, also being a portion of Castle Oaks and located in Township 7 South, Range 66 West of the Sixth Principal Meridian, County of Douglas, State of Colorado, more particularly described as follows:

Beginning at the Northwest corner of said Section 29;
thence N89°36'13"E along the North line of the Northwest quarter of said Section 29, 1317.11 feet to the Southwest corner of the Southeast quarter of the Southwest quarter of said Section 20;
thence N00°02'28"W along the West line of the Southeast quarter of the Southwest quarter of said Section 20, 1324.69 feet to the Northwest corner of the Southeast quarter of the Southwest quarter of said Section 20;
thence N89°33'52"E along the North line of the South half of the South half of said Section 20, 2637.52 feet to the Southwest corner of the Northeast quarter of the Southeast quarter of said Section 20;
thence N00°02'30"E along the West line of the Northeast quarter of the Southeast quarter of said Section 20, 1326.56 feet to the Northwest corner of the Northeast quarter of the Southeast quarter of said Section 20;
thence N89°31'28"E along the North line of the Northeast quarter of the Southeast quarter of said Section 20, 1316.72 feet to the Northwest corner of the Northwest quarter of the Southwest quarter of said Section 21;
thence N89°41'42"E along the North line of the South half of said Section 21, 1318.99 feet to the Northwest corner of the Northeast quarter of the Southwest quarter of said Section 21;
thence continuing N89°41'42"E along the North line of the South half of said Section 21, 3957.01 feet to the Southwest corner of the Southwest quarter of the Northwest quarter of said Section 22;
thence N00°16'22"E along the West line of the Southwest quarter of the Northwest quarter of said Section 22, 1325.60 feet to the Northwest corner of the Southwest quarter of the Northwest quarter of said Section 22;
thence S89°53'21"E along the North line of the Southwest quarter of the Northwest quarter of said Section 22, 1323.73 feet to the Northwest corner of the Southwest quarter of the Northwest quarter of said Section 22;
thence S00°14'49"W along the East line of the Southwest quarter of the Northwest quarter of said Section 22, 1325.20 feet to the Northeast corner of the West half of the Southwest quarter of said Section 22;
thence S00°13'43"W along the East line of the West half of the Southwest quarter of said Section 22, 2654.84 feet to the Northeast corner of the Northwest quarter of the Northwest quarter of said Section 27;
thence S00°06'30"W along the East line of the Northwest quarter of the Northwest quarter of said Section 27, 834.81 feet to a line 493.48 feet North of and parallel with the South line of the North half of the North half of said Section 27;
thence S89°57'52"E along said line, 2562.58 feet to the West right-of-way line of Colorado Highway No. 83;
thence S02°13'33"W along said West right-of-way line, 398.12 feet to a point of curve;
thence along said West right-of-way line and along said curve to the left having a radius of 11530.00 feet, a central angle of 00°28'32", 95.71 feet to the South line of the North half of the North half of said Section 27;
thence N89°57'52"E along the South line of the North half of the North half of said Section 27, 2544.73 feet to the Southwest corner of the Northeast quarter of the Northwest quarter of said Section 27;
thence continuing N89°57'52"W along the South line of the North half of the North half of said Section 27, 1324.29 feet to the Southeast corner of the Northeast quarter of the Northeast quarter of said Section 28;
thence S89°28'47"W along the South line of the North half of the Northeast quarter of said Section 28, 2634.25 feet to the Southeast corner of the Northeast quarter of the Northwest quarter of said Section 28;
thence S89°49'02"W along the South line of the Northeast quarter of the Northwest quarter of said Section 28, 1315.83 feet to the Southwest corner of the Northeast quarter of the Northwest quarter of said Section 28;
thence N00°05'13"E along the West line of the Northeast quarter of the Northwest quarter of said Section 28 and the East line of Outlot D of said Castle Oaks, 1645.40 feet to the South right-of-way line of Pleasant View Drive as platted in said Castle Oaks;
thence along the South right-of-way line of said Pleasant View Drive the following seven (7) courses:

- thence S50°38'08"W, 161.73 feet to a point of curve;
- thence along said curve to the left having a radius of 210.00 feet, a central angle of 54°00'00", 197.92 feet to a point of reverse curve;
- thence along said curve to the right having a radius of 270.00 feet, a central angle of 90°09'20", 424.12 feet to a point of reverse curve;
- thence along said curve to the left having a radius of 370.00 feet, a central angle of 96°00'30", 361.63 feet to a point of tangent;
- thence S30°38'08"W along said tangent, 260.00 feet to a point of curve;
- thence along said curve to the right having a radius of 430.00 feet, a central angle of 57°48'57", 433.90 feet to a point of tangent;
- thence S88°27'05"W along said tangent, 303.87 feet to the Northwest corner of said Outlot D;

thence S26°25'07"E along the West line of said Outlot D, 511.10 feet to the East line of the Northeast quarter of said Section 29;
thence S00°04'53"W along the East line of said Northeast quarter, 5.76 feet to the Southwest corner of the Northwest quarter of the Northwest quarter of said Section 28;
thence S00°04'53"W along the East line of the Northeast quarter of said Section 29, 1333.14 feet to the East quarter corner of said Section 29;
thence S00°04'53"W along the East line of the Southeast quarter of said Section 29, 2666.28 feet to the Southeast corner of said Section 29;
thence S89°49'31"W along the South line of the Southeast quarter of said Section 29, 782.02 feet;
thence N00°10'29"W, 14.90 feet to the Southwest corner of Lot 4, Block 8 of said Castle Oaks;
thence N19°56'15"W along the West line of said Lot 4, 1299.64 feet to a point on a curve on the right-of-way line of Antelope Place as platted in said Castle Oaks;
thence along the southerly right-of-way line of said Antelope Place the following four (4) courses:

- thence along said curve to the right having a radius of 92.50 feet, a central angle of 126°37'54" (the chord of which bears N46°36'57"W, 165.30 feet), 204.45 feet;
- thence N54°22'31"W, 141.04 feet to a point of curve;
- thence along said curve to the left having a radius of 370.00 feet, a central angle of 11°34'22", 74.73 feet to a point of tangent;
- thence N65°56'53"W along said tangent, 145.32 feet to the East right-of-way line of Pleasant View Drive;

thence along the East right-of-way line of said Pleasant View Drive the following three (3) courses:

- thence S25°57'43"W, 95.82 feet to a point of curve;
- thence along said curve to the right having a radius of 430.00 feet, a central angle of 30°59'00", 232.53 feet to a point of tangent;
- thence S56°56'43"W along said tangent, 156.72 feet;

thence N67°32'40"W, 70.54 feet to the Southeast corner of Lot 11, Block 7 of said Castle Oaks;
thence along the boundary of Lots 2, 3, 4, 8, 9, 10, and 11, Block 7 of Castle Oaks Filing No. 1 the following seven (7) courses:

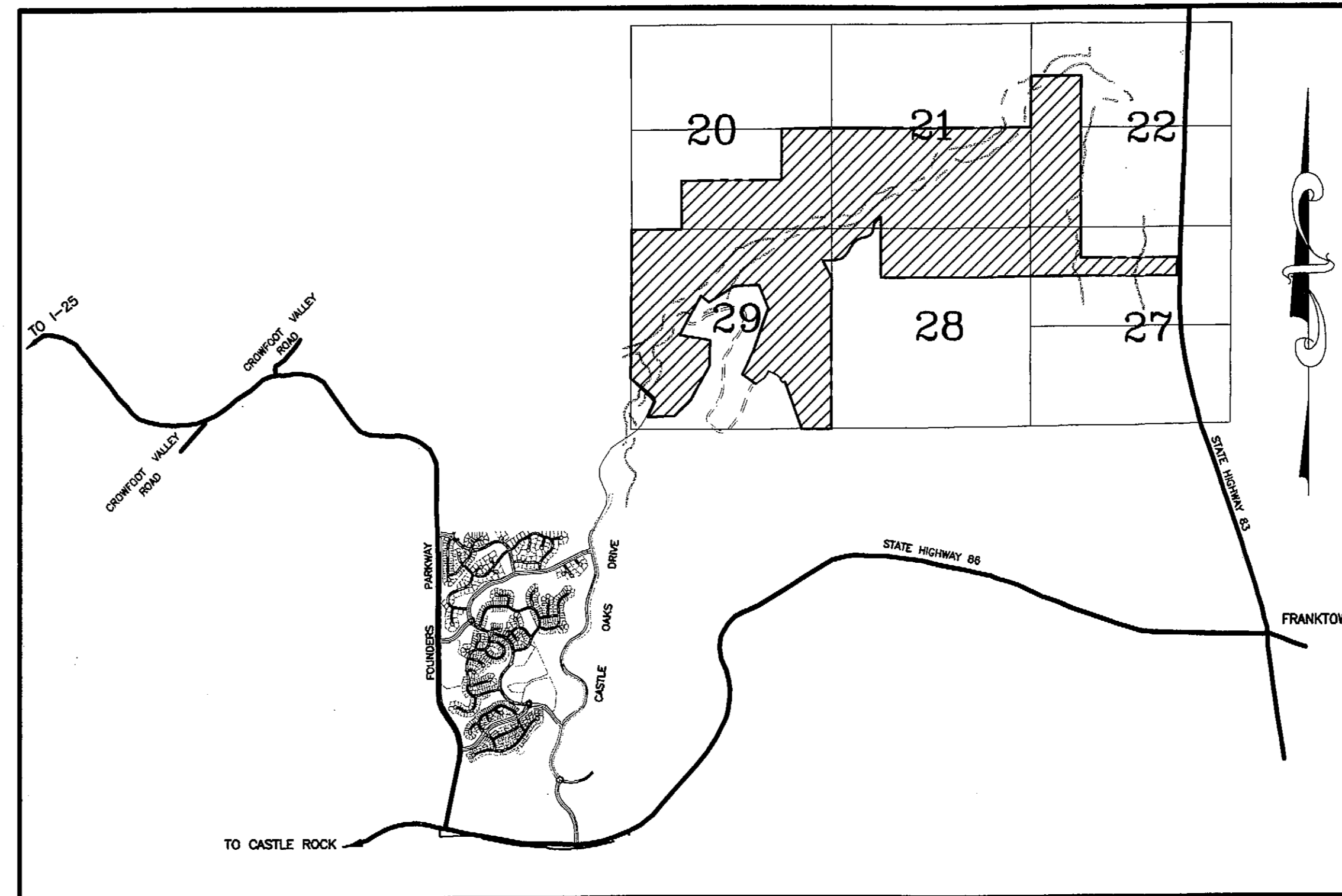
- thence N53°04'08"W along the southerly line of said Lot 11, 380.75 feet to the Southwest corner of said Lot 11;
- thence N25°29'33"E along the West line of said Lot 11, 720.00 feet to the Southwest corner of Lot 10;
- thence N19°29'33"E along the West line of said Lot 10, 1165.00 feet to the Southwest corner of Lot 9;
- thence N21°49'56"W along the West line of said Lot 9, 672.52 feet to the corner common to Lots 3, 4, 8, 9, 18, and 19 of Block 7;
- thence S87°12'33"W along the South line of said Lot 3, 649.13 feet to the Southwest corner of said Lot 3;
- thence S57°23'50"W along the southwesterly line of Lot 2, 799.94 feet to the southernmost corner of said Lot 2;
- thence N50°33'52"W along the southwesterly line of said Lot 2, 275.47 feet to the Southwest corner of said Lot 2;

thence S28°23'19"W along the East right-of-way line of Castle Oaks Drive, as platted in said Castle Oaks, 1180.45 feet to the Northwest corner of Lot 14, Block 6 of said Castle Oaks Filing No. 1;
thence along the boundary of Lots 12, 13, and 14, Block 6 of said Castle Oaks the following five (5) courses:

- thence S80°13'43"E along the North line of Lot 14, 808.48 feet to the Northeast corner of said Lot 14;
- thence S00°31'41"W along the East line of said Lot 14, 674.61 feet to the Northeast corner of Lot 13;
- thence S29°23'28"W along the East line of said Lot 13, 1040.00 feet to the Northeast corner of Lot 12;
- thence S45°23'28"W along the East line of said Lot 12, 592.53 feet to the Southeast corner of said Lot 12;
- thence S87°35'55"W along the South line of said Lot 12, 721.94 feet to the East right-of-way line of said Castle Oaks Drive;

thence N26°31'56"E along said East right-of-way line of said Castle Oaks Drive, 457.48 feet;
thence N17°31'51"W, 112.01 feet to the Southeast corner of Lot 16, Block 2 of said Castle Oaks;
thence N50°35'12"W along the southerly line of said Lot 16, 771.72 feet to the Northwest corner of the Southwest quarter of the Southeast quarter of said Section 29;
thence N00°23'10"E along the West line of the Northwest quarter of the Southwest quarter of said Section 29, 1323.73 feet to the West quarter corner of said Section 29;
thence N00°23'12"E along the West line of the Northwest quarter of said Section 29, 2646.55 feet to the Point of Beginning containing 1262.07 acres, more or less.

COVER SHEET
SHEET 1 OF 9



VICINITY MAP
SCALE: 1"=3000'

INDEX OF SHEETS

1	OF	9	COVER SHEET
2	OF	9	SIGNATURES
3	OF	9	SITE PLAN (BOUNDARY, SITE TOPOGRAPHY & SURROUNDING OWNERS)
4	OF	9	PRELIMINARY P.D. SITE PLAN
5	OF	9	CONCEPT PHASE MAP
6	OF	9	NATURAL FEATURES MAP
7	OF	9	UTILITY PLAN - SANITARY SEWER
8	OF	9	UTILITY PLAN - WATER SYSTEM
9	OF	9	DISTURBED AREA

OWNER/APPLICANT:

MDC Land Corporation and
Richmond American Homes
of Colorado, Inc.
6550 S. Greenwood Plaza Blvd.
Suite 3-117
Centennial, Colorado 80111
Attn: Jerry Richmond
303-773-2727

PLANNER:

Bernard Lash & Associates
26 West Dry Creek Circle
Suite 600
Littleton, CO 80120
Attn: Bernie Lash
303-798-8433

ENGINEER/SURVEYOR:

EMK Consultants, Inc.
7006 S. Alton Way
Bldg. F
Englewood, CO 80112
303-694-1520

PREPARED BY:

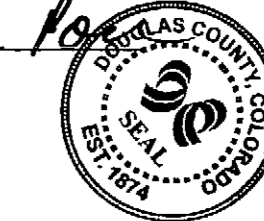
EMK CONSULTANTS, INC.
7006 SOUTH ALTON WAY, BUILDING F
CENTENNIAL, COLORADO 80112-2019

DOUGLAS COUNTY CLERK AND RECORDERS CERTIFICATE:

State of Colorado }
County of Douglas } SS

This Plat was filed for record in the office of the County Clerk and Recorder of Douglas County at 9:05 o'clock, A.M. on the 17th day of August, 2004. At Reception No. 2004085669.

Douglas County Clerk and Recorder
By: *Talaya P...*
Deputy



JANUARY, 2004



EMK CONSULTANTS, INC.
ENGINEERS · SURVEYORS
7006 SOUTH ALTON WAY, BUILDING F
CENTENNIAL, COLORADO 80112-2019
(303) 694-1520

NO.	REVISIONS	DATE	BY
1	PRE-SUBMITTAL COMMENTS	1-20-04	DSN
2	SUBMITTAL COMMENTS	2-19-04	DSN
3	RESUBMITTAL COMMENTS	3-26-04	DSN
4	RESUBMITTAL COMMENTS	5-05-04	DSN

Preliminary PD Site Plan

The Villages at Castle Rock, 2nd Amendment-Liberty Village Portion

A PARCEL OF LAND LOCATED IN SECTIONS 20, 21, 22, 27, 28 & 29, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH P.M. TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO (Including a Portion of Castle Oaks)

SHEET 2 OF 9 SIGNATURES

OWNERSHIP CERTIFICATION:

Except for Denver Water Storage Company and the Douglas County Commissioners, the undersigned are all of the owners of certain lands known herein as The Villages at Castle Rock, 2nd Amendment-Liberty Village Portion in the Town of Castle Rock.

