

# MONTANA VISTA PLANNED DEVELOPMENT PLAN (FORMERLY A PORTION OF THE COOPER-HOOK PD INTEGRATED BUSINESS AND MAIN PLACE PRELIMINARY PD SITE PLANS) SECTION 26, T7S, R67W, 6TH P.M., TOWN OF CASTLE ROCK, DOUGLAS COUNTY, COLORADO.

- NOTES:**
- 1) THERE ARE NO FEMA REGULATED FLOOD PLAINS OR WETLANDS WITHIN THE SITE BOUNDARIES.
  - 2) PUBLIC LAND DEDICATION IS WAIVED IN ACCORDANCE WITH RESOLUTION NO. 2000.44.
  - 3) PUBLIC IMPROVEMENTS SHOWN ARE CONCEPTUAL AND SUBJECT TO MODIFICATION.
  - 4) ARCHITECTURAL STANDARDS FOR MONTANA VISTA PD ARE DEFINED IN THE MONTANA VISTA PROPERTY OWNERS ASSOCIATION DOCUMENTS.
  - 5) THIS PD IS SUBJECT TO THE RESIDENTIAL/NON-RESIDENTIAL INTERFACE REGULATIONS.
  - 6) THIS PD HAS AREAS THAT ARE WITHIN THE MINOR RIDGELINE AREA.
  - 7) SURFACED ACCESS ROADS CAPABLE OF WITHSTANDING THE IMPOSED LOADS OF FIRE APPARATUS AND ALL REQUIRED FIRE HYDRANTS SHALL BE INSTALLED AND SERVICABLE PRIOR TO AND DURING ALL CONSTRUCTION.
  - 8) FIRE APPARATUS ACCESS ROADS SHALL BE DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOADS OF FIRE APPARATUS WEIGHING AT LEAST 75,000 POUNDS, AND SHALL BE SURFACED SO AS TO PROVIDE ALL-WEATHER DRIVING CAPABILITIES. THE TERM ALL-WEATHER DRIVING CAPABILITIES HAS BEEN INTERPRETED TO MEAN CONCRETE OR ASPHALT, OR OTHER APPROVED DRIVING SURFACE DESIGNED BY AN ENGINEER AND APPROVED BY THE FIRE DEPARTMENT.
  - 9) RIGHT-OF-WAY FOR INGRESS AND EGRESS FOR EMERGENCY VEHICLES IS GRANTED OVER, ACROSS, AND ON ALL THROUGH AND ALL PRIVATE ROADS AND DRIVES.
  - 10) THE SITE IS LOCATED WITHIN THE TOWN OF CASTLE ROCK METZLER NORTH BLUE WATER PRESSURE ZONE."

**PURPOSE STATEMENT**  
 THE MONTANA VISTA PD WILL SIMPLIFY AND "CLEAN-UP" THE EXISTING ZONING ON THE PROPERTY. A PORTION OF THE MONTANA VISTA PROPERTY HAS COOPER-HOOK PD ZONING, AND A PORTION OF THE PROPERTY HAS EXISTING MAIN PLACE ZONING. THESE TWO DIFFERENT ZONE DISTRICTS ARE VERY SIMILAR IN ALLOWED USES, THE APPLICANT HAS USED THE EXISTING ZONING FROM BOTH DISTRICTS TO CREATE THE PROPOSED ZONING FOR MONTANA VISTA.

**PROPERTY DESCRIPTION**  
 LOTS 1 & 2, COOPER-HOOK/MAIN PLACE FILING NO. 1, AMENDMENT NO. 3 PLAT TOWN OF CASTLE ROCK, DOUGLAS COUNTY, CO.

**OWNERS**  
 MONTANA VISTA OFFICES, LLC  
 1700 NORTH PARK STREET  
 CASTLE ROCK, CO 80104  
 CONTACT: DAN HUDICK  
 PHONE NO. 303-791-7869

**SURVEYOR/ENGINEER**  
 DAVID E. ARCHER & ASSOCIATES  
 105 WILCOX STREET,  
 CASTLE ROCK, CO 80104  
 CONTACT: KEVIN ARCHER  
 PHONE NO. 303-688-4642

**PLANNER**  
 PCS GROUP INC  
 301 KALAMATH ST. #102  
 DENVER, CO. 80265  
 CONTACT: JOHN PRESTWICH  
 PHONE NO. 303-653-9772

**LIENHOLDER SUBORDINATION CERTIFICATES**  
 THE UNDERSIGNED ARE ALL THE MORTGAGEES AND LIENHOLDERS OF CERTAIN LANDS IN THE TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS AND STATE OF COLORADO DESCRIBED HEREON. THE UNDERSIGNED BENEFICIARY OF THE LIEN CREATED BY THE INSTRUMENT RECORDED MARCH 13, 2014 AT RECEPTION NO. 2014012446, DOUGLAS COUNTY COLORADO, SUBORDINATES THE SUBJECT LIEN TO THE TERMS, CONDITIONS AND RESTRICTIONS OF THIS DOCUMENT.

