

# **Roxborough Village** **Planned Development** **Guide**

Compilation of text through 7<sup>th</sup> amendment

Map updated through 6<sup>th</sup> amendment

As of May 2024

## **Pre-Preamble**

This document represents a compilation of all amendments for Roxborough Village Planned Development Guide. It has been placed in this format for clarity, ease of navigation and understanding.

It should be noted that there are two amendments to the development guide that are not assigned a number, but nonetheless were approved and recorded. They are referred to as the “1986 Amendment” and the “1989 amendment”.

The map in Article XIII is the most updated version of the map (6<sup>th</sup> amendment) as of May 2024. This is different than the map included in the original document.

An official version of the Development Guide, updated through the 7<sup>th</sup> amendment, is also in a PDF form. The text in this document is only a summary and may contain inaccurate information. It should not be relied upon and should be reviewed in conjunction with the recorded Development Guide.

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## Preamble

This Development Guide sets forth land uses and development standards for Roxborough Village, a planned community in the unincorporated area of the County of Douglas, State of Colorado; regulates the use of land and establishes minimum lot areas, minimum lot widths, street specifications, minimum yard requirements and maximum building coverage for this land; provides for Common Areas; provides regulations for uses permitted therein and accessory buildings and uses; provides for additional-supplementary regulations; and defines certain terms used, therein. This Development Guide is authorized under the power and authority of Section XXII, Planned Development, Douglas County Zoning Resolution, November 15, 1982.

Roxborough Village is an integrated parcel of land lying on both sides of County Road 5.

The Roxborough Park area possesses unique natural endowments, the focal point of which is the spectacular geological formation of red sandstone rocks which extend generally north and south through the property. Surrounding the rock formation are woodlands and meadows whose natural vegetation is also distinctive, representing a rare and narrow band of transition between the Great Plains and the Rocky Mountains.

Nearby and surrounding amenities include Chatfield Reservoir, one of the area's largest recreational waters, and Roxborough State Park, located totally within the Roxborough Community. This land was given State Park status because of its striking red sandstone rock formations, and foothills vegetation which encompass unique natural forms worthy of preservation.

The Roxborough Park lands are strategically located in northwest Douglas County. They occupy one of the highest demand and most rapidly expanding employment and housing areas in the southwesterly growth corridor of metropolitan Denver.

Roxborough Village has been included on previous preliminary Development Plans for the Roxborough Park development, however, it is now being handled as a separate development entity with its own Development Plan. The source of water and sewer for Roxborough Village is the Roxborough Park Metropolitan District. This District at present has a long term commitment for a specified amount of water from the City of Aurora. The water taps provided for this project are those initially projected for the 615.9 acres originally part of Roxborough Park and those for the 750± acre area now owned by the State of Colorado and called Roxborough State Park. This action results in reducing the amount of water available for the remaining portions of Roxborough Park and has the practical effect of transferring density from Roxborough Park to Roxborough Village. Put in another way, as long as the amount of water is finite, the total number units now proposed to be built by both projects remains the same as the number projected for Roxborough Park alone.

This Development Guide and the accompanying Land Development Plan have been adopted under the authority of the Planned Unit Development Act of 1972 of the State of Colorado and the Board of Douglas County Commissioners. This guide and comprehensive plan have been formulated for Roxborough Village to encompass such beneficial features as a balance of residential, commercial,

recreational, and non-urban uses; Improvement of air quality; enhancement of public safety; creation of an aesthetically pleasing living environment; offering a balanced community with the opportunity for affordable housing in a unique setting that will complement the Roxborough Park Development; and promotion of high standards of developmental quality by informed site planning and landscaping controls; all for the benefit of the existing and future residents of Roxborough Village and Douglas County.

A Declaration of Restrictions, Covenants, and Conditions, which have been adopted and recorded, contain some Building, Landscape Design and Control Rules, to be administered by a Design Review Committee described therein.

In order to implement the comprehensive Development Plan, the developer of Roxborough Village has offered certain assurances and commitments which shall be, after the effective date of the approval of rezoning to Planned Development (PD) District and the approval of this Development Guide, binding upon the developer with respect to land ownership within Roxborough Village, and binding upon its successors and assigns with respect to land within Roxborough Village it does not own. Such assurances and commitments are as follows:

#### **A. Provision of Improvements to Off-Site Roads.**

1. Developer will take bids, build and pay for off-site Improvements according to existing Douglas County Plans and specifications for the approximately 6000 L.F. stretch of County Road 7 (Rampart Range Road) north of the Intersection of County Road 5 and County Road 7 (at the Intersection of Rampart Range Road and Waterton Road) where the road is presently gravel. These Improvements will be made under the direct supervision and inspection of Douglas County to be completed by the end of Phase I.
2. Developer will prepare sketch-plans, and based on approved sketch plans, will design and engineer construction plans and specifications, and documents necessary for the re-alignment of portions of and the Improvement of all of Waterton Road. The County will assist in measures necessary in condemnation of land required for right-of-way and the Developer will pay for said land acquisition. The Developer will also take bids, build and pay for the Improvements approved by Douglas County, all of these activities will be performed under the direct supervision and inspection of Douglas County to be completed by the end of Phase II.
3. Developer will pay \$50,000 toward the construction of a traffic signal at the Intersection of Highway 85 and Titan Road when Douglas County obtains warrants from the State of Colorado.
4. Developer will finance a 2-Inch asphalt overlay not more than 4250 feet in length and 24 feet in width on the north end of Rampart Range Road as it turns into Titan Road, beginning from where the gravel presently meets the blacktop. The overlay operation will be under

the direct supervision and Inspection of Douglas County to be completed by the end of Phase II.

5. Developer will Improve County Road 5 to a four-lane roadway along the project with a median to provide for left hand turn lanes and adequate right-of-way for right turn acceleration and deceleration lanes at Intersections with access points to the project as specified In the Traffic Impact Analysis tor Roxborough Village prepared by PRC Engineering. These Intersections will have stop signs on the collector, and signalization will be installed when future traffic conditions warrant. The Developer will design and engineer construction plans and specifications, take bids and build the roadway, all under the direct supervision and Inspection of Douglas County to be completed by the end of Phase I. These Improvements to County Road 5 will necessitate an Increase In right-of-way width from the existing 80-foot R.O.W to a 100-foot R.O.W. A 25'-foot transportation easement for future expansion of County Road 5 will also be provided adjacent to both sides of the R.O.W. abutting Roxborough Village lands. The 100' R.O.W. and the 25' easement will be provided where Roxborough Village is the owner on both sides of the road, A 90' R.O.W. will be provided along land owned by the State of Colorado, the Denver Water Board and other owners. In these areas the 25' transportation easement will be provided only on the west side of the road.
6. A Special Improvement District will be created to pay for the improvements listed in numbers 1, 2, and 5 above and the Developer will be responsible for creating and selling the bonds to fund the District.

## **B. Provision of Developed Park Land, Trails and Open Space**

The Developer will create and fund a Park, Recreation and Drainage District to finance and maintain Improvements to park and public use land as follows:

1. Develop a 18-acre park site which will include at least 1-acre of parking, two tennis courts, a full size basketball court, one horseshoe pit, one tot lot, one hard surface area for shuffleboard, etc., a picnicking area with tables and outdoor cooking facilities, a softball field, a joint use athletic field for soccer, football, etc., and a volleyball court.
2. The Developer will construct a trail system throughout the project for pedestrians and biking, complete with exercise stations, to connect the public use areas with individual residential parcels. The phasing of the trail system will coincide with development of adjacent parcels.
3. The Developer will, with the approval of the Urban Drainage District, and Douglas County, improve the drainage way of Little Willow Creek to maximize its utility as a passive recreation area, to assure suitable non-flood plain land for the school site, to preserve its present character as a natural area, and to serve the drainage requirements of the land.



4. The Developer will make every effort to create pocket parks east of County Road 5 (Rampart Range Road) to supplement park & recreational space west of the road. These pocket parks will be of not less than 5,000 square feet in size and will include a tot lot and other play facilities for children. One pocket park will be provided for every 400 units. The pocket parks will be phased to coincide with development of adjacent parcels.
5. However, if the Developer is unsuccessful at creating a Park Improvement District, the developer will fund said improvements in three phases as follows:

Phase One- will include 6 acres of the total parks area and the following amenities:

- a. 2 Tennis Courts
- b. 1 Tot Lot
- c. Basketball Court
- d. 1/3 of the Parking Area

Phase Two- will include 6 acres of additional park area and the following amenities:

- a. Volleyball Court
- b. Picnic Area
- c. Ball Fields
- d. Additional 1/3 of the Parking Area

Phase Three- will include the remaining acres of the park area and the remaining amenities as previously stated.

6. Within five years the Developer will provide either eight acres of park land along the Little Willow Creek Basin with appropriate bike and jogging paths south of Roxborough Village or \$100,000 cash in lieu to be paid in annual installments of \$20,000 each, beginning one year from the date of the first plat approval in Roxborough Village by the Douglas County Commissioners.

### **C. Provision of Public School Land**

The Developer agrees to Douglas County School District requirements for acreage of land to be dedicated based on population projections for the development.

1. The Developer has provided two 10-acre school sites within the project as requested by the district and shown on the development plan. The remainder of the dedication requirement will be cash in lieu funds or on-site improvements in the amount of \$12,500 per acre for 22.54 acres payable at \$102.3 per lot to be platted, payable at the time of plat recordation. This basic price per acre is established for payments made in the first five years beginning

with the date of the first plat approval in Roxborough Village by the Douglas County Commissioners. At the fifth anniversary the basic price per acre will be adjusted by the increase or decrease in the U.S. Department of Labor Consumer Cost of Living Index most recently issued as compared to the most recently issued index at the start date and payments will reflect these adjustments for the ensuing five years. A similar adjustment will be made every fifth anniversary, as long as it required.

The following schedule represents the current commitment by Roxborough Village to the Douglas County School District based upon the status at the time of the 4<sup>th</sup> amendment to the Roxborough Village Planned Development (April 14, 1987).

|  |                                       |
|--|---------------------------------------|
| Land Dedication Requirement                                  | 42.54 acres                           |
| 2 ten acres sites have been set aside and deed to the County | -20.00 acres                          |
| <b>Balance Due</b>   | <b>22.54 acres</b>                    |
| \$12,500 x 22.54 acres                                       | \$281,750.00 (2748 D.U.'s @ \$102.53) |

|   |   |
|---|---|
| Cash expenditure by the developer accepted by the School District and the County Commissioners for on-site improvements to-date | \$60,975.40 (595 D.U.'s @ \$102.53)   |
| <b>Still Due</b>  | <b>\$220,774.60</b> (\$102.58 per D.U. beginning with platting of the 596 <sup>th</sup> D.U.) |

## **Section I- Purpose, Objective and Intent**

### **A. Purpose**

The purpose of this Roxborough Village Planned Development District Development Guide (hereinafter sometimes referred to as this “Development Guide”) is to insure that Roxborough Village grows as a comprehensively planned community with adequate provisions for the orderly development and improvement of the property. The property to which this Development Guide is applicable (hereinafter sometimes referred to as “Roxborough Village” or “Roxborough East”) is legally described in Section XIII and any amendments thereto. All section references, unless otherwise stated, are to sections in this Development Guide.

### **B. Objectives**

The Roxborough Village community is intended to accommodate a balanced mix of residential, commercial, recreational and non-urban land uses. This Development Guide allows opportunities for innovative community design while at the same time being responsive to changing market and community needs, and provides for a variety and range of housing consistent with the unique land characteristics of Roxborough.