By: Michael Touff
Michael Touff, Vice President
MDC Land Corporation a Colorado Corporation

Attest: Joseph H. Fretz
Joseph H. Fretz, Secretary
MDC Land Corporation, a Colorado Corporation.

Signed this 2nd day of AUGUST, 2004.

State of Colorado }
County of } SS

The foregoing instrument was acknowledged before me this 2nd day of August, A.D. 2004, by Michael Touff as Vice President and Joseph H. Fretz as Secretary of MDC Land Corporation, a Colorado Corporation.

Witness my hand and seal.

Bonnie S. Schlieker
Notary Public

My commission expires: 7/02/08
Address: 16550 S. Greenwood Plaza Blvd. Centennial, CO 80111

The undersigned are all of the owners of certain lands known herein as The Villages at Castle Rock, 2nd Amendment-Liberty Village Portion in the Town of Castle Rock.

By: Jerry B. Richmond III
Jerry B. Richmond III, Director
Rock District No. 6, and individually

Signed this 30th day of JULY, 2004.

State of Colorado }
County of DENVER } SS

The foregoing instrument was acknowledged before me this JULY 30, 2004 day of July, A.D. 2004, by Jerry B. Richmond III as Director of Villages of Castle Rock District No. 6, and individually

Witness my hand and seal.

Bonnie S. Schlieker
Notary Public

My commission expires: 11-13-04
Address: _____

The undersigned are all of the owners of certain lands known herein as The Villages at Castle Rock, 2nd Amendment-Liberty Village Portion in the Town of Castle Rock.

By: John J. Heaney
John J. Heaney as Director of Villages of Castle Rock District No. 6, and individually

Signed this 30th day of July, 2004.

State of Colorado }
County of Denver } SS

The foregoing instrument was acknowledged before me this 30 day of July, A.D. 2004, by John J. Heaney as Director of Villages of Castle Rock District No. 6, and individually

Witness my hand and seal.

Bonnie S. Schlieker
Notary Public

My commission expires: 11-13-06
Address: _____

The undersigned are all of the owners of certain lands known herein as The Villages at Castle Rock, 2nd Amendment-Liberty Village Portion in the Town of Castle Rock.

By: James L. Yates
James L. Yates

Signed this 30th day of July, 2004.

State of Colorado }
County of Denver } SS

The foregoing instrument was acknowledged before me this 30th day of July, A.D. 2004, by James L. Yates.

Witness my hand and seal.

Bonnie S. Schlieker
Notary Public

My commission expires: 11-13-06
Address: _____

The undersigned are all of the owners of certain lands known herein as The Villages at Castle Rock, 2nd Amendment-Liberty Village Portion in the Town of Castle Rock.

By: Thomas A. Zieske
Thomas A. Zieske

Signed this 30th day of July, 2004.

State of Colorado }
County of Denver } SS

The foregoing instrument was acknowledged before me this 30th day of July, A.D. 2004, by Thomas A. Zieske.

Witness my hand and seal.

Bonnie S. Schlieker
Notary Public

My commission expires: 11-13-06
Address: _____

The undersigned are all of the owners of certain lands known herein as The Villages at Castle Rock, 2nd Amendment-Liberty Village Portion in the Town of Castle Rock.

By: Theresa M. Kistner
Theresa M. Kistner

Signed this 30 day of July, 2004.

State of Colorado }
County of Denver } SS

The foregoing instrument was acknowledged before me this 30th day of July, A.D. 2004, by Theresa M. Kistner.

Witness my hand and seal.

Bonnie S. Schlieker
Notary Public

My commission expires: 11-13-06
Address: _____

TITLE CERTIFICATION:

I, Patricia A. Reid, an authorized representative of Stewart Title of Denver, Inc., 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 (except the Board of County Commissioners of the County of Douglas and The Denver Water Storage Company, a corporation), are listed in the Certificate of Ownership and Lienholder Subordination Certificate.

Signed this 12th day of August, 2004

Patricia A. Reid
Authorized Representative

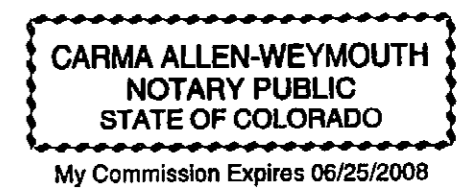
VP
Stewart Title of Denver, Inc.

The foregoing instrument was acknowledged before me this 12th day of August, A.D. 2004, by Patricia A. Reid, VP of Stewart Title of Denver, Inc.

Witness my hand and seal.

Carrie Allen Weymouth
Notary Public

My commission expires: 6/25/08
Address: 50 S. Steele # 600, Denver, CO 80204



SURVEYOR'S CERTIFICATE:

I, Jon S. McDaniel, a Registered Professional Land Surveyor in the State of Colorado, do hereby certify that the survey and legal description represented by The Villages at Castle Rock, 2nd Amendment-Liberty Village Portion was made under my supervision and the monuments shown thereon actually exist and this Site Plan accurately represents that survey.

Jon S. McDaniel
Jon S. McDaniel, P.L.S.
EMK Consultants, Inc.

TOWN CERTIFICATION:

A. Planning Commission Recommendation:

The Preliminary PD Site Plan and Zoning Regulations for The Villages at Castle Rock, 2nd Amendment-Liberty Village Portion was recommended for approval by the Planning Commission of the Town of Castle Rock, Colorado, on the 26th day of February, 2004.

[Signature] 4 Aug 04
Chairman Date

Attest: [Signature] 08/06/04
Director of Development Services Date

B. Town Council Approval:

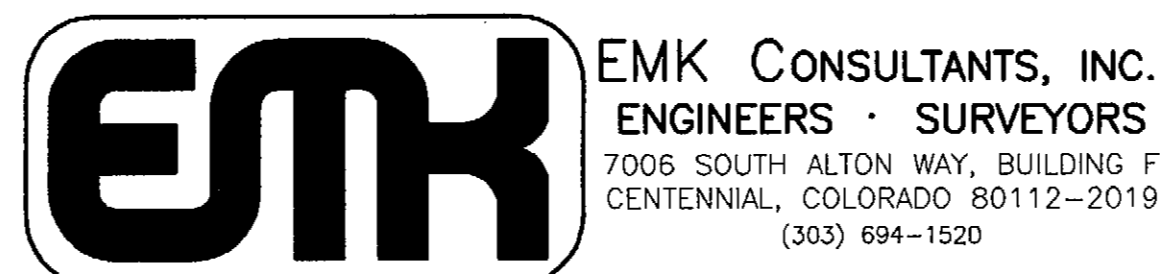
The Preliminary PD Site Plan for The Villages at Castle Rock, 2nd Amendment-Liberty Village Portion were approved by the Town Council of the Town of Castle Rock, Colorado, on the 29th day of April, 2004.

[Signature] 8-3-04
Mayor Date

[Signature] 8-3-04
Town Clerk Date



NO.	REVISIONS	DATE	BY
1	PRE-SUBMITTAL COMMENTS	1-20-04	DSN
2	SUBMITTAL COMMENTS	2-19-04	DSN
3	RESUBMITTAL COMMENTS	3-26-04	DSN
4	RESUBMITTAL COMMENTS	5-05-04	DSN



Preliminary PD Site Plan

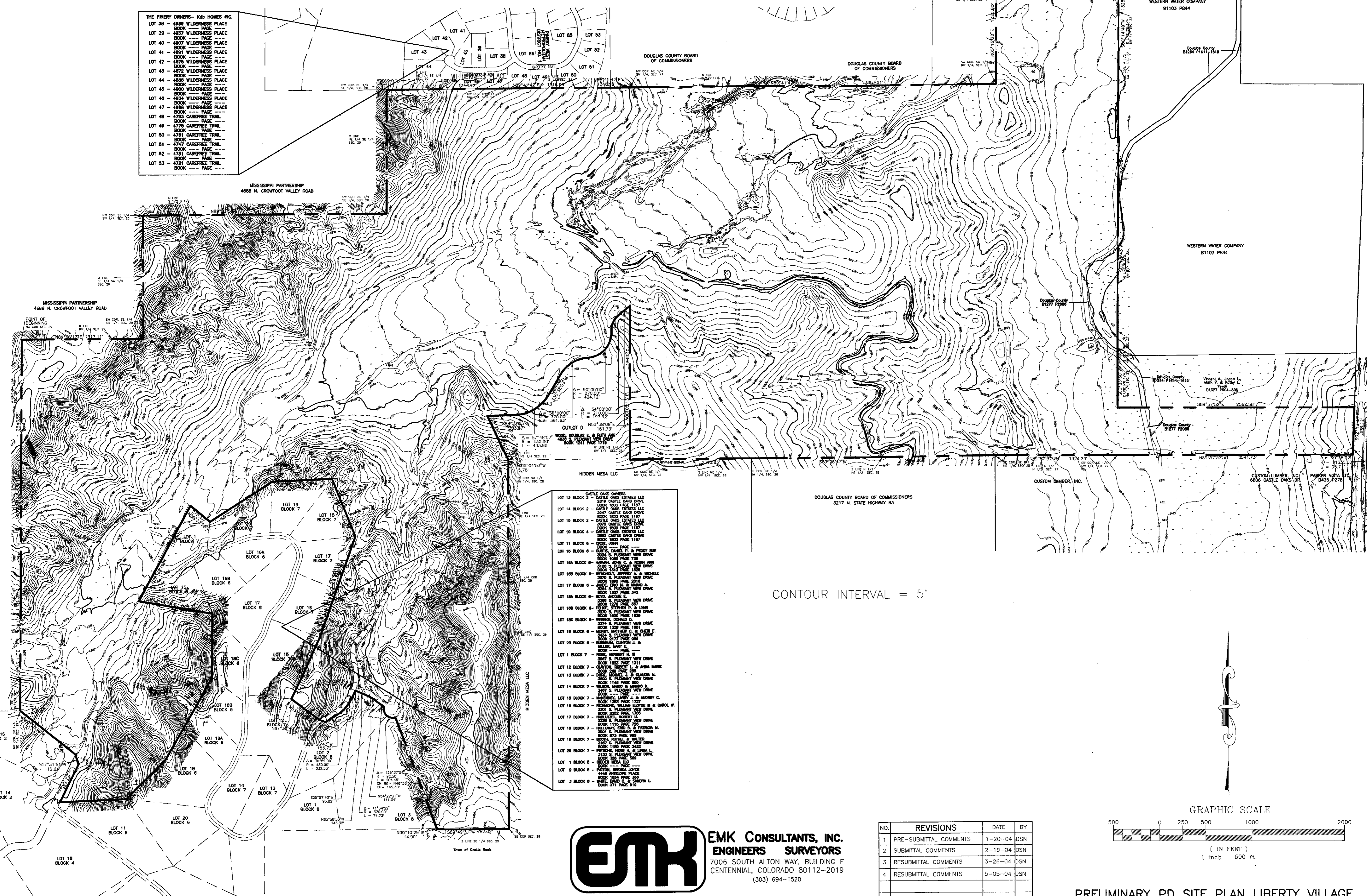
The Villages at Castle Rock, 2nd Amendment—Liberty Village Portion

A PARCEL OF LAND LOCATED IN SECTIONS 20, 21, 22, 27, 28 & 29, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH P.M., TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO (Including a Portion of Castle Oaks)

SHEET 3 OF 9

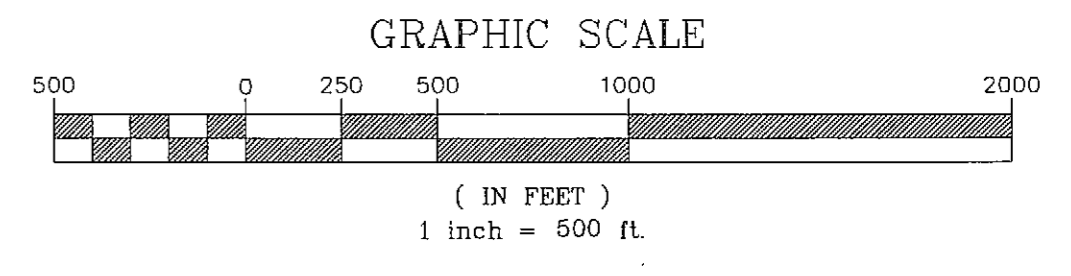
BOUNDARY, SITE TOPOGRAPHY & SURROUNDING OWNERS

- THE FINERY OWNERS - K&B HOMES INC.
- LOT 38 - 4899 WILDERNESS PLACE BOOK PAGE
 - LOT 39 - 4907 WILDERNESS PLACE BOOK PAGE
 - LOT 40 - 4907 WILDERNESS PLACE BOOK PAGE
 - LOT 41 - 4891 WILDERNESS PLACE BOOK PAGE
 - LOT 42 - 4875 WILDERNESS PLACE BOOK PAGE
 - LOT 43 - 4872 WILDERNESS PLACE BOOK PAGE
 - LOT 44 - 4888 WILDERNESS PLACE BOOK PAGE
 - LOT 45 - 4900 WILDERNESS PLACE BOOK PAGE
 - LOT 46 - 4834 WILDERNESS PLACE BOOK PAGE
 - LOT 47 - 4888 WILDERNESS PLACE BOOK PAGE
 - LOT 48 - 4783 CAREFREE TRAIL BOOK PAGE
 - LOT 49 - 4775 CAREFREE TRAIL BOOK PAGE
 - LOT 50 - 4781 CAREFREE TRAIL BOOK PAGE
 - LOT 51 - 4747 CAREFREE TRAIL BOOK PAGE
 - LOT 52 - 4731 CAREFREE TRAIL BOOK PAGE
 - LOT 53 - 4721 CAREFREE TRAIL BOOK PAGE



- CASTLE OAKS OWNERS
- LOT 13 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 14 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 15 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 16 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 17 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 18 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 19 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 20 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 21 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 22 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 23 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 24 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 25 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 26 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 27 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 28 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 29 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 30 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 31 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 32 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 33 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 34 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 35 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 36 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 37 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 38 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 39 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 40 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 41 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 42 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 43 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 44 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 45 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 46 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 47 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 48 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 49 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 50 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 51 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 52 BLOCK 2 - CASTLE OAKS ESTATES LLC
 - LOT 53 BLOCK 2 - CASTLE OAKS ESTATES LLC

CONTOUR INTERVAL = 5'



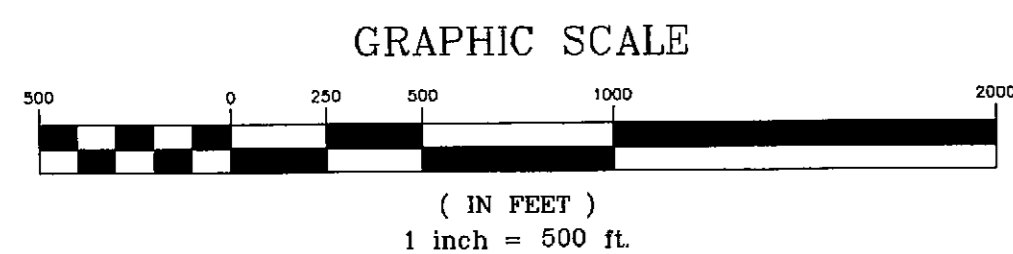
EMK CONSULTANTS, INC.
ENGINEERS SURVEYORS
7006 SOUTH ALTON WAY, BUILDING F
CENTENNIAL, COLORADO 80112-2019
(303) 694-1520

