

**The Pinery Planned Development**

Amendment	Approval Date	Record Date	Project #	Reception # Guide	Reception # Map	Change to Guide	Change to Plan	BCC or Admin Approval	Changes	Pages Changed	PA Changed	Alters	Sources	Notes
Map Adjustment	6/11/1984	6/13/1984			1984329410		X	Admin				Master Plan	Master Plan Adjustment	This is what prompted the creation of a development guide for the Pinery. Was a minor amendment to the master plan. Became the map for the PD in 1985 because one was not created when the guide was finalized.
Original	5/6/1985	9/25/1985		1985363355		X		BCC					1985 PD, 5th amendment preamble, BCC minutes 5/6/1985	The Pinery was approved for zoning in 1972 under a Master Plan. At the time, Planned Development guides were not required for developers, so one was not created and instead the area was developed under suburban residential zoning per the current zoning resolution. However, when the developer (Senior Corporation) requested an adjustment to the Master Plan in 1984, it was requested by planning staff that a development guide be created for the Pinery. This was prepared in in 1984 and recorded and finalized in 1985. This is known as the 1985 Development Guide. This was in essence treated as the 1st amendment since it altered the master plan, and the next amendment to the guide was therefore labeled as the second amendment.
2nd	4/7/1987	7/30/1987	1986-164	188722364	188722365	X	X	BCC	Extended PD to all property within Master Plan area and completely rerecorded the development guide	New Guide		1985 guide	5th amendment preamble, 2nd Plan, BCC minutes 4/7/1987	The first amendment to the PD was requested on December 19, 1986 for the entire PD Master Plan and rezoning to include an addition four hundred and eight acres and forty and 2/10 acres (filing 10) in the PD Master Plan. Changed the guide and map by expanding the PD to all of the land within the master plan bringing it up to 3873.1 acres. Because the land was increased without an increase in dwelling units and units were transferred to the land east of Hwy 83, the density on the west side of Hwy 83 was reduced. This is labeled as the second amendment, even though it is actually the first presumably because the original guide was precieved as the first amendment to the master plan.
3rd	8/8/1989	4/3/1990	ZR1989-008 ZR1989-009 ZR1989-010	199007911	199007915	X	X	BCC	Created High Prairie Farms, reduced density, created complete new guide for the land area under its control which is sometimes referred to as the 1989 guide	New Guide	52, 54, 56, 60, 61, 62, 63, 64, 65, 66, 67, P, S, W (PA's renamed in general)	Controlling for all property in Pinery PD Plan and supersedes the 1985 and 1987 versions (Article 2 of 3rd amendment)	3rd development Guide, septic system agreement, PD through 21st, BCC Minutes 8-8-1989	The third amendment was submitted and approved in 1989. This was a major amendment, and presented a new plan as well as a completely new planned development guide text. This guide applied to all property in the Pinery PD plan and superseded the 1985 and 1987 guides. Specifically, this amendment applied to all lands that had not been yet platted and therefore was controlling for the land in the northwest, southwest, south of the existing Pinery on the east side as well as for a few dispersed areas of land within the existing Pinery. A number of commitments were written in specific to Senior, who was the developer who owned the land. One of the major outcomes of this amendment was an area known as High Prairie Farms, also distinguished by Planning Area 60. This was from the rezoning of several portions of the Szymanski subdivision. This was zoned equestrian estate, which has its standards outlined in the Development Guide under Article V. The density is one dwelling unit per 2.5 acres, and equestrian animals can be kept on the properties. It was a major point of discussion under this amendment whether or not the homes would be on a sewer line or each on an individual septic system. It was written in to the amendment that if a sewer was feasible, that would be the preferred method. However, the homes were built each on an individual septic system. (See 12 <sup>th</sup> amendment) Because of the density decrease from the original plan, there were 130 reserve units that could be allocated to the east side by a minor plan amendment.
4th	7/27/1994	8/25/1994	ZR1994-004		199444547		X	Admin	Transfer of 22 units from PA 35 to PA 60		35, 60	3rd amendment	4th Plan	The fourth amendment was a minor amendment where 22 units were transferred from the west side to the east side. This revised the third amendment and occurred in 1994 and was an administrative amendment.