### **C. Legislative Intent**

It is also the intent of this Development Guide to be consistent with, and to assist in implementation of, the legislative declarations contained in the Planned Unit Development Act of 1972 of the State of Colorado to:

1. Provide for commercial and recreational facilities in location convenient to residential areas;
2. Encourage innovations in residential and commercial development so that the growing demands of the population may be met by greater variety in type, design, and layout of buildings and by the conservation and more efficient use of open space ancillary to said buildings;
3. Encourage a more efficient use of land and community services, or private services in lieu thereof, and to reflect changes in the technology of land development so the resulting economies may inure to the benefit of homeowners;
4. Lessen the burden of traffic on streets and highways;
5. Encourage the building of a community incorporating the best features of contemporary design;
6. Conserve and enhance the value of land;

7. Provide a procedure which can relate the type, design, and layout of residential and commercial development to the particular site, thereby encouraging preservation of the site's natural characteristics; and
8. Encourage integrated planning in order to achieve the above purposes.

#### **D. Existing Uses and Approvals**

This Development Guide is not intended to abrogate or annul any nonconforming uses established or approvals issued before its effective date. However, after the effective date of this Development Guide should any changes of use or alterations of structures be requested, the provisions of this Development Guide will govern.

## **Section II- Authority**

### **A. Authority**

The authority for this Development Guide is Section XCII (P.D. Planned Developments) of the Douglas County Zoning Resolution amended November 15, 1982 as amended. The authority for Section XXII of the Douglas County Zoning Resolution is Article 67, Title 24 (Planned Unit Development Act of 1972), of the Colorado Revised Statutes, 1973, as amended.

### **B. Adoption**

The adoption of this Development Guide (and the included Development Plan) shall evidence the finding and decision of the Douglas County Board of County Commissioner that this Development Guide for Roxborough Village is authorized by the provisions of Section XXII of the Douglas County Zoning Resolution; that such Section XXII and this Development Guide comply with the Planned Unit Development Act of 1972.

### **C. Enforcement**

The provisions of this Development Guide (and the included Land Development Plan, Section XIII) relating to the use of land shall run in favor of Douglas County and shall be enforceable at law or in equity by Douglas County without any limitation on any power of authority otherwise granted by law. All provisions of this Development Guide shall run in favor of the residents, occupants and owners of the land within Roxborough Village to the extent expressly provided in this Development Guide and in accordance with its terms and conditions.

### **D. Violation**

Should the provisions of this Development Guide be violated, the County, through its attorney and the court of appropriate jurisdiction, may initiate legal action to prevent, abate or remove such unlawful use, maintenance, erection, construction, reconstruction, or alteration, in addition to any other remedies provided by law.

### **E. Penalties**

The Board of County Commissioners, through the county attorney, and the court of appropriate jurisdiction may fine any person, firm, or corporation, whether as principal, agent, employee or otherwise, who violate any provision of this Development Guide in the same manner and to the same extent as if such violations were a violation of the County Zoning Ordinance whose authority underlies all provisions of this Development Guide and shall be entitled to the same relief as the Douglas County Zoning Ordinance.

### **F. Process for Amending Development Plan**

The Roxborough Village Development Plan (The Master Plan) is the map which depicts location of land uses and proposed densities. As Roxborough Village develops, changes will need to be made in planning area boundaries, land uses and densities. These changes need to be shown on Amended Development Plans which are recorded at Douglas County. Therefore, the process for amending the Development Plan shall be the following:

1. The Roxborough Village Development Plan may be amended by making application to the Douglas County Planning Director.

The Douglas County Planning Director shall make the determination after submittal if the requested amendment is a “Minor Adjustment” or a “Major Adjustment.” The basic criteria that the Planning Director shall use for his determination is as follows:

The requested Amendment to the Development Plan may be Minor in nature if that applicant can document in writing to the Planning Director that:

- a. Such Amendment to the Development Plan does not involve land use or Planning Area boundary changes to more than ten (10%) of the overall Development Plan.
- b. Such Amendment to the Development Plan does not involve Density Transfers from one Planning Area to another which is in excess of 20 percent allowed by the Development Guide. Any request beyond the maximum allowed shall be considered a Major Adjustment.
- c. Such Amendment to the Development Plan does not substantially alter the overall Traffic Circulation Plan. Re-adjustment of roadways and changes in collector roads may be considered Minor Adjustments.
- d. Such Amendment to the Development Plan does not involve changes to open space, school sites or the Major drainage Corridors.

The Planning Director shall not have the authority to approve inclusion or exclusion of lands to the Development Plan.

Any adjustment request, Minor or Major, shall be subject to the current Douglas County review fees at the time of submittal.

2. Minor Adjustment Procedure: If the Planning Director has determined that the requested Amendment is a Minor Adjustment to the Development Plan, he may refer this Submittal with the proposed Adjustment to any referral agency which he feel necessary for their review and comment.

When the Major Adjustment has been approved by County Resolution, a new Development Plan shall be prepared and recorded. The Plan shall be noted as an Amended Plan and dated. The Plan will also bear the Planning Director’s signature.

## **G. Process for Amending Development Guide**

This Development Guide establishes standards, variations and requirements for Roxborough Village Planned Development. These standards may or may not be the same as the standards

and practices outlined by the Douglas County Zoning Resolution. The process for amending this Development Guide shall be the following:

1. This Development Guide may be amended by making application to the Douglas County Planning Director. The Douglas County Planning Director shall make the determination after submittal if the requested amendment is a “Minor Adjustment” or a “Major Adjustment.” The basic criteria that the Planning Director shall use for his determination is as follows:

The Requested Amendment to this Development Guide shall be Minor in nature if the applicant can document in writing to the Planning Director that such adjustment shall not impact more than ten percent (10%) of the following elements:

- a. Location, setbacks, lot sizes or overall coverage of structures.
- b. Overall Traffic Circulation Plan.
- c. The major drainage system and Erosion Control Plans.
- d. The established Roxborough Village Sign Standards (Section VIII).
- e. The established Roxborough Village Parking Standards (Section IX).
- f. The approved overall Landscape Plan for Roxborough Village.

However, the Planning Director shall not have the authority to approve by Minor Adjustment total Project density increases or changes to County dedicated open space nor shall he approve inclusion of additional lands to the P.D. or affect any conditions imposed on the plan by the Board of County Commissioners. Density transfers from one planning area to another can be handled by a Minor Adjustment provided they are allowed by this Development Guide.

Any adjustment request, Minor or Major, shall be subject to the current Douglas County review fees at the time of submittal.

2. Minor Adjustment Procedure: If the Planning Director has determined that the requested Amendment is a Minor Adjustment to this Development Guide, he may refer the Submittal with the proposed adjustments to any referral agency which he feels necessary for their review and comment.

When the Minor Adjustment to this Development Guide is approved by the Planning Director, the Approval Document shall be recorded as an Amendment to the previously recorded Development Guide.

3. Major Adjustment Procedure: If the Planning Director has determined that the requested Amendment does not meet the above criteria, they shall be deemed Major and the applicant shall be required to process the Amendment through the Planning Department, Planning Commission and the Board of County Commissioners. The procedure of an approval of a Major Adjustment shall be the same as the procedure being required for the adoption of a new Development Guide.

## **H. Additions and Deletions of Land: Changes of Land Use**

Application to be made to change a land use, and/or to extend the provisions of this Development Guide to additional parcels of land which are contiguous to Roxborough Village or to delete parcels of land from the provisions of this Development Guide.

Application shall be made to the County following the procedures of the current Douglas County Zoning Resolutions. Upon approval of land additions or deletions, the legal description of Roxborough Village shall change. A copy of the revised legal description shall be made available to the Douglas County Planning office at the time of application for addition, or deletion of land from the provisions of this Development Guide.

## **I. Minor Modifications and Variances**

A property owner may be granted a minor modification, release or removal of, as a variance from the provisions of this Development Guide, provided it is determined that the modification removal, release or variance has no substantial adverse effect on the rights and enjoyment of occupants, residents, and owners of Roxborough East properties, is consistent with Section I, the Purpose, Objectives and Intent of this Development Guide, and there exist practical difficulties or particular hardships in the way of carrying out the strict letter of the regulations of this Development Guide. The Douglas County Director of Planning shall have authority to review proposed modifications to determine if the modification is minor or major. Minor modifications shall not include any changes which significantly alter land uses, density, circulation system, or dedicated land. Current Douglas County Zoning Resolutions shall be used when making application for modification.

The following shall be applicable:

1. Any variance approved shall run with the property for which it is granted;
2. If a variance is denied, another application for a variance for the same property shall not be made for a period of one (1) year;
3. No variance shall be valid for a period longer than 1 year from the date of such variance approval unless a Douglas County Building permit is obtained within such period and the erection of a structure is started or the use is commenced within such period;
4. Height variances shall be subject to approval by the Douglas County Board of Adjustment.



5. Setback variances shall be subject to approval by the Douglas County Board of Adjustment.

#### **J. Appeal**

Should the property owner disagree with the determinations of the Douglas County Board of Adjustment, he may pursue appropriate legal action to appeal their decision.

#### **K. Application of Any Provision Declared Invalid**

If the application of any provision of this Development Guide to any lot, building, other structure, or tract of land is declared to be invalid by a decision of any court of competent jurisdiction, it is hereby declared to be the intent of this Development Guide that;

1. The effect of such decision shall be limited to that lot, building, other structure, or tract of land immediately involved in the controversy, action, or proceeding in which the judgment or decree of invalidity was rendered; and
2. Such decision shall not affect, impair, or nullify this Development Guide as a whole or the application of any provision thereof, to any other lot, building, other structure, or tract of land.

#### **L. Covenant, Conditions & Restrictions**

Covenants, Conditions and Restrictions are on file with the Douglas County Clerk and were recorded on September 20, 1985, Reception #1985360420. These Covenants, Conditions and Restrictions run with the land and may impose further procedures on landowners. Presence of this statement here does not implicitly or explicitly impose any enforcing responsibility on Douglas County, but does put landowner on notice of the existence of additional requirements and restrictions. The Roxborough Village Design Review Committee is created by the Covenants, Conditions and Restrictions to administer the provisions contained therein, some of which may be parallel to, or more stringent, than provisions required or administered by the Douglas County Commissioners.

Douglas County agrees, where appropriate, to treat the Roxborough Village Design Review Committee as an additional review agency.

## **Section III- Control Provisions**

### **A. Control Over Use**

After the effective date of this Development Guide and subject to the provisions of Section II of this Development Guide:

1. Any new building or other structure, and any parcel of land, may be used; and
2. The use of any existing building, other structure or parcel of land may be changed or extended; and
3. Any existing building or other structure may be enlarged, reconstructed, structurally altered, converted or relocated except, however, that non-conforming structures shall not be enlarged or altered in a manner which increases its non-conformity, but any such structure or portion thereof may altered or relocated to increase its conformity, for any purpose permitted or required by the provision of this Development Guide applicable to the area in which such building, other structure or parcel of land is located, and for no other purpose, unless a variance is granted. Such use, change, extension, enlargement, reconstruction, structural alteration, conversion or relocation shall be subject to all other standards and requirements set forth or referred to in the standards and requirements set forth or referred to in the standards and requirements for that area, and to any other applicable standards and requirements of the Development Guide.

### **B. Control Over Location and Bulk**

After the effective date of this Development Guide and subject to the provision of Section II, Authority, of this Development Guide, the location and bulk of all buildings and other structures, erected in the future, shall be in conformity with:

1. All standards, requirements, and exceptions set forth or referred to in the standards, requirements, and exceptions, for the area in which such buildings and other structures are located; and
2. Any other applicable standards, requirements, and exceptions of this Development Guide.