MAIN PLACE LAND COMPANY, LLC PRINCIPAL BY ELIZABETH PRATO MANAGER/SOLE MEMBER  
 BY Jennifer E. Shaler ATTORNEY-IN-FACT  
 SIGNED THIS 25<sup>th</sup> DAY OF June, 202014.

NOTARY BLOCK  
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 25<sup>th</sup> DAY OF June, 2014 BY Jennifer E. Shaler as Attorney-in-Fact of Main Place Land Co. Elizabeth Prato  
 WITNESS MY HAND AND OFFICIAL SEAL.  
 NOTARY PUBLIC  
 MY COMMISSION EXPIRES: 6-12-17

THE UNDERSIGNED ARE ALL THE MORTGAGEES AND LIENHOLDERS OF CERTAIN LANDS IN THE TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS AND STATE OF COLORADO DESCRIBED HEREON. THE UNDERSIGNED BENEFICIARY OF THE LIEN CREATED BY THE INSTRUMENT RECORDED MARCH 25, 2014 AT RECEPTION NO. 2014014401, DOUGLAS COUNTY COLORADO, SUBORDINATES THE SUBJECT LIEN TO THE TERMS, CONDITIONS AND RESTRICTIONS OF THIS DOCUMENT.

MILE HIGH BANKS  
 BY Michelle L Oakley S/P  
 SIGNED THIS 24<sup>th</sup> DAY OF June, 2014.

NOTARY BLOCK  
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 24 DAY OF JUNE, 2014 BY Michelle L Oakley S/P  
 WITNESS MY HAND AND OFFICIAL SEAL.  
 NOTARY PUBLIC  
 MY COMMISSION EXPIRES: 7-1-15

**SURVEYOR'S CERTIFICATE**  
 I, DEE ALLEN BIRD, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY AND LEGAL DESCRIPTION REPRESENTED BY THIS AMENDED PLAT WAS MADE UNDER MY SUPERVISION AND THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AND THIS PLANNED DEVELOPMENT PLAN ACCURATELY REPRESENTS THAT SURVEY.  
 DEE ALLEN BIRD DATE 6-25-14

**SHEET INDEX**

SHEET 1 OF 2	COVER SHEET
SHEET 2 OF 2	PLANNED DEVELOPMENT PLAN

**OWNERSHIP CERTIFICATION**  
 THE UNDERSIGNED ARE ALL THE OWNERS OF CERTAIN LANDS IN THE TOWN OF CASTLE ROCK COUNTY OF DOUGLAS AND STATE OF COLORADO DESCRIBED HEREIN.  
 MONTANA VISTA OFFICES, LLC, A COLORADO LIMITED LIABILITY COMPANY  
 SIGNED THIS 24 DAY OF JUNE, 2014

NOTARY BLOCK  
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 24<sup>th</sup> DAY OF June, 2014 BY Daniel J. Hudick  
 WITNESS MY HAND AND OFFICIAL SEAL.  
 NOTARY PUBLIC  
 MY COMMISSION EXPIRES: 6-7-2016

MONTANA VISTA HOLDINGS, LLC, A COLORADO LIMITED LIABILITY COMPANY  
 SIGNED THIS 24 DAY OF JUNE, 2014  
 NOTARY BLOCK  
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 24<sup>th</sup> DAY OF June, 2014 BY Daniel J. Hudick  
 WITNESS MY HAND AND OFFICIAL SEAL.  
 NOTARY PUBLIC  
 MY COMMISSION EXPIRES: 6-7-2016

NOTARY PUBLIC  
 MY COMMISSION EXPIRES: 6-7-2016

**TITLE CERTIFICATION**  
 I, Brenda Becker, AN AUTHORIZED REPRESENTATIVE OF  
 LAND TITLE GUARANTEE COMPANY, A TITLE INSURANCE COMPANY LICENSED TO DO BUSINESS IN THE STATE OF COLORADO, HAVE MADE AN EXAMINATION OF THE PUBLIC RECORDS AND STATE THAT ALL OWNERS, MORTGAGEES AND LIENHOLDERS OF THE PROPERTY ARE LISTED IN THE CERTIFICATE OF OWNERSHIP AND LIENHOLDER SUBORDINATION CERTIFICATE.  
 AUTHORIZED REPRESENTATIVE