5th	10/11/1995	3/20/1996	ZR1994-023	199614212	199614213	x	x	BCC	771 units on 960 acres, created new guide that controls Pinery Southeast	New Guide	59, 61, 63, 64, 65, 66, 67, 68, 69, 70, 71, S, T, U, V, W, school site	Controlling for all property designated in 5th amendment and 1742 acres of land west of Hwy 83 ("Pinery Southwest"), replaces the 1989 Guide	5th development Guide whole and official, Letter of understanding to HOA, Tree preservation Plan, Resolution of Approval 5, BCC Minutes 10-11-1995	The Fifth Amendment was yet again a major overhaul which occurred in 1995. It presented a completely new guide and plan, where the new land owner, Pinery Joint Venture (PJV) is addressed specifically. It was approved in 1995. It applied only to the area of the fifth amendment, which was all of PJV's holdings, both east and west of Hwy 83 in the southern portion of the development. It portioned off a part of the third amendment, and essentially created a smaller guide for the land that was yet to be developed. However, it is specifically written into the guide that it does not apply to the entire area, which makes the third amendment still valid for certain areas of the PD. Originally the land of the 5th amendment was zoned Equestrian Estate, but the developer wanted to increase the density substantially. This was protested by homeowners in the adjacent Pinery, and eventually 771 units for the area east of Hwy 83 and south of existing Pinery was approved, which is also known as the Timbers. A portion of the increase in density came from the excess units from the third amendment when High Prairie Farms was decreased in density. The 130 dwelmin units that were created by High Prarie Farms were used to increase the dwelmin units in this amendment and 331 units were added as part of the request (See BCC minutes from 10-11-95) Several commitments were added to this guide to be fulfilled by the developer and language changes were made throughout the entire document. Specifically, a large focus was placed on preserving the natural landscape, particularly the trees in the area. A portion of the Gondolier Farms parcel (198 acres), which is located to the south of the area of the 5 <sup>th</sup> amendment, was donated as part of this amendment to the County for the location of a middle school as well as a park. The developer put towards money to develop this park. There was also a more restrictive density relocation condition placed in the guide. For other areas of the Pinery, up to a 20% transfer of density is allowed and considered a minor plan amendment. However, for the area controlled by the 5 <sup>th</sup> amendment, a density transfer of only 5% is allowed, which resulted in numerous amendments down the line for very low numbers in terms of density transfer.
6th	NA		ZR1994-045						Not approved.					The 6 <sup>th</sup> amendment did not pass due to the proposed changes occurring close to an existing sewer treatment plan. It would have changed the area in Pinery Northwest.
7th	7/23/1996	7/29/1996	ZR1996-018		199640543		X	Admin	Transfer 1 DU from PA 65 to PA 61		61, 67	5th amendment	7th Plan	The 7 <sup>th</sup> amendment took place in 1996 and transferred one DU from PA 65 to PA 61 within the Timbers. This was done to aid in tree preservation during development and amended the 5 <sup>th</sup> amendment plan only.
8th	7/9/1996	9/30/1997	ZR1997-016	199754379		X		BCC	Replaces text of commitment #4	page 4		5th amendment	5th development Guide, overview 8th, BCC Minutes 8	A text change that occurred only to the text of the 5th amendment. It replaced page 4.
9th	7/9/1997	7/29/1997	ZR1997-017	199741134		X		Admin	Adds statement that commitments #22-#44 only apply to east side, and replaced caption and introductory clause of Section V.C.3 (page 35)	Pages 8, 35		5th amendment	5th development Guide, Overview 9th	The 9 <sup>th</sup> amendment added a statement before the 22 <sup>nd</sup> commitment in the 5 <sup>th</sup> amendment that specified that commitments #22 through #44 only apply to the east side of the 5 <sup>th</sup> amendment (page 8). It also replaced the caption and introductory clause of Section V.c.3 (page 35). This added additional uses permitted by right to single family dwelling units (attached and detached) and include, patio or atrium dwelling units, clustered single family dwelling units and zero lot dwelling units. It occurred in 1997.

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10th	NA	NA							Not approved					Not approved
11th	4/3/2001	6/1/2001	ZR2000-014	2001048950	2001048951	X	X	BCC	Created Pradera, reduced density/increased lot size west of Cherry Creek	New Guide	1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20	Becomes new guide for land west of cherry creek and superseded the 5th amended Development Guide	11th development Guide, Pinery Glen Agreement and Amendments, BCC Minutes 4-3-2001	In 1997, PJV sold their land west of Hwy 83 to Community Development Group (CDG). The land now owned by CDG east of Cherry Creek was quickly sold to Continental Homes. A lawsuit occurred in 1997 regarding the land east of Cherry Creek on the west side of Hwy 83. An agreement was created between the developer, Pinery West and the Board of County Commissioners. This agreement outlined what the developers were allowed to develop in terms of density and what commitments they had to follow through on. Pinery West could develop to the amount allowed in the 5th amended version of the PD guide. The agreement was amended once in 2000 to alter the amount of dwelling units referenced and to change the standards regarding the Cherry Creek Bridge and the Hwy 83 intersections. The 11th amendment to the development guide was the final major overhaul of the Development Guide text. It applies only to the area of the 5th amendment west of Cherry Creek, on the west side of Hwy 83. Overall it decreased the density of the area, which is known as Pradera. 825 residential dwelling units is the maximum for this area. There were numerous text changes to the guide throughout and several portions of the guide were intentionally deleted or text was put in specifying the sections from the previous amendments no longer apply. Portion of the text was also made more restrictive, and several times the text highlighted the importance of "architectural conformity".
