

# PLAT IDENTIFICATION SHEET

RECEPTION # :

DC00008303

DATE: 2-8-00

TIME 10:33

FEE: \$ 20<sup>00</sup> ( 2 P)

GRANTOR: *The Homeowners Association of  
Champions Court Inc.*  
(OWNER/SIGNER)

GRANTEE:  
(SUBDIVISION NAME OR NAME OF PLAT)

*Plum Creek P.U.D  
Preliminary P.D. Site Plan*

LEGAL:  
(SECTION-TOWNSHIP-RANGE)

*N/A*

# PLUM CREEK P.U.D. PRELIMINARY P.D. SITE PLAN

## SECOND AMENDMENT AMENDING A PORTION OF PLUM CREEK P.U.D. AMENDED PRELIMINARY SITE PLAN DATED 9/11/85 RECEPTION NO. 361818

### LEGAL DESCRIPTION OF AMENDED PORTION ONLY

TRACT F AND A PORTION OF TRACT E OF "PLUM CREEK FAIRWAY EIGHTEEN SUBDIVISION, FILING NO. 1 (AMENDED)", BEING LOCATED IN SECTION 14, TOWNSHIP 8 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN IN THE COUNTY OF DOUGLAS, STATE OF COLORADO, AS RECORDED UNDER RECEPTION NUMBER 370741 OF THE OFFICIAL DOUGLAS COUNTY, COLORADO RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS IS AS SHOWN ON THE RECORDED PLAT OF SAID "PLUM CREEK FAIRWAY EIGHTEEN SUBDIVISION, FILING NO. 1 (AMENDED)" WITH ALL BEARINGS HEREIN RELATED THERETO;

BEGINNING AT THE NORTHWESTERLY CORNER OF SAID TRACT F; THENCE ALONG THE BOUNDARY OF SAID TRACT F, THE FOLLOWING EIGHT (8) COURSES:

1. S87°54'15"E A DISTANCE OF 150.00 FEET;
2. N63°51'44"E A DISTANCE OF 240.00 FEET;
3. N90°00'00"E A DISTANCE OF 38.00 FEET;
4. S00°00'00"W A DISTANCE OF 143.00 FEET;
5. N90°00'00"W A DISTANCE OF 160.00 FEET;
6. S73°52'04"W A DISTANCE OF 44.34 FEET;
7. N66°50'25"W A DISTANCE OF 36.00 FEET;
8. S23°09'35"W A DISTANCE OF 35.00 FEET TO THE MOST SOUTHERLY CORNER OF SAID TRACT F;

THENCE S66°50'45"E, LEAVING SAID BOUNDARY OF TRACT F, A DISTANCE OF 33.01 FEET;

THENCE S05°17'39"E A DISTANCE OF 11.70 FEET TO A POINT ON THE NORTHERLY SIDELINE OF A 20' WIDE INGRESS EGRESS EASEMENT, AS SHOWN ON SAID RECORDED PLAT OF "PLUM CREEK FAIRWAY EIGHTEEN SUBDIVISION, FILING NO. 1 (AMENDED)";

THENCE S84°21'06"W, ALONG THE NORTHERLY LINE OF SAID 20' WIDE INGRESS EGRESS EASEMENT, A DISTANCE OF 108.13 FEET TO A POINT ON THE WESTERLY LINE OF SAID TRACT E;

THENCE N35°38'58"W, ALONG THE WESTERLY LINE OF SAID TRACT E, A DISTANCE OF 39.18 FEET TO A POINT ON THE SOUTHERLY LINE OF THAT PARCEL OF LAND DESCRIBED IN THE DOCUMENT RECORDED IN BOOK 676 AT PAGE 644 OF SAID OFFICIAL DOUGLAS COUNTY RECORDS;

THENCE ALONG THE SOUTHERLY AND EASTERLY LINES OF SAID PARCEL OF LAND THE FOLLOWING TWO (2) COURSES:

1. S80°03'17"E A DISTANCE OF 74.00 FEET;
2. N09°56'43"E A DISTANCE OF 20.87 FEET RETURNING TO A POINT ON THE SOUTHERLY LINE OF SAID TRACT F;

THENCE ALONG THE SOUTHERLY AND WESTERLY LINES OF SAID TRACT F THE FOLLOWING TWO (2) COURSES:

1. N79°04'52"W A DISTANCE OF 97.00 FEET;
2. N35°38'56"W A DISTANCE OF 61.99 FEET TO THE POINT OF BEGINNING;

CONTAINING AN AREA OF 35,844 SQUARE FEET OR 0.823 ACRE.

### OWNERSHIP CERTIFICATION:

THE UNDERSIGNED ARE ALL OF THE OWNERS OF THE ABOVE DESCRIBED PARCEL KNOWN HEREIN AS THE PLUM CREEK PD IN THE TOWN OF CASTLE ROCK.

*[Signature]* 1/28/00  
OWNER: THE HOMEOWNERS ASSOCIATION OF CHAMPIONS COURT INC., A COLORADO NON-PROFIT CORPORATION (NOTORIZED SIGNATURE)

SIGNED THIS 28 DAY OF JAN, 2000

### TITLE CERTIFICATE

I, ERIC STEARNS BEING 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 DEDICATION.