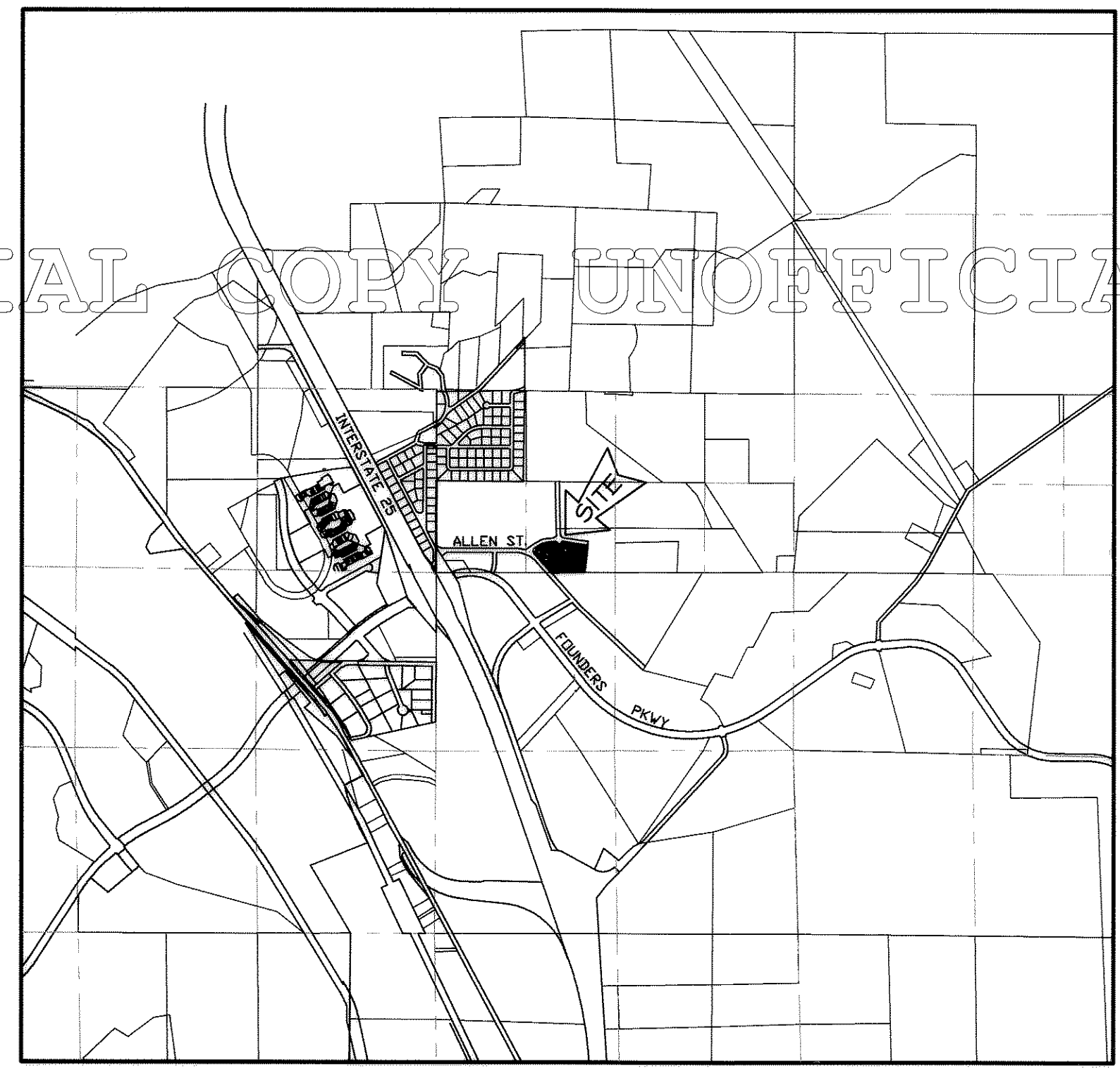
LAND TITLE GUARANTEE COMPANY  
 SIGNED THIS 26<sup>th</sup> DAY OF June, 2014  
 NOTARY BLOCK  
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 26<sup>th</sup> DAY OF June, 2014 BY Brenda Becker AS AUTHORIZED REPRESENTATIVE OF Land Title Guarantee Company  
 WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC  
 MY COMMISSION EXPIRES: 10/21/17

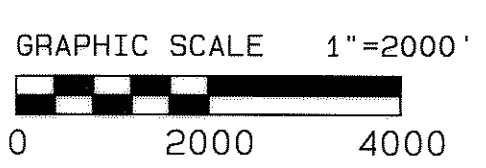
**PLANNING COMMISSION RECOMMENDATION**  
 THIS PLANNED DEVELOPMENT PLAN WAS RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION OF THE TOWN OF CASTLE ROCK, COLORADO, ON THE 22<sup>nd</sup> DAY OF MAY, 2014.  
 CHAIR Michael J. Tronzo DATE June 26, 2014  
 ATTEST: [Signature] DATE June 26, 2014  
 DIRECTOR OF DEVELOPMENT SERVICES