12th	9/19/2001	11/30/2001	ZR2000-047		2001114984		X	BCC	Rezone 10 acres of Szymanski Subdivision to estate residential for HPF, text was never officially recorded, but was created		60-A	3rd amendment	Motion 12, added page 12, BCC, minutes 9-19-2001	The 12 <sup>th</sup> amendment rezoned approximately 10 acres of the Szymanski subdivision into High Prairie farms and increased the area by 5 units. This amended the third amendment only and was a change to the map and created planning area 60-A. (that page was possibly added in?) These may be units from the leftover 130 units from the 3 <sup>rd</sup> amendment. These homes were built on individual septic systems to match the rest of High Prairie Farms. This occurred in 2001. It was read into the record at the BCC hearing that "Prior to recordation of the final plat a concurrency management fee of \$1,057 per lot shall be paid to Douglas County for regional parks." Motion was recorded at reception # 2001114985
13th	11/27/2001	12/14/2001	ZR2001-005	2001121076		X		BCC	Allows certain fence type for PA 38 due to Pinery RV storage lot	Pages 69, 84 and 86		3rd amendment	13th summary, Developer/Pinery HOA legal agreement, cannot find minutes from 11-27-01 (missing from file for that day)	The 13 <sup>th</sup> amendment was a change to the text and specifically addressed PA 38, which is located in the northwest area of the PD. This was a change to the 3 <sup>rd</sup> amendment. It resulted from an agreement between the Pinery HOA and US Homes regarding the fence around the Pinery HOA's RV storage lot. It resulted in text changes within the PD Guide allowing the existing fence surrounding the RV storage lot to stay and allowed that fence type only in PA 38. Pages 69, 84 and 86 of the 3 <sup>rd</sup> amendment were replaced. It occurred in 2001.
14th	2/27/2002	3/25/2002	ZR2001-022		2002028647		X	Admin	2 DUs transferred to PA 69 and PA 71 from unused units in 61, 64, 65		61, 64, 69, 71	5th amendment	Map 14	The 14 <sup>th</sup> amendment transferred 2 DUs to PA 69 and PA 71 from unused units in 61, 64 and 65. Two additional dwelling units apiece were given to the planning areas. It was only a change to the 5 <sup>th</sup> amendment. It occurred in 2002.
15th	6/28/2002	7/9/2002	ZR2002-008	2002066806		X		Admin	Changed max roof pitch allowed	Page 20		11th amendment	11th development Guide, 15th overview	The 15 <sup>th</sup> amendment altered the 11 <sup>th</sup> amendment. It was a text change on page 20 that occurred in 2002. It changed the maximum roof pitch allowed in the area governed by the 11 <sup>th</sup> amendment to allow for a greater variety of homes to be constructed.
16th	12/11/2002	5/13/2003 (plan) 3/16/2004 (guide)	ZR2002-023	2004026531	2003070760	X	X	BCC	Swapped business park and open space PA's around, made RTD use by right in business park and commercial PA	Pages 61, 66, 67	38, 39, 40, 41, 42, 43, 44, H	3rd amendment	Overview 16	The 16 <sup>th</sup> amendment effected the 3 <sup>rd</sup> amendment in 2002. It swapped business park and open space PA's around in the Pinery northwest. The respective acreages of the two did not change, only the boundaries change to better allocate the open space and match it to the surrounding area. This amendment also changed the text and made RTD a use by right in Business Park and Commercial planning areas, therefore replacing a few pages in the third version of the PD Guide.
17th	5/14/2004	5/17/2004	ZR2004-003	2004050239		X		BCC	Timbers Sales center added as use permitted by right	Page 50 and 50a was added		5th amendment	Overview 17	The 17 <sup>th</sup> amendment altered the 5 <sup>th</sup> amendment and adds the Timbers Sales center as a use by right to the Parks, Open Space and Recreation Facilities PA, found in article V. It can remain at the site until the last lot in the Timbers is sold, or eleven years from the date, whichever comes first. It can only be used for sales and information of lots/homes in the Timbers. A similar provision was included in the 11 <sup>th</sup> amendment, allowing a temporary sales/marketing operation for the estate residential planning areas in Pradera. It passed in 2004 and changed page 50 and added page 50a.