SIGNED THIS 28<sup>th</sup> DAY OF January, 2000

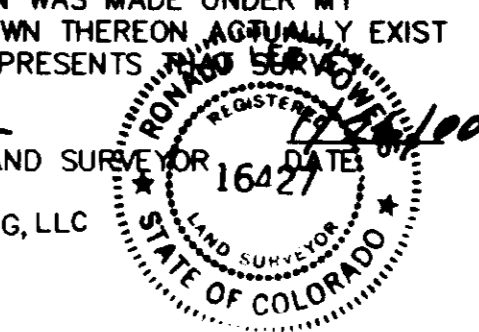
*[Signature]*  
AUTHORIZED REPRESENTATIVE

*[Signature]*  
AS TITLE OFFICER OF  
LAND TITLE GUARANTEE COMPANY

### SURVEYOR'S CERTIFICATE

I, RONALD LEE POWERS, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY AND LEGAL DESCRIPTION REPRESENTED BY THE PLUM CREEK PRELIMINARY PD SITE PLAN WAS MADE UNDER MY SUPERVISION AND THE MONUMENTS SHOWN THEREON ACTUALLY EXIST AND THIS SITE PLAN CONCEPTUALLY REPRESENTS

*[Signature]*  
RONALD LEE POWERS, PROFESSIONAL LAND SURVEYOR  
COLORADO P.L.S. NO. 16427  
FOR AND ON BEHALF OF JR ENGINEERING, LLC



### TOWN CERTIFICATION:

#### A. PLANNING COMMISSION RECOMMENDATION:

THE PRELIMINARY PD SITE PLAN AND ZONING REGULATIONS FOR THE PLUM CREEK PD WERE RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION OF THE TOWN OF CASTLE ROCK, COLORADO, ON THE 10<sup>th</sup> DAY OF Jan, 2000.

*[Signature]* 24/2000  
CHAIRMAN DATE

ATTEST:  
*[Signature]* 1.26.00  
PLANNING DIRECTOR DATE

#### B. TOWN COUNCIL APPROVAL:

THE PRELIMINARY PD SITE PLAN AND ZONING REGULATIONS FOR THE PLUM CREEK PD WERE APPROVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO, ON THE 10<sup>th</sup> DAY OF Jan, 2000.

*[Signature]* 1/10/2000  
MAYOR DATE

ATTEST:  
*[Signature]* 1-27-00  
TOWN CLERK DATE

### DOUGLAS COUNTY CLERK AND RECORDER'S CERTIFICATE

THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF DOUGLAS COUNTY AT 10:33 A.M. ON THE 8 DAY OF Feb, 2000, IN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_, MAP \_\_\_\_\_, RECEPTION NO. 00007303.

