

PLAT IDENTIFICATION SHEET

355 331

6-14-85

GRANTOR:

(owner/signer)

Town of Castle Rock

GRANTEE:

(subdivision name or name of plat)

Town of Castle Rock

LEGAL:

(section-township-range)

VICINITY MAP

Castle Rock

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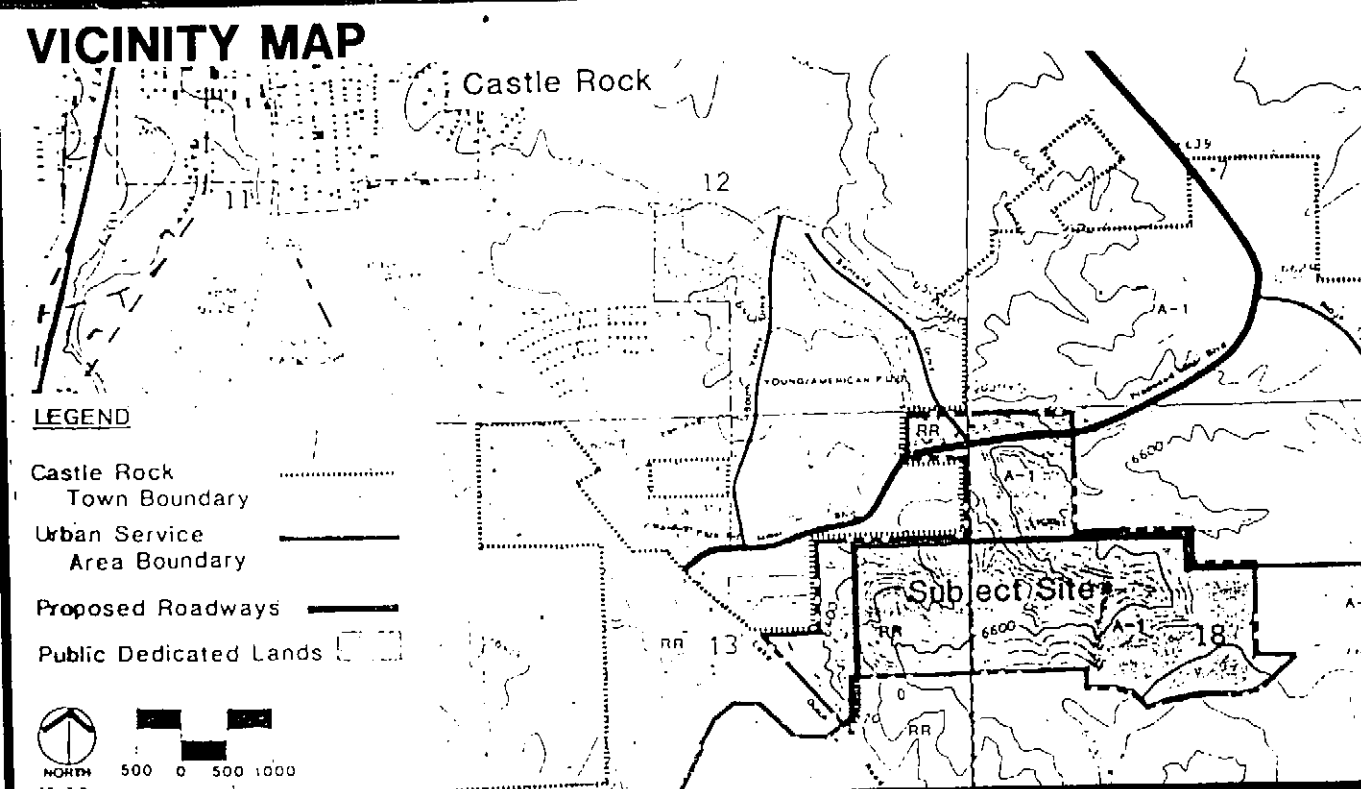
462

463

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Residential
4.22 DU/AC
57.5 Ac

OFF/COMM

4.1 AC

Possible Development in this area is subject to Town approval at time of platting

Residential
10 DU/AC
16.2 Ac

Possible road connection.
Exact location to be
determined at time
of platting.

RES-C
14.0 AC
6.0 DU/AC
84 UNITS

RES- B
12.34 AC
3.8 DU/AC
47 UNITS

RES-E
14.11 AC
16.0 DU/AC
226 UNITS

PARK
3.2 AC

RES-A
30.95 AC
3.0 DU/AC
94 UNITS

RES-D
10.0 AC
10.0 DU/AC
100 UNITS

RES- B 22.7 AC
DU/AC
UNITS

RES- C
9.27 AC
6.0 DU/AC
56 UNITS

RES- C
22.1 AC
6.0 DU/AC
132 UNITS

TO RIDGE ROAD

USE	AC	UNITS	DENSITY	% AC
RESIDENTIAL A ①	30.95	94	3.0 DU/AC	14.0
RESIDENTIAL B ②③	35.04	133	3.8 DU/AC	15.8
RESIDENTIAL C ④⑤⑥	45.37	272	6.0 DU/AC	20.4
RESIDENTIAL D ⑦	10.00	100	10.0 DU/AC	4.5
RESIDENTIAL E ⑧	14.11	226	16.0 DU/AC	6.4
RESIDENTIAL TOTAL	135.47			61.1
OFFICE/COMMERCIAL ⑨	4.1			1.8
MILLER BLVD. R.O.W.	4.1			1.8
INTERNAL ROAD R.O.W.	15.45			7.0
PUBLIC LAND DEDICATION	25.22			11.4
PRIVATE OPEN SPACE	37.48			16.9
TOTAL	221.82	824	3.7 DU/AC	100%

TOWN OF CASTLE ROCK APPROVALS

Approved this 19th day of February, 1985 A.D. by the
Planning Commission of Castle Rock.

Phyllis L. Brown, deputy D. Melody
Attest: Richard R. Wilson Phyllis Melody
Town Clerk Chairman

Approved this 14th day of March, 1985 A.D. by the board
of Trustees of the Town of Castle Rock.