### **C. Incorporation of Land Development Plan**

The Roxborough Village Development Plan is hereby incorporated by reference into this Development Guide as Section XIII together with everything shown thereon and all amendments thereto.

### **D. Planning Area Approvals**

Platting or replatting within Planning Areas must follow County procedures.

## **E. Issuance of Building Permit**

Douglas County shall take whatever action it deems appropriate to issue building permits upon application.

## **Section IV- General Provisions**

### **A. Purpose**

The purpose of this Section is to provide general provisions and clarifications of standards and requirements for development which occurs in Roxborough Village.

### **B. Effect of the Douglas County Zoning Resolution**

(Adopted November 1, 1982.)

The provisions of Part I, Administrative Provisions and Procedures, of the Douglas County Zoning Resolution and the successors thereof, as in effect at the time of adoption of this Development Guide, except as amended in this Development Guide, are by this reference incorporated herein as if set forth in full to the extent not inconsistent with this Development Guide.

### **C. Conflict**

The provisions of the Development Guide shall prevail and govern the development of Roxborough Village provided, however, where the provisions of the Development Guide do not clearly address a specific subject, the provisions of the Douglas County Zoning Resolution, or any other ordinances, resolutions or regulations of Douglas County as amended shall prevail.

### **D. Covenants, Conditions & Restrictions (CC&R's)**

Master CC&R's will be recorded with the Douglas County Clerk and Recorder at the time of platting. These will contain standards for design review and life within Roxborough Village.

### **E. Development Phasing**

Any project may be constructed in phases, provided that there is compliance with Development Standards and requirements applicable to each such phase.

### **F. Density Standards**

The dwelling unit density permitted in any Residential Planning Area shall apply to the entire area and shall not be specifically applicable to any portion thereof. Density of any Residential Planning Area shall be computed by dividing the total number of dwelling units in the Planning Area by the gross residential acres in the Planning Area.

### **G. Density Transfers**

The increase in the number of permitted dwelling units within any planning area up to 20 percent of the specified density may be accomplished through the transfer of dwelling units from any other planning area by administrative amendment. In no case shall the ultimate number of dwelling units in the Planned Development exceed the established approved Development Plan. A yearly inventory of the number of dwelling units transferred will be submitted to the Planning Department and Board of County Commissioners.

## **H. Planning Area Boundaries**

Wherever a planning area abuts Co. Rd. 5, the planning area boundary is abutting right-of-way line of Co. Rd. 5. Wherever a planning area abuts another street, the planning area boundaries shall be the centerline of the street. Modifications in planning area boundaries and streets may be accomplished by the Developer through final road alignments or technical refinements shown on a final plat, with the approval of the Planning Director, without any amendment to this Development Guide. Provided however, that planning areas may not increase or decrease more than 25 percent in area.

## **I. Construction Standards**

Construction shall comply with applicable provisions of the Uniform Building and Mechanical Code, the National Electrical Code, Uniform Fire Code, the Colorado Plumbing Code, and such Codes and the successors thereof, setting forth construction standards as promulgated by the International Conference of Building Officials or other standards-establishing bodies, and adopted by Douglas County.

## **J. Utility Connections**

Connection to public water and public sewerage facilities shall be required for each principal building constructed after the adoption of this Development Guide in Roxborough Village or as otherwise provided in the Douglas County Zoning Resolution.

## **K. Development within Floodplains**

Any development within any floodplain in Roxborough Village shall conform to accepted engineering standards and must be in accordance with the County Zoning Resolution and any other regulation recognized by the County.

## **L. Natural Hazards**

Where a recognized natural hazard exists the Design Review Committee reserves the right to establish special standards of construction or, in extreme cases, to prohibit construction as provided for in Section II, paragraph L, page 12.

## **M. Underground Utility Requirements**

All not already existing electrical, gas, communications, and cable television distribution lines will be placed underground unless specifically determined otherwise by the Planning Director. Temporary facilities such as interim overhead telephone and power cables or similar lines for use in establishing permanent services will be allowed to be overhead.

## **N. Borrow Sites**

Any area within Roxborough Village, may be used as a borrow site for construction materials subject to county ordinances. All borrow areas shall be regarded, reseeded and relandscaped, in a timely manner, with appropriate plant materials subsequent to borrow operations.

## **O. Agricultural Uses**

Existing agricultural and ranch activities and uses and all ancillary uses which are customarily incidental or appropriate to farming and ranching, shall be permitted to remain within Roxborough Village on a temporary basis in areas where development is not taking place and where such uses are not detrimental to nor in any way infringe upon the rights of property.

## **P. Foundation Design**

All footings and/or foundation structures and retaining walls shall be designed and certified by a licensed Professional Engineer and shall be constructed in accordance with such designs such certified designs shall be submitted to the Design Review Committee as a matter of record prior to submittal to the Building Department as provided for in Section II, Paragraph L, page 12.

## **Q. Minimum Area and Width of Lots**

1. No part of the area, setback or dimension of a lot required for the purpose of complying with the provisions of this Development Guide shall be included as part of the area, setback or dimension required for another lot.
2. The minimum area, setback or dimension limitations in this Development Guide shall not apply to utility service facilities.

## **R. Minimum Yards**

1. Cornices, canopies, eaves, fireplaces, wing walls or similar architectural features may extend into a required setback not more than three (3) feet.
2. Fire escapes may extend into a required yard not more than six (6) feet.
3. Open, unenclosed, uncovered patios at ground level may extend into a required setback, provided there is no encroachment into a designated easement.
4. Open, unenclosed, uncovered patios and decks three (3) feet or more above ground level may extend into a required rear yard, provided that the distance from the patio or deck to the rear property line shall not be less than five (5) feet except where lesser setback is required, then they may extend to the setback line.
5. No part of a yard required for a building for purposes of complying with this Development Guide shall be included as a yard for another building.
6. For purposes of this Development Guide, the yard bordering on all Federal, State, and Major County arterial highways shall not be less than 75 feet. When the requirement conflicts with a yard depth otherwise required by this Guide, the greater yard depth shall be required.

7. No underground structure shall be allowed to extend into designated easements or required setbacks.
8. No structure shall be erected within a utility easement.

#### **S. Maximum Height of Buildings**

The height limitations of this Development Guide shall not apply to church spires, belfries, chimneys, ventilators, vents, solar collectors and appurtenances, and, on commercial buildings to heating, air conditioning and ventilating equipment usually carried above roof level.

#### **T. Minimum Living Areas**

Minimum Building Square Footages for various types of residences shall be as follows:

1. Single Family conventional, patio homes, duplexes, zero lot line homes, and Cluster Development- 750 square feet.
2. Townhouses and Condominiums- 600 square feet.

#### **U. Streets and Roads**

All streets and roads within the confines of Roxborough Village Development shall be designed and constructed to the standards and specifications set forth in the Douglas County Road Design and Specification Manual, except where modified in the “Modification of the Douglas County Department of Highways Road Design Manual and Specifications for Roxborough Village Planned Development” which has been submitted to Douglas County as a separate document. Soil testing will be done at 250’ foot intervals along the proposed roadway to determine the structural section in accordance with Douglas County Standards.

#### **V. Noncommercial Household Pets**

Household pets shall be permitted in Residential Areas in accordance with the standards set forth in Part II, Section 24 of the 1982 Douglas County Zoning Resolution. Refer to the Roxborough Village Covenants, Conditions & Restrictions for further restrictions which may be enforced by the Roxborough Village Design Review Committee.

#### **W. Home Occupations**

Home occupations shall be allowed as a permitted use in all Residential Planning Areas in accordance with Part II, Section 23 of the 1982 Douglas County Zoning Resolutions. Refer to the Roxborough Village Covenants, Conditions & Restrictions for further restrictions which may be enforced by the Roxborough Village Design Review Committee.

#### **X. Environmental Protection**

The Roxborough Village Design Review Committee shall inform each property owner of the following protective measures. It shall be the responsibility of the property owner to insure that

these measures are followed. The Roxborough Village Design Review Committee shall have the authority to enforce these provisions, or take corrective measures and bill the property owner for the cost of such work as provided for in Section II, paragraph L page 12.

1. Waste materials will be promptly removed from the construction site. Under no circumstance should waste materials of any kind be dumped or temporarily stored on slopes or in water courses.
2. Measures will be taken by every member of the construction force as needed to eliminate or minimize any interference with or disturbance to wildlife.
3. Clearing operations will be sensitive to aesthetic values. To accomplish this, work areas will be carefully locate and marked to reduce possible damage to a minimum.
4. Tree, brush, and grass areas will be fertilized as necessary to insure best care and growth.
5. After the job is finished in each phase, the operations, administrative, storage, and repair areas will be cleaned up and restored as near to their original, native vegetative condition as possible.

#### **Y. Underdrains**

Underdrains for lots and streets shall be designed and sized by a licensed professional engineer experienced in soils and foundation design, to be selected or approved by the Design Review Committee as provided for in Section II, Paragraph L, page 12.



## Section V- SR Suburban Residential District

### A. Purpose and Intent

The purpose of this Section is to make provisions for all of the residential needs of Roxborough Village while establishing a pleasant environment for the families that reside therein. The development standards set forth herein permit both conventional and contemporary developments, including patio home, duplex, zero lot line, cluster developments, townhouses and condominiums.

This section is intended to permit in Residential Planning Areas the following uses, among others: one-family dwellings, either detached or attached, two-family dwellings, condominiums, parks, churches, schools and recreation facilities.

### B. Uses Permitted by Right

The following uses are permitted in Residential Planning areas as a matter of right.

1. One-family dwellings, constructed in accordance with conventional development standards set forth below.
2. One-family dwellings, detached or attached, if constructed in accordance with alternate development standards or townhouse development standards set forth below.
3. Two-family dwellings, if constructed in accordance with alternate development standards set forth below for duplex developments.
4. Condominiums, if constructed in areas designated for townhouse development and constructed in accordance with provision set forth below.
5. Private and public recreation facilities, such as recreation center, parks, swimming pools, tennis courts, etc.
6. Public and quasi-public buildings and structures, including but not limited to:
  - a. Police stations, fire stations, libraries, schools and emergency care facilities.
  - b. Public utilities and any appurtenant buildings.
7. Model homes and sales offices accessory thereto.
8. Community information centers.
9. Special Community events.

10. Temporary contractor storage yard(s) and temporary construction offices may be placed at location designed by the developer in accordance with a site plan submitted by the contractor to the developer. Such plan(s) shall consider such items as noise, dust control, traffic control, sanitation facilities and any other necessary items to insure compliance with the developer site plan. The Douglas County Planning Department shall be notified of developer's approval of the location of any temporary contractor storage yards or offices. The contractor shall adhere to Zoning Resolution for temporary construction offices.
11. Hiking, and biking trails.
12. Accessory buildings and uses as provided in Section VII.
13. Signs as provided in Section VIII.
14. Off-street parking as provided in Section IX.
15. Any other uses consistent with the purposes of this Section and compatible with the uses set forth herein.

### **C. Uses Permitted by Special Approval of Douglas County**

The following uses are permitted following Special Review by Douglas County in accordance with the Special Review procedure outlined in the current Zoning Resolution.

1. Any other uses permitted by special review under Sections RR, ER, SR and MF residential districts of the 1982 Douglas County Zoning Resolution.

### **D. Suburban Residential Development Standards (Conventional)**

Residential development and projects permitted as a matter of right in SR- Suburban Residential I (SR/I), Suburban Residential II (SR/II) and Suburban Residential (SR/III), Single Family Residential Planning Areas may be constructed in a conventional manner in accordance with the following development standards:

1. Minimum lot area:
  - a. SR/I                    7,500 square feet
  - b. SR/II                    4,200 square feet
  - c. SR/III                    3,600 square feet

2. Minimum lot width:
  - a. SR/I                60 feet
  - b. SR/II               42 feet
  - c. SR/III              36 feet

With respect to a flag on a panhandle lot, the minimum width of the corridor on accessway shall be 20 feet and the remainder of the lot shall comply with the minimum lot width set forth above.