NO.	REVISIONS	DATE	BY
1	PRE-SUBMITTAL COMMENTS	1-20-04	DSN
2	SUBMITTAL COMMENTS	2-19-04	DSN
3	RESUBMITTAL COMMENTS	3-26-04	DSN
4	RESUBMITTAL COMMENTS	5-05-04	DSN

Existing Zoning: PD-Planned Development

Land Use	Acres	Du's	% of Acreage
SINGLE FAMILY 4 du/ac	295.4	1182	22%
SINGLE FAMILY 6 du/ac	154.8	929	11%
MULTI-FAMILY 12 du/ac	88.2	1058	7%
MULTI-FAMILY 20 du/ac	130.8	2616	10%
NB	5.0		1%
IB	36.5		3%
DUA	567.2		42%
ROW	59.6		4%
TOTAL	1337.5	5785 (4.32 Du's/Ac.)	100%

- NOTES:
 1. Existing Zoning: PD-Planned Development
 2. Gross Density: 4.32 du/ac



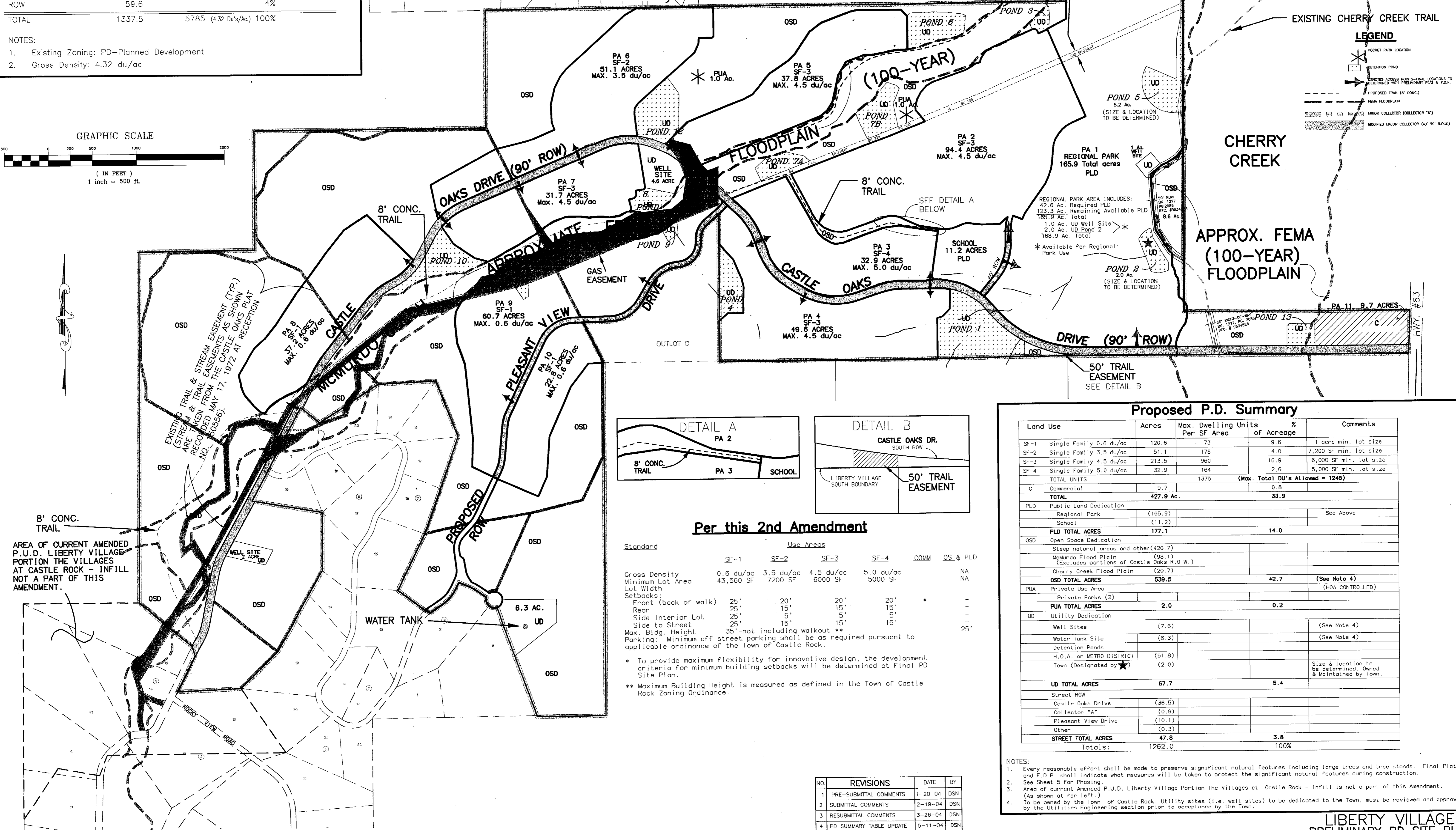
Preliminary PD Site Plan

The Villages at Castle Rock, 2nd Amendment-Liberty Village Portion

A PARCEL OF LAND LOCATED IN SECTIONS 20, 21, 22, 27, 28 & 29, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH 1/4 M. TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO (Including a Portion of Castle Oaks)

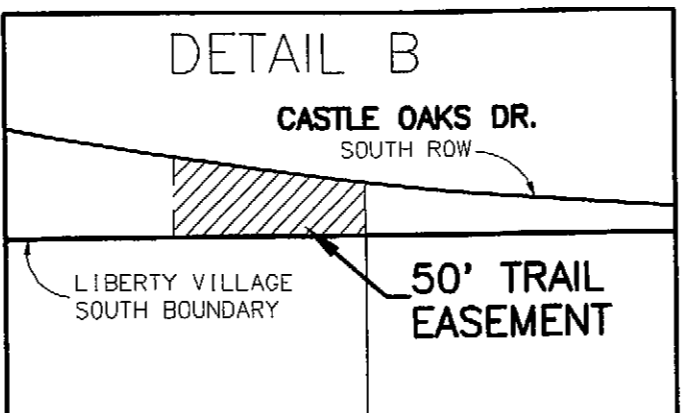
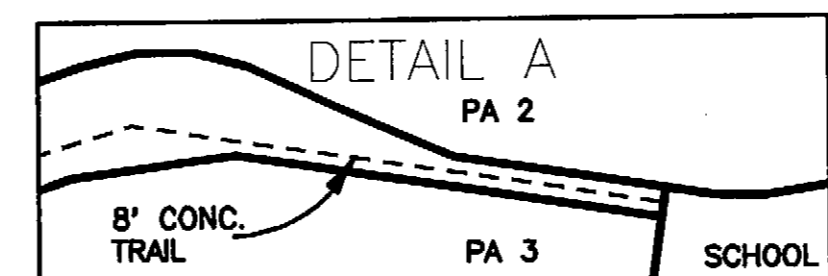
SHEET 4 OF 9

Preliminary PD Site Plan



EXISTING TRAIL & STREAM EASEMENTS (TYP.) ARE TAKEN FROM THE CASTLE OAKS PLAT RECORDED MAY 17, 1972 AT RECEPTION NO. 005568.

AREA OF CURRENT AMENDED P.U.D. LIBERTY VILLAGE PORTION THE VILLAGES AT CASTLE ROCK - INFILL NOT A PART OF THIS AMENDMENT.



Per this 2nd Amendment

Standard	Use Areas				
	SF-1	SF-2	SF-3	SF-4	COMM OS & PLD
Gross Density	0.6 du/ac	3.5 du/ac	4.5 du/ac	5.0 du/ac	NA
Minimum Lot Area	43,560 SF	7200 SF	6000 SF	5000 SF	NA
Lot Width					
Setbacks:					
Front (back of walk)	25'	20'	20'	20'	*
Rear	25'	15'	15'	15'	
Side Interior Lot	25'	5'	5'	5'	
Side to Street	25'	15'	15'	15'	
Max. Bldg. Height	35'-not including walkout **				
Parking:	Minimum off street parking shall be as required pursuant to applicable ordinance of the Town of Castle Rock.				

- * To provide maximum flexibility for innovative design, the development criteria for minimum building setbacks will be determined at Final PD Site Plan.
- ** Maximum Building Height is measured as defined in the Town of Castle Rock Zoning Ordinance.

Proposed P.D. Summary

Land Use	Acres	Max. Dwelling Units Per SF Area	% of Acreage	Comments
SF-1 Single Family 0.6 du/ac	120.6	73	9.6	1 acre min. lot size
SF-2 Single Family 3.5 du/ac	51.1	178	4.0	7,200 SF min. lot size
SF-3 Single Family 4.5 du/ac	213.5	960	16.9	6,000 SF min. lot size
SF-4 Single Family 5.0 du/ac	32.9	164	2.6	5,000 SF min. lot size
TOTAL UNITS		1376		(Max. Total DU's Allowed = 1245)
C Commercial	9.7		0.8	
TOTAL	427.9 Ac.		33.9	
PLD Public Land Dedication				
Regional Park (165.9)				See Above
School (11.2)				
PLD TOTAL ACRES	177.1		14.0	
OSD Open Space Dedication				
Sleep natural areas and other (420.7)				
McMurdo Flood Plain (98.1) (Excludes portions of Castle Oaks R.O.W.)				
Cherry Creek Flood Plain (20.7)				
OSD TOTAL ACRES	539.5		42.7	(See Note 4)
PUA Private Use Area				
Private Parks (2)				(HOA CONTROLLED)
PUA TOTAL ACRES	2.0		0.2	
UD Utility Dedication				
Well Sites (7.6)				(See Note 4)
Water Tank Site (6.3)				(See Note 4)
Detention Ponds				
H.O.A. or METRO DISTRICT (51.8)				
Town (Designated by ★) (2.0)				Size & location to be determined. Owned & Maintained by Town.
UD TOTAL ACRES	67.7		5.4	
Street ROW				
Castle Oaks Drive (36.5)				
Collector "A" (0.9)				
Pleasant View Drive (10.1)				
Other (0.3)				
STREET TOTAL ACRES	47.8		3.8	
Totals:	1262.0		100%	

- NOTES:
 1. Every reasonable effort shall be made to preserve significant natural features including large trees and tree stands. Final Plot and F.D.P. shall indicate what measures will be taken to protect the significant natural features during construction.
 2. See Sheet 5 for Phasing.
 3. Area of current Amended P.U.D. Liberty Village Portion The Villages at Castle Rock - Infill is not a part of this Amendment. (As shown at far left.)
 4. To be owned by the Town of Castle Rock. Utility sites (i.e. well sites) to be dedicated to the Town, must be reviewed and approved by the Utilities Engineering section prior to acceptance by the Town.

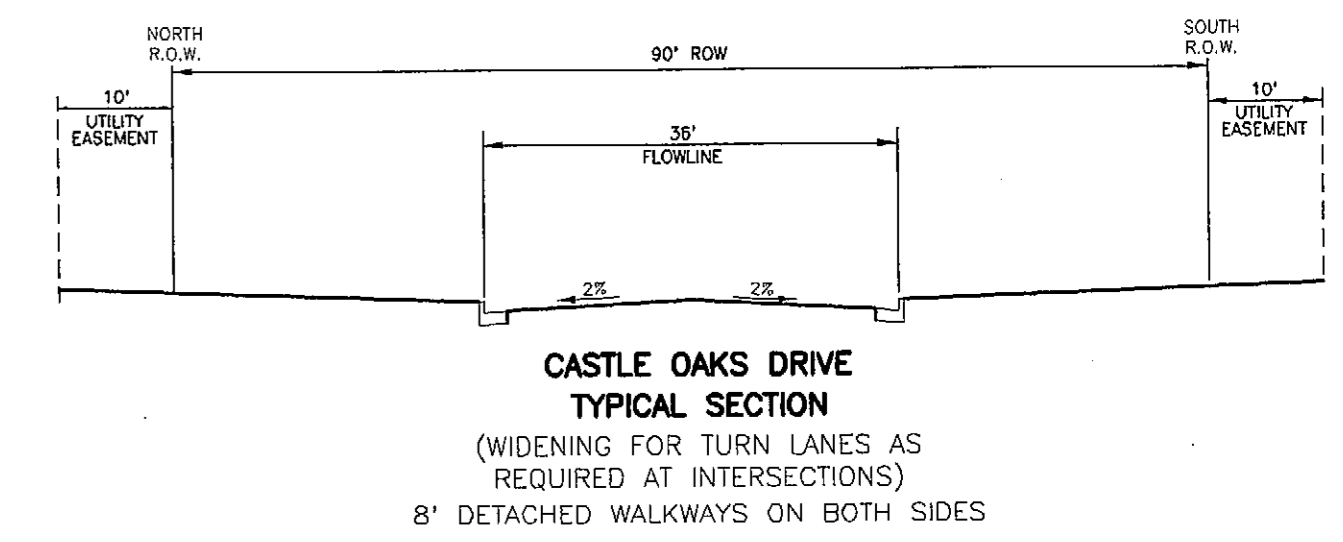
NO.	REVISIONS	DATE	BY
1	PRE-SUBMITTAL COMMENTS	1-20-04	DSN
2	SUBMITTAL COMMENTS	2-19-04	DSN
3	RESUBMITTAL COMMENTS	3-26-04	DSN
4	PD SUMMARY TABLE UPDATE	5-11-04	DSN

Preliminary PD Site Plan

The Villages at Castle Rock, 2nd Amendment-Liberty Village Portion

A PARCEL OF LAND LOCATED IN SECTIONS 20, 21, 22, 27, 28 & 29, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH P.M.
TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO (Including a Portion of Castle Oaks)