Phyllis L. Brown, deputy Gary Kennedy
Attest: Richard R. Wilson George Kennedy
Town Clerk Mayor

[illegible]

PREPARED FOR:
FIRST CAPITOL CORPORATION
A SUBSIDIARY OF CAPITOL FEDERAL SAVINGS
3300 South Parker Road
P.O. Box 22631
Denver, Colorado 80222



235 Washington Street
Denver, Colorado 80205
Est. 1914

DATE: 12-21-84
SCALE: 1"= 200'
DRAWN BY: BJB
CHECKED BY: K.E.
REVISED: 1-1-85 4-1-85
2-12-85
2-13-85

DATE: 12-21-84
SCALE: 1"= 200'
DRAWN BY: BJB
CHECKED BY: K.E.
REVISED: 1-1-85 4-1-85
2-12-85
2-13-85

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BOOK 579 PAGE 173

RETA A. DEAIN
DOUGLAS COUNTY

793.09

JUN 14 11 11 AM '85

ORDINANCE NO. 85-10

AN ORDINANCE AMENDING THE
ZONING DISTRICT MAP OF
THE TOWN OF CASTLE ROCK, COLORADO
(THE OAKS OF CASTLE ROCK P.U.D.)

TABLE OF CONTENTSPage

Premises	1
SECTION I. DEFINITIONS	2
Subsection 1.1 Apartment Dwelling Units	2
Subsection 1.2 Building Ground Coverage	2
Subsection 1.3 Building Height	2
Subsection 1.4 Cluster Dwelling Units	2
Subsection 1.5 Condominium Dwelling Units	3
Subsection 1.6 Patio Home Dwelling Units	3
Subsection 1.7 Single Family Detached Dwelling Units	3
SECTION II. GENERAL USE AREAS	3
SECTION III. PERMITTED RESIDENTIAL DENSITIES	4
SECTION IV. RESIDENTIAL A (RES-A) USE AREAS	5
Subsection 4.1 Permitted Uses	5
Subsection 4.2 Uses by Special Review	5
Subsection 4.3 Maximum Gross Density	5
Subsection 4.4 Maximum Building Heights	5
SECTION V. RESIDENTIAL B (RES-B) USE AREAS	5
Subsection 5.1 Permitted Uses	5
Subsection 5.2 Uses by Special Review	5
Subsection 5.3 Maximum Gross Density	5
Subsection 5.4 Maximum Building Heights	5
SECTION VI. RESIDENTIAL C (RES-C) USE AREAS	5
Subsection 6.1 Permitted Uses	5
Subsection 6.2 Uses by Special Review	6
Subsection 6.3 Permitted Densities	6
Subsection 6.4 Maximum Building Heights	6
SECTION VII. RESIDENTIAL D (RES-D) USE AREAS	6
Subsection 7.1 Permitted Uses	6
Subsection 7.2 Uses by Special Review	6
Subsection 7.3 Permitted Densities	6
Subsection 7.4 Maximum Building Heights	6
Subsection 7.5 Maximum Building (Ground) Coverage	7
SECTION VIII. RESIDENTIAL E (RES-E) USE AREAS	7
Subsection 8.1 Permitted Uses	7
Subsection 8.2 Uses by Special Review	7
Subsection 8.3 Permitted Densities	7
Subsection 8.4 Maximum Building Heights	7
Subsection 8.5 Maximum Building (Ground) Coverage	7
SECTION IX. NEIGHBORHOOD OFFICE/COMMERCIAL USE AREA	8
(NOC AREA)	
Subsection 9.1 Permitted Uses	8

Subsection 9.2	Uses by Special Review	8
Subsection 9.3	Maximum Permitted Building Ground Coverage	8
Subsection 9.4	Maximum Building Heights	8
SECTION X.	PUBLIC DEDICATION USE AREAS	9
Subsection 10.1	Permitted Uses	9
Subsection 10.2	Development Standards	10
SECTION XI.	ACCESSORY USES PERMITTED IN ALL USE AREAS	10
Subsection 11.1	Uses Permitted in All Use Areas	10
Subsection 11.2	Uses Permitted by Special Review in All Use Areas	11
SECTION XII.	BUFFER AREAS	11
SECTION XIII.	SETBACKS AND LOT SIZES	12
Subsection 13.1	Single Family Detached Dwelling Units	12
Subsection 13.2	Patio Home Dwelling Units	12
Subsection 13.3	Cluster Units	13
SECTION XIV.	RESIDENTIAL BUILDING ENVELOPES	14
SECTION XV.	PLANNING AND DESIGN CONTROLS	15
SECTION XVI.	ENVIRONMENTAL PROTECTION	16
Subsection 16.1	Intent	16
Subsection 16.2	General Provisions During Construction	16
Subsection 16.3	Drainage	17
Subsection 16.4	Site Grading	18
Subsection 16.5	Erosion Controls	18
Subsection 16.6	Measures to be Undertaken During Construction	18
Subsection 16.7	Final Slope Stabilization and Revegetation	20
Subsection 16.8	Continued Maintenance	21
SECTION XVII.	ENFORCEMENT	22
SECTION XVIII.	SUBMISSION OF FINAL PLANNED UNIT DEVELOPMENT PLANS AND/OR PLATS	22
SECTION XIX.	USE AREA LOCATION AMENDMENTS	24
SECTION XX.	PARKING REQUIREMENTS	24
SECTION XXI.	RECREATIONAL AMENITIES IN CERTAIN AREAS	25
SECTION XXII.	TRANSITIONAL USE FOR AGRICULTURAL PURPOSES	25
SECTION XXIII.	SEVERABILITY OF PROVISIONS	26

AN ORDINANCE AMENDING THE
ZONING DISTRICT MAP OF
THE TOWN OF CASTLE ROCK, COLORADO
(THE OAKS OF CASTLE ROCK P.U.D.)