3. Minimum front setback
  - a. SR/I                25 feet
  - b. SR/II               15 feet
  - c. SR/III              15 feet

With respect to a flag or panhandle lot, the length of the corridor or accessway shall be excluded in applying such minimum to such lot. The minimum front setback to living areas may be reduced to 10 feet at the turn around on a cul-de-sac.

4. Minimum side yard setbacks:
  - a. SR/I                5 feet from lot line with minimum of 12 feet between buildings on adjoining lots
  - b. SR/II               3 feet from lot line with minimum of 10 feet between buildings on adjoining lots
  - c. SR/III              3 feet from lot line with minimum of 7 feet between buildings on adjoining lots
  - d. On corner lots adjacent to public streets: 12 feet in all zones.

5. Minimum rear setback: 15 feet.

6. Maximum building height: 35 feet, unless increased by the Douglas County Board of Adjustment.

7. Off- street parking shall be provided in Section IX.

## **E. Suburban Residential Development Standards (Alternative)**

In planning areas designated as SR/II and SR/III in order to provide Roxborough Village with a more varied and interesting neighborhood residential pattern and flexibility in residential development, alternative development standards have been formulated and are set forth below:

1. The objective of these alternative development standards are to:
  - a. To provide savings in infrastructure installation, land resources and energy through the concentration of dwelling, construction and physical impact to specific area of a tract.
  - b. Encourage variety in the physical development pattern of Roxborough Village.
  - c. Provide a variety in residential neighborhood greater than would be possible through the application throughout the entire residential community of the standards set forth in Subsection D above.
  - d. Encourage the use of a more creative approach to the development of land.
  - e. Encourage a more efficient aesthetic and desirable use open space.
2. The principle of these alternative development standards are to:
  - a. Provide that the density and building intensity of any residential lot or project proposed pursuant to these alternative development standards will conform to the provisions of Section IV, General Provisions.
  - b. Provide a variety of dwelling and building designs.
  - c. Provide high standards of development and provide amenities appropriate to the densities involved in the project.
  - d. Improve the environment by providing adequate landscaping.
  - e. Discourage uniform appearing row housing, all with architecturally similar front elevations.
  - f. Provide for a variety of housing types in order to best meet the housing demands of all age and economic groups.
  - g. Provide for variety of housing within the neighborhood pattern of Roxborough Village.

- h. Provide for a desirable living environment which meets the need of a variety of lifestyles.
3. Residential projects permitted as a matter of right in SR/II and SR/III. Suburban Residential Planning Areas may be constructed in accordance with the following alternative development standards and shall comply with the Douglas County Site Plan Review procedure pursuant to the current Zoning Resolution.

a. Patio Home Development

1) A patio home development is a residential project consisting of 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 lot or project area most effectively. (See page 31 for illustrative sketch)

2) The development standards for a patio home project are as follows:

- a) Minimum lot area: 2,500 square feet
- b) Minimum lot width & depth: none
- c) Perimeter setback: Minimum setbacks of 20 feet, shall be required abutting all project area boundary lines.
- d) Maximum building height: 35 feet, unless increased by the Douglas County Board of Adjustment.
- e) Minimum open space: At least one-third of each lot or planning area shall be devoted to outdoor living area, including, but not limited to landscaped areas, patios, walkways, fences, gardens, and similar features, but excluding therefrom driveways and uncovered parking spaces.
- f) Signs shall be permitted as provided in Section VIII.
- g) Off-street parking shall be provided as required by Section IX.

b. Duplex Development

1) A duplex development is a residential project consisting of two-family dwellings situated on one lot and arranged, designed, and intended for occupancy by two (2) families living independently of each other.

2) Duplex projects are permitted to make more efficient use of the land and to permit the design of more attractive structures.

a) Minimum lot area: 6,000 square feet

b) Minimum lot width: 60 feet

1) With respect to a flag or panhandle lot the minimum width of the corridor or accessway shall be 20 feet and the remainder of the lot shall comply with the minimum lot width set forth above.

c) Minimum lot depth: 70 feet

d) The following setbacks are required:

1) Minimum front setback: 15 feet, provided that with respect to a flag or panhandle lot, the length of the corridor or accessway shall be excluded in applying such minimum to such lot. The minimum front setback to lying areas may be reduced to 10 feet at the turn around on cul-de-sac.

2) Minimum side setback to lot line: 3 feet

3) Minimum rear setback to lot line: 15 feet

4) Minimum setback between buildings: 10 feet

e) Maximum building height: 35 feet, unless increased by the Douglas County Board of Adjustment

c. Zero Lot Line Development

1) A zero lot line development is a residential project consisting of dwelling units in which either:

a) Two adjoin structures on adjacent but separate properties share a common wall, or

b) A structure is built up to its property line with no easement or setback

- 2) Zero lot line projects allow house sitings on smaller lots, along lot lines, in order to make more efficient use of the land and to permit the design of more attractive structures. (See page 33 for illustrative sketch)
  
- 3) The development standards for a zero lot line project are as follows:
  - a) Minimum lot area: 2,500 square feet
  
  - b) Minimum lot width & depth: none
  
  - c) Perimeter setback: Minimum setbacks of 20 feet, shall be required abutting all project area boundary lines.
 

|                     |         |
|---------------------|---------|
| Front Yard setback: | 15 feet |
|---------------------|---------|
  
  - d) Maximum building height: 35 feet, unless increased by the Douglas County Board of Adjustment.
  
  - e) Minimum open space: At least one-third of each lot or planning area 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.
  
  - f) Signs shall be permitted as provided in Section X.
  
  - g) Off-street parking shall be provided as required by Section IX.

d. Cluster Development

- 1) A cluster development is a residential project which, in contrast to conventional development, allows a greater percentage of land within the project to be allotted to common areas and elements and reduces the need for streets by grouping the residential units together. The more casual orientation of the buildings and open spaces serves as a needed variation from the usual patterns that evolve from conventional development. (See page 34 for illustrative sketch)
  
- 2) Cluster projects in SR/II and SR/III Planning Areas shall consist of one-family dwellings, either detached or attached, along with substantial common areas and elements available for common use by the residents within the project and shall be limited to planning areas designated or greater density.

- 3) Frontage on public or private streets is not required of all lots in a cluster project. Not more than one dwelling unit shall be constructed upon each lot within a cluster project unless they are part of a condominium project. All dwelling units within a cluster project shall have access to all common areas and elements.
- 4) The development standards for a cluster project are as follows:
  - a) Minimum area allocated per dwelling unit for a project site: 2,500 square feet
  - b) Minimum lot width and depth: none
  - c) Minimum project area: Not less than 5 acres except in Single Family Residential Areas developed to conventional development standards wherein 4 or more Single Family Dwelling units may be grouped or clustered in one area.
  - d) The following yards are required:

Minimum setbacks of 20 feet, shall be required abutting all project area boundary line.
  - e) Maximum building height: 35 feet, unless increased by the Douglas County Board of Adjustment.
  - f) Minimum common areas and elements: To allow for the unique arrangement of buildings and common areas and elements within a cluster development, no minimum common areas and elements are required for any lot within a cluster project, provided however, that a minimum of one-third of the total project area shall be devoted to common areas and elements. The common areas and elements may include, but not be limited to, landscaped areas, walkways, swimming pools, tennis courts, play areas, fountains and patio area, but shall exclude therefrom driveways and all off-street parking facilities.
  - g) Off-street parking shall be provided as required by Section IX.



## F. Townhouse Development Standards

Townhouse, and condominium developments and projects are permitted as a matter of right in Residential Planning areas designated on the Development Plan on Townhouse, and may be constructed in accordance with the following development standards and shall comply with the Douglas County Site Plan Review procedure pursuant to the current Zoning Resolution.

### 1. Townhouse Development

- a. A townhouse development is a group of single family attached units with one or more common walls. Townhouses (except for end units) have no side yards, but front and rear yards can exist. Substantial common areas and elements available for common use by residents of the project are required. All dwelling units within a townhouse project shall have access to all common areas and elements. Frontage on public or private streets is not required of all townhomes within the townhouse area. (See page 35 for illustrative sketch)
- b. The development standards for a townhouse project are as follows:
  - 1) Minimum area allocated per dwelling unit for a project site: 2,500 square feet.
  - 2) Minimum lot width and depth: None
  - 3) Maximum building height: 35 feet, unless increased by the Douglas County Board of Adjustment
  - 4) Minimum common areas and elements: To allow for the unique arrangement of buildings and common areas and elements within a townhouse development, no minimum common areas and elements are required or any site within a townhouse project, provided, however, that a minimum of one-third of the total project area shall be devoted to common areas and elements. The common areas and elements may include, but not be limited to, landscaped areas, walkways, swimming pools, tennis courts, play areas, fountains and patio areas, but shall exclude therefrom driveways and all off-street parking facilities.
  - 5) Off- street parking shall be provided as required by Section IX.

### 2. Condominium Development

- a. A condominium development in a residential project which in contrast to a townhouse development allows individual ownership of air space together with

interest in the common elements appurtenant to such units as defined and set forth in Title 38, Article 33, of the Colorado Revised Statutes (1973), or amended. (See page 35 for illustrative sketch.)

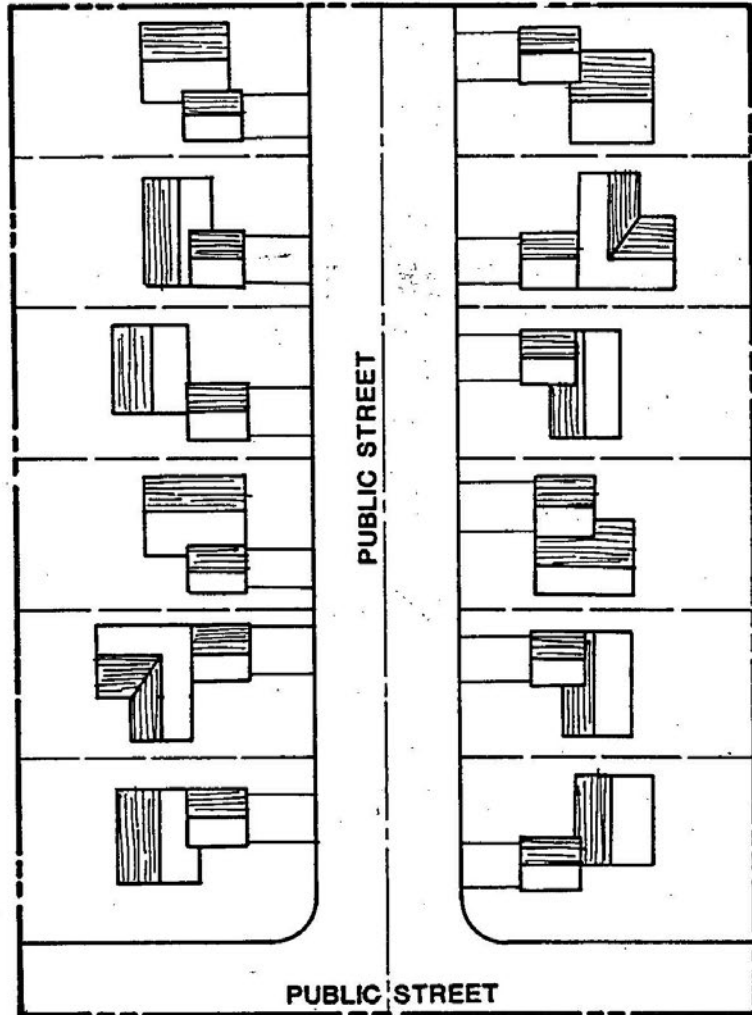
- b. The development standards for a Condominium project are the same as those for a townhouse project.