DOUGLAS COUNTY CLERK AND RECORDER

BY: *[Signature]*  
DEPUTY

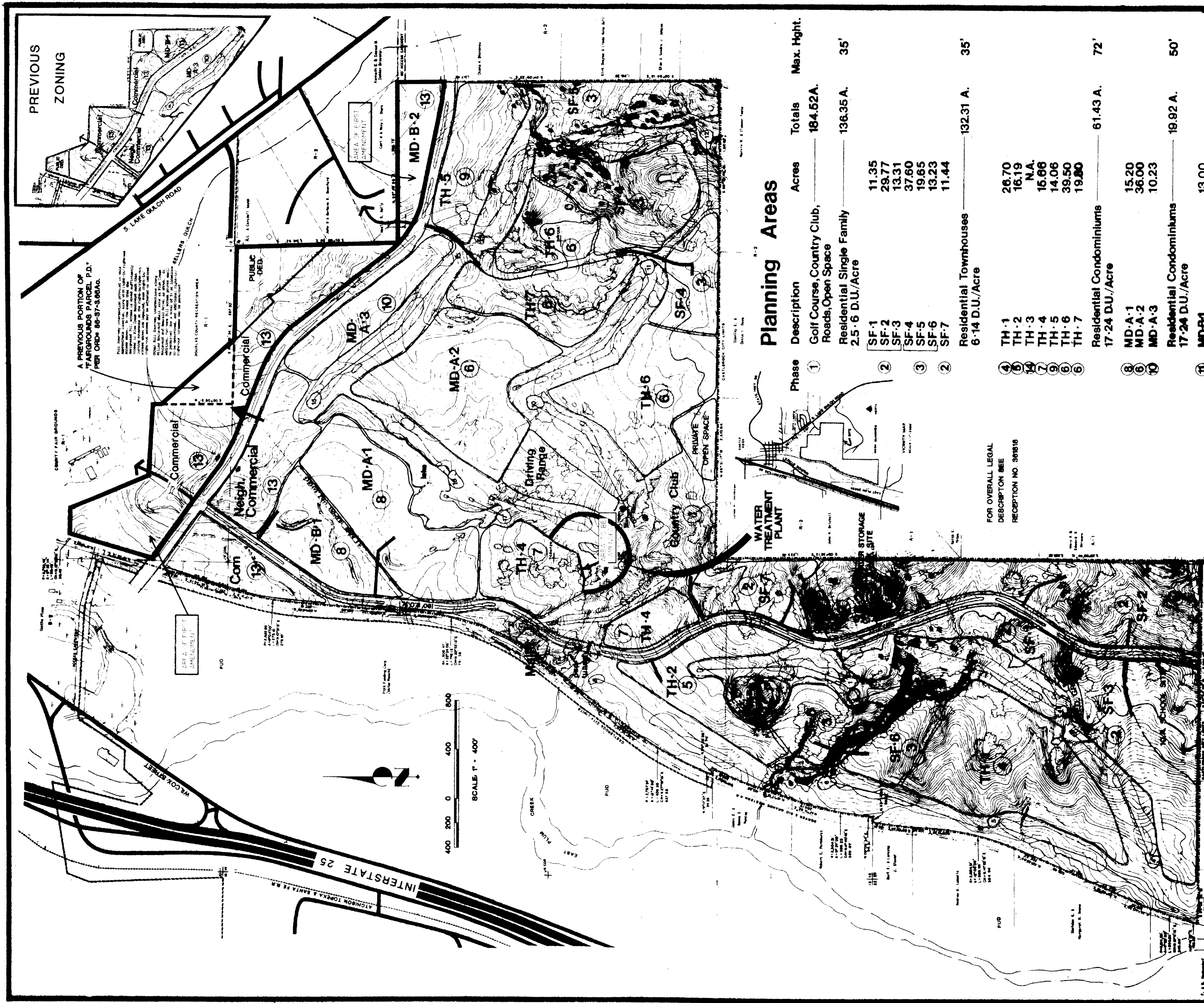


PLUM CREEK P.U.D. PRELIMINARY P.D. SITE PLAN  
P.U.D. AMENDMENT  
PROJECT NO. 3520.00  
DATE 1/3/00  
SHEET 1 OF 2

**JR Engineering, Ltd.**  
6020 Greenwood Plaza Blvd.  
Englewood, Colorado 80111  
Tel. (303) 740-9393  
FAX (303) 721-9019

ENGINEERING/PLANNING/SURVEYING

**PLUM CREEK P.U.D. PRELIMINARY P.D. SITE PLAN  
 SECOND AMENDMENT AMENDING A PROTION OF PLUM CREEK P.U.D.  
 AMENDED PRELIMINARY SITE PLAN DATED 9/11/85 RECEPTION NO. 361818**



**Planning Areas**

Description	Acres	Totals	Max. Hght.
Golf Course, Country Club, Roads, Open Space	184.52A.		
Residential Single Family 2.5 - 6 D.U./Acre	136.35 A.		35'
SF-1	11.35		
SF-2	29.77		
SF-3	13.31		
SF-4	37.60		
SF-5	19.85		
SF-6	13.23		
SF-7	11.44		
Residential Townhouses 6-14 D.U./Acre	132.31 A.		35'
TH-1	26.70		
TH-2	16.19		
TH-3	N.A.		
TH-4	16.86		
TH-5	14.06		
TH-6	39.50		
TH-7	19.80		
Residential Condominiums 17-24 D.U./Acre	61.43 A.		72'
MD-A-1	15.20		
MD-A-2	36.00		
MD-A-3	10.23		
Residential Condominiums 17-24 D.U./Acre	19.92 A.		50'
MD-B1	13.00		
MD-B2	6.92		
Commercial Maintenance	59.38 A.		50'
Public Open Space Dedication	2.69 A.		
Muni. Dedication	9.72 A.		
Private Open Space	6.06 A.		
Total 3025 D.U. MAX.	626.80 Acres		4.83/D.U.
School/ Park Dedication	10.01		
Water Treatment Plant	0.823A.		

**PLUM CREEK P.U.D.  
 Castle Rock, Colo.  
 AMEND. PRELIMINARY SITE PLAN/PHASING**

F-3

289594  
BOOK 448 PAGE 400  
CARROLL HIER  
RECORDER \$60<sup>00</sup>  
AUG 6 3 41 PM '02

ORDINANCE NO. 3.77

AN ORDINANCE AMENDING THE  
ZONING DISTRICT MAP OF  
THE TOWN OF CASTLE ROCK, COLORADO  
(PLUM CREEK 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 praying for 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 Ordinance 3.21.3 as set forth therein.

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 623.14 acres, described in Exhibit "A", attached hereto and made a part hereof, is changed from Zoning Classification R-1 (Single Family Residence District) to Zoning Classification PUD (Planned Unit Development District).

## SECTION I.

## DEFINITIONS

1.1 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 patios, decks or patio decks, tennis courts, carports, 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, hiker-biker or pedestrian ways or such other uses not meeting the above definition.

1.2 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.

1.3 Condominium. Real Estate, portions of which are designated for separate ownership, and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interest in the common elements are vested in the unit owners.

1.4 Off-street Parking. Parking located in areas other than on public streets, or private streets which are utilized by more than one dwelling unit. Such off-street parking may be either enclosed or unenclosed.

1.5 Parking Space. One parking space as defined by the zoning ordinances of the Town of Castle Rock.

1.6 Townhouse. Real estate held in separate ownership which may share a common lot line or lot lines and certain easements with other similar separately held ownerships. Common ownership of certain elements may also be permitted.

SECTION II.