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

- (a) A petition has been filed with the Town Clerk requesting an amendment to the Zoning District Map of the Town of Castle Rock, and;
- (b) That said petition has been forwarded to the said Board of Trustees, and;
- (c) That public meetings and hearings, following notice duly made and published pursuant to applicable Colorado Statutes and Town of Castle Rock Ordinances, have been held before the Planning and Zoning Commission of the Town of Castle Rock, and the Board of Trustees of the Town of Castle Rock, and;
- (d) That the amendment sought to the said Zoning District Map complies with the stated purposes of the Planned Unit Development Ordinance 17.48 as set forth in subsection 17.48.010 thereof.

NOW, THEREFORE, BE IT ORDAINED, BY THE BOARD OF TRUSTEES OF THE TOWN OF CASTLE ROCK, as follows:

That the Zoning Classification of the lands, consisting of 221.82 acres, described in Exhibit "A", attached hereto and made a part hereof, is changed from Zoning Classification R-R (Rural Residence District) to Zoning Classification PUD (Planned Unit Development District).

SECTION I.

DEFINITIONS

1.1 Apartment Dwelling Units. Attached dwelling units which are not individually owned, but rented or leased to the occupants thereof.

1.2 Building Ground Coverage. That portion of the ground on any building site which is covered by structures having a floor, walls and fully enclosed roof.

Building ground coverage shall not include surface, underground, or partially underground parking areas, (provided such partially underground parking areas shall not protrude more than six (6) feet from the average surrounding grade), roadways, bike paths or pedestrian ways or such other uses not meeting the above definition.

1.3 Building Height. The vertical distance from the average grade surrounding a structure to the uppermost point of the roof structure. Chimneys, ventilators, skylights, solar collectors, air conditioning and heating units, antennas and necessary mechanical appurtenances usually constructed above roof level are not to be considered in determining building height.

1.4 Cluster Dwelling Units. Cluster dwelling units are single-family dwellings, either detached or attached, sited in groups along with common areas and elements available for common use by the owners of such units. Frontage on public or private streets is not required for all lots in a cluster unit group. Not more than one dwelling unit shall be constructed upon each lot within a cluster unit group unless such units are condominiums. All dwelling

units within a cluster group shall have access to all common areas and elements.

1.5 Condominium Dwelling Units. Attached dwelling units in which individual ownership is limited to finite space (air space) within a structure. Condominium unit owners will not individually own land underneath such units. All common elements or facilities including the land are owned in undivided interest, in common, by individual unit owners.

1.6 Patio Home Dwelling Units. Patio home dwelling units are single-family dwelling units oriented to the side or rear of the lot, thus providing garden and patio areas to efficiently develop residential land and to utilize the lot or project area most effectively.

1.7 Single Family Detached Dwelling Units. Dwelling units not sharing common walls. Single family residence owners will own the land beneath such dwelling units and the land surrounding such units. Common undivided ownership of elements or facilities which are located in areas other than the lots surrounding such units is permitted.

SECTION II.

GENERAL USE AREAS

2.1 The land shall be divided into general use areas as the same are generally located on "The Oaks of Castle Rock P.U.D. Preliminary Site Plan", approved contemporaneously herewith, which is incorporated by reference into this Ordinance. Said general use areas shall be of eight (8) types, as designated below. The aggregate number of acres within each type of use area shall be as indicated opposite each type designation.

<u>Type Use Area</u>	<u>Acreage</u>
Residential A (RES-A)	30.95
Residential B (RES-B)	35.04
Residential C (RES-C)	45.37
Residential D (RES-D)	10.00
Residential E (RES-E)	14.11
Office/Commercial (OFF/COMM)	4.1
Public Land Dedication	25.22
Private Open Space	37.48
Miller Boulevard R.O.W.	4.1
Internal Road R.O.W.	15.45
TOTAL ACREAGE	221.82

2.2 At a minimum the Planned Unit Development shall contain (within common open space areas and within the use areas) a minimum amount of private open space equal to 20% of the total acreage contained in the residential use areas, none of which shall be credited to the public land dedication requirement. All such private open space which is to be held as common open space shall be perpetually protected by appropriate protective covenants and title to such common open space shall be held by non-profit corporate entities which shall bear the responsibility of maintaining and controlling such private common open space.

SECTION III.

PERMITTED RESIDENTIAL DENSITIES

It is the intent of this Ordinance to permit the development of 824 residential dwelling units upon the land described in Exhibit A.

SECTION IV.

RESIDENTIAL A (RES-A) USE AREAS

4.1 Permitted Uses.

- (a) Single family detached residences, garages and accessory structures.
- (b) Patio home units, garages and accessory structures.
- (c) Cluster units, garages and accessory structures.
- (d) Recreation areas.

4.2 Uses by Special Review.

- (a) Churches.
- (b) Civic facilities.
- (c) Home occupations.

4.3 Maximum Gross Density. 3.0 dwelling units per acre.

4.4 Maximum Building Heights. 35 feet.

SECTION V.

RESIDENTIAL B (RES-B) USE AREAS

5.1 Permitted Uses.

- (a) Any use permitted in Residential A (RES-A) Use Areas.

5.2 Uses By Special Review. Any use permitted by special review in Residential A (RES-A) Use Areas.

5.3 Maximum Gross Density. 3.8 dwelling units per acre.

5.4 Maximum Building Heights. 35 feet.

SECTION VI.

RESIDENTIAL C (RES-C) USE AREA

6.1 Permitted Uses.

- (a) Any use permitted in Residential A (RES-A) use areas.

6.2 Uses By Special Review. Any use permitted by special review in Residential A (RES-A) Use Areas.

6.3 Permitted Densities. 6.0 dwelling units per acre.

6.4 Maximum Building Heights. 35 feet.

SECTION VII.

RESIDENTIAL D (RES-D) USE AREAS

7.1 Permitted Uses.

(a) Townhome units, garages and accessory structures.

(b) Apartment units.

(c) Condominium units.

7.2 Uses By Special Review.

(a) Any use permitted by special review in the Residential A (RES-A) Use Areas.

(b) Child care centers.

7.3 Permitted Densities. 10 dwelling units per acre.

7.4 Maximum Building Heights. The maximum building height which may be constructed by right shall be 35 feet, provided however that the Board of Trustees may permit maximum building heights not to exceed 42 feet at the time of final site plan review following consideration of the following criteria: (i) the topography of the site and visual impact of the proposed structure; (ii) the size of the site; (iii) height of adjacent structures; (iv) compatibility with adjacent structures; (v) affect upon light to adjacent streets and properties; and (vi) traffic impact. Such structures shall meet all applicable provisions of the Uniform Fire Code and Uniform Building Code as are in effect at the time of their construction.