### **G. Nonresidential Use Development Standards**

Any nonresidential use permitted as a matter of right as set forth in section VI-B by the provisions of this Section shall be subject to the Commercial development standards provided in Section VI.

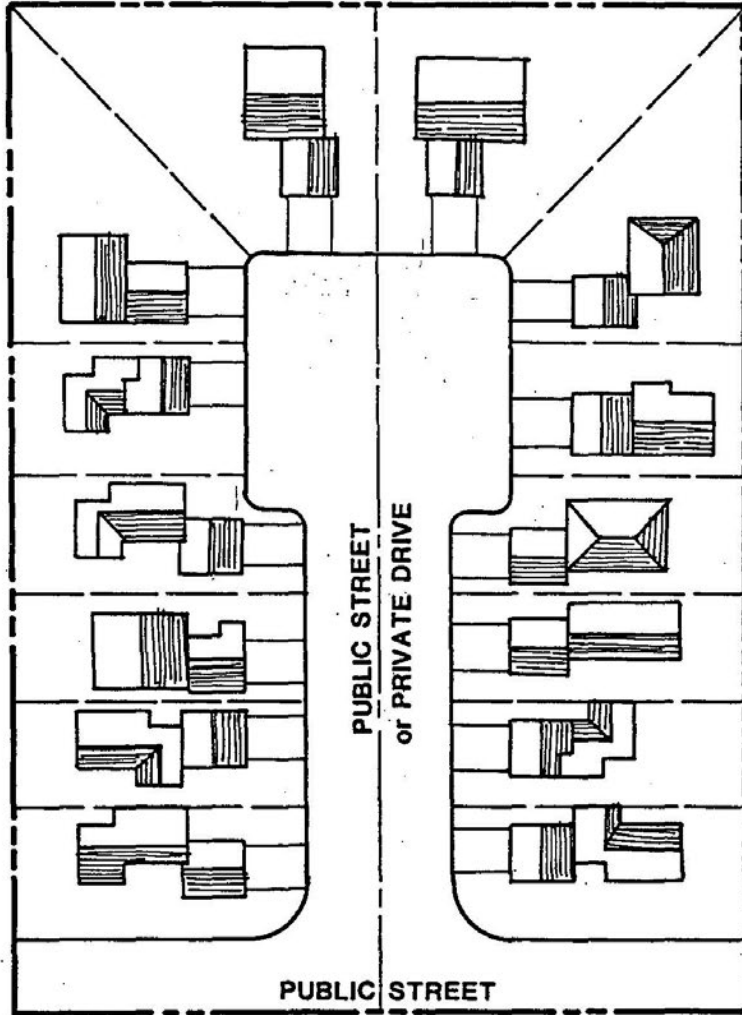
### **H. Illustrative Development Sketches**

The following sketches illustrate how development could occur utilizing the conventional and alternative development standards set forth above.



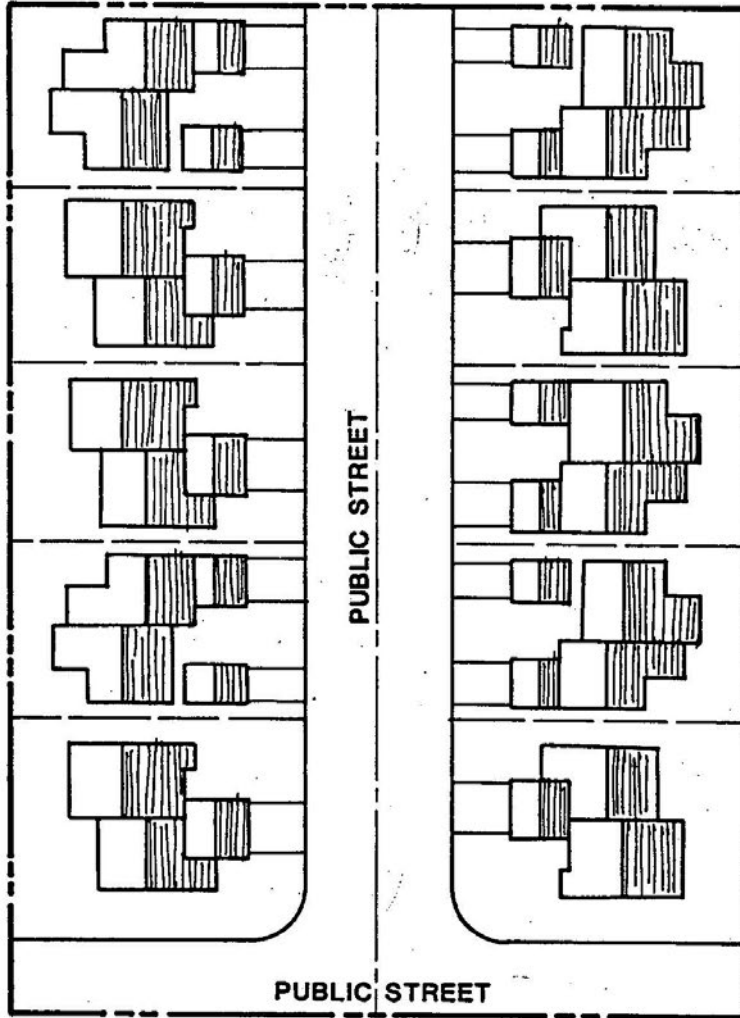
ILLUSTRATIVE SKETCH  
 SINGLE FAMILY HOME DEVELOPMENT  
 (CONVENTIONAL)

8712166 - 04/24/87 15:43 - RETA A. CRAIN DOUGLAS CO. COLO. CLERK & RECORDER  
 B0716 - P0382 - \$185.00 - 36/ 61



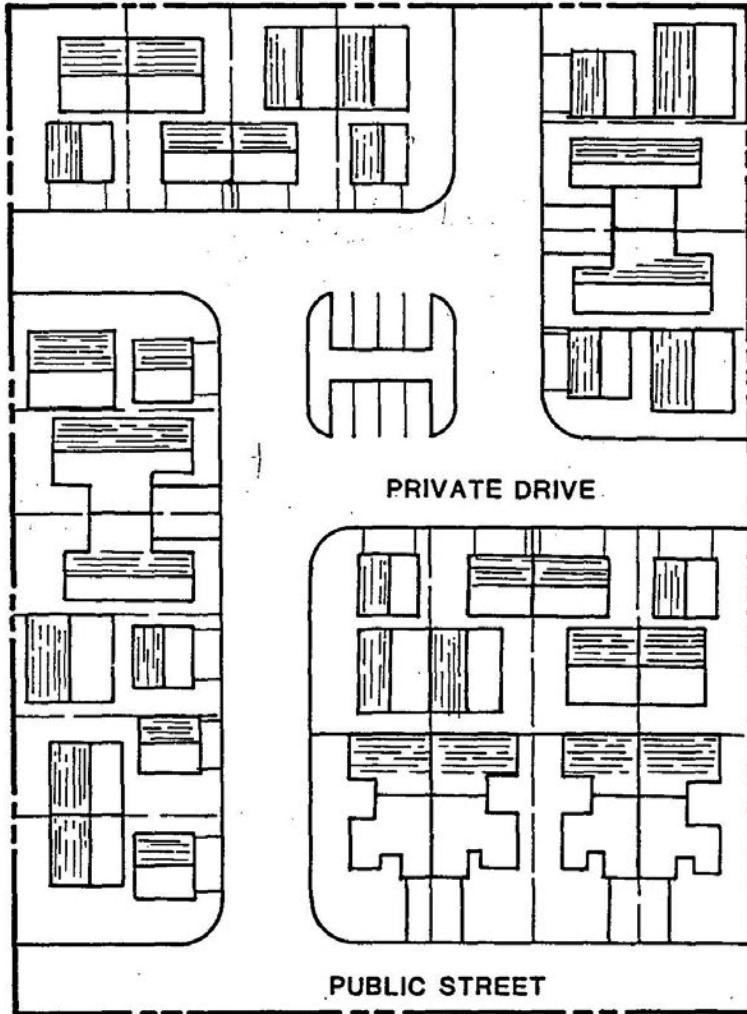
ILLUSTRATIVE SKETCH  
 PATIO HOME DEVELOPMENT

8712166 - 04/24/87 15:43 - RETA A. CHAIN DOUGLAS CO. COLO. CLERK & RECORDER  
 B0716 - P0383 - \$186.00 - 37/ 61



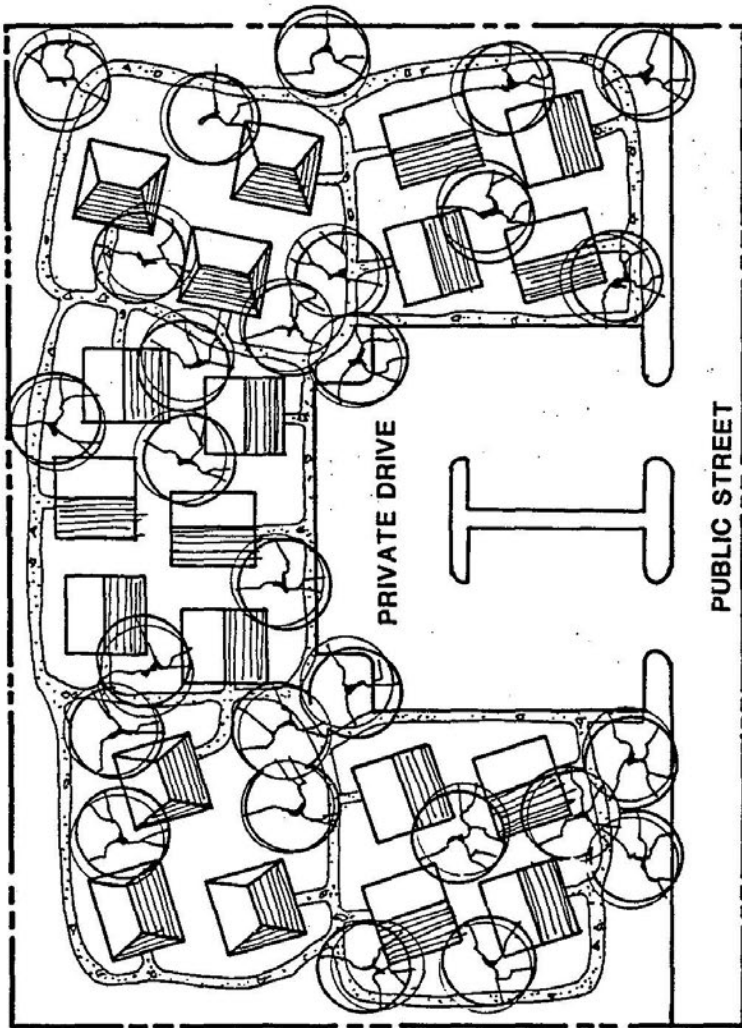
**ILLUSTRATIVE SKETCH  
 DUPLEX DEVELOPMENT**