GENERAL USE AREAS

2.1 The tract described in Exhibit A shall be divided into general use areas as the same are generally located on "The Plum Creek P.U.D. Preliminary Site Plan", dated July \_\_\_\_\_, 1982, which is incorporated by reference into this Ordinance. Said general use areas shall be of nine (9) 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>Acreeage</u>
Golf Course, Country Club, Roads, Open Space	219.39
Residential Single Family	110.00
Residential Townhouse	135.65
Residential Condominium (MD-A-1, MD-A-2, MD-A-3 hereinafter "MD-A Areas")	58.80
Residential Condominium (MD-B-1, MD-B-2 hereinafter "MD-B Areas")	49.90
Commercial	24.30
Maintenance	1.00

Stables	4.60
Public Dedication (location determined as indicated upon incorporated preliminary site plan)	19.50
Public Dedication (location to be determined as approximately indicated upon incorporated preliminary site plan as three alternative sites)	11.66

Upon agreement as to the location of "public dedication (to be determined)" acreage within the use area or areas affected will be correspondingly reduced to reflect the total acreage of 623.14. Such reduction will be evidenced by recordation of an amended preliminary site plan reflecting such reductions.

Such "to be determined" acreage, unless specifically agreed to the contrary, will be located as approximately indicated in the TH-5, MD-2-2 and MD-1-1, and TH-3 and SF-3 individual use areas.

2.2 Residential Areas, (Residential Single Family, Residential Townhouse, and Residential Condominiums) shall contain a minimum amount of private open space equal to 20% of the total acreage contained in such 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 DENSITIES

It is the intent of this Ordinance to permit the development of 3,025 dwelling units within the residential areas upon the property described in Exhibit "A". Densities permitted in residential areas (Residential Single Family, Residential Townhouse, Residential Condominium (72' height limitation), Residential Condominium (50' height limitation)) are expressed in terms of anticipated ranges of density (ie: 2.5 - 6 D.U./Acre). Densities within individual use areas (ie: SF -1) comprising a general use area (ie: Residential Single Family) may not exceed the maximum density set forth within such general use area (average density throughout each individual use area). Further, in no event shall the total number of residential dwelling units in all general residential use areas (Residential Single Family, Residential Townhouse, Residential Condominium (72' height limitation), Residential Condominium (50' height limitation)) exceed 3,025 dwelling units.

## SECTION IV.

## RESIDENTIAL SINGLE FAMILY USE AREAS

## 4.1 Permitted Uses.

- (a) Single Family detached dwelling units, garages and accessory structures.
- (b) Single Family attached dwelling units, garages and accessory structures.

(c) Private community centers and private indoor or outdoor recreational facilities.

(d) Religious institutions.

4.2 Permitted Densities. Average density of from 2.5 to 6 dwelling units per acre within each individual use area.

4.3 Maximum Building Heights. 35 feet

4.4 Minimum Off Street Parking. Two parking spaces per dwelling unit.

4.5 Minimum Setbacks, Maximum Buildable Slopes. See Section XV. hereunder.

#### SECTION V.

##### RESIDENTIAL TOWNHOUSE USE AREAS

5.1 Permitted Uses.

(a) Any use permitted in Residential Single Family use areas.

(b) Residential condominiums (either occupant owned or rental units).

5.2 Permitted Densities. Average density of from 6 to 14 dwelling units per acre within each individual use area.

5.3 Maximum Building Heights. 35 feet.

5.4 Minimum Off Street Parking. One and one-half parking spaces per single bedroom unit, two parking spaces per unit containing two bedrooms or more.

5.5 Minimum Setbacks, Maximum Buildable Slopes. See Section XV. hereunder.

## SECTION VI.

## RESIDENTIAL CONDOMINIUM USE AREAS (MD-A Areas)

## 6.1 Permitted Uses.

- (a) Any use permitted in the Residential Single Family Use Areas, excluding single family detached dwelling units.
- (b) Any use permitted in the Residential Townhouse Use Areas.

6.2 Permitted Densities. Average Density of 17 to 24 dwelling units per acre within each individual use area.

6.3 Maximum Building Heights. The maximum building height which may be constructed by right shall be 50 feet, provided however that the Board of Trustees may permit maximum building heights not to exceed 72 feet at the time of final site plan review following consideration of the following criteria; (i) the topography of the site; (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. Subject to the specific exceptions set forth in subparagraph 1.1 above, no structure exceeding 50 feet in height will be permitted to exceed an elevation of 6,410 feet above sea level at its uppermost point.

6.4 Minimum Off Street Parking. One and one-half parking spaces per one bedroom unit, two parking spaces per unit containing two bedrooms or more.

6.5 Minimum Setbacks, Maximum Buildable Slopes. See Section XV. hereunder.

#### SECTION VII.

##### RESIDENTIAL CONDOMINIUM USE AREAS (MD-B Areas)

7.1 Permitted Uses. Any use permitted in the residential condominium use areas as set forth in Section VI above.

7.2 Permitted Densities. Average density of 17 to 24 dwelling units per acre within each individual use area.

7.3 Maximum Building Heights. 50 feet

7.4 Minimum Off Street Parking. One and one-half parking spaces per single bedroom unit, two parking spaces per unit containing two bedrooms or more.