7.5 Maximum Building (Ground) Coverage. 35% of net acreage of use area exclusive of dedicated roadways.

SECTION VIII.

RESIDENTIAL E (RES-E) USE AREAS

8.1 Permitted Uses.

- (a) Townhome units, garages and accessory structures.
- (b) Apartment units.
- (c) Condominium units.

8.2 (a) Any use permitted by special review in the Residential A (RES-A) Use Areas.

- (b) Child care centers.

8.3 Permitted Densities. 16 dwelling units per acre.

8.4 Maximum Building Heights. The maximum building height which may be constructed by right shall be 35 feet, provided however that the Board of Trustees may permit maximum building heights not to exceed 42 feet at the time of final site plan review following consideration of the following criteria: (i) the topography of the site and visual impact of the proposed structure; (ii) the size of the site; (iii) height of adjacent structures; (iv) compatibility with adjacent structures; (v) affect upon light to adjacent streets and properties; and (vi) traffic impact. Such structures shall meet all applicable provisions of the Uniform Fire Code and Uniform Building Code as are in effect at the time of their construction.

8.5 Maximum Building (Ground) Coverage. 35% of net acreage of use area exclusive of dedicated roadways.

SECTION IX.

NEIGHBORHOOD OFFICE/COMMERCIAL USE AREA (NOC AREA)

It is the intent of the Board of Trustees in approving this use area to promote office and commercial uses which are intended to serve neighborhood needs.

9.1 Permitted Uses.

- (a) Financial institutions.
- (b) Offices, professional and commercial.
- (c) Parking lots
- (d) Automotive fuel sales incidental to neighborhood retail stores.
- (e) Dry cleaning and laundry establishments.
- (f) Liquor stores.
- (g) Personal service establishments.
- (h) Public or private membership clubs and health clubs
- (i) Restaurants and lounges excluding restaurants with drive up or drive in service.
- (j) Neighborhood retail stores.
- (k) Child care centers (with site plan approval by the community development director).

9.2 Uses by Special Review. Other office/commercial uses in character with permitted uses as may be approved pursuant to special review regulations of the Town of Castle Rock.

9.3 Maximum Permitted Building Ground Coverage. 35% of net acreage of use area exclusive of dedicated roadways.

9.4 Maximum Building Heights. The maximum building height which may be constructed by right shall be 35 feet, provided however

that the Board of Trustees may permit maximum building heights not to exceed 50 feet at the time of final site plan review following consideration of the following criteria; (i) the topography of the site and visual impact of the proposed structure; (ii) the size of the site; (iii) height of adjacent structures; (iv) compatibility with adjacent structures; (v) affect upon light to adjacent streets and properties; and (vi) traffic impact. Such structures shall meet all applicable provisions of the Uniform Fire Code and Uniform Building Code as are in effect at the time of their construction.

SECTION X.

PUBLIC DEDICATION USE AREAS

10.1 Permitted Uses.

- (a) Open space.
- (b) Parks, playgrounds and picnic areas, excluding camping and overnight parking.
- (c) Community centers.
- (d) Community recreational facilities.
- (e) Public buildings, including but not limited to libraries, fire and police stations.
- (f) Such other public uses, not inconsistent with the nature of surrounding use areas, as may be permitted by the Town of Castle Rock.
- (g) Facilities for the acquisition, treatment and storage of water, not inconsistent with the nature of surrounding use areas.
- (h) Facilities for the collection, treatment and disposal of sewage, not inconsistent with the nature of surrounding use areas.

- (i) Storm water detention and drainage areas.
- (j) Such other public uses, not inconsistent with the nature of surrounding use areas, as may be permitted by the Town of Castle Rock.

10.2 Development Standards.

- (a) Maximum Building Height. As permitted in most permissive abutting use area within the Planned Unit Development.
- (b) Building Setback. As permitted in most permissive abutting area within the Planned Unit Development.

SECTION XI.

ACCESSORY USES PERMITTED IN ALL USE AREAS

11.1 Uses Permitted in All Use Areas.

- (a) Underground utility and communications distribution lines, to specifically include cable television distribution trunks and lines.
- (b) Roadways, bike paths, pedestrian and equestrian trails.
- (c) Parking areas.
- (d) Open spaces and lakes, to include storm water drainage detention areas.
- (e) Fences.
- (f) Wells and well houses, water pumping stations and sewage lift stations.
- (g) In use areas other than Public Land Dedication Use Areas and Private Open Space Use Areas, single family townhouse and condominium units to be utilized as models and/or sales and information offices; provided the unit

so utilized is a permitted use in the use area where it is located. Further provided any such use shall be discontinued when all similar dwelling units within the P.U.D. have been sold.

- (h) In use areas other than Public Land Dedication Use Areas and Private Open Space Use Areas, mobile sales and information units, provided no such mobile sales and information unit shall be erected until plans and specifications for such unit have been first submitted to the Board of Trustees for review and approval and further provided that no such unit shall be maintained in any area described in a final site plan more than 90 days after a certificate of occupancy has been issued for the first structure within such area.
- (i) 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.

11.2 Uses Permitted by Special Review in All Use Areas.

- (a) Electric substations and gas regulator stations.

SECTION XII.

BUFFER AREAS

12.1 In each instance where non-residential use areas within the Land abut residential uses outside of the Land a 30 foot private open space easement shall be provided. Such open space easements must be kept free of buildings or structures, and must be

landscaped, screened or protected by natural features, so that the adverse effects on abutting areas are minimized.

SECTION XIII.

SETBACKS AND LOT SIZES

13.1 Single Family Detached Dwelling Units.

- (a) Front (to garage) - 20 feet.
- (b) Front (to living area) - 15 feet.
- (c) Side - 5 feet
- (d) Side corner - 10 feet.
- (e) Rear - 20 feet.
- (f) Minimum separation between structures - 10 feet.
- (g) Minimum lot size - 6000 square feet.