**TOWN COUNCIL APPROVAL**  
 THIS PLANNED DEVELOPMENT PLAN WAS APPROVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO, ON THE 17<sup>th</sup> DAY OF JUNE, 2014.  
 MAYOR Paul Donohue DATE 6/27/14  
 ATTEST: [Signature] DATE 6/27/14  
 TOWN CLERK

**DOUGLAS COUNTY CLERK AND RECORDER'S CERTIFICATE**  
 THIS PLANNED DEVELOPMENT PLAN WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF DOUGLAS COUNTY AT 2:38 pm ON THE 27<sup>th</sup> DAY OF JUNE, 2014 AT RECEPTION NO. 2014034507  
 DOUGLAS COUNTY CLERK AND RECORDER  
 BY: [Signature] DEPUTY



VICINITY MAP  
 SCALE: 1"=2000'

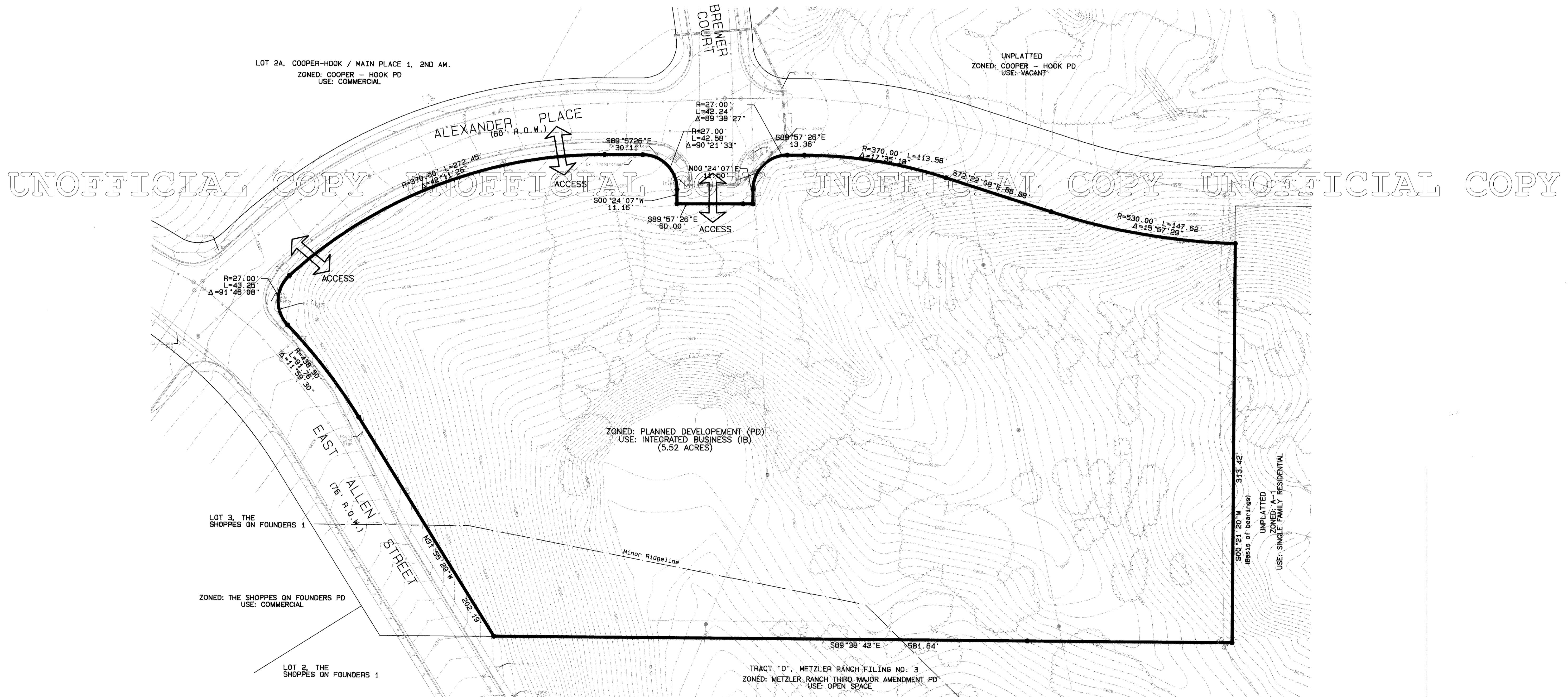


**LAND USE SUMMARY TABLE**

USE AREA	GROSS ACRES	% TOTAL	MAX. BLDG. COVERAGE PER LOT	MAX BLDG. HEIGHT	SETBACKS
IB	5.52	100	35%	50 FT.	ESTABLISHED WITH THE SITE DEVELOPMENT PLAN
ROW	0	0	-	-	-
OSD	0	0	-	-	-
PLD	0	0	-	-	-