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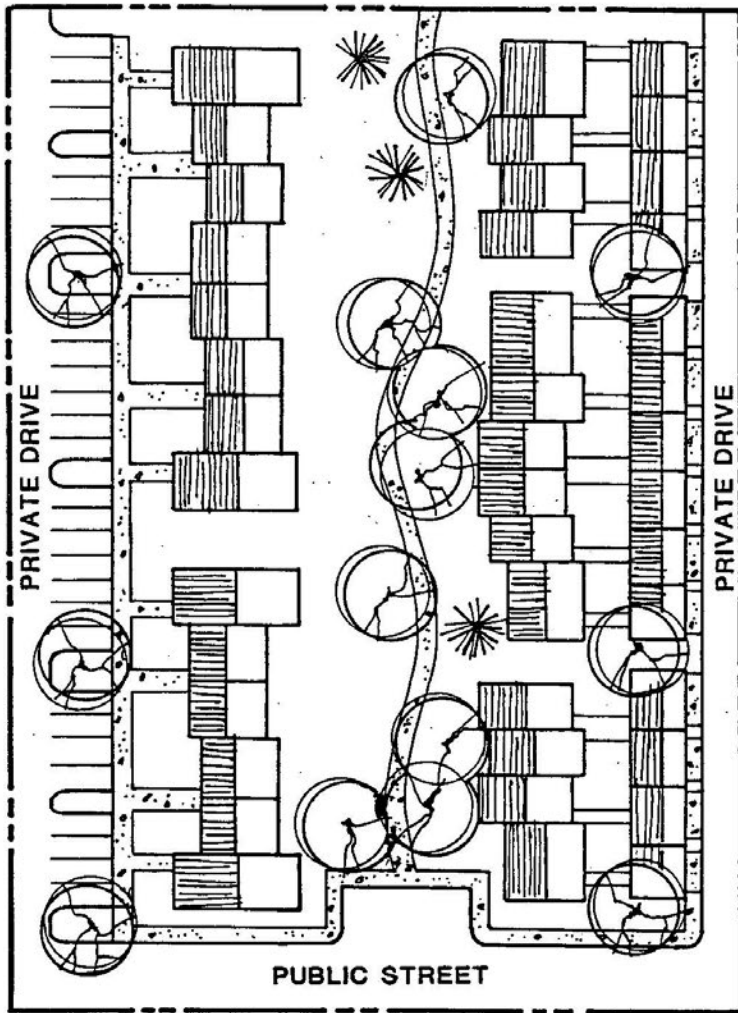
ILLUSTRATIVE SKETCH  
ZERO LOT LINE DEVELOPMENT

8712166 - 04/24/87 15:43 - RETA A. CRAIN DOUGLAS CO. COLO. CLERK & RECORDER  
80716 - P0386 - \$186.00 - 39/ 61



ILLUSTRATIVE SKETCH  
CLUSTER DEVELOPMENT

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B0716 - P0386 - \$185.00 - 40/ 61



ILLUSTRATIVE SKETCH  
TOWNHOUSE/CONDOMINIUM DEVELOPMENT

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716 - P0387 - \$185.00 - 41/ 61



## **Section VI- Commercial District**

### **A. Purpose and Intent**

The purpose of this Section is to establish land uses and development standards for Commercial Districts utilizing creative site planning. The concentration of professional, retail, and service uses within these established areas will satisfy the community's primary requirements for such facilities while eliminating the traditional dispersal pattern of similar land uses throughout the community. Such areas will encourage the development of attractive convenient work facilities adjacent to appropriate living areas.

It is intended that each Commercial District be established as a Planning Area utilizing an integrated design compatible with surrounding areas. The plan for such an area must consider a balance of uses important and appropriate to the community.

### **B. Uses Permitted by Right**

The following uses, are permitted as a matter of right in areas zoned as Commercial Districts on the Roxborough Village Development Plan if constructed in accordance with the standards set below and reviewed by the Site Plan Review Committee of Douglas County. Refer to the Roxborough Village Development Plan if constructed in accordance with the standards set forth below and reviewed by the Site Plan Review Committee of Douglas County. Refer to the Roxborough Village Covenants, Conditions and Restrictions for further requirements which may be enforced by the Roxborough Village Design Committee.

1. Accessory Buildings and uses as provided in Section VII;
2. Any non-residential use permitted by right under Section 9-B-Business Districts, and 10-C Commercial District of the 1982 Douglas County Zoning Ordinance;
3. Any other use consistent with the intent of this Section and compatible with the neighborhood and overall community standards subject to approval by the Douglas County Planning Director;
4. Automobile Repair Specialty Shop;
5. Banks, financial institutions and services including drive-in facilities;
6. Club houses, private, community and public;
7. Community Information centers;
8. Construction trailers and portable toilets during actual construction;
9. Country Club/Resort;

10. Equipment Rental;
11. Home repair centers- wholesale and retail;
12. Institutional Facilities, including, but not limited to:
  - a) Art Galleries;
  - b) Churches, Temples, and other religious institutions;
  - c) Convention Centers;
  - d) Cultural Centers;
  - e) Museums; and
13. Mini Storage warehouses limited to a maximum of 350 square feet per unit;
14. Mortuaries and funeral homes;
15. Open Space, Common Areas and Elements and Limited Common Areas and Elements;
16. Open Space easements, hiking trails, and biking trails;
17. Public and Community buildings and structures, including but not limited to:
  - a) Community Information Centers;
  - b) Police Stations, Fire Stations, Schools, Libraries, Emergency Care Facilities, and Outdoor Recreations;
18. Public and Private Schools and Technical Schools;
19. Public transit facilities, Park-N-Ride facilities;
20. Recreational Vehicle Storage;
21. Scientific and applied research, development, testing and similar non-offensive uses;
22. Special Community Events;

23. Theaters- indoor;
24. Trash receptacles- Providing they are architecturally compatible with the Planning Area and for area use only;
25. Utility service facilities.

### **C. Development Standards**

1. Each Commercial District shall be organized, designed, approved and developed as a Planning Area. Any platting or replatting required must be in conformity with County Subdivision regulations;
2. Minimum Planning Area size: 3 acres. However, there shall be no minimum lot area, lot width, or lot depth.
3. Maximum Building Height: 60 feet, except as increased by the Douglas County Board of Adjustment;
4. The following setbacks are required for any primary or accessory structure:
  - a) In areas abutting perimeter roads, interior roads and Commercial District boundaries minimum setbacks shall be 30 feet.  
  
In areas abutting residential developments without road separation minimum setbacks shall be 50 feet, except for mini warehouses which may be no closer than 12 feet from residential development and shall require intensive protective landscaping.
  - b) Buildings may have common walls.
5. Outside Storage and Uses: All permitted outside storage shall be contained entirely within a fully secured and enclosed area.
6. Screening shall be provided as set forth in subparagraphs a. and b., below, and shall consist of one or any combination of the materials set forth in subparagraphs c., d., or e., below.
  - a) Screening shall be constructed along property lines where the Commercial Planning Areas abut any residential Planning Area without street separation. The height of such screening shall be indicated on the site development plan.

- b) All mechanical equipment placed on any roof or otherwise outside of any building, including but not limited to air-conditioning, heating and ventilating equipment, and vents, shall be screened from view from any street and any abutting Residential Planning Area.
  - c) Wall: A wall consisting of concrete block, stone, brick, tile or similar solid masonry material.
  - d) Berm: A berm constructed of earthen materials and landscaped.
  - e) Fence: An opaque fence constructed of wood or other suitable materials.
7. Landscaping shall be installed and maintained subject to the following standards:
- a) Landscaping shall be installed on at least 15 percent of the acreage of the gross commercially designated area of, if the development is in a project, 15 percent of each project, exclusive of streets.
  - b) Landscaping shall be installed along all property lines abutting streets to a depth of not less than 20 feet, excluding herefrom driveways, alleys and street openings.
  - c) Landscaping shall be installed in accordance with a landscaping plan approved by Douglas County.
  - d) All landscaping shall be maintained in a manner and to the degree necessary to keep plants healthy and presentable including pruning, mowing, weeding, fertilizing, watering and the replacing of plants when necessary.
8. Commercial developments shall comply with Douglas County Site Plan Review procedure pursuant to the current Zoning Resolution, as amended thereto.

#### **D. Uses Permitted By Special Approval of Douglas County**

The following uses are permitted provided they meet the Development Standards of Uses by right under this Section, provided they are architecturally compatible with other structures in the Planning Area, provided they are ancillary to the principal use of the Planning Area as a Commercial District, and provided they are approved as Uses Permitted by Special Approval of Douglas County in accordance with the Special Review procedure outlined in the current Zoning Resolution.

- 1. Rental cottages and apartments for transient use only;
- 2. Major facilities of a public utility or water or sewage treatment and storage facilities.

3. Any other uses permitted by Special Review under Section 9-B-Business District, and 10-C-Commercial District of the 1982 Douglas County Zoning Resolution as amended.

## **E. General Requirements**

1. All roads, driveways, walkways and parking areas must be paved with asphalt, concrete, brick or stone.
2. Off- street parking as provided in Section IX.
3. Signs as permitted in Section VIII.

## **Section VII- Accessory Buildings and Uses**

### **A. Purpose and Intent**

The purpose of this Section is to establish land uses and development standards for accessory buildings and uses in Roxborough Village.

### **B. Uses Permitted By Special Approval of Douglas County**

Accessory buildings and uses may be permitted in all Roxborough Village areas. The Roxborough Village Declaration of Restrictions, Covenants and Conditions will be considered as providing general guidance for these uses. However, due to the diverse nature of this section and the potential impact upon neighboring property owners and the community in general, uses under this Section will be allowed only by the Site Plan Review Committee Process of Douglas County.

1. Caretaker quarters;
2. Club houses;
3. Exotic animals/non-domestic.

### **C. Development Standards**

Permitted accessory buildings and uses shall be constructed and used with the following development standards.

1. Each accessory building or use shall comply with the development standards of the site in which it is located;
2. Private uncovered swimming pools, tennis courts and paddle tennis courts may project into any required yard provided that any such use is set back a minimum of 10 feet from any property line and does not encroach into any utility easement and provided further that all outdoor swimming pools, tennis court and paddle tennis courts must be fenced in accordance with the Roxborough Village Covenants, Conditions and Restrictions and as provided for in Section II, Paragraph L, page 12.

## **Section VIII- Signs**

### **A. Purpose and Intent**

The purpose of this Section is to establish standards for the erection and use of signs within Roxborough Village.

### **B. General Standards**

Signs shall be permitted in accordance with Part II, Section 19 of the 1982 Douglas County Zoning Resolutions as amended thereto. On-site signs in Residential Planning and Public Use Areas shall conform to paragraph C.1 of said section. On-site signs in Commercial areas shall conform to paragraph C.2 of said section.

Directional signs for specific subdivisions are allowed and shall not be counted as an off-premise sign or as part of the total sign area allowed per individual use or per subdivision.

The directional signs will be assembled on a menu type board managed by the project developer. The total number of directional signs shall be determined as follows:

1. Two (2) menu boards at each intersection of the Collector Roads with Rampart Range Road, and;
2. Two (2) menu boards per each planning area. These signs will be located of Village Circle East of Village Circle West to direct traffic to and from each planning area.

The total surface area of each sign shall not exceed twenty (20) square feet. These signs shall not exceed ten (10) feet in height. Directional signs shall not be required to meet minimum yard setback requirements of the district in which it is located. All directional signs shall be mounted off the public right-of-way and shall not impair visibility for traffic movements.

Directional signs shall be temporary in nature for a period not to exceed two (2) years. After the expiration of the temporary permit a new permit may be requested.

### **C. Additional Provisions**

The Roxborough Village Covenants, Conditions and Restrictions contain additional provisions for signage and should be reviewed by applicants (Refer to Section IV, II, Paragraph L, page 12 for relationship to Douglas County).

## **Section IX- Off-Street Parking**

### **A. Purpose and Intent**

The purpose of this section is to establish development standards to satisfy the motor vehicle off-street parking need generated by land uses in Roxborough Village.

