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BOOK 581 PAGE 828

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ORDINANCE NO. 84 -28  
AN ORDINANCE AMENDING THE  
ZONING DISTRICT MAP OF  
THE TOWN OF CASTLE ROCK, COLORADO  
(HECKENDORF RANCH PUD)

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

- (a) A petition has been filed with the Town Clerk praying for annexation of certain properties described in Exhibits "A" and "B" attached hereto to Town of Castle Rock, and;
- (b) That said petition has been forwarded to the said Board of Trustees, and;
- (c) That upon annexation the annexed property must be placed into zone district categories by amendment of the Zoning District Map of the Town of Castle Rock, Colorado in accordance with the ordinances of the Town of Castle Rock, and;
- (d) That public meetings and hearings, following notice duly made and published pursuant to applicable Colorado Statutes and the 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;
- (e) 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 lands, consisting of 190.98 acres, described in Exhibit "A," attached hereto and made a part hereof, (hereinafter Exhibit "A" lands) is placed into Zoning Classification PUD (Planned Unit Development District).

SECTION I  
DEFINITIONS

1.1 Building Setback - The horizontal distance between a platted lot line and a building or structure. This distance does not necessarily include the projections of eaves, fireplaces, fire escapes, mechanical units or similar appurtenances. Unenclosed patios, decks or patiodecks may encroach up to four (4) feet into the building setback.

1.2 Density - The ratio of dwelling units to the gross acreage of a development area as shown on Exhibit "B" (the Heckendorf Ranch Preliminary PUD Plan). These areas do not include the areas designated for Douglas Lane, Plum Creek Boulevard, Ranch Road, Public Land Dedications, and the Usable Open Space areas.

1.4 Public Land Dedication - That property designated to be deeded to the Town of Castle Rock for public usage, to satisfy the land dedication requirements of the

1.5 Usable Open Space - Space suitable for landscaping, passive and/or active recreation, gardens, and/or view protection and enhancement.

1.6 Accessory Uses Permitted in All Use Areas -

1.6.1 Utility and communications distribution lines.

1.6.2 Roadways, bike paths, pedestrian and equestrian trails.

1.6.3 Parking areas.

1.6.4 Open spaces and lakes, to include storm water drainage detention areas.

1.6.5 Fences.

1.6.6 Single family, townhouse and condominium units to be utilized models and/or sales and information offices; provided the unit so utilized is a permitted use in the use area where it is located. And further provided any such use shall be discontinued when all dwelling units within such use area have been sold.

1.6.7 Mobile sales and information units in any residential or commercial use area provided no such mobile sales and infor-

mation 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 30 days after a certificate of occupancy has been issued for the first residential or commercial structure within such area without the express approval of the Board of Trustees.

1.7 Uses Permitted by Special Review in All Use Areas.

1.7.1 Electric substations and gas regulator stations.

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

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

1.9 Landscape Buffers - Generally, a lineal area landscaped to create a visual separation between uses and/or properties. Improvements to create the separation shall include one or more of the following: berming, fencing, trees, shrubs, lawns and a variety of ground cover materials. In the case of buffers adjacent to parking areas, the intent is to create a visually dense screen of three to four feet in height, through combinations of berms, fences and shrubs. In other areas, the buffer is intended to provide a transition between uses.

1.10 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, elevators, 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.

1.11 Minimum Off Street Parking - Such parking shall be provided as would be required for similar uses, pursuant to the Zoning Ordinance of the Town of Castle Rock, as amended.

1.12 Parking Space - One parking space as defined by the Zoning Ordinance of the Town of Castle Rock.

1.13 Signage - Permitted use will adhere to Town of Castle Rock's Municipal Code, as amended.

SECTION II  
GENERAL USE AREAS

2.1 The lands defined in Exhibit "A" shall be divided into general use areas as the same are generally located on "Heckendorf Ranch PUD Preliminary Site Plan," dated June 1984, which is incorporated by reference into this Ordinance and attached as Exhibit "B." The general use areas are designated below with the approximate aggregate number of acres within each use area, percent of total property and maximum density (du/ac) or building coverage. Figures in (parens) are optional usage for the area. Maximum densities indicated for all use areas are uses by right.

|                 | <u>Land Use</u>                    | <u>Parcel</u> | <u>Gross Acreage</u> | <u>Percent of Project</u> | <u>Maximum Density</u> |
|-----------------|------------------------------------|---------------|----------------------|---------------------------|------------------------|
| SF-A            | Single Family - Type A             | "C"           | 10.00                | 5.2                       | 6.0 du/ac              |
|                 |                                    | "D"           | 22.12                | 11.6                      | 3.5 du/ac              |
|                 |                                    | "K"           | 27.97                | 14.7                      | 5.0 du/ac              |
| SF-B            | Single Family - Type B             | "G"           | 17.68                | 9.3                       | 7.0 du/ac              |
|                 |                                    | "J"           | 27.56                | 14.4                      | 7.0 du/ac              |
| MF              | Multi-Family                       | "F"           | 11.66                | 6.1                       | 15.0 du/ac             |
| Co              | Commercial                         | "A"           | 5.18                 | 2.7                       |                        |
| Co-LI           | Commercial/Light Industrial        | "B"           | 6.11                 | 3.2                       |                        |
| CO-Of           | Commercial/Light Office            | "E"           | 5.63                 | 2.9                       |                        |
|                 |                                    | "H"           | 4.98                 | 2.6                       |                        |
| VC              | Village Center                     | "I"           | 9.94                 | 5.2                       |                        |
|                 |                                    | ("F")         | (11.66)              | (6.1)                     |                        |
| PLD             | Public Land Dedication<br>Roadways | "1 - 4"       | 23.89                | 12.5                      |                        |
|                 |                                    | I-25 ROW      | 1.47                 | 0.8                       |                        |
|                 |                                    | Internal ROW  | 16.79                | 8.8                       |                        |
| TOTAL LAND AREA |                                    |               | 190.98 ac            | 100.0%                    |                        |