SHEET 5 OF 9
CONCEPT PHASE MAP



DESCRIPTION
ALL OVERLAP GRADING FOR LIBERTY VILLAGE TO BE DONE WITH PHASE I AND TO INCLUDE ROUGH GRADING FOR ALL DETENTION AND WATER QUALITY PONDS
STREETS
CASTLE OAKS DRIVE - -COMPLETE INTERSECTION IMPROVEMENTS WITH HIGHWAY 83 WIDENING PER STATE ACCESS CODE. -COMPLETE FULL CASTLE OAKS DRIVE SECTION IMPROVEMENTS ALONG COMMERCIAL FRONTAGE FROM S.H. 83 TO A LOCATION TO BE DETERMINED.
TEMPORARY TRANSITION TO EXISTING ROADWAY ALIGNMENT WITH TEMPORARY SECTION THROUGH CHERRY CREEK FLOODPLAIN
COMPLETE FULL CASTLE OAKS DRIVE SECTION FROM SECONDARY REGIONAL PARK ACCESS (A 300 FEET OFF CHERRY CREEK WEST FLOODPLAIN LIMITS) THROUGH THE INTERSECTION OF PLEASANT VIEW DRIVE, EAST OF McMURDO GULCH.
PROVIDE ALL WEATHER SURFACE UTILIZING EXISTING McMURDO BRIDGE CROSSING NO. 1 ALONG CASTLE OAKS DRIVE AND THROUGH PA-6 FOR CONTIGUOUS EMERGENCY ACCESS ROAD CONNECTION INTO PINERY WEST PRIOR TO ISSUANCE OF 1ST BUILDING PERMIT.
CONSTRUCT INTERIM GRAVEL ROADWAY FOR CASTLE OAKS DRIVE ALIGNMENT FROM EMERGENCY ACCESS ROAD CONNECTION SOUTHWEST THROUGH THE REMAINDER OF LIBERTY VILLAGE PROJECT AND CONNECT TO EXISTING CASTLE OAKS DRIVE GRAVEL ROADWAY AT BOUNDARY WITH CASTLE OAKS. EXISTING McMURDO BRIDGE CROSSING NO. 2 TO BE UTILIZED.
COLLECTOR "A" ON EAST BOUNDARY OF SCHOOL SITE AND TWO (2) OTHER CASTLE OAKS ENTRANCE CONNECTIONS
DRAINAGE
DETENTION PONDS 1, 2 (ROUGH GRADE ONLY)
COMPLETE POND IMPROVEMENTS FOR PONDS 3, 5, 10, 12 AND 13
McMURDO CHANNEL IMPROVEMENTS WITH EXISTING CASTLE OAKS DRIVE CROSSING NO. 1 TO REMAIN.
SANITARY SEWER
15" TRUNK LINE CONNECTION IN PINERY WEST TO THE NORTH AND TRUNK EXTENSION TO METERING STATION
12" TRUNK LINE EXTENSION THROUGH REGIONAL PARK AND INTO PA 2 WITH APPROPRIATE STUB LOCATIONS ACROSS CASTLE OAKS DRIVE
FORCE MAIN TO SERVE COMMERCIAL SITE TO BE INSTALLED WITH FULL ROADWAY IMPROVEMENTS IN CONJUNCTION WITH WATER LINE EXTENSION. (SEE BELOW)
WATER
COMPLETE RED ZONE LINE EXTENSION WITHIN CASTLE OAKS SUBDIVISION IF NOT IN PLACE. INSTALL PRIVY AND EXTEND BLUE ZONE LINE IN CASTLE OAKS DRIVE THROUGH CASTLE OAKS SUBDIVISION PAST PLEASANT VIEW DRIVE WITHIN LIBERTY VILLAGE. INSTALL PRIVY AND EXTEND YELLOW ZONE LINE TO WATER TANK SITE.
COMPLETE YELLOW ZONE LINE WITHIN CASTLE OAKS DRIVE
COMPLETE LINE EXTENSION AND LOOP IN CASTLE OAKS DRIVE TO APPROXIMATELY THE WEST FLOODPLAIN LIMIT OF CHERRY CREEK. DEFER WATER LINE EXTENSION TO THE COMMERCIAL SITE UNTIL TEMPORARY SECTION OF CASTLE OAKS DRIVE TO ACCOMMODATE BRIDGE REPLACEMENT BY THE TOWN IS COMPLETED AND FULL ROADWAY IMPROVEMENT IS PURSUED.

*ALL-WEATHER = ASPHALT OR CONCRETE, CAPABLE OF SUPPORTING 25,000 LBS. EMERGENCY VEHICLE.
-EMERGENCY ACCESS ROAD MUST INCLUDE GATE AND OPTICOM SYSTEM

PHASE II	PLANNING AREA
II	PA 2
	PA 9
	PA 10

DESCRIPTION
STREETS
COMPLETE INTERNAL SYSTEM WITHIN PA 2 & PLEASANT VIEW DRIVE WITHIN PA 9 & PA 10
ALL INTERNAL ROADWAYS
DRAINAGE (NOTE: PONDS PREVIOUSLY GRADED WITH PHASE I)
COMPLETE INTERNAL SYSTEM WITHIN PA 2, PA 9 AND PA 10
COMPLETE POND IMPROVEMENTS FOR PONDS 7B & 9
SANITARY SEWER
COMPLETE INTERNAL SYSTEM WITHIN PA 2 WITH STUBS ACROSS CASTLE OAKS DRIVE AND OTHER APPROPRIATE LOCATIONS FOR FUTURE PHASING CONNECTIONS.
COMPLETE INTERNAL SYSTEM WITHIN PA 10 & PORTION OF PA 9
WATER
COMPLETE INTERNAL SYSTEM OF PA 2 AND EXTENSION TO PA 9 AND PA 10
McMURDO TRAIL
COMPLETE TRAIL FROM CASTLE OAKS DRIVE TO THE NORTH PROJECT BOUNDARY

PHASE III	PLANNING AREA
III	PA 3

DESCRIPTION
STREETS
COMPLETE INTERNAL SYSTEM WITHIN PA 3
ALL INTERNAL ROADWAYS
DRAINAGE (NOTE: PONDS PREVIOUSLY GRADED WITH PHASE I)
COMPLETE INTERNAL SYSTEM WITHIN PA 3
COMPLETE POND IMPROVEMENTS FOR POND 7A
INTERNAL DRAINAGE/STORM SEWER SYSTEM
SANITARY SEWER
COMPLETE INTERNAL SYSTEM WITHIN PA 3
WATER
COMPLETE INTERNAL SYSTEM WITHIN PA 3

PHASE IV	PLANNING AREA
IV	PA 4

DESCRIPTION
STREETS
COMPLETE INTERNAL SYSTEM WITHIN PA 4
DRAINAGE (NOTE: PONDS PREVIOUSLY GRADED WITH PHASE I)
COMPLETE INTERNAL SYSTEM WITHIN PA 4
COMPLETE POND IMPROVEMENTS FOR PONDS 1 & 4
SANITARY SEWER
COMPLETE INTERNAL SYSTEM WITHIN PA 4
WATER
COMPLETE INTERNAL SYSTEM WITHIN PA 4

PHASE V	PLANNING AREA
V	PA 5

DESCRIPTION
STREETS
CASTLE OAKS DRIVE - -COMPLETE McMURDO BRIDGE CROSSING NO. 1 REPLACEMENT. -COMPLETE FULL CASTLE OAKS DRIVE SECTION IMPROVEMENTS THROUGH PA 6 AND PA 7 FRONTAGE. -TRANSITION BACK TO EXISTING GRAVEL ROADWAY SECTION TO WEST IN PLACE FROM PHASE I.
COMPLETE INTERNAL SYSTEM WITHIN PA 5
DRAINAGE (NOTE: PONDS PREVIOUSLY GRADED WITH PHASE I)
COMPLETE INTERNAL SYSTEM WITHIN PA 5
COMPLETE POND IMPROVEMENTS FOR POND 6
SANITARY SEWER
COMPLETE INTERNAL SYSTEM WITHIN PA 5
COMPLETE CONNECTION ACROSS McMURDO GULCH TO PA 2
WATER
COMPLETE INTERNAL SYSTEM WITHIN PA 5
COMPLETE LOOP ACROSS McMURDO GULCH TO PA 2

PHASE VI	PLANNING AREA
VI	PA 7

DESCRIPTION
STREETS
COMPLETE INTERNAL SYSTEM WITHIN PA 7
DRAINAGE (NOTE: PONDS PREVIOUSLY GRADED WITH PHASE I)
COMPLETE INTERNAL SYSTEM WITHIN PA 7
COMPLETE POND IMPROVEMENTS FOR POND 8
SANITARY SEWER
COMPLETE INTERNAL SYSTEM WITHIN PA 7
WATER
COMPLETE INTERNAL SYSTEM WITHIN PA 7
McMURDO TRAIL (REFER TO DEVELOPMENT AGREEMENT FOR ALTERNATIVES ON TIMING & ARRANGEMENTS)
COMPLETE TRAIL FROM CASTLE OAKS DRIVE TO THE SOUTH PROJECT BOUNDARY

PHASE VII	PLANNING AREA
VII	PA 6

DESCRIPTION
STREETS
COMPLETE INTERNAL SYSTEM WITHIN PA 6
DRAINAGE (NOTE: PONDS PREVIOUSLY GRADED WITH PHASE I)
COMPLETE INTERNAL SYSTEM WITHIN PA 6
SANITARY SEWER
COMPLETE INTERNAL SYSTEM WITHIN PA 6
WATER
COMPLETE INTERNAL SYSTEM WITHIN PA 6

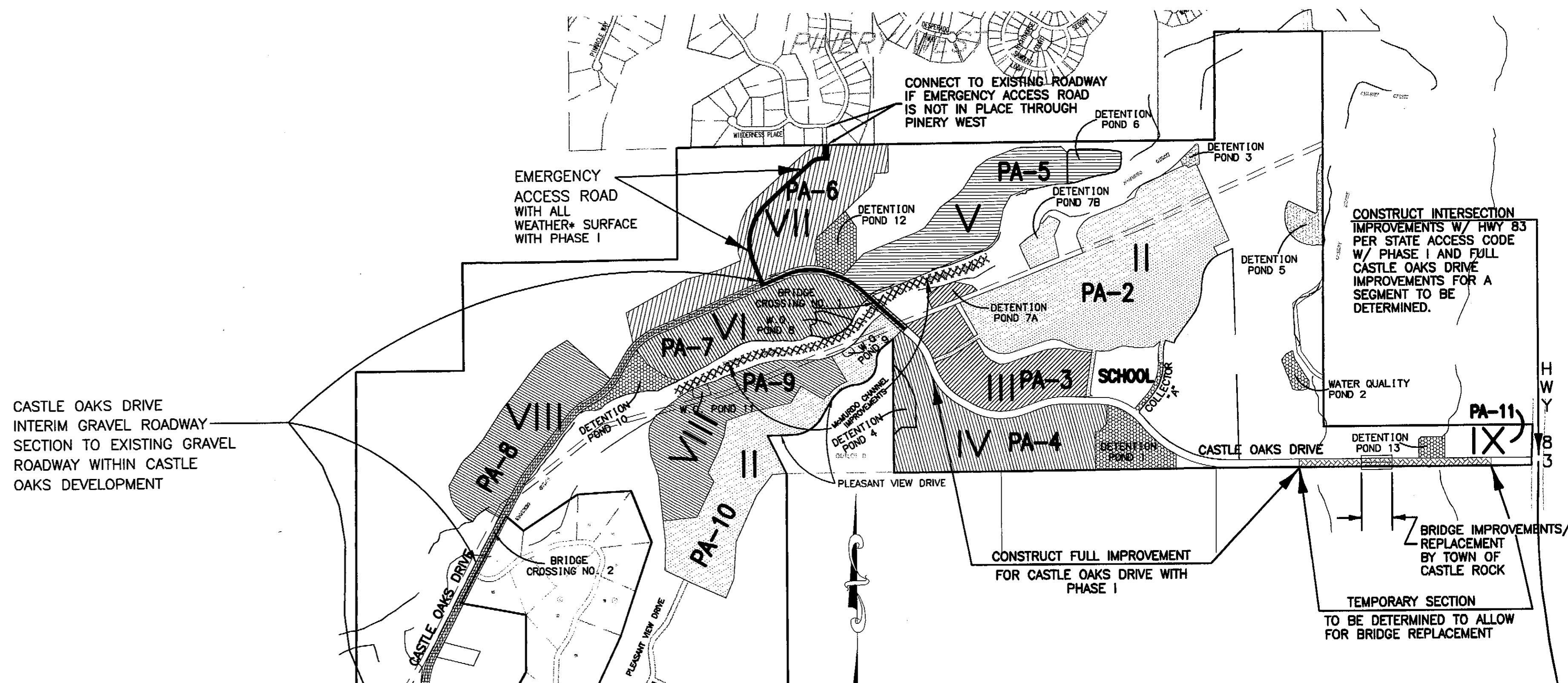
PHASE VIII	PLANNING AREA
VIII	PA 8

DESCRIPTION
STREETS
CASTLE OAKS DRIVE - (NOTE: WORK ON THIS PHASE OF CASTLE OAKS DRIVE TO COMMENCE WITH ISSUANCE OF THE FLORIN BUILDING PERMIT OR 2012, WHOEVER IS FIRST.) -COMPLETE McMURDO BRIDGE CROSSING NO. 2 REPLACEMENT. -COMPLETE FULL CASTLE OAKS DRIVE SECTION IMPROVEMENTS FROM PHASE V LIMIT TO PROJECT BOUNDARY. -AN INTERIM PAVED ACCESS ROAD (22" ASPHALT) THROUGH TO FOUNDERS PARKWAY SHALL BE COMPLETED WITH PHASE VII OF LIBERTY VILLAGE IF CASTLE OAKS ESTIMATES, L.L.C. (ITS SUCCESSORS OR ASSIGNS) HAS NOT COMPLETED NECESSARY IMPROVEMENTS TO CASTLE OAKS DRIVE/AUTUMN SAGE STREET/ RISING SUN DRIVE.
COMPLETE INTERNAL SYSTEM WITHIN PA 8 & COMPLETE INTERNAL SYSTEM WITHIN PA 8.
DRAINAGE (NOTE: PONDS PREVIOUSLY GRADED WITH PHASE I)
COMPLETE INTERNAL SYSTEM WITHIN PA 8 & COMPLETE INTERNAL SYSTEM WITHIN PA 8
COMPLETE IMPROVEMENTS FOR WATER QUALITY POND 11
SANITARY SEWER
COMPLETE INTERNAL SYSTEM WITHIN PA 8 & COMPLETE INTERNAL SYSTEM WITHIN PA 8
WATER
COMPLETE INTERNAL SYSTEM WITHIN PA 8 & COMPLETE INTERNAL SYSTEM WITHIN PA 8

PHASE IX	PLANNING AREA
IX	PA 11

DESCRIPTION
STREETS
ADD TURN LANES TO CASTLE OAKS DRIVE AT ENTRANCES INTO COMMERCIAL AREA
COMPLETION OF PRIVATE INTERNAL ROADWAY
DRAINAGE (NOTE: PONDS PREVIOUSLY GRADED WITH PHASE I)
POND 13 COMPLETE IN PLACE WITH PHASE I
SANITARY SEWER
LIFT STATION AND FORCE MAIN CONSTRUCTED & FORCE MAIN CONNECTED
COMPLETE INTERNAL SYSTEM
WATER
COMPLETE INTERNAL SYSTEM

NOTE: WATER QUALITY POND 2 TO BE COMPLETED WITH REGIONAL PARK IMPROVEMENTS



Project to be pursued as one final plat w/ all public facilities dedicated. Phasing shown is for construction only.

CONCEPT PHASE MAP
SCALE: 1"=1000'

- NOTES:
- 1) ALL IMPROVEMENTS AS LISTED ARE THE RESPONSIBILITY OF EITHER THE VILLAGES OF CASTLE ROCK METROPOLITAN DISTRICT NO. 6 OR THE DEVELOPER. THE TOWN OF CASTLE ROCK IS RESPONSIBLE FOR THE CASTLE OAKS DRIVE BRIDGE IMPROVEMENTS OVER CHERRY CREEK AND THE WATER TANK IMPROVEMENTS.
 - 2) PUBLIC IMPROVEMENTS IN PHASE I MUST BE CONSTRUCTED FIRST.
 - 3) ROADWAY IMPROVEMENTS FOR THE FULL SECTION OF CASTLE OAKS DRIVE SHALL BE COMPLETED IN ACCORDANCE WITH THE NUMERICAL ORDER OF THE PHASING PLAN. IN THE EVENT THE DEVELOPMENT PROCEEDS OUT OF NUMERICAL ORDER, THE FULL CASTLE OAKS DRIVE ROADWAY SECTION SHALL BE CONSTRUCTED SO THAT A CONTIGUOUS COMPLETED ROADWAY SECTION EXISTS FROM STATE HIGHWAY NO. 83 THROUGH TO THE WESTERN BOUNDARY OF THE PHASE UNDER CONSTRUCTION. THIS WOULD INCLUDE THE McMURDO CROSSING IMPROVEMENTS AS NECESSARY.
 - 4) IN THE EVENT PHASING PROCEEDS OUT OF NUMERICAL ORDER, ALL NECESSARY PUBLIC IMPROVEMENTS INCLUDING ROADWAY SYSTEMS, WATER DISTRIBUTION LINES, SANITARY SEWER MAINS AND STORM WATER SYSTEMS FROM EACH PHASE NECESSARY TO SERVE THE OUT-OF-SEQUENCE PHASE MUST BE CONSTRUCTED AND FUNCTIONAL PRIOR TO ISSUANCE OF BUILDING PERMITS FOR THE OUT-OF-SEQUENCE PHASE.