<p>REVISIONS</p> <p>COMMENTS 4-14-14</p>	<p><b>DAVID E. ARCHER &amp; ASSOCIATES, INC.</b>                  LAND DEVELOPMENT CONSULTING                  SURVEYING &amp; ENGINEERING                  PHONE (303) 688-4642                  105 WILCOX ST. CASTLE ROCK, COLORADO 80104</p>	<p>TITLE: MONTANA VISTA PLANNED DEVELOPMENT PLAN                  PROJECT NO. PDP14-0002                  CLIENT: HUDICK EXCAVATING INC.                  JOB NUMBER: 13-0174                  SHEET: 1 of 2</p>
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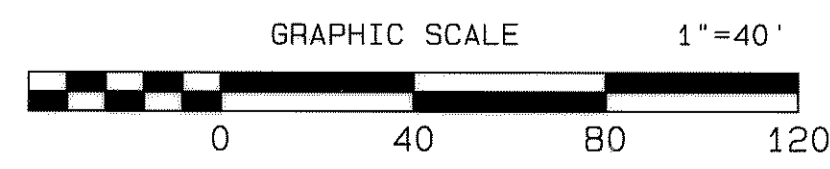
# MONTANA VISTA PLANNED DEVELOPMENT PLAN (FORMERLY A PORTION OF THE COOPER-HOOK PD INTEGRATED BUSINESS AND MAIN PLACE PRELIMINARY PD SITE PLANS) SECTION 26, T7S, R67W, 6TH P.M., TOWN OF CASTLE ROCK, DOUGLAS COUNTY, COLORADO.



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G:\Drawings\2013\13-0114\PPDP\PPDP PLAN SET.dwg  
Fri Jun 20 14:12:06 2014

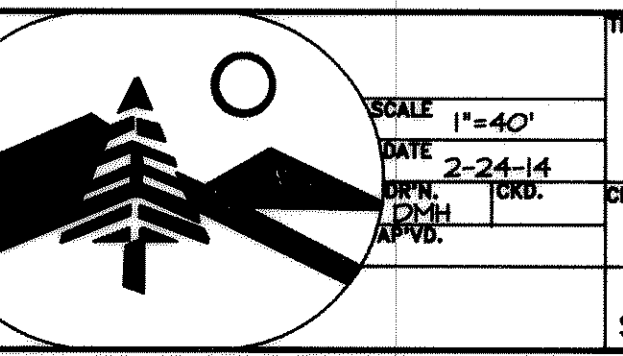
- EXISTING STORM SEWER
- EX WATER LINE
- EX SEWER LINE W/ MH
- EX LIGHT POLE
- EX FIRE HYDRANT
- EXISTING WATER VALVE
- EX 1' CONTOUR INTERVAL
- SCRUB OAK



"NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon."

REVISIONS	COMMENTS
	4-14-14

**DAVID E. ARCHER & ASSOCIATES, INC.**  
LAND DEVELOPMENT CONSULTING SURVEYING & ENGINEERING  
PHONE (303) 688-4842  
105 WILCOX ST. CASTLE ROCK, COLORADO 80104



SCALE 1"=40'	DATE 2-24-14	CLIENT HUDICK EXCAVATING INC.
DRAWN APPROVED	JOB NUMBER 13-0174	TITLE MONTANA VISTA PLANNED DEVELOPMENT PLAN PROJECT NO. PDP14-0002
Sheet <b>2</b> of <b>2</b>		

**ORDINANCE NO. 2014-17**

**AN ORDINANCE AMENDING THE TOWN'S ZONE DISTRICT MAP BY APPROVING  
THE MONTANA VISTA PLANNED DEVELOPMENT PLAN AND APPROVING THE  
MONTANA VISTA PLANNED DEVELOPMENT ZONING REGULATIONS FOR  
EMERGENCY ADOPTION ON SECOND AND FINAL READING**

**WHEREAS**, Montana Vista Offices, LLC, a Colorado limited liability company and Montana Vista Holdings, LLC, a Colorado limited liability company (collectively, Owner) have requested an amendment to the PD Planned Development zoning of the property described in *Exhibit 1* (Property); and

**WHEREAS**, Owner has requested approval of the Montana Vista PD Zoning Regulations (Zoning Regulations) attached as *Exhibit 2*, as the same affect the Property; and

**WHEREAS**, Owner has requested approval of the Montana Vista Planned Development Plan (PD Plan) attached as *Exhibit 3*;

**WHEREAS**, in order to further the ability for Owner to expedite application of assets held in a 1031 Exchange to this Property;

**WHEREAS**, the Town's Comprehensive Master Plan designates the Property as suitable for mixed use development, which is represented by the mixture of commercial uses within the proposed development;

**WHEREAS**, the PD Plan and Zoning Regulations are consistent with the Town's Vision 2020 and the Comprehensive Master Plan; and

**WHEREAS**, public hearings on the PD 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;

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

**Section 1. Zoning Approval.** The Montana Vista Planned Development Plan and PD Zoning Regulations are hereby approved. The Town's Zoning District Map pertaining to the Property is amended accordingly.