7.5 Minimum Setbacks, Maximum Buildable Slopes. See Section XV. hereunder.

#### SECTION VIII.

##### COMMERCIAL USE AREAS

8.1 Permitted Uses.

(a) Retail Stores.

(b) Personal Service Establishments.

(c) Financial Institutions.

(d) Restaurants and lounges.

(e) Indoor places of public assembly, entertainment and recreation.

(f) Offices and office parks including design, research and development facilities.

- (g) Parking lots and parking structures.
- (h) Religious Institutions.
- (i) Community Centers.
- (j) Transit Terminals.
- (k) Automotive service stations, car washes and garages excluding outdoor storage of junked or wrecked vehicles.
- (l) Public lodging facilities.
- (m) Warehouses, distribution centers and service centers.
- (n) Mortuaries.
- (o) Light manufacturing facilities - provided that all stages of the manufacturing process, other than the delivery of raw materials and the shipment of finished products be conducted entirely within enclosed structures.

8.2 The following limitations and restrictions shall apply to all uses within the Commercial Use Area:

- (a) Sale and/or storage of live animals (other than sales and keeping of small animals, ie: pet shops and small animal veterinary clinics), commercial explosives, or above ground bulk storage of flammable liquids or gases is prohibited, provided however, that such storage of flammable liquids or gases may be permitted as necessary for use in energy or heating devices to serve permitted uses within the Commercial Use Area.
- (b) Refuse and outdoor storage areas, excepting storage areas for operative motor vehicles, shall be shielded from view by placement within buildings, or enclosed

within opaque fences not less than 6 feet in height. Fence materials shall complement, to the extent possible, exterior building materials upon associated structures.

- (c) All loading and unloading shall be performed on individual sites. Loading platforms and sites shall be screened from view of adjacent streets in the manner described in 8.2 (b) above.
- (d) No permitted operation within the Commercial Use Area shall cause or produce, excessive amounts of radio frequency interference, sound, vibrations, electromechanical disturbance, electromagnetic disturbance, radiation, air or water contamination, dust, emission of toxic matter or odors.

8.3 Maximum permitted building ground coverage of 35% of net acreage of building site exclusive of dedicated roadways, provided that, in the event the Town's general P.U.D. ordinance is amended to eliminate the limitation of a fixed percentage of ground coverage, the limitation expressed herein shall be of no further force and effect, and the determination as to permitted ground coverage shall be made at the time of final site plan consideration. Provided however, that the maximum amount of ground coverage permitted under this ordinance shall not be reduced by such amendment to the general P.U.D. ordinance.

8.4 Maximum Building Heights. 50 feet

8.5 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.

8.6 Minimum Setbacks, Maximum Buildable Slopes. See Section XV. hereunder.

#### SECTION IX.

##### MAINTENANCE USE AREA

9.1 Permitted Uses. Facilities and structures for the storage and repair of vehicles and machinery, including above and below ground bulk storage of flammable materials, used in construction and maintenance of facilities within the planned unit development and such other operations as may be conducted from such facility by the master developer, its successors and assigns (as hereinafter identified).

9.2 Maximum permitted building ground coverage of 75% of acreage of use area.

9.3 Maximum Building Heights. 35 feet

9.4 Minimum Off Street Parking. To be determined/as per final site plan.

9.5 Minimum Setbacks, Maximum Buildable Slopes. See Section XV. hereunder.

9.6 Perimeter of use area to be adequately landscaped or screened as per final site plan.

## SECTION X.

## STABLES USE AREA

10.1 Permitted Uses. Structures and facilities for the boarding, keeping, care and maintenance of horses, including the storage and use of feed, equipment, tack and other and further items as may be necessary for such purpose. Structures and facilities for the convenience of patrons of the stable use area including a club house, restaurant, and lounge, and shop for sale of equestrian related articles and convenience items.

10.2 Maximum permitted building ground coverage of 10% of acreage of site.

10.3 Maximum Building Height. 35 feet.

10.4 Minimum Off-Street Parking. To be determined as per final site plan.

10.5 Minimum Setbacks, Maximum Buildable Slopes. See Section XV. hereunder.

10.6 Specific criteria for the stables use area addressing the number of animals to be maintained therein and keeping and control of the same shall be set forth in the final site plan for such area.

## SECTION XI.

## GOLF COURSE, COUNTRY CLUB, ROADS AND OPEN SPACE USE AREA

11.1 Permitted Uses.

- (a) Golf Courses and driving ranges
- (b) Country Clubs including indoor and outdoor recreational facilities including but not limited to swimming pools, tennis courts, activity related shops, health clubs,

restaurants, cocktail lounges, (provided necessary licenses are obtained from local and state licensing authorities), meeting rooms and indoor and outdoor common areas.

- (c) Private and/or dedicated roadways.
- (d) Private and/or dedicated hiker-biker and equestrian trails.
- (e) Open spaces and lakes.