EMK EMK CONSULTANTS, INC.
ENGINEERS · SURVEYORS
7006 SOUTH ALTON WAY, BUILDING F
CENTENNIAL, COLORADO 80112-2019
(303) 694-1520

NO.	REVISIONS	DATE	BY
1	PRE-SUBMITTAL COMMENTS	1-20-04	DSN
2	SUBMITTAL COMMENTS	2-19-04	DSN
3	RESUBMITTAL COMMENTS	3-26-04	DSN
4	RESUBMITTAL COMMENTS	5-05-04	DSN

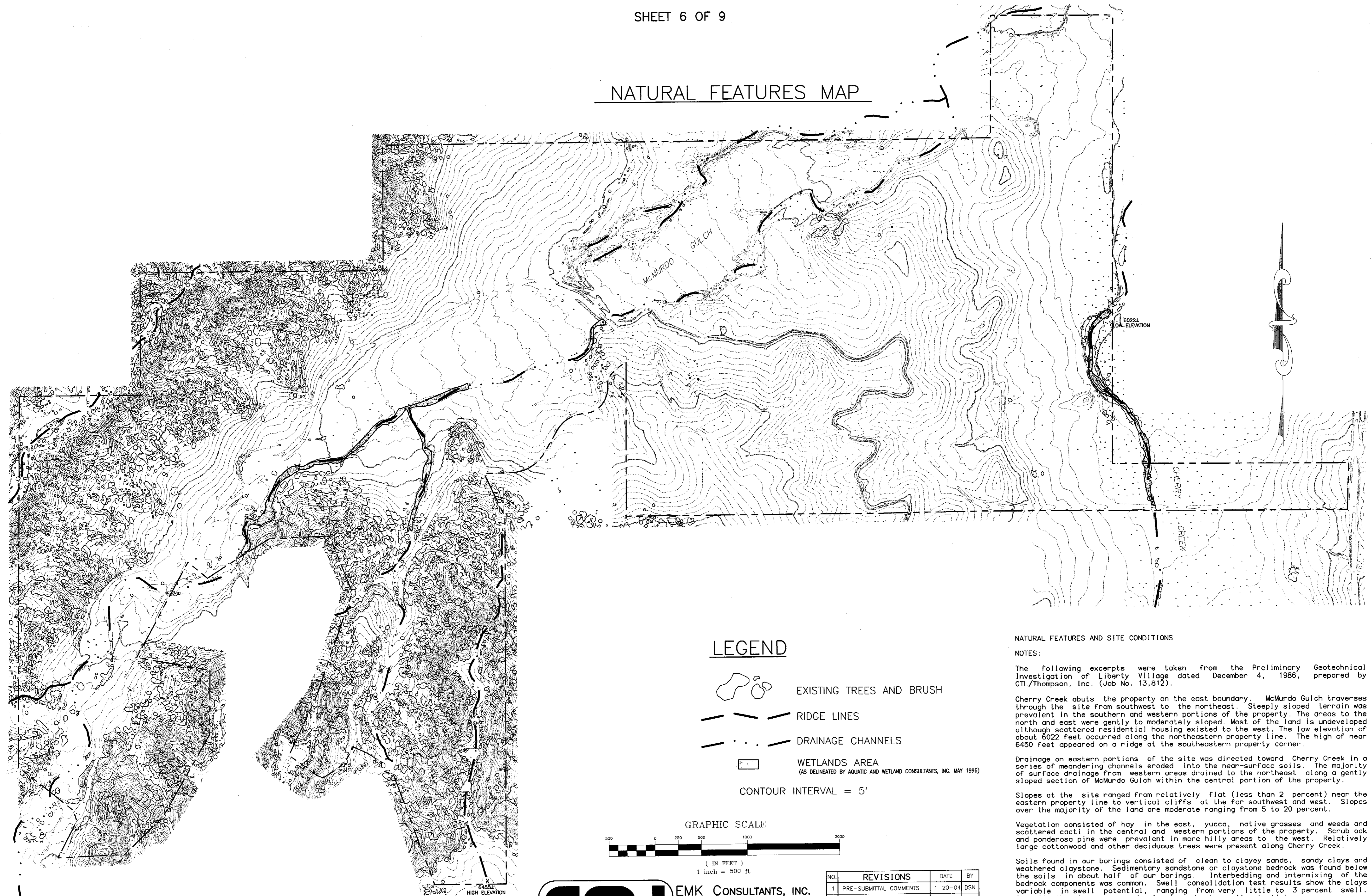
Preliminary PD Site Plan

The Villages at Castle Rock, 2nd Amendment—Liberty Village Portion

A PARCEL OF LAND LOCATED IN SECTIONS 20, 21, 22, 27, 28 & 29, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH P.M.
TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO (Including a Portion of Castle Oaks)

SHEET 6 OF 9

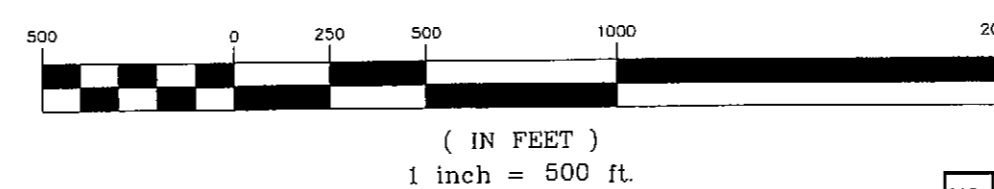
NATURAL FEATURES MAP



LEGEND

- EXISTING TREES AND BRUSH
- RIDGE LINES
- DRAINAGE CHANNELS
- WETLANDS AREA
(AS DELINEATED BY AQUATIC AND WETLAND CONSULTANTS, INC. MAY 1996)
- CONTOUR INTERVAL = 5'

GRAPHIC SCALE



NATURAL FEATURES AND SITE CONDITIONS

NOTES:

The following excerpts were taken from the Preliminary Geotechnical Investigation of Liberty Village dated December 4, 1986, prepared by CTL/Thompson, Inc. (Job No. 13,812).

Cherry Creek abuts the property on the east boundary. McMurdo Gulch traverses through the site from southwest to the northeast. Steeply sloped terrain was prevalent in the southern and western portions of the property. The areas to the north and east were gently to moderately sloped. Most of the land is undeveloped although scattered residential housing existed to the west. The low elevation of about 6022 feet occurred along the northeastern property line. The high of near 6450 feet appeared on a ridge at the southeastern property corner.

Drainage on eastern portions of the site was directed toward Cherry Creek in a series of meandering channels eroded into the near-surface soils. The majority of surface drainage from western areas drained to the northeast along a gently sloped section of McMurdo Gulch within the central portion of the property.

Slopes at the site ranged from relatively flat (less than 2 percent) near the eastern property line to vertical cliffs at the far southwest and west. Slopes over the majority of the land are moderate ranging from 5 to 20 percent.

Vegetation consisted of hay in the east, yucca, native grasses and weeds and scattered cacti in the central and western portions of the property. Scrub oak and ponderosa pine were prevalent in more hilly areas to the west. Relatively large cottonwood and other deciduous trees were present along Cherry Creek.

Soils found in our borings consisted of clean to clayey sands, sandy clays and weathered claystone. Sedimentary sandstone or claystone bedrock was found below the soils in about half of our borings. Interbedding and intermixing of the bedrock components was common. Swell consolidation test results show the clays variable in swell potential, ranging from very little to 3 percent swell. Overall, the clays possessed a low to moderate swell potential.

NO.	REVISIONS	DATE	BY
1	PRE-SUBMITTAL COMMENTS	1-20-04	DSN
2	SUBMITTAL COMMENTS	2-19-04	DSN
3	RESUBMITTAL COMMENTS	3-26-04	DSN
4	RESUBMITTAL COMMENTS	5-05-04	DSN



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PRELIMINARY PD SITE PLAN
LIBERTY VILLAGE

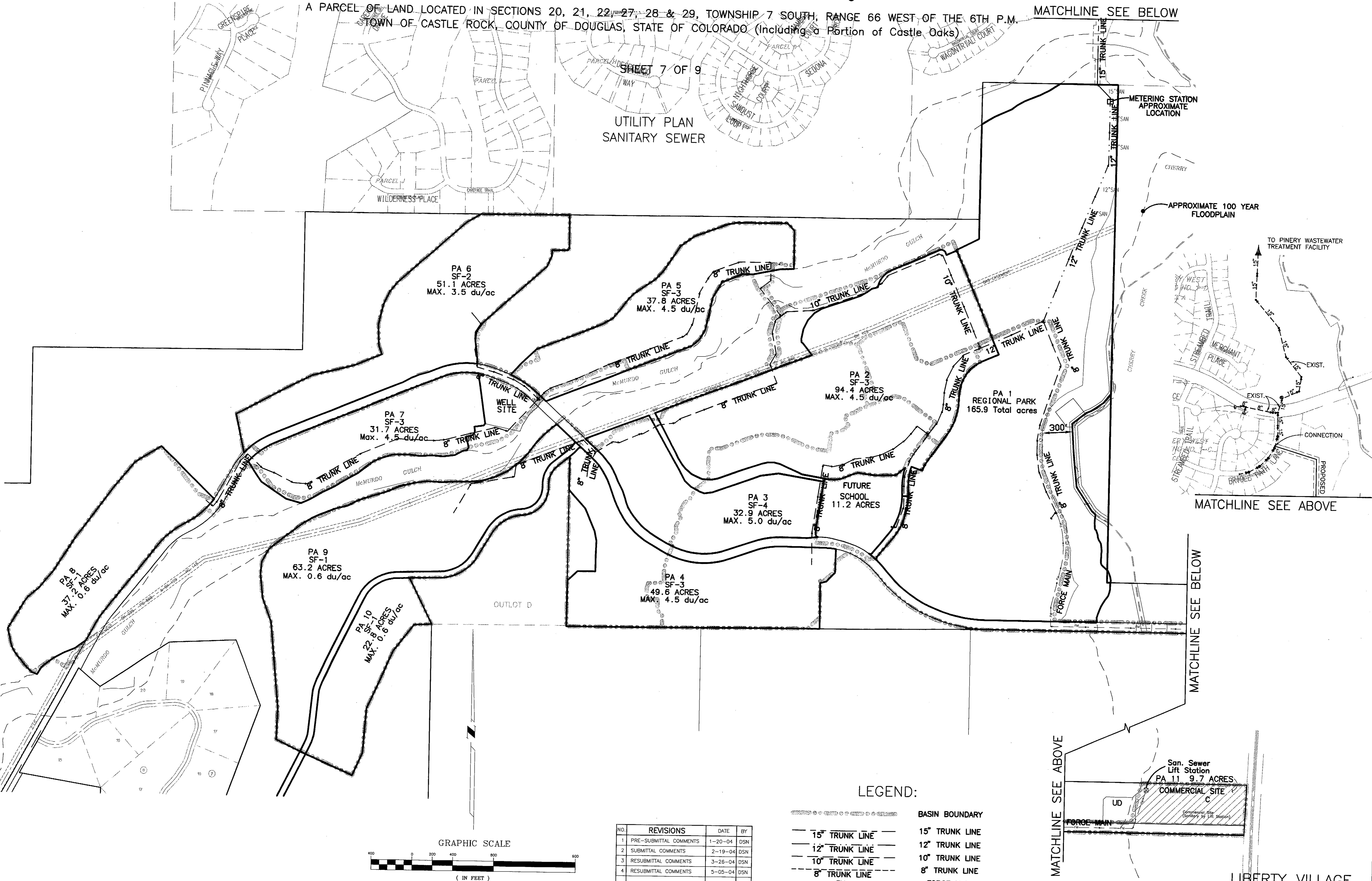
SHEET 6 OF 9
EMK JOB NO. 11948.02

Preliminary PD Site Plan

The Villages at Castle Rock, 2nd Amendment—Liberty Village Portion

A PARCEL OF LAND LOCATED IN SECTIONS 20, 21, 22, 27, 28 & 29, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH P.M. TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO (Including a Portion of Castle Oaks) MATCHLINE SEE BELOW