13.2 Patio Home Dwelling Units.

- (a) Front (to garage) - 20 feet.
- (b) Front (to living area) - 15 feet.
- (c) Side - none
- (d) Side corner - 10 feet.
- (e) Rear - 18 feet.
- (f) Minimum separation between structures - 10 feet.
- (g) Average lot size 5500 square feet.
- (h) Minimum lot size 4500 square feet.
- (i) Minimum open space: At least one-third of each lot shall be devoted to outdoor living areas, including but not limited to, landscaped areas, patios, walkways, fences, gardens, and similar features, but excluding therefrom driveways, and uncovered parking spaces.

13.3 Cluster Units

- (a) Lot frontage: Minimum 25 feet
- Lot frontage on public or private streets is not required of all lots, but in those cases where a lot does front on a public or private street the standard will apply.
- (b) Front setback (to garage): Minimum 20 feet
- Front setback (to living area): Minimum 15 feet
- unless the driveway enters the garage parallel to the street, in which case the garage setback shall be a minimum of 5 feet.
- (c) Side setback: Minimum 5 feet
- unless units are attached, or a zero-lot-line applies.
- (d) Rear setback: Minimum 15 feet
- unless the driveway enters the garage from an alleyway, in which case the garage setback shall be a minimum of 5 feet, or unless units are attached at rear.
- (e) Setback from all project area boundaries: Minimum 20 feet
- (f) Project area: Minimum 5 acres
- (unless a smaller area is approved by the Board of Trustees).
- (g) Minimum common areas and elements: To allow for the unique arrangement of buildings and common areas and elements within a cluster group, no minimum common areas and elements are required for any lot within a cluster group, provided, however that a minimum of one-third of

the total cluster home project area shall be devoted to common areas and elements exclusive of driveways and all off-street parking facilities. The common areas and elements may include, but not be limited to, open spaces, landscaped areas, active and passive recreation areas, walkways, bikepaths, and play areas, but shall exclude therefrom driveways and all offstreet parking facilities.

- (h) Frontage on public or private streets is not required for all lots in a cluster unit group. Not more than one dwelling unit shall be constructed upon each lot within a cluster unit group unless such units are condominiums. All dwelling units within a cluster group shall have access to all common areas and elements.

SECTION XIV.

RESIDENTIAL BUILDING ENVELOPES

14.1 Development of lots within Residential A (RES-A) and Residential B (RES-B) Use Areas within The Oaks 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.

14.2 Building envelopes for single-family detached residences shall include all clearing, grading, construction, introduced irrigated landscaping and impervious areas, with the exception of connecting driveways or ingress-egress roads and utilities.

14.3 Building envelopes for patio homes and cluster homes shall include the entire principal structures, attached or detached

garages, patio or other impervious surface areas and irrigated landscape areas. Entry driveways to the structure may extend from the building envelope to the principal access route.

SECTION XV.

PLANNING AND DESIGN CONTROLS

15.1 The standards and requirements listed in this section shall apply within the Residential A (RES-A) and Residential B (RES-B) Use Areas.

15.2 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 drainageways 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 accomodate slope in design rather than cause slope to accomodate structures.

- (d) Grading shall be shaped to compliment the natural land forms.
- (e) Roads in steeply sloping or heavily vegetated areas shall be designed to minimize the area of disturbance. Clearing of vegetation within the right-of-way shall be "feathered" to create more natural appearing edges and to accomodate snow stacking.

SECTION XVI.

ENVIRONMENTAL PROTECTION

16.1 Intent: It is the intent of this section to provide guidelines and procedures to minimize terrain disturbances and ecological damage during site preparation and construction of roads and structures within the Residential A (RES-A) and Residential B (RES-B) Use Areas and to indicate the methods to be employed in the restoration of disturbed areas, and the prevention of erosion and sedimentation during and after construction.

16.2 General Provisions During Construction:

- (a) Care shall be exercised during all operations to minimize damage to fragile areas of the landscape.
- (b) Construction equipment shall not be permitted to move off roads or established construction routes in order to minimize damage to vegetation or soil.
- (c) Ropes or cable shall not be fastened to trees except for support and stabilization.

- (d) The burning of trash, brush, trees and other combustible objects is prohibited. Such material shall be removed from the site, except for woody material which may be shredded and used for mulch. Warming or debris fires are prohibited.
- (e) All waste materials shall be promptly removed from the site. Dumping or temporary storage of waste materials in slopes or drainages is prohibited.

16.3 Drainage

- (a) Surface drainage shall utilize, wherever possible and practical, natural swales and retention/detention ponds.
- (b) Where conveyance swales are used for surface drainage, the sideslopes shall not be greater than 3:1. Sideslopes shall be grassed or otherwise stabilized but shall not be lined with concrete or asphalt.
- (c) Channel widths and bottoms of conveyance swales shall vary according to the stormwater flow for that watershed, based on the final drainage plan.
- (d) Bottoms of swales shall be grassed or lined with rock, stones, sand or coarse gravel, but shall not be concrete or asphalt lined.
- (e) Where drainage velocities in swales are expected to be greater than seven (7) feet per second, check-dams within the swale shall be permitted, provided they are rock or rip-rap. Concrete or asphalt check-dams shall not be permitted unless faced with rock.

- (f) Detention ponds shall be designed to detain and control increased storm water runoff from the 100 year storm occurrence and shall have side slopes no greater than 3:1 and shall be designed and constructed to provide for sediment storage and an average pool depth of 5 feet.
- (g) Perimeter boundaries of retention areas shall follow a configuration of natural land contours wherever possible to create a natural look to such areas.

16.4 Site Grading: A site grading plan will be provided as part of the Final PUD Site Plan to indicate preliminary adjustments of grade. Development will avoid all areas of 25% slope or greater as a means of retaining the natural setting of the project. Grading at the rear of units sited against slopes of 20% or greater will be kept within 20' of the rear wall. Wherever practical, existing vegetation will be left undisturbed.