11.2 Maximum permitted building ground coverage of 5% of acreage of use area.

11.3 Maximum Building Height. 35 feet.

11.4 Minimum Off Street Parking. To be determined/as per final site plan.

11.5 Minimum Setbacks, Maximum Buildable Slopes. See Section XV. hereunder.

11.6 The golf course shall be considered an open space use.

## SECTION XII.

### PUBLIC DEDICATION USE AREAS

12.1 Permitted Uses.

- (a) Parks, playgrounds and picnic areas.
- (b) Public Schools, school grounds and playing fields.
- (c) Community Centers.
- (d) Community Recreational facilities.
- (e) Public buildings, including but not limited to 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.
- (h) Facilities for the collection, treatment and disposal of sewage.

12.2 Maximum Building Heights 50 feet

12.3 Minimum Off Street Parking. To be determined/as per final site plan.

12.4 Minimum Setbacks, Maximum Buildable Slopes. See Section XV. hereunder.

SECTION XIII.

USES PERMITTED IN PRIVATE OPEN SPACE AREAS

13.1 Uses Permitted in Private Open Space Areas:

- (a) Landscaping.
- (b) Passive and/or active recreation and facilities.
- (c) Gardens
- (d) Community Centers.

SECTION XIV.

ACCESSORY USES PERMITTED IN ALL USE AREAS

14.1 Uses Permitted in All Use Areas.

- (a) Utility and communications distribution lines, electric substations and gas regulator stations, provided that no public offices and repair or storage facilities are maintained on the site.

- (b) Roadways, hiker-biker, pedestrian and equestrian trails.
- (c) Parking Areas.
- (d) All uses permitted pursuant to Section XI. hereof, excluding shops, health clubs, restaurants, lounges and meeting rooms.
- (e) Fences.

#### SECTION XV.

##### MINIMUM BUILDING SETBACKS AND MAXIMUM BUILDABLE SLOPES

To provide maximum flexibility for innovative design, the development of criteria for minimum building setbacks and maximum buildable slopes will be reserved until the presentation of final site plans, provided that no such final site plan will be presented for consideration or approved that does not contain specific criteria for the establishment of minimum setbacks and maximum buildable slopes. Further provided, however, that in no case shall the Town of Castle Rock require such minimum building setbacks as exceed the minimum building setbacks as may then be required by Town or City Ordinance in the most restrictive zone district in which the proposed use would be allowed.

#### SECTION XVI.

##### SUBMISSION OF FINAL PLANNED UNIT DEVELOPMENT PLANS AND/OR PLATS

16.1 That following the approval of this Ordinance, the owners of tracts within the above-described tract shall present final site plans for all or any portion or portions of the general use areas as are then ready for development. Each final site plan shall contain a phasing plan.

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

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

"(Pursuant to Town of Castle Rock Ordinance No. 3.77, 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 XVII.

##### UNIFIED DEVELOPMENTAL CONTROL

No structure may be erected, nor private improvement made without the express approval of EDI-Castle Rock Landholdings, Ltd., (herein "master developer") or its designees, successors or assigns as such master developer. This prohibition shall not apply in those areas dedicated to the Town of Castle Rock, provided however that the Town of Castle Rock its grantees, successors and assigns shall at all times consult with such master developer concerning the erection of structures or other public improvements to insure the integrity of the overall planned unit development plan. Further, provided that the Town of Castle Rock shall not convey all or part

of such dedicated open areas to other public entities without first securing a pledge of such cooperation with the master developer, from such other entity or entities.

#### SECTION XVIII.

##### USE AREA LOCATION AMENDMENTS

The Board of Trustees, at the time of final site plan review, may permit relocation of all or part of any Residential Townhouse Use Area, Residential Condominium Use Area or Commercial Use Area to any other location designated on the preliminary site plan for any of the above referenced uses, provided; (i) the overall permitted number of dwelling units for Plum Creek will not thereby be increased; or (ii) that the height criteria set forth in Section VI. of this Ordinance will not thereby be violated.

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

#### SECTION XIX.

##### TRANSITIONAL USE

19.1 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 farms, fur farms, or kennels.

19.2 Any general ordinance of the Town of Castle Rock prohibiting any activity permitted by this Section XX 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.

19.3 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 XX.

##### CONTINUING EQUESTRIAN USES

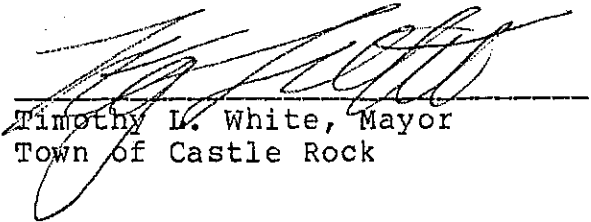
Any general ordinance of the Town to the contrary, notwithstanding restrictions which would prohibit equestrian activity within the Stable Use Area, designated equestrian trails or easements, private open spaces or site, shall have no effect and are hereby repealed as they relate to the areas described in this section.

SECTION XXI.

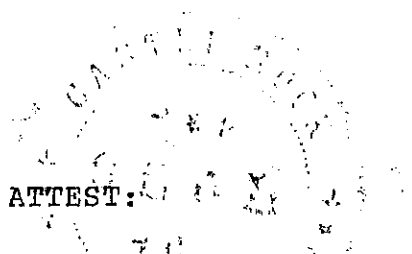
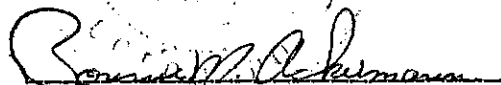
SEVERABILITY OF PROVISIONS

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.