SHEET 7 OF 9
UTILITY PLAN
SANITARY SEWER



PA 8
SF-1
37.2 ACRES
MAX. 0.6 du/ac

PA 9
SF-1
63.2 ACRES
MAX. 0.6 du/ac

PA 10
SF-1
22.8 ACRES
MAX. 0.6 du/ac

PA 6
SF-2
51.1 ACRES
MAX. 3.5 du/ac

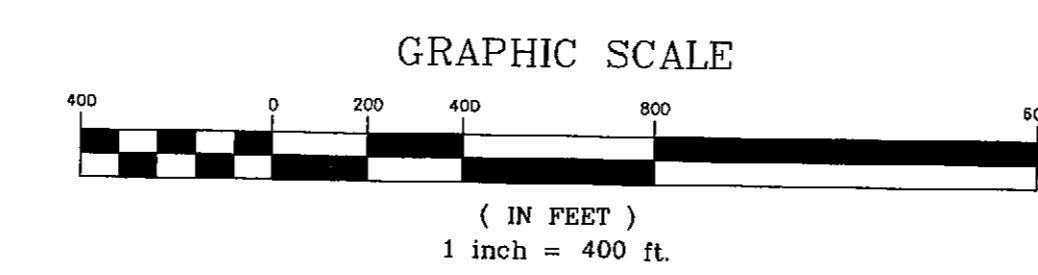
PA 4
SF-3
49.6 ACRES
MAX. 4.5 du/ac

PA 3
SF-4
32.9 ACRES
MAX. 5.0 du/ac

PA 5
SF-3
37.8 ACRES
MAX. 4.5 du/ac

PA 2
SF-3
94.4 ACRES
MAX. 4.5 du/ac

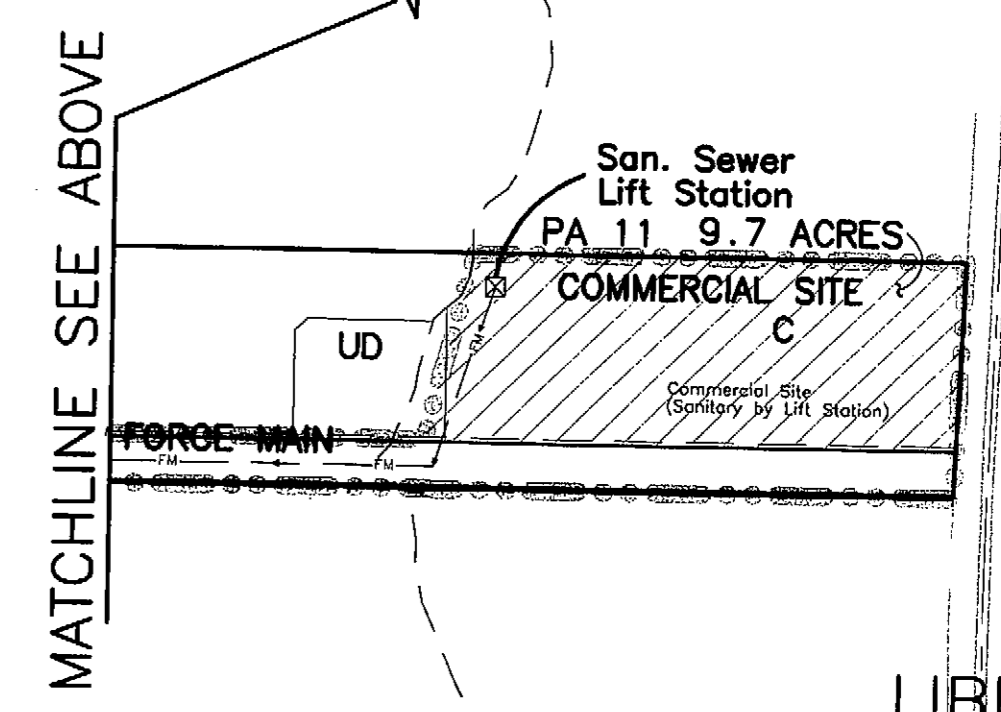
PA 1
REGIONAL PARK
165.9 Total acres



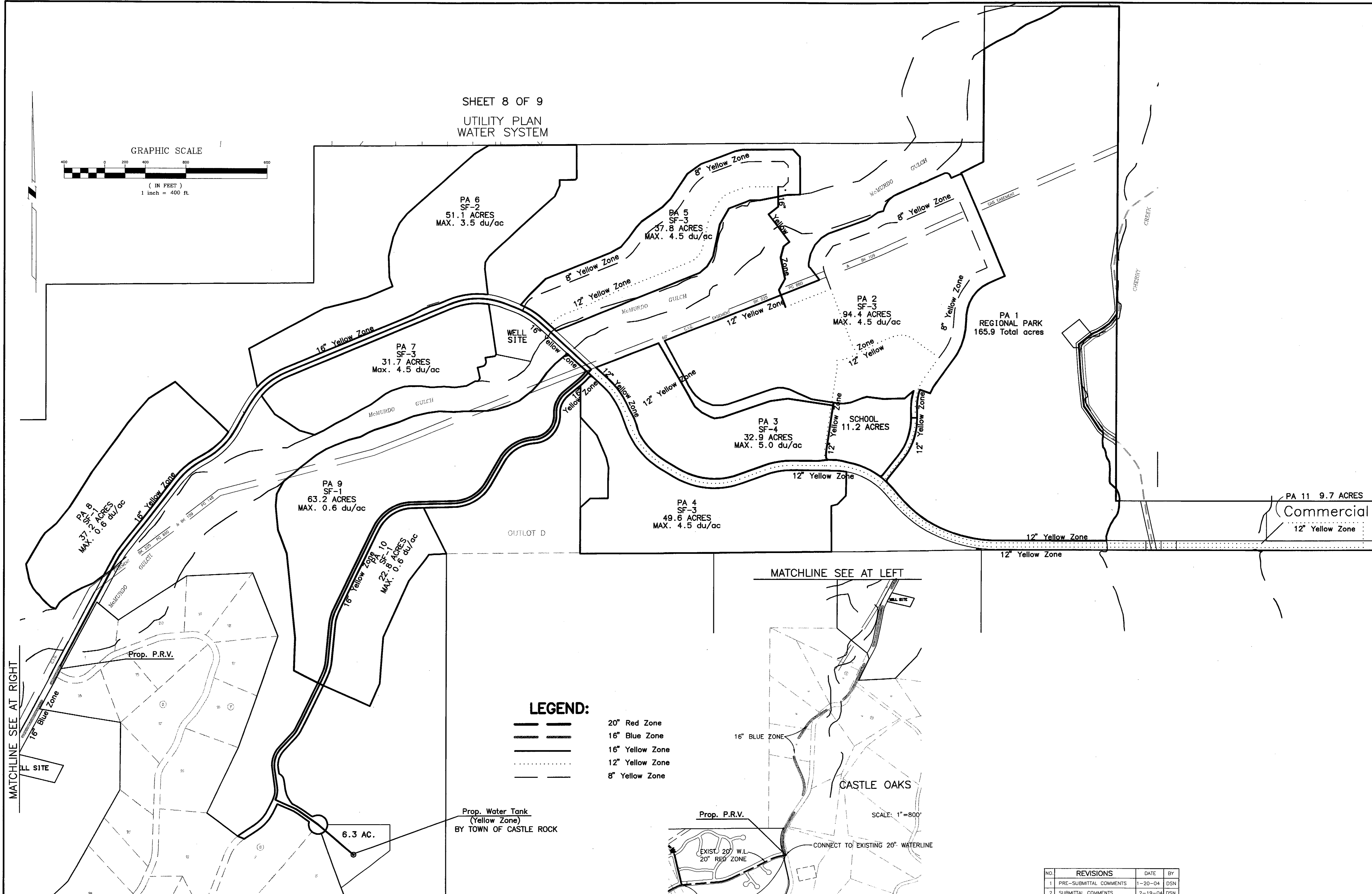
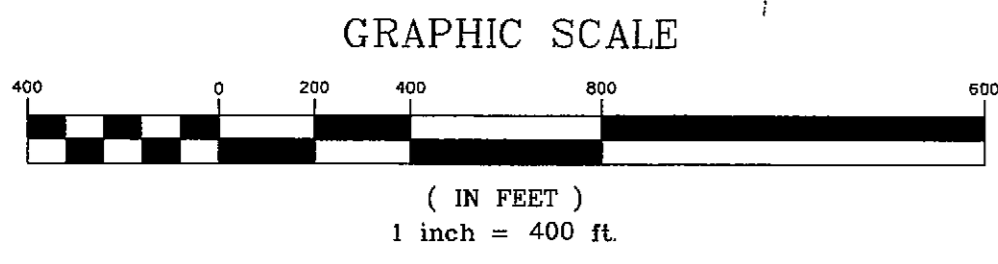
NO.	REVISIONS	DATE	BY
1	PRE-SUBMITTAL COMMENTS	1-20-04	DSN
2	SUBMITTAL COMMENTS	2-19-04	DSN
3	RESUBMITTAL COMMENTS	3-26-04	DSN
4	RESUBMITTAL COMMENTS	5-05-04	DSN

LEGEND:

- BASIN BOUNDARY
- 15" TRUNK LINE
- 12" TRUNK LINE
- 10" TRUNK LINE
- 8" TRUNK LINE
- FM FORCE MAIN



SHEET 8 OF 9
UTILITY PLAN
WATER SYSTEM



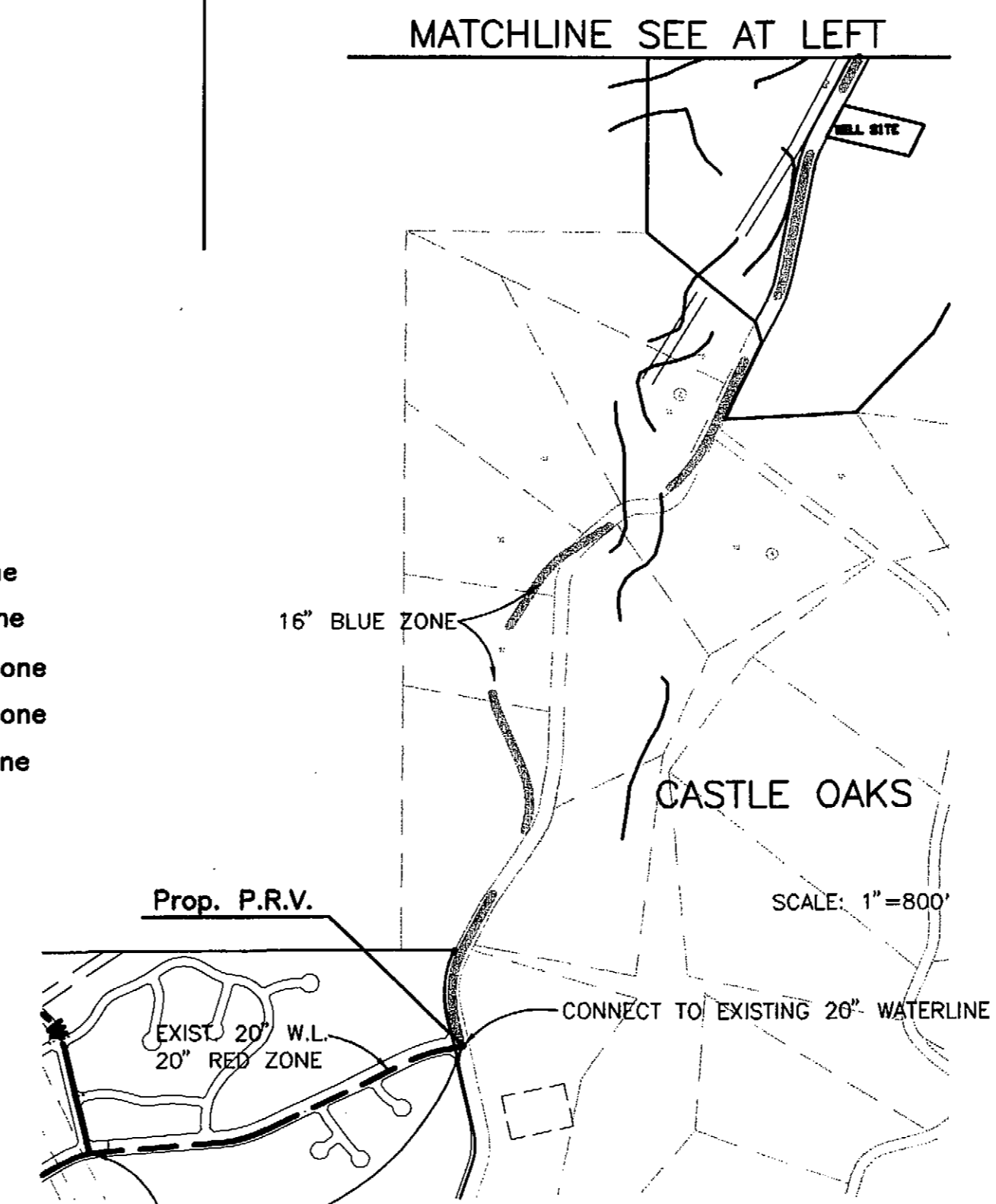
MATCHLINE SEE AT RIGHT

MATCHLINE SEE AT LEFT

LEGEND:

- 20" Red Zone
- 16" Blue Zone
- 16" Yellow Zone
- 12" Yellow Zone
- 8" Yellow Zone

Prop. Water Tank
(Yellow Zone)
BY TOWN OF CASTLE ROCK



NOTE: THIS SEGMENT TO BE INCLUDED
IF NOT IN PLACE AT TIME OF
CONSTRUCTION

NO.	REVISIONS	DATE	BY
1	PRE-SUBMITTAL COMMENTS	1-20-04	DSN
2	SUBMITTAL COMMENTS	2-19-04	DSN
3	RESUBMITTAL COMMENTS	3-26-04	DSN
4	UPDATE WL SIZES	4-19-04	DSN
5	RESUBMITTAL COMMENTS	5-05-04	DSN

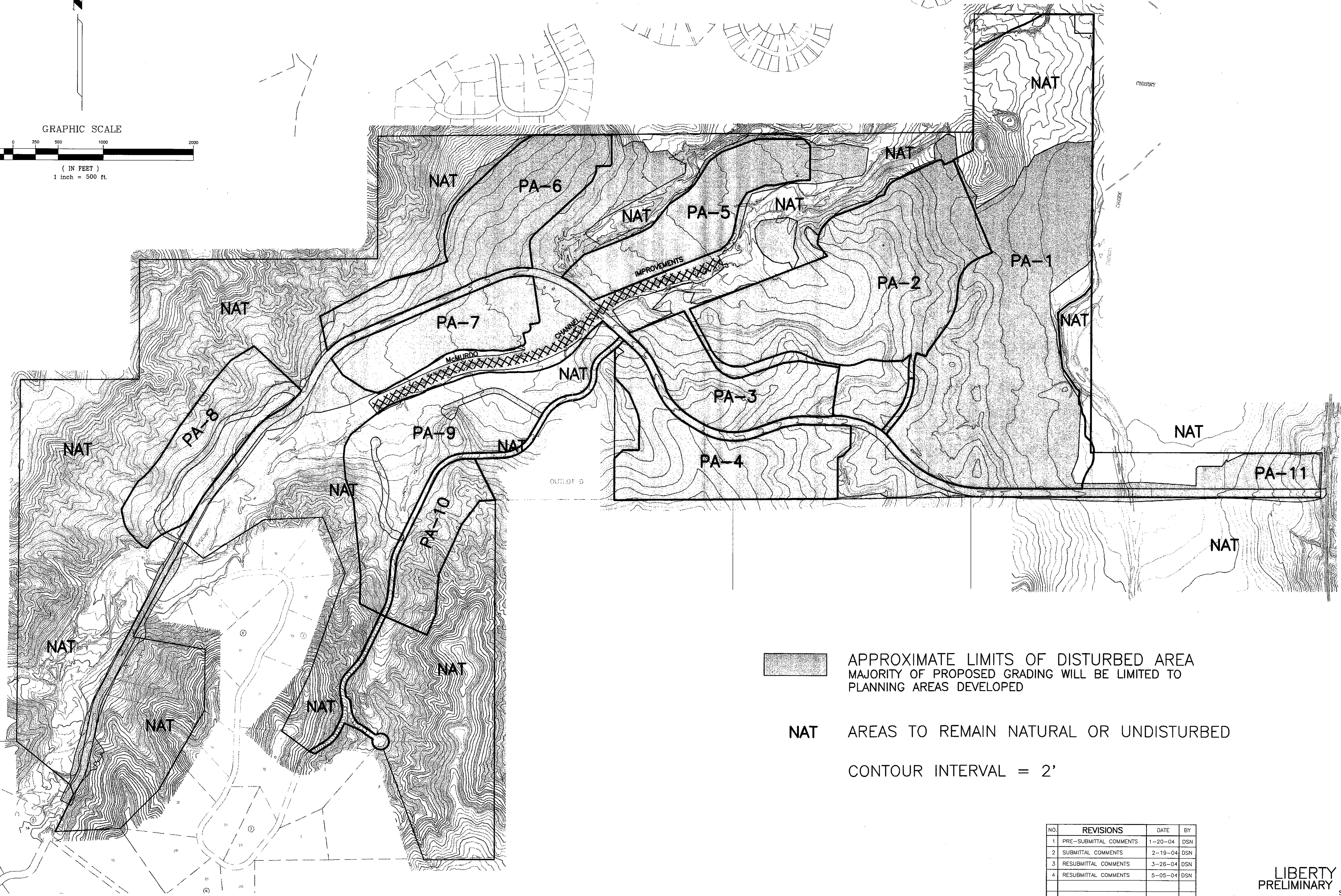
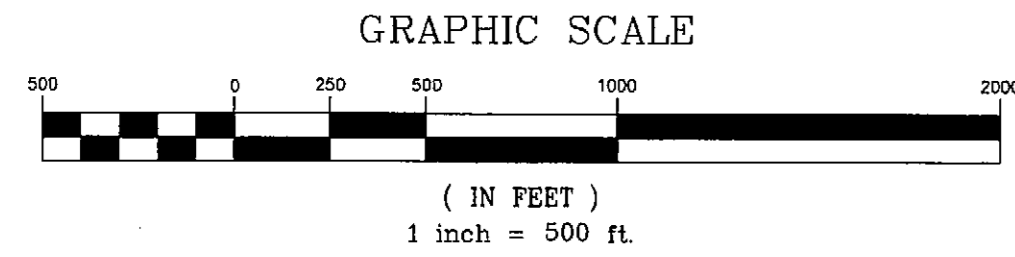
LIBERTY VILLAGE
PRELIMINARY PD SITE PLAN
SHEET 8 OF 9
EMK JOB NO. 11948-02