2.2 Area "A"

Land Uses: Commercial (highway oriented) (Co)

Use: Retail sales and service, auto related services, restaurants, motels, hotels with convention facilities, convenience goods, business offices, entertainment and general retail

Maximum Building Height: 50 feet, 75 feet allowed by special review and subject to the Town's Use by Special Review Procedures, as amended

Maximum Building Coverage: 35%

| Minimum Setback from: | Minimum Building Setback | Minimum Landscape Buffers |
|-----------------------|--------------------------|---------------------------|
| Frontage Road         | 40 feet                  | 20 feet                   |
| Douglas Lane          | 60 feet                  | 20 feet                   |
| Entrance Ramp I-25    | 40 feet                  | 40 feet                   |
| North property line   | 20 feet                  | 15 feet                   |

2.3 Area "B"

Land Uses: Commercial/Light Industrial (Co/LI)

Use: Retail sales and service, retail showrooms, repair services, restaurants, light industrial, office warehouse, light assembly, research, offices, restaurants, motels, hotels, convention facilities, and entertainment; limiting, however, outdoor storage to a fenced area of 200 square feet for any one use. Light industrial uses shall be subject to the limitations contained in the (L-I) Light Industrial District of the Town Zoning Ordinance for similar uses, as amended

Maximum Building Height: 50 feet

Maximum Building Coverage: 35%

| Minimum Setback from: | Minimum Building Setback | Minimum Landscape Buffers |
|-----------------------|--------------------------|---------------------------|
| Frontage Road         | 40 feet                  | 20 feet                   |
| North property line   | 20 feet                  | 15 feet                   |
| South property line   | 20 feet                  | 15 feet                   |
| East property line    | 40 feet                  | 30 feet                   |

2.4 Areas "E" and "H"

Land Uses: Commercial/Light Office (Co/L-Of)

Use: Retail sales and service, restaurants, copy services, business supplies, shops, personal services, and offices

Maximum Building Height: 50 feet

Maximum Building Coverage: 35%

| Minimum Setback from:  | Minimum Building Setback | Minimum Landscape Buffers |
|------------------------|--------------------------|---------------------------|
| Douglas Lane           | 30 feet                  | 20 feet                   |
| East property line     | 20 feet                  | 15 feet                   |
| West property line     | 80 feet                  | 80 feet                   |
| Public land dedication | 30 feet                  | 20 feet                   |
| Project perimeter      | 30 feet                  | 20 feet                   |

2.5 Areas "I" and ("F")

Land Uses: Village Center (VC)

Use: Retail sales and service, grocery, drugstore, convenience goods, personal services, shops, restaurants, banks, offices, medical/dental, insurance, and related services

Maximum Building Height: 35 feet, 50 feet for office buildings by special review and subject to the Town's Use by Special Review Procedure, as amended

Maximum Building Coverage: 35%

| Minimum Setback from:  | Minimum Building Setback | Minimum Landscape Buffers |
|------------------------|--------------------------|---------------------------|
| Douglas Lane           | 30 feet                  | 20 feet                   |
| Plum Creek Boulevard   | 30 feet                  | 20 feet                   |
| Areas "E" and "H"      | 20 feet                  | 10 feet                   |
| Residential properties | 30 feet                  | 20 feet                   |
| Public land dedication | 20 feet                  | 15 feet                   |
| Project perimeter      | 30 feet                  | 20 feet                   |

2.6 Area "F"

Land Uses: Multi-Family (M.F.)