**Section 2. 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 3. Emergency Clause.** For the reasons stated in the recitals to this Ordinance, it is declared that an emergency exists and it is necessary for the preservation of the immediate public health and safety for this Ordinance to take effect upon its adoption.

**Section 4. Safety Clause.** The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.


**APPROVED ON FIRST READING** this 3<sup>rd</sup> day of June, 2014 by the Town Council of the Town of Castle Rock, Colorado by a vote of seven (7) for and zero (0) against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

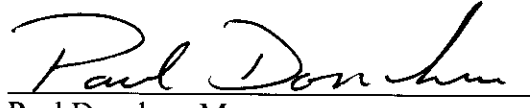
**PASSED, APPROVED AND ADOPTED AS AN EMERGENCY ORDINANCE** this 17<sup>th</sup> day of June, 2014, by the Town Council of the Town of Castle Rock by a vote of 7 for and 0 against, constituting the extraordinary majority required by Section 2.02.100 of the Castle Rock Municipal Code.

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ATTEST:

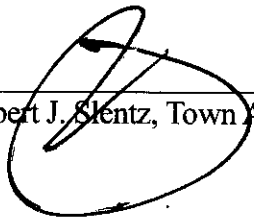
TOWN OF CASTLE ROCK


  
Sally A. Misare, Town Clerk

  
Paul Donahue, Mayor

Approved as to form:

Approved as to content:

  
Robert J. Slentz, Town Attorney

  
Bill Detweiler, Director of Development Services

*Exhibit 1*

**MONTANA VISTA PLANNED DEVELOPMENT PLAN**

**LEGAL DESCRIPTION**

LOTS 1 & 2, COOPER-HOOK/MAIN PLACE FILING NO. 1, AMENDMENT NO. 3 PLAT  
TOWN OF CASTLE ROCK, DOUGLAS COUNTY, CO.

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**Exhibit 2**

# **MONTANA VISTA**

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## **Planned Development Zoning Regulations**

**Approved and Adopted: June 17, 2014**

Prepared for:

**Montana Vista Offices, LLC  
Montana Vista Holdings, LLC  
1700 North Park Street  
Castle Rock, CO 80104**

Prepared by:

**PCS Group Inc.  
301 Kalamath Street, #102  
Denver, CO 80265**

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<b>SECTION VI</b>	-	<b>ACCESSORY USES PERMITTED IN ALL USE AREAS</b>
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**SECTION I  
GENERAL PROVISIONS**

- 1.1 This Zoning Regulation constitutes an amendment to the Town of Castle Rock Zoning Ordinance, and the Zoning District Map of the Town of Castle Rock, and establishes permitted densities, uses and development standards for the Land.
- 1.2 When these regulation do not address a particular subject, the relevant provisions of the Town of Castle Rock Zoning Ordinance, as amended, shall apply. Relevant Sections include, but are not limited to, Planned Development (PD) District, Definitions, Landscaping Requirements, Off-street Parking, and Development and Use Standards.

- 1.3 The land is intended to be a single Use Area on the Montana Vista Preliminary PDP Site Plan, approved contemporaneously herewith, and incorporated by reference into these Zoning Regulations.

**SECTION II  
DEFINITIONS**

- 2.1 **Building:** Any built structure having a floor, walls and fully enclosed roof.
- 2.2 **Building Ground Coverage:** That portion of the ground on any building site which is covered by structures having a floor, walls and fully enclosed roof. Building ground coverage shall not include unenclosed patios, decks or patio decks, surface, underground, or partially underground parking areas, provided such partially underground parking areas shall not protrude more than six (6) feet from the average surrounding grade, roadways, bike paths, or pedestrian ways or such other uses not meeting the above definition.
- 2.3 **Building Height:** The vertical distance from the average finished grade (not including berming or grading for the purpose of permitting a higher building) surrounding a structure to the uppermost point of the roof structure. Chimneys, ventilators, skylights, solar collectors, air conditioning and heating units, antennas, architectural projections and necessary mechanical appurtenances usually constructed above roof level are not to be considered in determining building height.
- 2.4 **Building Setback:** The horizontal distance between a building or structure and a platted lot line. This distance does not include the projections of eaves, overhangs, fireplaces, patios, decks, fire escapes, mechanical units or similar architectural appurtenances except that no projection shall extend beyond the platted lot line.
- 2.5 **Common Area:** All land within the Integrated Business use area as designated on the PDP site plan, which is not within a Building Envelope, Drive-Through Area, and/or is not within an area exclusively appropriated for the use of any single Occupant or limited number of Occupants

(including, building perimeter pedestrian passageways and associated site and landscape improvements or designated employee parking areas).