Preliminary PD Site Plan

The Villages at Castle Rock, 2nd Amendment—Liberty Village Portion

A PARCEL OF LAND LOCATED IN SECTIONS 20, 21, 22, 27, 28 & 29, TOWNSHIP 7 SOUTH, RANGE 66 WEST OF THE 6TH P.M. TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO (Including a Portion of Castle Oaks)

SHEET 9 OF 9
DISTURBED AREA



 APPROXIMATE LIMITS OF DISTURBED AREA
MAJORITY OF PROPOSED GRADING WILL BE LIMITED TO
PLANNING AREAS DEVELOPED

NAT AREAS TO REMAIN NATURAL OR UNDISTURBED

CONTOUR INTERVAL = 2'

NO.	REVISIONS	DATE	BY
1	PRE-SUBMITTAL COMMENTS	1-20-04	DSN
2	SUBMITTAL COMMENTS	2-19-04	DSN
3	RESUBMITTAL COMMENTS	3-26-04	DSN
4	RESUBMITTAL COMMENTS	5-05-04	DSN

2004085668
08/17/2004 09:05 AM

ORDINANCE NO. 2004 -09



2004085668 17 PGS

AN ORDINANCE AMENDING THE TOWN'S ZONE DISTRICT MAP BY APPROVING THE VILLAGES AT CASTLE ROCK, 2ND AMENDMENT – LIBERTY VILLAGE PORTION PRELIMINARY PD SITE PLAN AND PD ZONING REGULATIONS; AND THE LIBERTY VILLAGE DEVELOPMENT AGREEMENT; AND VESTING A SITE SPECIFIC DEVELOPMENT PLAN

WHEREAS, M.D.C. Land Corporation (Owner) has made application for a major amendment to PD Planned Development zoning of the parcel described in *Exhibit 1* (Property), denominated as “The Villages at Castle Rock 2nd Amendment – Liberty Village Portion Preliminary PD Site Plan” (Site Plan); and

WHEREAS, Owner has requested approval of the Villages At Castle Rock, 2nd Amendment - Liberty Village Portion PD Zoning Regulations as described in the attached *Exhibit 2* (Zoning Regulations); and

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

WHEREAS, Owner and Town have agreed to the terms of the Liberty Village Development Agreement (Development Agreement);

WHEREAS, the Town Council finds that the Site Plan shall be vested as a site specific development plan for certain prescribed periods of time specified in the Development Agreement, but in any event not extending beyond December 31, 2019, 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. Conditional Approval. The approvals granted by this ordinance are conditioned upon (terms defined in the Development Agreement):

- 1) Town’s approval of the title to the Water Rights and the concurrent recordation of the Development Agreement and Water Deed;
- 2) the concurrent closing on the Park Tract contract in accordance with terms of Resolution No. 2004-70;
- 3) the approval by the electorate of the Villages at Castle Rock Metropolitan District No. 6 (District) of the 10 mill property tax pledge pursuant to the terms of section 9.10 of the Development Agreement and the District Agreements;

75163537



3
\$86.00

- 4) the approval and execution by the parties of the Richmond/Pinery Agreement and First Amendment to the Pinery Intergovernmental Agreement in accordance with the terms set forth in section 7.04 of the Development Agreement not later than June 30, 2004;
- 5) the approval by the Board of Directors of the District and execution by the Town and District of the Intergovernmental Agreements approved by the Town by Resolution No. 2004-62; and
- 6) all conditions to the motion approving this ordinance and the following technical conditions imposed at first reading of this ordinance as follows:
 - A) All staff comments must be addressed prior to the recordation of the Preliminary Planned Development (PPD) Site Plan;
 - B) All lots backing to Hidden Mesa in Planning Area 4 (PA 4) will have a minimum of 7,200 square feet;
 - C) All lots backing to Pinery West/Padera in Planning Area 6 (PA 6) will have a minimum of 8,000 square feet;
 - D) The "OSP" (Open Space Private) designation on the plans will be changed to "PUA" (Private Use Area); and
 - E) Section 3.3 of the Zoning Regulations "Open Space Use Areas – OSD, OSP, and PLD" will be split into three descriptive categories, specifying permitted uses for OSD as "open space and passive recreation activities including trails"; PUA (instead of OSP) as "private parks, including active and passive recreation activities", and PLD as "parks, schools and other public uses, active and passive recreation activities, preservation of land for public purposes, and including such structures and other improvements not inconsistent with the Land Dedication and the Planning Development District ordinances", or similar wording distinguishing the three uses.

Unless all of the above conditions are timely met, then the approvals and authorization granted by this ordinance shall lapse without further action of the Town Council. Upon satisfaction of all of the above conditions, and the concurrent recordation of the documents and agreements referenced therein, the Mayor shall be authorized to execute the Development Agreement for recordation in the public records.

Section 2. Zoning Regulation and Site Plan Approval. The Site Plan and Zoning Regulations are approved, subject to Section 1, above.

Section 3. Development Agreement and Vesting. The Development Agreement is hereby approved, subject to Section 1, above. The vesting of the Site Plan authorized under Article X of the Development Agreement is approved, which vests the Site Plan as a site specific development plan for an initial primary term ending on December 31, 2012, and an additional

successive term, upon the occurrence of certain conditions attached to the renewal of the successive vesting period, as specifically provided in the Development Agreement, but in no event extending the vesting period beyond December 31, 2019. 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 approval of this ordinance.

Section 4. 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.

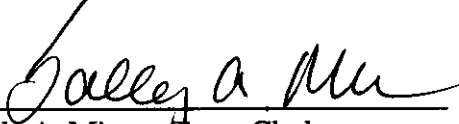
Section 5. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

INTRODUCED this 23rd day of March, 2004 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 27th day of April, 2004, by the Town Council of the Town of Castle Rock by a vote of -7- for and -0- against.

ATTEST:

TOWN OF CASTLE ROCK



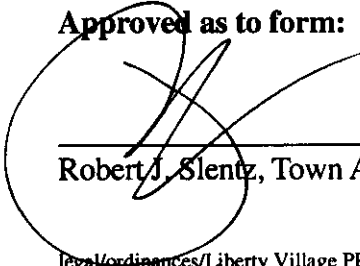
Sally A. Misare, Town Clerk



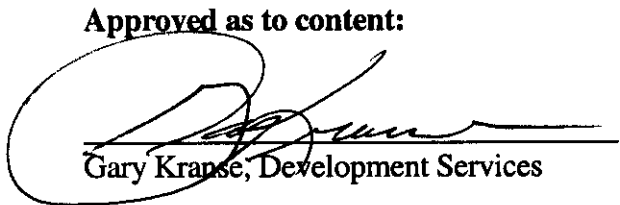
Ray Waterman, Mayor

Approved as to form:

Approved as to content:



Robert J. Slentz, Town Attorney



Gary Krans, Development Services

legal/ordinances/Liberty Village PPD- DA 2nd read.doc

Exhibit 1

LEGAL DESCRIPTION

~~Parcel of land located in Sections 20, 21, 22, 27, 28, and 29, also being a~~
portion of Castle Oaks Filing No. 1 and located in Township 7 South, Range 66
West of the 6th Principal Meridian, County of Douglas, State of Colorado, more
particularly described as follows:

~~Beginning at the Northwest corner of said Section 29;~~
Thence North 89°36'13" East along the North line of the Northwest quarter of
said Section 29, 1317.11 feet to the Southwest corner of of the Southeast
quarter of the Southwest quarter of said Section 20;
Thence North 00°02'28" West along the West line of the Southeast quarter of
the Southwest quarter of said Section 20, 1324.69 feet to the Northwest corner
of the Southeast quarter of the Southwest quarter of said Section 20;
Thence North 89°33'52" East along the North line of the South Half of the
South Half of said Section 20, 2637.52 feet to the Southwest corner of the
Northeast quarter of the Southeast quarter of said Section 20;
Thence North 00°02'30" East along the West line of the Northeast quarter of
the Southeast quarter of said Section 20, 1326.56 feet to the Northwest
corner of the Northeast quarter of the Southeast quarter of said Section 20;
Thence North 89°31'28" East along the North line of the Northeast quarter of
the Southeast quarter of said Section 20, 1316.72 feet to the Northwest
corner of the Northwest quarter of the Southwest quarter of said Section 21;
Thence North 89°41'42" East along the North line of the South half of said
Section 21, 1318.99 feet to the Northwest corner of the Northeast quarter of
the Southwest quarter of said Section 21;
Thence continuing North 89°41'42" East along the North line of the South half
of said Section 21, 3957.01 feet to the Southwest corner of the Southwest
quarter of the Northwest quarter of Section 22;
Thence North 00°16'22" East along the West line of the Southwest quarter of
the Northwest quarter of said Section 22, 1325.60 feet to the Northwest corner
of the Southwest quarter of the Northwest quarter of said Section 22;
Thence South 89°53'21" East along the North line of the Southwest quarter of
the Northwest quarter of said Section 22, 1323.73 feet to the Northeast corner
of the Southwest quarter of the Northwest quarter of said Section 22;
Thence South 00°14'49" West along the East line of the Southwest quarter
of the Northwest quarter of said Section 22, 1325.20 feet to the Northeast
corner of the West half of the Southwest quarter of said Section 22;
Thence South 00°13'43" West along the East line of the West half of the
Southwest quarter of said Section 22, 2654.84 feet to the Northeast corner of
the Northwest quarter of the Northwest quarter of said Section 27;
thence South 00°06'30" West along the East line of the Northwest quarter of
the Northwest quarter of said Section 27, 834.81 feet to a line 493.48 feet
North of and parallel with the South line of the North half of the North half
of said Section 27;
Thence South 89°57'52" East along said line, 2562.58 feet to the West
right-of-way line of Colorado Highway No. 83;

Continued on next page

Exhibit 1 (cont.)

Thence South $02^{\circ}13'33''$ West along said West right-of-way line, 398.12 feet to a point of curve;

Thence along said West right-of-way line and along said curve to the left having a radius of 11530.00 feet, a central angle of $00^{\circ}28'32''$, 95.71 feet to the South line of the North half of the North half of said Section 27;

Thence North $89^{\circ}57'52''$ West along the South line of the North half of the North half of said Section 27, 2544.73 feet to the Southwest corner of the Northeast quarter of the Northwest quarter of said Section 27;

Thence continuing North $89^{\circ}57'52''$ West along the South line of the North half of the North half of said Section 27, 1324.29 feet to the Southeast corner of the Northeast quarter of the Northeast quarter of said Section 28;

Thence South $89^{\circ}28'47''$ West along the South line of the North half of the Northeast quarter of said Section 28, 2634.25 feet to the Southeast corner of the Northeast quarter of the Northwest quarter of said Section 28;

Thence South $89^{\circ}49'02''$ West along the South line of the Northeast quarter of the Northwest quarter of said Section 28, 1315.83 feet to the Southwest corner of the Northeast quarter of the Northwest quarter of said Section 28;

Thence North $00^{\circ}05'13''$ East along the West line of the Northeast quarter of the Northwest quarter of said Section 28 and the East line of Outlot D of said Castle Oaks Filing No. 1, 1645.40 feet to the South right-of-way line of Pleasant View Drive as platted in said Castle Oaks Filing No. 1;

Thence along the South right-of-way line of Pleasant View Drive the following seven (7) courses:

1. Thence South $50^{\circ}38'08''$ West, 161.73 feet to a point of curve;
2. Thence along said curve to the left having a radius of 210.00 feet, a central angle of $54^{\circ}00'00''$, 197.92 feet to a point of reverse curve;
3. Thence along said curve to the right having a radius of 270.00 feet, a central angle of $90^{\circ}00'00''$, 424.12 feet to a point of reverse curve;
4. Thence along said curve to the left having a radius of 370.00 feet, a central angle of $56^{\circ}00'00''$, 361.63 feet to a point of tangent;
5. Thence South $30^{\circ}38'08''$ West along said tangent, 260.00 feet to a point of curve;
6. Thence along said curve to the right having a radius 430.00 feet, a central angle of $57^{\circ}48'57''$, 433.90 feet to a point of tangent;
7. Thence South $88^{\circ}27'05''$ West along said tangent, 303.87 feet to the Northwest corner of said Outlot D;

Thence South $26^{\circ}25'07''$ East along the West line of said Outlot D, 511.10 feet to the East line of the Northeast quarter of said Section 29;

Thence South $00^{\circ}04'53''$ West along the East line of said Northeast quarter, 5.76 feet to the Southwest corner of the Northwest quarter of the Northwest

Continued on next page

Exhibit 1 (cont.)

quarter of said Section 28;

~~Thence South 00°04'53" West along the East line of the Northeast quarter of~~
of said Section 29, 1333.14 feet to the East quarter corner of said Section
29;

Thence South 00°04'53" West along the East line of the Southeast quarter of
said Section 29, 2666.28 feet to the Southeast corner of said Section 29;

~~Thence South 89°49'31" West along the South line of the Southeast quarter of~~
said Section 29, 782.02 feet;

Thence North 00°10'29" West, 14.90 feet to the Southwest corner of Lot 4,
Block 8 of said Castle Oaks Filing No. 1;

Thence North 19°56'15" West along the West line of said Lot 4, 1299.64 feet
to a point on a curve on the right-of-way line of the Antelope Place as
platted in said Castle Oaks Filing No. 1;

Thence along the Southerly right-of-way line of said Antelope Place the
following four (4) courses:

1. Thence along said curve to the right having a radius of 92.50 feet, a
central angle of 126°37'54" (the chord of which bears North 46°36'57" West,
165.30 feet), 204.45 feet;
2. Thence North 54°22'31" West, 141.04 feet to a point of curve;
3. Thence along said curve to the left having a radius of 370.00 feet, a
central angle of 11°34'22", 74.73 feet to a point of tangent;
4. Thence North 65°56'53" West along said tangent, 145.32 feet to the East
right-of-way line of Pleasant View Drive;

Thence along the East right-of-way line of said Pleasant View Drive the
following three (3) courses:

1. Thence South 25°57'43" West, 95.82 feet to a point of curve;
2. Thence along said curve to the right having a radius of 430.00 feet, a
central angle of 30°59'00", 232.53 feet to a point of tangent;
3. Thence South 56°56'43" West along said tangent, 156.72 feet;

Thence North 67°32'40" West, 70.54 feet to the Southeast corner of Lot 11,
Block 7 of said Castle Oaks Filing No. 1;

Thence along the boundary of Lots 2, 3, 4, 8, 9, 10 and 11, Block 7, Castle
Oaks Filing No. 1 the following seven (7) courses:

1. Thence North 53°04'08" West along the Southerly line of said Lot 11,
380.75 feet to the Southwest corner of said Lot 11;
2. Thence North 25°29'33" East along the West line of said Lot 11, 720.00
feet to the Southwest corner of Lot 10;

Continued on next page

Exhibit 1 (cont.)