Use: Medium density residential (including townhouses, condominiums and apartment complexes)

Maximum Building Height: 35 feet

Maximum Allowable Density: 15 du/ac

| Minimum Setback from:  | Minimum Building Setback | Minimum Landscape Buffers |
|------------------------|--------------------------|---------------------------|
| Douglas Lane           | 30 feet                  | 20 feet                   |
| Plum Creek Boulevard   | 30 feet                  | 20 feet                   |
| Public land dedication | 20 feet                  | 15 feet                   |
| Area "E"               | 20 feet                  | 15 feet                   |
| Commercial properties  | 20 feet                  | 15 feet                   |

2.7 Areas "C", "D" and "K"

Land Uses: Single Family Residential - Type A (S.F.-A)

Use: Low density residential (single family detached and customary accessory uses, including garages, public facilities and recreational facilities); home occupations may be permitted as a use by Special Review, subject to the Town's Use by Special Review Procedure, as amended

Maximum Building Height: 35 feet

Maximum Allowable Densities:

|        |           |
|--------|-----------|
| Area C | 6.0 du/ac |
| Area D | 3.5 du/ac |
| Area K | 5.0 du/ac |

| Minimum Setback from:  | Minimum Building Setback | Minimum Landscape Buffers |
|------------------------|--------------------------|---------------------------|
| Douglas Lane           | 35 feet                  | 15 feet                   |
| Plum Creek Boulevard   | 35 feet                  | 15 feet                   |
| Ranch Road             | 30 feet                  | 10 feet                   |
| Mount Royal Boulevard  | 40 feet                  | 20 feet                   |
| Public land dedication | 30 feet                  | NA                        |
| Project perimeter      | 30 feet                  | NA                        |

2.8 Areas "G" and "J"

Land Uses: Single Family Residential - Type B (S.F.-B)

Use: Low density residential (single family detached, cluster, patio, zero lot line, duplex and customary accessory uses, including garages, public facilities and recreational facilities); home occupations may be permitted as a use by Special Review, and subject to the Town's Use by Special Review Procedure as amended

Maximum Building Height: 35 feet

Maximum Allowable Density: 7.0 du/ac

| Minimum Setback from:  | Minimum Building Setback | Minimum Landscape Buffers |
|------------------------|--------------------------|---------------------------|
| Douglas Lane           | 35 feet                  | 15 feet                   |
| Plum Creek Boulevard   | 35 feet                  | 15 feet                   |
| Ranch Road             | 30 feet                  | 10 feet                   |
| Public land dedication | 30 feet                  | NA                        |
| Project perimeter      | 30 feet                  | NA                        |

2.9 Public Land Dedication Areas "1 - 6"

Land Uses: Open Space

Use: Parks, playgrounds, picnic areas, public school grounds, drainage facilities, hiking/biking trails and public structures and facilities

Maximum Building Height: 35 feet

Minimum Setback for Improvements: 20 feet from all property lines

2.10 Circulation

| Classifications:     | <u>ROW</u>     | <u>Lanes</u> |
|----------------------|----------------|--------------|
| Douglas Lane         | 100 - 120 feet | 4            |
| Plum Creek Boulevard | 80 - 100 feet  | 4            |
| Ranch Road           | 70 feet        | 2            |

SECTION III  
PROCESSING AND ENFORCEMENT

3.1 Phasing - The phasing order shall be indicated at the time of filing of any Final Site Plan for Heckendorf Ranch PUD.

3.2 Final PUD and/or Plats - That following the approval of this Ordinance, the owners of tracts within the above described lands shall present final site plans for all or any portion or portions of the general use areas as are then ready for development.

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

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. 8428, 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."

3.3 Amendments - The Board of Trustees, at the time of final site plan review may permit relocation of all or part of any Residential Use Area (up to 30 percent of the project) to any other location designated on the preliminary site plan for Residential Use, provided the overall 750 maximum permitted number of dwelling units for Heckendorf Ranch PUD will not thereby be increased. In addition, the Board may permit, at the developer's option, Area "F" to develop as a mixed-use pursuant to the allowances for Area "F."

Such amendments, if permitted by the Board of Trustees, shall constitute amendments to the preliminary planned unit development site plan for Heckendorf Ranch PUD.

Other amendments to the preliminary Heckendorf PUD may be allowed pursuant to the requirements as contained in Planned Unit Development Ordinance 17.48.

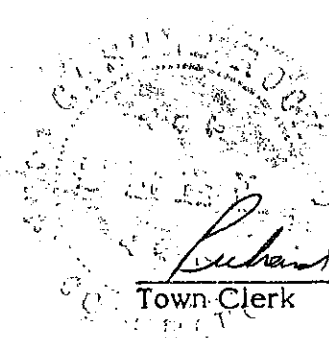
3.4 Transitional Use - After approval of the Preliminary Site Plan incorporated herein by reference, any portion or portions of the property described above, which has not been subjected to a final site plan, may be used for agricultural purposes until approval of a final site plan for the area or areas in question. Agricultural uses, for the 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.

Any general ordinance of the Town of Castle Rock prohibiting any activity permitted by this subsection 3.4 shall have no application within the area described above until a Final Site Plan for such area or areas has been approved.

3.5 Severability of Provisions - 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.

SECTION IV  
APPROVAL SIGNATURES

Passed and adopted this 29<sup>th</sup> day of November, 1984, by  
vote of the Board of Trustees of the Town of Castle Rock, Colorado, 4 for  
and 0 against.



George J. Kennedy  
George J. Kennedy, Mayor  
Town of Castle Rock

Richard R. Wilson  
Town Clerk

Approved as to legality and form:

Bruce B. Lassman  
Bruce B. Lassman  
Town Attorney

Approved for the Board action:

P. Joseph Knopinski  
P. Joseph Knopinski  
Town Administrator

Publication Date: July 1, 1985