16.5 Erosion Controls: The problem of wind and water-borne erosion with resulting sediment loads shall be addressed both during construction and at the time of final slope stabilization and revegetation.

16.6 Measures to be Undertaken During Construction:

- (a) All cut and fill slopes created during site preparation or construction shall receive interim stabilization treatment as soon as practicable but in all cases within a period of six months.
- (b) Calculations for potential soil loss due to erosion during construction will be made by use of the Universal Soil Loss Equation, or a similar acceptable method.

Estimates of soil loss thereby derived shall be used in determining the level of interim measures required to prevent sediment generation.

- (c) Topsoil (where it is in evidence) from all areas undergoing construction shall be stripped to an appropriate depth and stockpiled. The location of stockpiles shall be selected so as not to obstruct site operations and result in double handling. Topsoil mounds shall not exceed 8 feet in height and have sideslopes greater than 4:1. If topsoil mounds are to be left for more than six months they shall be seeded.
- (d) In areas where downslopes are stripped or graded exceeding 1/2 acre in size or where the length of such downslope exceeds 100 feet, a continuous line of straw bales or other similar material shall be staked along the contour. Where it is impractical to use straw bales, temporary diversion channels shall be used. Where diversion channels are employed, runoff will be directed to sediment basins, as designated on the final drainage plan.
- (e) Where drainage channels are encountered on the site, straw bale "filters" shall be used to control sediment flow. Bales will be staked as a barrier parallel to the slope contour in the channel to stop sediment and reduce velocities until final channel stabilization has been achieved.

- (f) Stripped or graded areas which are to remain in such condition for periods exceeding six months shall be treated with temporary mulch and/or seeding. Such areas sloping in excess of 3:1 shall be anchored with a mulch anchoring tool, asphalt or other binding agent.
- (g) Slopes greater than 2:1 but less than 1:1 shall be seeded and held in place with mesh or net stabilization materials.
- (h) Slopes of steep grade (1:1 or greater) cut and fill banks and unstable soil conditions that cannot be stabilized through seeding, mulching or netting techniques shall be treated with structural or biotechnical methods. These will include:
 - 1. Terracing to form "benches" for placing stabilizing plant materials.
 - 2. Timber or metal frame stabilization to form a lattice of stabilized planting boxes against steep slopes. Such frames shall be anchored to prevent slippage and buckling. Frames will be mulched, seeded and meshed to prevent washout, while vegetation is becoming established.
 - 3. Use of temporary timber, stone or concrete retaining walls.

16.7 Final Slope Stabilization and Revegetation:

- (a) All disturbed areas shall receive final stabilization treatment to insure that erosion and sediment loads are at acceptable levels and all cut slopes and fill areas are secure from slope failure.

- (b) Desireable slope grades shall be a maximum of 3:1. When site conditions warrant, slope may reach a maximum of 2:1, provided that mesh and other intensive revegetation procedures are implemented. Specific details of revegetation techniques shall be provided on the face of the final PUD Site Plan.
- (c) Seed mixtures used in revegetation shall be compatible with the indigenous plant material in terms of soilholding capabilities, moisture requirements and cover capabilities. Introduced plantings shall be chosen to closely conform visually to the natural site conditions prior to disturbance, provided the intent of soil and slope stabilization is met.
- (d) Cut and fill slopes, including roadways, shall be revegetated or faced with natural materials to restore visual compatibility with the surrounding landscape.
- (e) Permanent check dams will be installed in natural drainages as needed based on the Final Drainage Plan.

16.8 Continued Maintenance. The owner of any private property on which grading or other work has been performed pursuant to a grading plan approved or a building permit granted under the provisions of this Ordinance shall continuously maintain and repair all graded surfaces and erosion prevention devices, retaining walls, drainage structures or means, and other protective devices, plantings, and ground cover installed or completed.

SECTION XVII.

ENFORCEMENT

17.1 Responsibility for enforcement of the provisions of SECTION XIV, RESIDENTIAL BUILDING ENVELOPES, SECTION XV, PLANNING AND DESIGN CONTROLS and SECTION XVI, ENVIRONMENTAL PROTECTION shall reside exclusively with the TOWN as such provisions relate to public improvements. Where such provisions relate to private improvements, the primary responsibility for enforcement shall reside in The Oaks of Castle Rock Master Homeowners Association, which shall be duly organized as a Colorado non-profit corporation with perpetual existence prior to the time of TOWN approval of the first final plat within the LAND. Provided, however, that the TOWN shall have concurrent jurisdiction to enforce such provisions if the Board of Trustees deem it to be in the best interests of the Town of Castle Rock. DEVELOPER shall cause the provisions of said SECTIONS XIV, XV, and XVI, in so far as said provisions relate to private improvements, to be incorporated into the protective covenants to be imposed upon all Residential A (RES-A) and Residential B (RES-B) areas, together with the grant of appropriate enforcement powers to the Master Homeowners Association.

SECTION XVIII.

SUBMISSION OF FINAL PLANNED UNIT
DEVELOPMENT PLANS AND/OR PLATS

18.1 Following the approval of this Ordinance, the owners of tracts within the area described in Exhibit "A" shall present final site plans for all or any portion or portions of the use areas as are then ready for development.

18.2 Except as provided in Section XIV, Section XV and Section XVI, final site plans in residential areas which do not provide for common open space shall not address individual unit design or landscape requirements. Provided however that commonly owned parklands or recreational facilities within single family areas shall address such requirement but as to such common areas only.

18.3 No structural building permit will issue until a final site plan and final plat for such area has been presented to and approved by the Board of Trustees.

18.4 In those cases where the Subdivision Regulations of the Town of Castle Rock require approval of a final plat by the Board of Trustees prior to sale or transfer of lands within the Planned Unit Development, no such final plat shall be approved by the Board of Trustees for any area for which a final site plan has not been approved for the lands so sold or transferred, unless such plat contains a note, on the face thereof, which shall state as follows:

"(Pursuant to Town of Castle Rock Ordinance No. 83-22, no building permit will issue for the erection of any structural improvement in any area described hereon for which a final site plan has not been approved by the Board of Trustees of the Town of Castle Rock.)"

SECTION XIX.