3. Thence North $19^{\circ}29'33''$ East along the West line of said Lot 10, 1165.00 feet to the Southwest corner of Lot 9;

4. Thence North $21^{\circ}49'56''$ West along the West line of said Lot 9, 672.52 feet to the corner common to Lots 3, 4, 8, 9, 18 and 19 of Block 7;

5. Thence South $87^{\circ}12'33''$ West along the South line of said Lot 3, 649.13 feet to the Southwest corner of said Lot 3;

~~6. Thence South $57^{\circ}23'50''$ West along the Southwesterly line of Lot 2, 799.94 feet to the Southernmost corner of said Lot 2;~~

7. Thence North $50^{\circ}33'52''$ West along the Southwesterly line of said Lot 2, 275.47 feet to the Southwest corner of said Lot 2;

Thence South $28^{\circ}23'19''$ West along the East right-of-way line of Castle Oaks Drive, as platted in said Castle Oaks Filing No. 1, 1180.45 feet to the Northwest corner of Lot 14, Block 6 of said Castle Oaks Filing No. 1; Thence along the boundary of Lots 12, 13 and 14, Block 6 of said Castle Oaks Filing No. 1 the following five (5) courses:

1. Thence South $80^{\circ}13'43''$ East along the North line of Lot 14, 808.48 feet to the Northeast corner of said Lot 14;

2. Thence South $00^{\circ}31'41''$ West along the East line of said Lot 14, 674.61 feet to the Northeast corner of Lot 13;

3. Thence South $29^{\circ}23'28''$ West along the East line of said Lot 13, 1040.00 feet to the Northeast corner of Lot 12;

4. Thence South $45^{\circ}23'28''$ West along the East line of said Lot 12, 592.53 feet to the Southeast corner of said Lot 12;

5. Thence South $87^{\circ}35'55''$ West along the South line of said Lot 12, 721.94 feet to the East right-of-way line of said Castle Oaks Drive;

Thence North $26^{\circ}31'56''$ East along said East right-of-way line of said Castle Oaks Drive, 457.48 feet;

Thence North $17^{\circ}31'51''$ West, 112.01 feet to the Southeast corner of Lot 16, Block 2 of said Castle Oaks Filing No. 1;

Thence North $50^{\circ}35'12''$ West along the Southerly line of said Lot 16, 771.72 feet to the Northwest corner of the Southwest quarter of the Southeast quarter of said Section 29;

Thence North $00^{\circ}23'10''$ East along the West line of the Northwest quarter of the Southwest quarter of said Section 29, 1323.73 feet to the West quarter corner of said Section 29;

thence North $00^{\circ}23'12''$ East along the West line of the Northwest quarter of said Section 29, 2646.55 feet to the point of beginning,

County of Douglas,
State of Colorado.

EXHIBIT 2

ZONING REGULATIONS
FOR
LIBERTY VILLAGE
(AN AMENDMENT TO THE VILLAGES OF CASTLE ROCK PUD)

TABLE OF CONTENTS:

Section I	General Provisions
Section II	Control Provisions
Section III	Use Areas
Section IV	Development Standards
Section V	Temporary Uses
Section VI	Accessory Uses Permitted in All Use Areas
Section VII	Planning and Design Controls
Section VIII	Final Planned Development Site Plans
Section IX	Transitional Use
Section X	Severability of Provisions

SECTION I
GENERAL PROVISIONS

- 1.1 Adoption/Authorization. The Town Council has adopted the Liberty Village Preliminary PD Site Plan and Zoning Regulations pursuant to Section 17.60 of Title 17 (Zoning) of the Castle Rock Municipal Code after appropriate public notice and hearing.
- 1.2 Applicability. The Liberty Village Preliminary PD Site Plan and Zoning Regulations shall run with and bind all landowners of record, their successors, heirs, or assigns of the land as approved by the Castle Rock Town Council.
- 1.3 Maximum Level of Development. The total number of dwelling units (1245) or total commercial, industrial or other non-residential floor area approved for development within the established Use Areas is the *maximum* allowed for platting and development. The minimum number of units shall be a reduction of no more than 20 percent in a planning area. The actual number of dwellings or 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.
- 1.4 Relationship to Town Regulations. The provisions of this Preliminary PD Site Plan and Zoning Regulations shall prevail and govern the development of the Liberty Village PD, provided, however, that where the provisions of the Preliminary PD Site Plan and Zoning Regulations do not address a particular subject, the relevant provisions of the Town of Castle Rock Zoning Ordinance, as amended, or any other applicable provisions of the Town Municipal Code shall be applicable.
- 1.5 Development Agreement. In addition to these regulations, certain provisions of the development of this PD property are controlled by an agreement between the Town of Castle Rock and the PD property owners.

This agreement, entitled Liberty Village Development Agreement, was adopted by the Town on the 27th day of April, 2004, by ~~Resolution~~ No. 2004-09.
Ordinance

SECTION II
CONTROL PROVISIONS

- 2.1 Use Area Boundaries: There shall be limited flexibility (a maximum of 10%) in determining the exact location and areas of Use Area Boundaries due to the scale of the drawings and the diagrammatic depiction of Use Areas. (Rounded corners and separation from other areas, etc.) Actual changes or adjustments to boundaries may only be made through the PD Amendment procedure as provided in the Town Code.
- 2.2 Road Alignments: The Preliminary PD Site Plan is intended to depict general locations of roadways. Recognizing that final road alignments are subject to engineering studies, minor road realignments of arterial and collector streets are expected, and can be accomplished by the developer through the platting process without any amendment to these regulations or to the Plan itself. Major road realignments, as determined by the Town Planning Director, shall follow the PD Amendment procedure as provided in the Town Code.

SECTION III
USE AREAS

- 3.1 Single Family Use Areas: SF-1, SF-2, SF-3 & SF-4
- A. Permitted Uses:
1. Single-family detached residences, garages and accessory structures; i.e. gazebos, storage sheds, greenhouses, play equipment.
 2. Public recreation facilities, parks, playgrounds, and their structures.
 3. Temporary sales office, model homes and construction trailers.
 4. Accessory Dwelling Unit. A dwelling unit permitted on the same lot as a single-family dwelling unit. An Accessory Dwelling Unit shall not exceed the greater of 800 sq. ft. or 33% of the floor area of the primary dwelling unit and must be located in the same structure as the primary dwelling unit or in an accessory structure that contains other uses accessory to the primary dwelling unit. Accessory Dwelling Units shall not be included in the calculation of total dwelling units for a neighborhood use area, unless the water tap size needed for the primary dwelling unit and the accessory dwelling unit exceeds the tap size for

one Single Family Equivalent. In such case, the Accessory Dwelling Unit shall be included in the calculation for the dwelling units in such a neighborhood use area.

5. Accessory Uses are defined in R-1 Section 17.20.020 "G" of the Town Municipal Code.

B. Uses by Special Review:

1. Churches and other religious institutions.
2. Public and quasi-public facilities.

3.2 Commercial: C

A. Permitted Uses.

1. As defined in the B-2 General Business District including self-storage facilities.

3.3 Open Space Use Areas - OSD, PUA and PLD.

A. OSD (Open Space Dedicated)

1. Definition: Land proposed to meet the PD open space requirements and proposed to be dedicated to the Town.
2. Permitted Uses: Open Space and passive recreation activities, including trails.

B. PUA (Private Use Area)

1. Definition: Land proposed to meet the PD open space requirements and proposed to be held in private ownership.
2. Permitted Uses: Private parks, including active and passive recreation activities.

C. PLD (Public Land Dedication)

1. Definition: Land proposed to meet the land dedication requirements of the subdivision code of the Town.

2. Permitted Uses: Parks, schools and other public uses, active and passive recreation activities, preservation of land for public purposes, and including such structures and other improvements not inconsistent with the Land Dedication and Planned Development District ordinances.

3.4. Utilities Dedication Use Area - UD.

- A. Definition: Land proposed to be dedicated for utility purposes, including, but not limited to, water, sanitary sewer and storm water purposes.
- B. Permitted Uses:
 1. All Town owned and operated utilities.
 2. Other public and/or private utilities as authorized on a Final PD Site Plan.
 3. All uses permitted in the OSD and OSP Use Areas.

3.5 Maximum Permitted Densities.

- A. Single Family Area, SF-1: Average gross density of one-half (0.6) dwelling unit per acre within each such general use area.
- B. Single Family Area, SF-2: Average gross density of 3.5 dwelling units per acre within each such general use area.
- C. Single Family Area, SF-3: Average gross density of 4.5 dwelling units per acre within each such general use area.
- D. Single Family Area, SF-4: Average gross density of 5.0 dwelling units per acre within each such general use area.
- E. The densities assigned to the various planning areas may not be exceeded. A reduction in density is permitted in all planning areas. In addition, the transfer of density between planning areas of similar densities is permitted, however, in no case may the number of units be increased in a planning area unless the same number of units are decreased in another planning area.

The mother-in-law/nanny units are not calculated in the maximum 1245 dwelling units.

SECTION IV
DEVELOPMENT STANDARDS

4.1 **Overall Project Standards.** The standard zoning requirements of the Town of Castle Rock Zoning Ordinance including off-street parking, landscaping, site development, accessory and temporary uses, and use by special review and variance processes shall apply to this PD, except as modified by the following subsections:

4.2 **General.**

Standard	Use Areas					
	SF-1	SF-2	SF-3	SF-4	COMM	OS & PLD
Gross Density	0.6 du/ac	3.5 du/ac	4.5 du/ac	5.0 du/ac		NA
Minimum Lot Area	43,560 SF	7200 SF ⁵	6000 SF ⁶	5000 SF		NA
Lot Width						
Setbacks: ¹						
Front (back of walk) ²	25'	20'	20'	20'	³	–
Rear	25'	15'	15'	15'		–
Side Interior Lot	25'	5'	5'	5'		–
Side to Street	25'	15'	15'	15'		–
Max. Bldg. Height ⁴	35' - not including walkout					25'

Parking: Minimum off street parking shall be as required pursuant to applicable ordinance of the Town of Castle Rock.

- ¹ Eaves, porches, bay windows, etc. may extend a maximum of 2 feet into the setback area. Play structures require a 6' setback. Retaining walls are allowed in the setback area.
- ² Accessory structures require a 30' front setback in SF-1 and 25' front setback in SF-2, SF-3 and SF-4 and are prohibited beyond the front face of the home or main structure.
- ³ To provide maximum flexibility for innovative design, the development criteria for minimum building setbacks will be determined at Final PD Site Plan.
- ⁴ As defined in the Town of Castle Rock Zoning Ordinance.
- ⁵ The lots in PA6 adjacent to the north property line shall be a minimum of 8000 SF.
- ⁶ The lots in PA4 adjacent to the south property line shall be a minimum of 7200 SF.

4.3 **Fencing.**

When a Building Envelope is shown on the Final PD Site Plan, privacy fencing will only be allowed within the Building Envelope. Privacy fencing is prohibited in the required front setback and beyond the front face of the home or main structure. However, one, two or three rail, open fencing (approved by the Homeowner Association) will be allowed at property boundaries.

4.4 Exterior Lighting.

No exterior lights of any sort may be erected, placed, installed or otherwise incorporated into the property, adjacent road right-of-way or adjacent property or open space wherein any glare or direct light is visible beyond the perimeter of the property. This applies to all lighting including, but not limited to entry lights, garage lights, driveway illumination and interior lights visible from off the property.

4.5 Utilities

All public utility distribution lines must be placed underground within residential planning areas.

SECTION V
TEMPORARY USES

5.1 Temporary Uses:

- A. Single family homes may be used as models and/or sales and information offices in those use areas where there are a Permitted Use. Provided, however that the use will cease within sixty days of a Certificate of Occupancy being issued for the last dwelling unit in this PD.
- B. 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 IN ALL USE AREAS

6.1 Accessory Uses.

FOR ALL USE AREAS

- A. Underground utility and communications distribution lines and above ground utility and transmission lines.
- B. Roadways, bike paths, pedestrian and equestrian trails.
- C. Parking Areas.

FOR ALL USE AREAS EXCLUDING OPEN SPACE USE AREAS (OSD, PUA, PLD)

- D. Mobile sales and information units, provided that:
 - 1. Such temporary structure is located within a final plat.
 - 2. Sales are limited to those units within the subdivision in which the office is located.
 - 3. Adequate access, parking and sanitary facilities are provided.
 - 4. No such unit shall be maintained more than 30 days after the last lot or unit is sold.
- E. Home Occupation, including both large and small in-home day care facilities as defined by the Town of Castle Rock Zoning Ordinance.
- F. Facilities for the acquisition, treatment and storage of water.
- G. Facilities for the collection, treatment and disposal of sewage.
- H. Facilities for the collection, storage and distribution of solar and geothermal energy sources.
- I. Local transit ways and terminals.
- J. Sales and information centers to include display dwelling units and private construction and sales offices for developers, subdevelopers and builders associated with the planned development.
- K. Accessory Dwelling Units.

SECTION VII
PLANNING AND DESIGN CONTROLS

7.1 This section applies only to the areas described below:

Single Family Use Areas: SF-1

7.2 Building Envelopes.

A. Description.

1. Development of lots within the areas described above shall be restricted to the confines of a described building envelope. Building envelopes shall be described as to size and dimensions on the face of the final plat.
2. Building envelopes for single-family detached residences shall include all clearing, grading, construction, irrigated landscaping and impervious areas, with the exception that entry driveways to the structure may extend from the building envelope to the principle access route.

B. Planning and Design Controls:

1. **Siting:** In the site planning, development and construction of any lot or structure, consideration shall be given to the relationship of roads and buildings to existing slope grades, and drainageways. All structures and roadways shall achieve a “fit” with the Landscape that is not intrusive and considers the following:
 - a. Significant natural drainage ways shall not be disturbed or re-routed except where of general benefit to the Planned Unit Development and shall be subject to the review and approval of the Town of Castle Rock.
 - b. Unique site features, whether topographic or of a surficial nature shall receive special consideration in any site planning or development. Such features shall be left undisturbed wherever practical in lot development.
 - c. Structures in sloping areas shall be designed to conform to the slope by means of “stepped” foundations or similar methods that will keep grading and site preparation to a minimum. In principle, structures shall accommodate slope in design rather than cause slope to accommodate structures.
 - d. Grading shall be shaped to compliment the natural landforms.
 - e. Roads in steeply sloping or heavily vegetated areas shall be designed to minimize the area of disturbance. Clearing of vegetation with the right-of-way shall be “feathered” to create more natural appearing edges and to accommodate snow stacking.

SECTION VIII
FINAL PLANNED DEVELOPMENT SITE PLANS

- 8.1 Submission of Final PD Site Plans and plats and additional information. Following approval of the Preliminary PD Site Plan, the property owners shall submit a Preliminary Plat and Final PD Site Plan for all or any portion or portions of the general use areas as are then ready for development. No building permit will be issued until a Final PD Site Plan and Final Subdivision Plat have been approved for the property by the Town Council and duly recorded.

SECTION IX
TRANSITIONAL USE

- 9.1 After approval of the Preliminary PD Site Plan incorporated herein by reference, any portion of the property described above, which has not been subject to a Final PD Site Plan, may be used for agricultural purposes. Agricultural uses, for purposes of this section, shall mean farming, ranching, gardening, and buildings accessory to these uses. In no event shall commercial feed yards, poultry or hog farms or kennels be permitted.

Any activity permitted by this section shall be considered to be a valid pre-existing non-conforming use within the area described above until a Final PD Site Plan for such area or areas has been approved; provided, however, that the Town Council reserves the right to prohibit such agricultural uses in areas for which no Final PD Site Plan has been submitted if the Council determines that due to the proximity of such uses to developed areas a danger exists to the health, safety or welfare of the residents of such developed area(s).

SECTION 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.