### **B. General Standards**

Off-street parking facilities are permitted and required in accordance with the standards set forth in Part II, Section 20 of the 1982 Douglas County Zoning Resolutions as amended thereto except as provided herein.

### **C. Residential Parking Requirements**

The minimum number of off-street parking spaces required for each category of residential use shall be calculated in accordance with the following standards:

1. Single family conventional, patio homes, duplexes, and cluster developments shall provide a minimum of two (2) off-street parking spaces per dwelling unit.
2. Townhouses and condominiums shall provide the following minimum parking spaces:
  - a) One and two bedroom units: two (2) off-street parking spaces per dwelling unit, plus one (1) guest parking space per three (3) dwelling units.
  - b) Three or greater bedroom units: two and one-half off-street parking spaces per dwelling unit, plus one (1) guest parking space per three (3) dwelling units.

### **D. Compact Spaces**

Parking areas for all uses larger than 4 spaces may provide up to 35 percent of the required spaces for compact cars of the size specified in the Zoning Ordinance.

### **E. Additional Provisions**

The Roxborough Village Covenants, Conditions & Restrictions contain additional provisions for off-street parking facilities and should be reviewed by applicants. (Refer to Section II, paragraph L, page 12, for relationship to Douglas County).



## **Section X- Public Use and Open Space**

### **A. Purpose and Intent**

The purpose of this Section is to establish land uses in areas of Roxborough Village designated as Public Use and Open Space on the Development Plan, which may be dedicated to the County or may be privately owned and maintained by a Foundation, District or Association for the benefit of Roxborough Village property owners and the general public.

It is the intent of the Section to preserve a large portion of such areas for non-urban uses. In so doing, consideration shall be given to providing buffer zones between varied development areas, preserving natural resources such as land forms, drainageways, and significant vegetation. Further, within the Common Areas, recreational and community service and facilities may be established by either Douglas County, Douglas County School District, and/or Roxborough Village Metropolitan District for the common benefit of Roxborough Village property owners and the public.

### **B. Uses Permitted by Right**

The following uses are permitted in areas zoned as Public Use and Open Space on the Roxborough Village Development Plan if constructed and maintained in accordance with the standards set forth below and in accordance with the Roxborough Village Declaration of Restrictions, Covenants, and Conditions.

1. Open, undeveloped areas;
2. Parks and playground;
3. Nature study areas and nature interpretive centers;
4. Hiking and biking trails;
5. Wildlife Habitat Areas;
6. Utilities;
7. Picnic areas, rest stops and vista points;
8. Parking;
9. Athletic Fields;
10. Floodplain, Related Uses;
11. Public recreational facilities such as swimming pools, tennis courts, etc.;

12. Landscape Area;
13. Roads, roadways and driveways;
14. Equestrian facilities;
15. Community water storage facilities;
16. Public School Facilities; and
17. Fire Stations
18. Libraries

### **C. Development Standards**

1. Maximum building height: 35 feet above the average finished grade on the perimeter of the building;
2. Minimum setback: 25 feet from all Open Space/ Public Use boundaries; except for public utility facilities
3. Buildings shall be separated by a minimum of 20 feet.
4. All permitted outside storage shall be contained entirely within a fully secured and enclosed area.
5. Setback and building height variances may be permitted by the Douglas County Board of Adjustment in accordance with procedures outlined in the current Douglas County Zoning Resolution.

### **D. General Requirements**

1. Off-street parking as provided in Section IX.
2. Signs as permitted in Section VIII.

## **Section XI- Definitions**

### **A. Purpose and Intent**

The purpose of this Section is to make certain the meanings of certain words, terms, and phrases used in this Development Guide. Any words, terms, and phrases contained in this Development Guide shall be defined and interpreted in accordance with the definitions contained in this Section. Unless the context clearly indicates a different meaning was intended. If the context is not clear, the Douglas County Planning Department shall provide its understanding of the meaning, and if uncertainly still remains, the matter will be referred to the Douglas County Board of Commissioners for the final determination.

### **B. Rules for Definitions**

The following rules shall govern the interpretation of the provisions of this Development Guide.

1. All words, terms and phrases not defined herein but defined in other resolutions or codes of the County relative to land development or construction shall be construed as defined in such resolutions or codes, unless the context indicates a different meaning was intended.
2. All words, terms and phrases neither defined herein nor in such other resolutions or codes shall be given their usual and customary meanings, unless the context clearly indicates a different meaning was intended.
3. The text of this Development Guide shall have precedence over captions, title and maps.
4. The word “shall” is mandatory and not permissive; the word “may” is permissive and not mandatory.
5. Words used in the singular include the plural, and words used in the plural include the singular, unless the context indicates the contrary.
6. Words used in the present tense include the future tense, and words used in the future tense include the present tense.
7. The phrase “used for” includes “arranged for”, “designed for”, “intended for”, “maintained for” and “occupied for.”
8. The particular or specific definitions given in this Guide control over the general meaning of those words.

### **C. Definitions**

The following words, terms and phrases shall be defined as set forth hereinafter.

1. Area Per Dwelling Unit: The amount of land in square feet within the boundaries of a lot or planning area divided by the total number of dwelling units on such lot or Planning Area.
2. Automobile Repair Specialty Shop: A retail and service place of business engaged in minor automobile maintenance and repairs such as lubricating and minor tune-ups, and the sale of goods and services for automotive vehicles, including brake, muffler and tune-up shops, and their accessory uses, but excluding therefrom heavier automobile repairs such as transmission and major engine repairs.
3. Building and Landscape Control Guidelines: Restrictions, rules and regulations specified in the Covenants, Conditions and Restrictions for Roxborough Village, approved and enforced by the Roxborough Village Design Review Committee as criteria for the development of architectural character and the review of plans, specifications, and details.
4. Building Coverage: Ratio of ground area that a building covers in a lot to the total lot area, expressed as a percentage.
5. Building Square Footage: The total horizontal floor area measured in square feet, of all floors of a building as measured by the outside dimensions excluding therefrom covered malls, covered walkways, concrete patio area, covered entries, covered parking, covered driveways, covered loading areas, and basements.
6. Bulk, Building (Floor Area Ratio): The total floor area of all stories used for residential purposes, divided by the area of residential land.
7. Carport: A roofed structure, or a portion of a building, open on one (1) or more sides, designed primarily for the parking of automobiles.
8. Certificate of Occupancy: The certificate issued by the County Building Department that allows occupancy of a building.
9. Club: An association of persons gathered together for some common purpose.
10. Cluster Development: A cluster development is a residential project which, in contrast to conventional development, allows a greater percentage of land within the project to be allotted to common areas and elements and reduces the need for streets by grouping the residential units together. The more casual orientation of the buildings and open spaces serves as a needed variation from the usual patterns that evolve from conventional development. (See page 34 for illustrative sketch)
11. Common Area or Common Element: The total area and structures within Roxborough Village which are designed, designated and maintained for common use and enjoyment by

all of the property owners and their invitees, such as recreation area and facilities, landscaped areas, open space areas, natural areas, roadways, and walkways.

12. Common Area, Limited or Common Element, Limited: A common area or facility within Roxborough Village or within a Planning Area or Project Area of Roxborough Village the use and enjoyment of which is limited to a specified group of property owners and their invitees.
13. Community: The residents, property owners and environs of Roxborough Village.
14. Community Information Center: A temporary or permanent structure or facility, including associated parking area, which is used principally for dissemination of community news and events, and information concerning real estate held for sale or lease.
15. Community Use Facility: A facility which will provide a benefit to the community as a whole or to some significant element of the community.
16. Condominium Project: A project divided into condominium units, including all structures and common areas and elements situated therein.
17. Condominiums: An independent dwelling unit(s) as defined and set forth in Title 38, Article 33, of the Colorado Revised Statutes (1973), as amended.
18. Contiguous Land: Land parcels having common borders or separated only by roads.
19. Covenants: The Roxborough Village, Declaration of Covenants, Conditions, & Restrictions recorded with Douglas County September 20, 1985, Book 595, Pages 302-320.
20. Covered Parking: Parking facilities which are protected by a roof or enclosed within a structure.
21. Cul-de-Sac Lot: A lot which fronts on a cul-de-sac and may therefore have an irregular shape. The width of a cul-de-sac lot is measured at the center of the lot's depth.
22. Deck: A raised, flat, floored, area adjoining a building.
23. Density, Gross: The number of specified units per acre in the totally enclosed area of a specific portion of land including within such area by way of example but not limitation, roads, easements and common areas.

24. Density, Net: The number of specified units per acre in the totally enclosed area of a specific portion of land, excluding lands that have been dedicated for the public roads, to be held for public use or open space, or designated for non-residential uses.
25. Design Review Committee: An appointed Committee created by the Roxborough Village Declaration of Covenants, Conditions and Restrictions and responsible for enforcing its provisions.
26. Development Guide: The Planned Development District Development Guide which sets forth land uses and development standards for Roxborough Village, a planned community in the unincorporated area of the County of Douglas, State of Colorado; regulates the use of land and the use, bulk, maximum yard spaces of buildings; provides regulations for uses permitted therein and for accessory buildings and uses; provides additional supplementary regulations; and defines certain terms used therein and which also include the Development Plan made a part thereof. Once this Planned Development Guide is reviewed, approved, and recorded by the County, the current and future owners and their assigns are required to develop their property in accordance with this Guide.
27. Development Plan: The map or any future County approved modification thereof, depicting land uses within Roxborough Village. Once this Development Plan is reviewed, approved and recorded by the County, the current and future owners and their assigns are required to develop their property in accordance with this Plan.
28. Development Standards: The standards for land use and for construction authorized in this guide.
29. Douglas County Zoning and Subdivision Resolutions. The county resolution dated November 15, 1982 regulating land uses within Douglas County, and the county resolution dated October 6, 1980, regulating subdivision of land. The resolution currently in effect that will govern the Roxborough Village Development Guide.
30. Duplex: A dwelling situated on one lot arranged, designed, and intended for occupancy of two families, and which has two kitchens and no less than 2 bedrooms.
31. Duplex Development: A duplex development is a residential project consisting of two-family dwellings situated on one lot and arranged, designed, and intended for occupancy by two (2) families living independently of each other.
32. Family: An individual, or 2 or more persons related by blood or marriage, or a group of not more than 5 persons (excluding servants) living together as a single housekeeping unit in a dwelling unit.

33. Guide: This Development Guide
34. Hospital: A service commercial building or portion thereof used primarily for the overnight accommodation and medical and surgical care of the sick, injured, and infirm, including sanitariums, but excluding therefrom medical clinics, rest homes, convalescent homes and homes for the aged.
35. Intensity: For purposes of this Development Guide, building intensity shall be the same as bulk.
36. Joint Use of Parking: The shared use of off-road parking facilities by more than one type of land use where the same parking spaces are taken into account in satisfaction of the parking requirements of each use.
37. Limited Common Area or Limited Common Element: See “Common Area, Limited or Common Elements, Limited.”
38. Lot Area: The total horizontal area within the lot lines of a lot.
39. Lot Line, Rear: The property line opposite the front lot line.
40. Lot line, Side: Any lot lines other than the front lot line and rear lot line.
41. Lot Width: The distance of an imaginary line on a lot parallel to the front lot line and measured between the side lot lines at the building setback line, except for cul-de-sac lots which shall be measured at the center of the lot’s depth.
42. Maintenance Facility: Any building, structure or enclosure used for housing maintenance equipment and operations.
43. Master Development Plan: See Development Plan.
44. Mixed Land Use: More than one type of land use within a Planning Area.
45. Mobile Office: A vehicle, with or without self-motive power, designed and equipped for human occupancy for industrial, commercial or professional purposes, including but not limited to, temporary offices for the sale of homes and temporary construction management and supervisor trailers.
46. Multi-family Dwelling: See “Dwelling, Multi-Family.”