USE AREA LOCATION AMENDMENTS

19.1 The Board of Trustees, at the time of final site plan review, may permit relocation of all or part of any Residential Use Area to any other location designated on the preliminary site plan for Residential Use, provided that the overall permitted number of dwelling units for the Planned Unit Development will not thereby be increased, and further provided that the total land area subjected to such relocation does not exceed twenty percent (20%) of the total amount of Residential Use Area acreage within the P.U.D..

Such amendments shall constitute amendments to the preliminary planned unit development site plan for Planned Unit Development.

SECTION XX

PARKING REQUIREMENTS

20.1 Off-street parking is required for all land uses developed in the Planned Unit Development. The number and size of all required parking spaces are to be in conformance with the applicable Town of Castle Rock Zoning Regulations at the time of approval of Final Site Plan and Plat, unless developer can demonstrate, to the satisfaction of the Board of Trustees, at the time of final platting and site plan review, that provision of a lesser number of spaces or spaces of lesser size will still provide adequate off-street parking for the proposed use.

SECTION XXI.

RECREATIONAL AMENITIES IN CERTAIN AREAS

21.1 Developers in parcels 7 and 8 within The Oaks PUD will be required to provide recreation facilities/amenities within their projects. The character of these facilities/amenities will be dictated by the market profile for individual projects. Projects catering to families with children may include play areas in the green space, while those occupied by couples or single owners may provide tennis courts, a swimming area or passive sunning or gathering areas and facilities more suited to mature users.

SECTION XXII.

TRANSITIONAL USE FOR AGRICULTURAL PURPOSES

22.1 After approval of the Preliminary Site Plan incorporated herein by reference, any portion or portions of the property described above, which has not been subjected to a final site plan, may be used for agricultural purposes until approval of a final site plan for the area or areas in question. Agricultural uses, for purposes of this section, shall mean, farming, ranching, gardening, buildings and out buildings pertaining thereto. It shall not be deemed to include commercial feed yards, commercial poultry or pig farms, fur farms, or kennels.

22.2 Any general ordinance of the Town of Castle Rock prohibiting any activity permitted by this Section shall have no application within the area described above until a Final Site Plan for such area or areas has been approved; provided however, the Board of Trustees, reserves the right to prohibit such agricultural use in areas for which no final site plan has been submitted in the

event said Board determines that due to the proximity of such uses to developed areas that a danger exists to the health, safety or welfare of the residents of such developed areas.

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

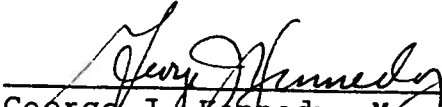
SECTION XXIII.

SEVERABILITY OF PROVISIONS

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

Passed and approved on first reading this 14th day of March, 1985, by vote of the Board of Trustees of the Town of Castle Rock, Colorado, 5 for and 0 against.

Passed and approved on second reading this 21st day of March, 1985, by vote of the Board of Trustees of the Town of Castle Rock, Colorado, 5 for and 0 against.


George J. Kennedy, Mayor
Town of Castle Rock

ATTEST:


Richard R. Wilson, Town Clerk

A parcel of land lying in portions of Section 13, Township 8 South, Range 67 West and Section 18, Township 8 South, Range 66 West of the 1st P.M., County of Douglas, State of Colorado being more particularly described as follows:

Beginning at the Northeast corner of the Southeast 1/4 of the Northeast 1/4 of said Section 13 and considering the East line of the Northeast 1/4 of Section 13 to bear North 00°36'29" West as per Bell Companies Survey 1982, with all bearings contained herein relative thereto; thence North 00°36'29" West a distance of 859.50 feet; thence South 89°59'39" West a distance of 614.83 feet; thence North 00°00'21" West a distance of 460.00 feet; thence North 89°59'39" East a distance of 610.00 feet; thence North 88°59'39" East a distance of 1146.19 feet; thence South 00°03'51" East a distance of 1321.28 feet; thence North 89°04'32" East a distance of 1316.66 feet; thence South 00°00'06" West a distance of 661.37 feet; thence North 89°06'12" East a distance of 660.00 feet; thence South 00°00'05" West a distance of 661.69 feet; thence North 89°07'51" East a distance of 533.99 feet to the Northerly line of that easement described in Book 176 at Page 315, as filed in the Douglas County Clerk and Recorder's office; thence along said Northerly easement line the following courses: North 62°38'56" East a distance of 45.54 feet; thence North 31°35'31" East a distance of 47.04 feet; thence North 89°07'51" East a distance of 786.05 feet to the Westerly R.O.W. of Ridge Road; thence departing said Northerly easement line and along said Westerly R.O.W., South 00°52'08" East a distance of 60.00 feet to the point of intersection with the Southerly line of that easement described in said Book 176, at Page 315; thence the following courses along the said Southerly easement line: South 89°07'51" West a distance of 726.05 feet to a point of curvature; thence along a curve to the left having a central angle of 39°05'31", a radius of 45.27 feet, an arc length of 30.89 feet, and a chord that bears South 69°35'06" West a distance of 30.29 feet to the point of tangency; thence South 50°02'20" West a distance of 532.02 feet to a point of curvature; thence along a curve to the right having a central angle of 49°05'43", a radius of 741.58 feet, an arc length of 635.44 feet, and a chord that bears South 74°35'12" West a distance of 616.18 feet to the point of tangency; thence North 80°51'57" West a distance of 64.90 feet to a point of curvature; thence along a curve to the left having a central angle of 20°40'30", a radius of 956.80 feet, an arc length of 345.26 feet, and a chord that bears South 88°47'48" West a distance of 343.39 feet to the point of tangency; thence South 78°27'33" West a distance of 21.77 feet to a point of curvature; thence along a curve to the left having a central angle of 25°29'30", a radius of 854.17 feet, an arc length of 380.03 feet, and a chord that bears South 65°42'48" West a distance of 376.91 feet to the point of tangency; thence South 52°58'03" West a distance of 69.18 feet to a point of curvature; thence along a curve to the left having a central angle of 05°00'33", a radius of 929.05 feet, an arc length of 81.22 feet, and a chord that bears South 50°27'46" West a distance of 81.20 feet to the point of tangency; thence departing said Southerly easement