2.6 Developer: Montana Visa 1, LLC, Montana Vista 2, LLC, or its successors or assigns as Developer.

2.7 Drive-Through Area: All areas within the Montana Vista PDP designed or used to provide services or merchandise for delivery to consumers or users in vehicles including stacking areas, order areas, pickup areas, and curb cuts or driveways use only for such uses.

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

2.9 Owner: The record holder of fee title to all or any portion of the Montana Vista PDP site, their respective heirs, personal representatives, assigns and successors in interest.

2.10 Permittees: All Occupants and all customers, employees, agents, contractors, vendors, suppliers, visitors, and other business invitees of Owners and Occupants insofar as their activities relate to the intended use or construction of the Montana Vista PDP.

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

2.12 Site Plan or PDP Site Plan: The plan for development on the Montana Vista PDP and which has been approved by the Town of Castle Rock of the County of Douglas, a copy of which is attached as Exhibit B, and incorporated herein by reference.

### **SECTION III USE AREAS**

#### **3.1 Use Area**

- A. The land shall be comprised of a single use area indicated on the Montana Vista PDP as Integrated Business (IB). The aggregate number of acres within the use area and the proposed maximum ground coverage to be constructed in the area are indicated on the Montana Vista PDP. Development Standards for the use area are established by this Ordinance. Allowed uses are set forth in this Section.

### 3.2 Integrated Business Use Area - IB

A. Intent: The intent of this use area is to provide a conveniently accessible and aesthetically desirable environment in which to establish select businesses that serve the needs of the residents and visitors to the Town of Castle Rock.

B. Permitted Uses:

1. Bakery; up to twenty percent (20%) wholesale;
2. Banks/financial institutions;
3. Catering services;
4. Clinics;
5. Clubs, lodges and service organizations;
6. Confectionery shop;
7. Fine arts gallery;
8. Government and public facilities;
9. Hotel/Motels;
10. Medical/Health care clinics and offices (including animal hospitals or clinics);
11. Office;
12. Parking areas;
13. Personal service shops, such as barber, beauty parlor;
14. Pharmacy, Drug Store (with 24 hour operation including drive-thru with 24 hour operation)
15. Printing/copy shops;
16. Private, Public schools, Colleges and Institutes, both academic and technical;
17. Public and quasi-public buildings and structure, including: police stations, fire stations, libraries, emergency care facilities, public recreation and public utilities;
18. Restaurants, cafes and other places serving food and beverages (Eat in and a maximum of two drive-thru on the entire site. No fast food restaurants shall be open between the hours of mid-night and 5:00 AM)
19. Retail business stores, sales establishments and centers;
20. Studios, including television and radio broadcasting stations, but excluding antenna towers and microwave dishes;
21. Tailoring;
22. Transit facilities or other facilities designed to enhance the use of public transit; and
23. Upholstering;

C. Use Restrictions:

1. No more than one (1) Fast Food Restaurant shall be permitted.
2. Establishments requiring Retail Liquor Store Licenses are prohibited.

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3.3 Accessory Uses shall be per the Town of Castle Rock Zoning Ordinance

3.4 Uses by Special Review:

- A. Child Care Centers;
- B. Church, synagogues, places of worship
- C. Small animal clinic.

3.5 Right-of-Way - ROW

A. Permitted Uses:

- 1. Public roads and associated pedestrian and vehicular circulation improvements as permitted by the governing authorities
- 2. Above and below ground utilities, water, sewer and stormwater facilities, Landscape improvements

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**SECTION IV  
DEVELOPMENT STANDARDS**

4.1 Development Standards

- Maximum Ground Coverage: 35% of individual lot area
- Building Setbacks: To be established with the Site Development Plan, but will conform to Life Safety requirements.
- Maximum Building Height: 50 feet
- Private Landscape Area: Per Town Code
- Parking: Per Town Code

4.2. Architectural Design

- A. In order to ensure an architecturally compatible and unified development, the type and design of each building, now or in the future, shall be of first quality construction and architecturally designed so that its exterior elevation (including signs) and color will be structurally and aesthetically compatible and harmonious with all other buildings within the Montana Vista PDP. A Property Owners Association will be established, and any applicant for a Site Development Plan will be required to submit a letter of approval from the Property Owners Association with the Site Development Plan submittal.

4.3 Common Area

- A. The Common Area is hereby reserved for the sole and exclusive use of the Owners, Occupants and their Permittees. The Common Area may be used for vehicular driving and parking areas, pedestrian traffic, directional signs, walkways, perimeter walls, retaining

walls, fences, parking lot lighting, utilities, landscaping and for the other uses specified herein.