Passed and adopted this 27 day of July, 1982, by vote of the Board of Trustees of the Town of Castle Rock, Colorado, 5 for and 1 against.

  
\_\_\_\_\_  
Timothy L. White, Mayor  
Town of Castle Rock

ATTEST:

  
  
\_\_\_\_\_  
Town Clerk, Acting

3 5 1 0 1 1  
BOOK 594 PAGE 364

RETA A. GRAIN  
DOUGLAS COUNTY

1500

ORDINANCE NO. 85-42  
*Amends certain sections* →  
AN ORDINANCE AMENDING ORDINANCE NO. 3.77  
(AN ORDINANCE AMENDING THE ZONING DISTRICT  
MAP OF THE TOWN OF CASTLE ROCK, COLORADO)  
(PLUM CREEK P.U.D.)

4 00 PM '85

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

- (a) a petition has been filed with the Town requesting amendment to the zoning district map of the Town of Castle Rock for certain lands previously annexed to the Town of Castle Rock and zoned as a Planned Unit Development (P.U.D.), pursuant to Ordinance No. 3.77, adopted July 27, 1982, and recorded August 6, 1982, in Book 448 at Page 400, Douglas County records.
- (b) that public hearings, following notice duly made and published pursuant to applicable Colorado State Statute and Town of Castle Rock Ordinance, 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,
- (c) that said amendment complies with the stated purposes of Castle Rock Municipal Code, Section 17.48.010.

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

That a major amendment to said previously approved planned unit development is hereby approved as more specifically set forth in this Ordinance and upon the amended planned unit development preliminary site plan approved contemporaneously with this Ordinance.

## SECTION I

That Section II of said Ordinance No. 3.77 shall be amended to read as follows:

2.1 The tract described in said Ordinance No. 3.77 and this Ordinance No. 85-42 shall be divided into general use areas as the same are generally located on "The Plum Creek P.U.D. Amended Preliminary Site Plan", dated July 19, 1985, which is incorporated by reference into this Ordinance. Said general use areas shall be of nine (9) 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>
Golf Course, County Club, Roads, Open Space	184.94
Residential Single Family	136.35
Residential Townhouse	132.32
Residential Condominium (MD-A-1, MD-A-2, MD-A-3 hereinafter "MD-A Areas")	61.42
Residential Condominium (MD-B-1, MD-B-2 hereinafter "MD-B Areas")	26.15
Commercial (including 13.33 acres designated "Neighborhood Commercial")	46.74
Maintenance	2.69
Public Dedication (Public Open Space Dedication, Muni. Dedication and School/Park Dedication)	28.53
Private Open Space	4.00

2.2 Residential Areas, (Residential Single Family, Residential Townhouse, and Residential Condominiums) shall contain a minimum amount of private open space equal to 20% of the total acreage contained in such 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 II

That Section VIII of said Ordinance 3.77 shall be amended to add the following provisions:

Provided, however, that the portion of the Commercial Use Area consisting of 13.33 acres and designated as "Neighborhood Commercial" on the Planned Unit Development Preliminary Site Plan shall have the following permitted uses:

- (a) Retail stores;
- (b) Personal service establishments;
- (c) Financial institutions;
- (d) Restaurants and lounges;
- (e) Indoor places of public assembly, entertainment and recreation;
- (f) Offices and office parks;
- (g) Parking lots and parking structures;
- (h) Religious Institutions;
- (i) Community centers;

- (j) Transit terminals, to include mass transit facilities but not including truck terminals;
- (k) Automotive service stations with up to two (2) service bays, excluding outdoor storage of junked or wrecked vehicles;
- (l) Public lodging facilities.

Provided further, that said Neighborhood Commercial Use Area shall have the following uses by Special Review.

- (a) Design, research and development facilities;
- (b) Car washes and garages, excluding outdoor storage of junked or wrecked vehicles.

Provided further that the maximum permitted building height in said Neighborhood Commercial Use Area which may be constructed by right shall be 50 feet, provided however that the Board of Trustees may permit maximum building heights not to exceed 72 feet at the time of final site plan review following consideration of the following criteria; (i) the topography of the site; (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. Subject to the specific exceptions set forth in Subparagraph 1.1 above, no structure exceeding 50 feet in height will be permitted to exceed an elevation of 6,410 feet above sea level at its uppermost point.

SECTION III

That Section X of said Ordinance No. 3.77 is hereby repealed.

Passed and adopted on first reading this 25<sup>th</sup> day of July, 1985, by vote of the Board of Trustees of the Town of Castle Rock, Colorado, 4 for and 1 against.

Passed and adopted on second reading this 1<sup>st</sup> day of August, 1985, by a vote of the Board of Trustees of the Town of Castle Rock, Colorado 5 for and 0 against.