line North 42°02'30" West a distance of 60.00 feet to a point on a non-tangent curve; thence along said non-tangent curve to the right having a central angle of 03°28'53", a radius of 989.05 feet, an arc length of 60.10 feet, and a chord that bears North 49°41'57" East a distance of 60.09 feet to a point on the northerly line of said easement thence departing said Northerly line North 37°11'44" West a distance of 198.83 feet to a point of curvature; thence along said curve to the left having a central angle of 58°14'10", a radius of 173.63 feet, an arc length of 176.48 feet and a chord that bears North 66°18'49" West a distance of 168.98 feet to the point of tangency; thence South 84°34'06" West a distance of 332.67 feet; thence North 00°39'10" West a distance of 294.45 feet; thence South 89°54'08" West a distance of 2556.98 feet; thence South 00°52'36" East a distance of 729.50 feet; to a point on the north R.O.W. of Lake Gulch Road as defined on a monumented land survey by Bell Companies in March 1982; thence the following courses along the said northerly R.O.W. of Lake Gulch Road; North 41°31'14" West a distance of 73.46 feet to a point of curvature; thence along said curve to the right having a central angle of 04°16'00", a radius of 5729.58 feet, an arc length of 426.67 feet; and a chord that bears North 39°23'14" West a distance of 426.57 feet to the point of tangency; thence South 52°44'46" West a distance of 10.00 feet; thence North 37°15'14" West a distance of 478.50 feet; to a point of curvature; thence along said curve to the left having a central angle of 12°31'13", a radius of 2658.03 feet; an arc length of 580.83 feet and a chord that bears North 43°30'50" West a distance of 579.68 feet to the point of tangency; thence departing the northerly R.O.W. of Lake Gulch Road North 83°30'18" East a distance of 668.53 feet; thence North 00°55'58" West a distance of 934.70 feet; thence South 89°59'51" East a distance of 1667.26 feet to the Point of Beginning, containing 221.82 acres more or less.

ORDINANCE NO. 97 -48

DC9863496

**AN ORDINANCE AMENDING ORDINANCE NO. 85-10, WHICH INCLUDED
THE OAKS OF CASTLE ROCK P.U.D. ZONING REGULATIONS**

WHEREAS, The CRD Investment Company, LLC ("Owner") has requested an amendment to the zoning regulations as adopted as Ordinance No. 85-10 and recorded with the Douglas County Clerk and Recorder at Book 579, Page 176; and

WHEREAS, Owner has requested approval of changes to allow single family attached dwelling units in the RES-D and the RES-E Use Areas, of the aforementioned zoning regulations; and

WHEREAS, public hearings on this zoning regulation change request 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 THAT ORDINANCE 85-10 BE AMENDED AS FOLLOWS:

1. Amend Section I, DEFINITIONS, by the addition of the following:

1.6.5 Single Family Attached Dwelling Units. One dwelling unit per lot, allowing a maximum of two dwellings to be attached with common walls at a common lot line, or lines.

2. Amend Section VII, RESIDENTIAL D (RES-D) USE AREAS, Part 7.1, by the addition of the following:

(d) Single Family Attached Dwelling Units

3. Amend Section VIII, RESIDENTIAL E (RES-E) USE AREAS, Part 8.1, by the addition of the following:

(d) Single Family Attached Dwelling Units

4. Amend Section XIII, SETBACKS AND LOT SIZES, by the addition of the following:

13.4 Single Family Attached Dwelling Units.

(a) There is a maximum of 160 dwelling units of this type allowed in the RES-D and RES-E Use Areas.

(b) Minimum lot size: 3,500 sq. ft. for up to 50% of the units, with the remainder of the lots having a minimum lot size of 4,000 sq. ft.

- (c) Minimum separation between structures: 10 feet
- (d) Minimum Rear setback: 20 feet
- (e) Minimum Front setback to living area: 25 feet
- (f) Minimum Front setback to garage: 18 feet from back of sidewalk
- (g) When garages face in the same direction, within the same structure, and are within eight feet of each other, one shall be set back a minimum of 12 inches more than the other.
- (h) Min. streetside side setback (corner lot): 10 feet
- (i) Minimum front fence setback: 30 feet
- (j) Front Yard landscaping requirements: Sod or shrubs, with a maximum of 15 % rock, bark, or other non-living ground covering. Front yard landscaping area excludes driveways and walks.
Minimum of one 2 1/2 inch caliper shade tree in the front yard for each two units. Upon review and approval by the Planning Director, coniferous trees may be substituted for the shade trees on a case by case basis.

5. Amend Section XV, PLANNING AND DESIGN CONTROLS, by the addition of the following:

15.3 Relationship to Town Regulations: The provisions of these regulations shall prevail and govern the development of The Oaks at Castle Rock P.U.D, provided, however, that where the provisions these 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 applied.

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.

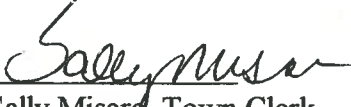
SECTION 3. Safety Clause. The Town Council finds and declares that this ordinance is promulgated and adopted for the public health, safety and welfare and this ordinance bears a rational relation to the legislative object sought to be obtained.

SUBMITTED this 13th day of November, 1997 and approved for publication and further reading by a vote of the Town Council of the Town of Castle Rock of 3 for and 2 against.

PASSED, APPROVED AND ADOPTED this 12th day of March, 1998, by the Town Council of the Town of Castle Rock by a vote of 6 for and 0 against.

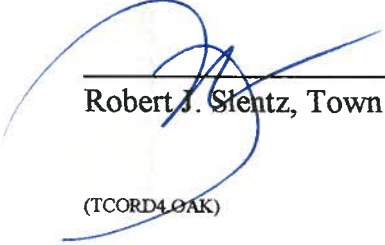
ATTEST:

TOWN OF CASTLE ROCK


Sally Misare, Town Clerk


Donald K. Jones, Mayor

APPROVED AS TO FORM:


Robert J. Stentz, Town Attorney

(TCORD4.OAK)