- B. No Building or structures shall be placed or constructed on the Common Area except project entry, marketing and directional signs, paving, bumper guards, parking curbs, landscape planters, lighting fixtures, perimeter walls and fences, utility pads, sidewalks, retaining walls and to the extent that they do not impede access to the rear or sides of buildings, trash enclosures (with all trash being hidden from view from the parking areas).
- C. The Common Area shall be constructed in accordance with the Development Agreement and the Site Development Plan and shall be kept and maintained as provided for in the CAMA (Common Area Maintenance Agreement).

- D. The sizes and arrangements of the Common Area improvements, including without limitation, access and service drives, striping, traffic directional indicators, signs, concrete bumpers, parking lot lighting, perimeter wall and fences, retaining walls and landscaped areas together with the necessary planning may not be changed without the written approval of the Consenting Owners. No access lane or parking area on the Site shall be altered without the consent of the Owner(s).

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#### 4.4 Fencing Standards

- A. Perimeter fencing, constructed of masonry or wood or other acceptable materials, will be permitted and is in conformance with applicable Town of Castle Rock Zoning Regulations at the time of approval of the Site Development Plan. Said fences may be used for the purposes of providing project identification, earth retaining purposes, property delineation along ROW's and ownership lines, and visual screening of proposed development such as parking areas.
- B. Fences, walls or hedges shall be allowed within the building setbacks, on private land. A building permit is required for any retaining wall greater than four feet in height.
- C. Barbed, or above ground electrically charged wire is prohibited.

#### 4.5 Lighting Standards

- A. Exterior lighting will be permitted within the PDP as follows:
  - 1. Lighting will be permitted at Allen Street & Alexander Place for the purpose of illuminating the entry signage and associated entry feature, such as entry walls, entryway landscaping, etc. Lighting is to be in conformance with applicable Town of Castle Rock Zoning Regulations at the time of approval of the Site Development Plan.

2. Exterior lighting designs for individual business establishments will be reviewed and approved with the Site Development Plan. Such lighting will be in conformance with applicable Town of Castle Rock Zoning Regulations at the time of approval of the Site Development Plan.
3. Lighting will be permitted in the parking areas to illuminate vehicular and pedestrian traffic movement.
4. Landscape accent lighting will be permitted in all areas of the PDP to the extent that it is in conformance with applicable Town of Castle Rock Zoning Regulations at the time of approval of the Site Development Plan.
5. 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, individual business establishment lighting, and interior lights visible from off the property.

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#### 4.6 Signage Standards

- A. Signage will be permitted within the PDP as follows:
  1. Entry signage for the overall PDP development will be permitted at the entry road. Signage is to be in conformance with applicable Town of Castle Rock Zoning Regulations at the time of approval of the Site Development Plan.
  2. Signage is allowed for all individual business establishments, except as otherwise specifically provided herein or in subsequent design regulations for this project that may be developed and approved by the Town of Castle Rock. Signage is to be in conformance with applicable Town of Castle Rock Zoning Regulations at the time of approval of the Site Development Plan.

#### 4.7 Utility Standards

- A. All public utility distribution lines must be placed underground.

#### 4.8 Water and Sanitation Standards

- A. All uses must be served by a central water facility.

#### 4.9 Landscaping

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

**SECTION V  
TEMPORARY USES**

5.1 Temporary Uses

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

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

6.1 Accessory Uses

- A. The following Accessory Uses are permitted:

1. Underground utility and communications distribution lines, to specifically include cable television distribution lines
2. Roadways, bike paths, pedestrian and equestrian trails
3. Storm water drainage detention areas
4. Fences, walls, retaining walls

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

- 7.1 Following the approval of this Ordinance, the owners of the above-described site shall present a Site Development Plan and Plat for all or any portion or portions of the general use area as are then ready for development.
- 7.2 No structural building permit will be issued until a Site Development Plan and Plat for such area has been approved and filed for the public record.
- 7.3 In those cases where the Subdivision Regulations of the Town of Castle Rock require approval of a Plat prior to sale or transfer of lands, a sale or transfer of a portion or portions of the Land is permitted without prior approval of a Site Development Plan, if the deed or other document evidencing the sale or transfer contains the following language: No building permit will be issued for the erection of any structural improvement in any area described herein for which a Site Plan has not been approved by the Town Council of the Town of Castle Rock.

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**SECTION VIII  
TRANSITIONAL USE**

8.1 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 Site Development Plan for such area or areas has been approved; provided however, the Town Council reserves the right to prohibit such agricultural uses in areas for which no Site Development 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 areas.

8.2 Such transitional use areas shall be closed to vehicular traffic and off-road recreational motor vehicles, except agricultural vehicles and implements, emergency vehicles, vehicles engaged in utility and other maintenance work, and designees of the master developer and/or Town.

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**SECTION IX**  
**SEVERABILITY OF PROVISIONS**

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