18th	5/10/2004	5/10/2004	ZR2004-012		2004047649		X	Admin	Transfers 2 units from PA 71 to PA 68		68, 71	5th amendment	18th plan, Overview 18	The 18 <sup>th</sup> amendment transferred two units from PA 71 to PA 68 and altered the 5 <sup>th</sup> amendment. It was a change only to the Plan, and was a result of the provision in the 5 <sup>th</sup> amendment that allows only a 5% density transfer between Planning areas in the Timbers.
19th	7/8/2008	10/21/2008	ZR2007-006	2008070932	2008070931	X	X	BCC	Major changes, pages added regarding Pinery West	Replaces i, ii, 21, 47, 48, 66, 67, 68, 69, 73, 74, 75 and adds 14A-14E, 77A, 77B, 77C, and P1-P30	38, 39, 40, 40-A, 40-B, 41, 42, 43, 44, H	3rd amendment	Official copy of 19th, Pinery Village Design Guidelines, BCC Minutes 7-9-2008	The 19 <sup>th</sup> amendment was a substantial change to the 3 <sup>rd</sup> amendment in 2008 regarding the Pinery northwest area. The table of contents was updated, commitments specific to the amendment added, density transfers updated, and under article V land use regulations: single family planning area (detached and attached single family dwelling units) section altered, Business park planning area changed, parks and open space development changed and the Town Center and Uplands commercial planning zone section added. The Pinery Village Design guidelines were also added as another section under article V. It also modified the plan and a new map was produced.
20th	5/20/2009 (admin approval) 5/26/2009 (plat)	5/26/2009	ZR2008-023	2009039294	2009039295	X	X	Admin	Shifted PA boundaries in Pinery NW, clarified portions of 19th amendment	14A, 14B, 14C, 14D, 35, 47, 48, 66, 67, 68, 69	39, 40-B, H	3rd amendment	Overview 20, Staff Report 20	The 20 <sup>th</sup> amendment went back and altered many of the changes made by the 19 <sup>th</sup> amendment and clarified them. Most of these changes were very minor in nature. Commitments were clarified but their intent remained the same. Development standard modifications were made to correct technical errors and clarify industry storage, self-storage, RV storage and line lot point establishment. The boundaries for PA 39, 40-B and H were amended.
21st	10/29/2013	10/30/2013	ZR2013-024	2013087386		X		Admin	Changed building setback for Residential Alternative Development standards, only changes one page that was changed by the 20th amendment	47		3rd amendment	Overview 21, PD through 21st (3rd)	The 21 <sup>st</sup> amendment was a minor text change to one page of the 3 <sup>rd</sup> amendment, again in the northwest area now known as Pinery West. It changed the building setbacks specifically for PA 39 on page 47. It was an administrative approval and was approved in 2013.

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22nd	8/14/2014	8/15/2014	ZR2014-013		2014046339		X	Admin	Transfer 1 DU from PA 68 to PA 71		68, 71	5th amendment	22nd plan	The 22 <sup>nd</sup> amendment was an amendment only to the plan and amended the 5 <sup>th</sup> amendment. It transferred one dwelling unit from PA 68 to PA 71 within the Timbers, and was finalized in 2014.
23rd	10/20/2017	10/24/2017	ZR2017-020	2017072130		X		Admin	Modifies residential setbacks in PA 66 & 69		66, 69	5th amendment	23rd Guide	Modify the residential setbacks in Planning Areas 66 and 69, specifically Filing 27, 4th Amendment
24th	12/19/2018	12/19/2018	ZR2018-034		2018076038		X	Admin	PA68 reduces by 3 to 191 units. PA 70 increases by 3 to 131 units.		68, 70	5th amendment	24th Map	Transfer (less than 5%) density of 3 dwelling units from PA68 to PA70.
25th	2/6/2019	2/7/2019	ZR2018-038		2019006319		X	Admin	Amends PA boundaries		38, 41, 42, 43	20th amendment	25th Map	Shifts PA boundaries from 20th amendment to align with proposed road layout.
26th	5/14/2019	5/24/2019	ZR2018-042		2019028776		X	BCC	6 Units xfer from MF to PA 8. 15 units from PA18 to PA8. PA 8 increases from 27 to 28 units.		8, 18, MF	11th amendment	11th guide & map	Transfers 21 residential units to Planning Area 8 and increases the open space acreage by 3.2 acres.
27th	7/23/2020	8/18/2020	ZR2020-015	2020076632		X		Admin	Reduces side setback in PA 8.	21	8	11th amendment	11th guide & map	Reduce the side setback from 25 feet to 15 feet (40%) for Planning Area 8.
28th	6/15/2021	7/30/2021	ZR2020-024	2021090889	2021090888	X	X	BCC	Shifts PA boundaries ROW realignment		41, 42, 43, 44	25th amendment		Shifts PA 41, 42 & 43 boundaries for roads and drainage. Eliminates PA 44 and designates a portion OS.