Robert Fort  
George Kennedy, Mayor  
Town of Castle Rock

ATTEST:

Richard R. Wilson  
Richard R. Wilson, Town Clerk

Approved as to form:

Bruce B. Lassman  
Bruce B. Lassman,  
Town Attorney

Approved for Board action:

P. Joseph Knopinski  
P. Joseph Knopinski,  
Town Administrator

Publication Date: August 13, 1985

LEGAL DESCRIPTION

A part of the S 1/2 of Section 11, West 1/2 of Section 13, Section 14, the NW 1/4 of Section 23 and the NE 1/4 of Section 22, all in T.8S., R.67W. of the 6th P.M. County of Douglas, State of Colorado, more particularly described as follows:

BEGINNING at the NE corner of Section 14;

Thence S.1°08'39"E., a distance of 1316.92 feet;  
 Thence N.89°48'56"E., a distance of 1326.73 feet;  
 Thence S.1°00'33"E., a distance of 1317.46 feet;  
 Thence S.0°54'15"E., a distance of 1315.30 feet;  
 Thence S.89°55'45"W., a distance of 1317.60 feet;  
 Thence N.89°31'17"W., a distance of 2610.64 feet;  
 Thence S.0°32'13"E., a distance of 1323.46 feet;  
 Thence S.0°09'44"W., a distance of 2655.22 feet;  
 Thence N.89°44'59"W., a distance of 2626.69 feet;  
 Thence N.89°02'36"W., a distance of 330.72 feet;

more or less to a point on the Easterly Right of Way line of the Denver and Rio Grande Western Railroad; Thence N.13°41'57"E., along said Easterly right of way line, a distance of 103.28 feet to a point of curve, said curve and all succeeding curves included within this parcel of land are non-tangent curves;

Thence along the arc of said curve to the right having a central angle of 4°58'00", a radius of 2814.93 feet, an arc of 244.02 feet, and a chord bearing of N.18°11'13"E., 243.94 feet to the end of said curve;

Thence N.22°40'29"E., a distance of 297.35 feet;  
 Thence N.23°40'13"E., a distance of 693.40 feet;  
 Thence N.22°33'54"E., a distance of 302.83 feet to a point of curve;  
 Thence along the arc of said curve to the left having a central angle of 12°00'00", a radius of 2654.51 feet, an arc of 555.96 feet, and a chord bearing of N.14°22'13"E., 554.94 feet to the end of said curve;  
 Thence N.6°10'32"E., a distance of 302.83 feet;  
 Thence N.5°04'13"E., a distance of 99.80 feet;  
 Thence N.6°09'54"E., a distance of 195.81 feet;  
 Thence S.89°34'58"E., a distance of 50.22 feet;  
 Thence N.6°09'34"E., a distance of 94.31 feet to a point of curve;  
 Thence along the arc of said curve to the right having a central angle of 6°37'00", a radius of 2504.51 feet, an arc of 289.23 feet, and a chord bearing of N.11°40'43"E., 289.07 feet to the end of said curve;  
 Thence N.17°11'52"E., a distance of 294.19 feet;  
 Thence N.18°17'13"E., a distance of 413.80 feet;  
 Thence N.19°05'55"E., a distance of 288.81 feet;  
 Thence N.89°28'38"W., a distance of 51.74 feet;  
 Thence N.19°17'57"E., a distance of 24.26 feet, to a point of curve;  
 Thence along the arc of said curve to the right having a central angle of 13°14'00", a radius of 2767.97 feet, an arc of 639.30 feet, and a chord bearing of N.27°57'13"E., 637.88 feet to the end of said curve;  
 Thence N.36°36'29"E., a distance of 297.30 feet;  
 Thence N.37°37'13"E., a distance of 547.20 feet;  
 Thence N.35°45'29"E., a distance of 364.70 feet to a point of curve;  
 Thence along the arc of said curve to the left having a central angle of 22°24'00", a radius of 1908.47 feet, an arc of 746.12 feet, and a chord bearing of N.20°52'13"E., 741.38 feet to the end of said curve;  
 Thence N.5°58'57"E., a distance of 364.70 feet;  
 Thence N.4°07'13"E., a distance of 585.80 feet;  
 Thence N.5°10'55"E., a distance of 297.16 feet to a point of curve;  
 Thence along the arc of said curve to the right having a central angle of 6°04'00", a radius of 2635.90 feet, an arc of 279.10 feet, and a chord bearing N.10°21'13"E., 278.97 feet to the end of said curve;  
 Thence N.15°31'31"E., a distance of 297.17 feet;  
 Thence N.16°35'13"E., a distance of 693.30 feet;  
 Thence S.0°41'52"W., a distance of 182.63 feet;  
 Thence N.16°35'13"E., a distance of 554.96 feet;  
 Thence N.16°19'03"E., a distance of 161.40 feet to a point of curve;  
 Thence along the arc of said curve to the left having a central angle of 0°35'14", a radius of 5796.42 feet, an arc of 59.42 feet, and a chord bearing of N.15°29'18"E., 59.42 feet to the end of said curve;  
 Thence S.88°57'40"E., a distance of 213.01 feet;  
 Thence S.22°37'09"E., a distance of 696.08 feet;  
 Thence S.86°45'14"E., a distance of 581.93 feet;  
 Thence S.0°05'31"W., a distance of 654.58 feet;  
 Thence S.88°28'34"E., a distance of 1287.50 feet; to the Point of Beginning, containing 623.1437 acres more or less.