47. National Electrical Code: The code used by the Douglas County Building Department for the review of a building under construction for occupancy.
48. Nonconforming Use: The use of a structure or premises conflicting with the provisions of this Development Guide applicable to the Zone in which it is located.
49. Open Space: Public or Private Land and aquatic areas which are acquired, regulated, and/or managed to protect the natural environment and significant cultural resources; provide recreational opportunities; shape the pattern of development; or any combination thereof, including, but not limited to, common area, common elements, limited common area, limited common elements and roads and parking areas used in conjunction therewith.
50. Owner: The person or entity holding legal title to real estate.
51. Parking Area or Facility: A portion of land, used for the parking of vehicles. Parking areas of facilities may be designated for public use, use of Roxborough Village property owners and their invitees or designated groups of property owners and their invitees.
52. Parking Space: Parking area occupied by one vehicle.
53. Patio: A paved recreation area adjoining a building
54. Patio Home Development: A patio home development is a residential project consisting of 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 lot project area most effectively. (See page 31 for illustrative sketch.)
55. Planning Area: A tract of land which is planned for development as an integrated project wherein the use or uses of the land are designated in the Development Plan.
56. Porch: A covered entrance to a building.
57. Project Area: A Residential or Commercial.
58. Public: The people as a whole, not Roxborough Property owners exclusively.
59. Public Use: An area or facility provided for use of the entire public see Section XI4VI.
60. Public Utilities: Facilities of a Public Utility.
61. Recreation Center: A community facility consisting of indoor as well as outdoor recreational facilities. Such a center may also contain community meeting rooms and community offices.



62. Resort/Country Club: An entertainment and recreational facility.
63. Riding Trails, Hiking Trails, and Biking Trails: A trail or passageway arranged, designed and intended for use by equestrians, pedestrians, and cyclists using non-motorized bicycles.
64. Right-of-Way: An area or strip of land, publicly, community, or privately owned, over which a right of passage has been recorded for the use by vehicles, or pedestrians, or both.
65. Roxborough Park East: The area encompassed within the legal description given in this guide plus any future additions or deletions to that area. The area to which may be omitted later of this Guide is applicable.
66. Rules and Regulations: The rules and regulations of the Roxborough Village Design Review Committee as authorized by the Covenants.
67. Section: A section of this Development Guide.
68. Service: Providing for some general need, demand, or desire.
69. Service Commercial: A commercial use characterized by the selling of services and intangibles directly to the consumer.
70. Site: The spatial location of an actual or planned structure or set of structures (as a building, playground, or golf course).
71. Siting Factors: Those characteristics peculiar to a site or sites including but not limited to the nature and steepness of the terrain, rock outcroppings, orientation of the ground slope and effect of a proposed structure upon the enjoyment of neighboring homes and properties.
72. Special Approval: The approval requiring users of this Development Guide to conform with the Use by Special Review process of Douglas County as set forth herein.
73. Special Development Standards: Standards to be applied to land uses requiring Special Approval.
74. Special Community Event: A temporary event, sponsored by a Roxborough Village service club, association, property owners association, other community organization such as golf tournaments, fireworks, parades, swim meets, community picnics, athletic events, non-motorized vehicle races, rodeos, holiday pageants, and other outdoor programs.

75. Story: That portion of a building included between an upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a basement or unused under floor space is more than 6 feet above grade as defined herein for more than 50% of the total perimeter or is more than 10 feet above grade as defined herein at any point, such basement or unused under floor space shall be considered as a story.
76. Structure, Temporary: A structure which is not a permanent structure, or one which is constructed for a special purpose. For purposes of this Development Guide, the term “temporary” shall mean a period of up to one (1) year.
77. Temporary Contractor Storage Yard: A place for temporary storage of materials used for the construction of structures, roadways, utilities or landscaping.
78. Temporary Facilities: A utility service facility as defined in the Douglas County Zoning Resolution which is not a permanent facility, or one which is constructed for a special purpose in contemplation of removal upon accomplishment of such. For the purposes of this guide, temporary shall mean a period up to 6 months after the time for which the special purpose has been fulfilled.
79. Townhouse or Townhome: An individual dwelling unit situated in one (1) lot but attached to one (1) or more similar units by common wall or party walls. Where such a unit is attached to another, the property line shall be the center of the common wall or party wall. The owner of a townhome unit may have an undivided interest in common areas and elements appurtenant to such units.
80. Unit: Each portion of a residential building planned for or occupied as a Single-Family residence or a portion of a Commercial complex occupied by a single business.
81. Utility Service Facility: Any electric distribution lines, natural gas, telephone lines, neighborhood substations, gas regulator stations, gas meter stations, communication stations, water distribution installations or sewer collection installations.
82. Variance: Permission to make a modification to the provisions of this Development Guide according to the procedures outlined in Section II of this Guide.
83. Yard: The area on a lot unoccupied and unobstructed from the ground upward, except for certain items as otherwise provided in this Development Guide, such as landscaping, walkways, patios, decks, driveways and parking areas.

84. Zero Lot Line: A lot that allows the dwelling unit to be set on one or more of the lot line so as to allow privacy of open space, unit separation together with densities otherwise associated with attached units.

## Section XII- Legal Description

### ROXBOROUGH VILLAGE LEGAL DESCRIPTION

THREE TRACTS OF LAND LYING WITHIN THE S1/2 SE1/4 OF SECTION 35, TOWNSHIP 6 SOUTH, THE NW1/4 AND PART OF THE SW1/4 OF SECTION 1, THE E1/2 OF SECTION 2 AND THE E1/2 OF SECTION 11, TOWNSHIP 7 SOUTH, ALL IN RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

#### TRACT NO. 1

BEGINNING AT THE N1/4 CORNER OF SAID SECTION 1;

THENCE S00°27'04"E A DISTANCE OF 2645.51 FEET ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 1 TO THE CENTER OF SAID SECTION 1;

THENCE S88°30'23"W A DISTANCE OF 2609.54 FEET ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 1 TO A POINT ON THE EASTERLY R.O.W. LINE OF DOUGLAS COUNTY ROAD NO. 5 (RAMPART ROAD). SAID POINT BEING N88°30'23"E A DISTANCE OF 18.56 FEET FROM THE W1/4 CORNER OF SAID SECTION 1;

THENCE N00°34'12"W A DISTANCE OF 2697.45 FEET ALONG THE SAID EASTERLY R.O.W. LINE TO A POINT ON THE NORTH LINE OF THE SAID NW1/4 OF SECTION 1, SAID POINT BEING N89°38'47"E A DISTANCE OF 27.05 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 1;

THENCE N89°38'47"E A DISTANCE OF 2614.71 FEET ALONG THE SAID NORTH LINE TO THE POINT OF BEGINNING, CONTAINING 160.186 ACRES, MORE OR LESS.

#### TRACT NO. 2

BEGINNING AT THE CENTER OF SAID SECTION 2;

THENCE N00°56'44"W A DISTANCE OF 2697.17 FEET ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 2 TO THE N1/4 CORNER OF SAID SECTION 2;

THENCE N00°32'00"W A DISTANCE OF 1326.32 FEET ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 35 TO THE NORTHWEST CORNER OF THE SAID S1/2 SE1/4 OF SAID SECTION 35;

THENCE N89°27'31"E A DISTANCE OF 2595.70 FEET ALONG THE NORTH LINE OF SAID S1/2 SE1/4 TO A POINT ON THE WESTERLY R.O.W. LINE OF DOUGLAS COUNTY ROAD NO. 5 (RAMPART ROAD). SAID POINT BEING S89°27'31"W A DISTANCE OF 50.32 FEET FROM THE NORTHEAST CORNER OF THE SAID S1/2 SE1/4;

THENCE ALONG THE SAID WESTERLY R.O.W. LINE FOR THE FOLLOWING FIVE (5) COURSES:

1. THENCE S00°16'40"E A DISTANCE OF 1334.24 FEET TO A POINT ON THE NORTH LINE OF THE SAID E1/2 OF SAID SECTION 2, SAID POINT BEING S89°38'01"W A DISTANCE OF 52.95 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 2;

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2. THENCE S00°34'12"E A DISTANCE OF 2697.80 FEET TO A POINT ON THE EAST-WEST CENTERLINE OF SAID SECTION 2, SAID POINT BEING S89°39'02"W A DISTANCE OF 61.44 FEET FROM THE E1/4 CORNER OF SAID SECTION 2;

3. THENCE S00°47'38"E A DISTANCE OF 2632.44 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 11, SAID POINT BEING S89°42'25"W A DISTANCE OF 30.00 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 11;

4. THENCE S01°01'14"E A DISTANCE OF 2559.75 FEET TO A POINT;

5. THENCE S15°18'29"E A DISTANCE OF 75.08 FEET TO THE E1/4 CORNER OF SAID SECTION 11;

THENCE S00°15'09"E A DISTANCE OF 1314.90 FEET ALONG THE EAST LINE OF THE SE1/4 OF SAID SECTION 11 TO THE SOUTHEAST CORNER OF THE NE1/4 SE1/4 OF SAID SECTION 11;

THENCE S89°40'18"W A DISTANCE 332.01 FEET ALONG THE SOUTH LINE OF THE SAID NE1/4 SE1/4 TO A POINT;

THENCE N21°58'00"W A DISTANCE OF 503.96 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF REXBOROUGH DOWNS AS RECORDED IN DOUGLAS COUNTY RECORDS UNDER RECEPTION NUMBER 141761;

THENCE ALONG THE SAID EASTERLY BOUNDARY LINE FOR THE FOLLOWING FIFTEEN (15) COURSES;

1. THENCE N09°18'00"W A DISTANCE OF 34.88 FEET TO A POINT;
2. THENCE N16°14'00"E A DISTANCE OF 583.00 FEET TO A POINT;
3. THENCE N22°30'00"W A DISTANCE OF 395.00 FEET TO A POINT;
4. THENCE N82°15'00"W A DISTANCE OF 307.00 FEET TO A POINT;
5. THENCE N21°48'00"W A DISTANCE OF 570.00 FEET TO A POINT;
6. THENCE N07°42'00"W A DISTANCE OF 335.00 FEET TO A POINT;
7. THENCE N22°16'00"W A DISTANCE OF 145.00 FEET TO A POINT;
8. THENCE N31°00'00"W A DISTANCE OF 412.00 FEET TO A POINT;
9. THENCE N12°52'00"W A DISTANCE OF 476.00 FEET TO A POINT;
10. THENCE N40°26'00"W A DISTANCE OF 238.00 FEET TO A POINT;
11. THENCE N47°40'00"W A DISTANCE OF 346.00 FEET TO A POINT;
12. THENCE N00°00'00"E A DISTANCE OF 460.00 FEET TO A POINT;

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13. THENCE N29°18'00"W A DISTANCE OF 496.00 FEET TO A POINT;
14. THENCE N14°42'00"W A DISTANCE OF 2045.16 FEET TO A POINT ON THE SAID EAST-WEST CENTERLINE OF SAID SECTION 2;
15. THENCE S89°39'02"W A DISTANCE OF 59.63 FEET ALONG THE SAID EAST-WEST CENTERLINE TO THE POINT OF BEGINNING, CONTAINING 455.742 ACRES, MORE OR LESS.

TRACT NO. 3

THE NORTH 1/2 OF THE NORTH 1/2 OF THE SW1/4, SECTION 1, TOWNSHIP 7 SOUTH RANGE 69 WEST, OF THE 6TH PRINCIPAL MERIDIAN.

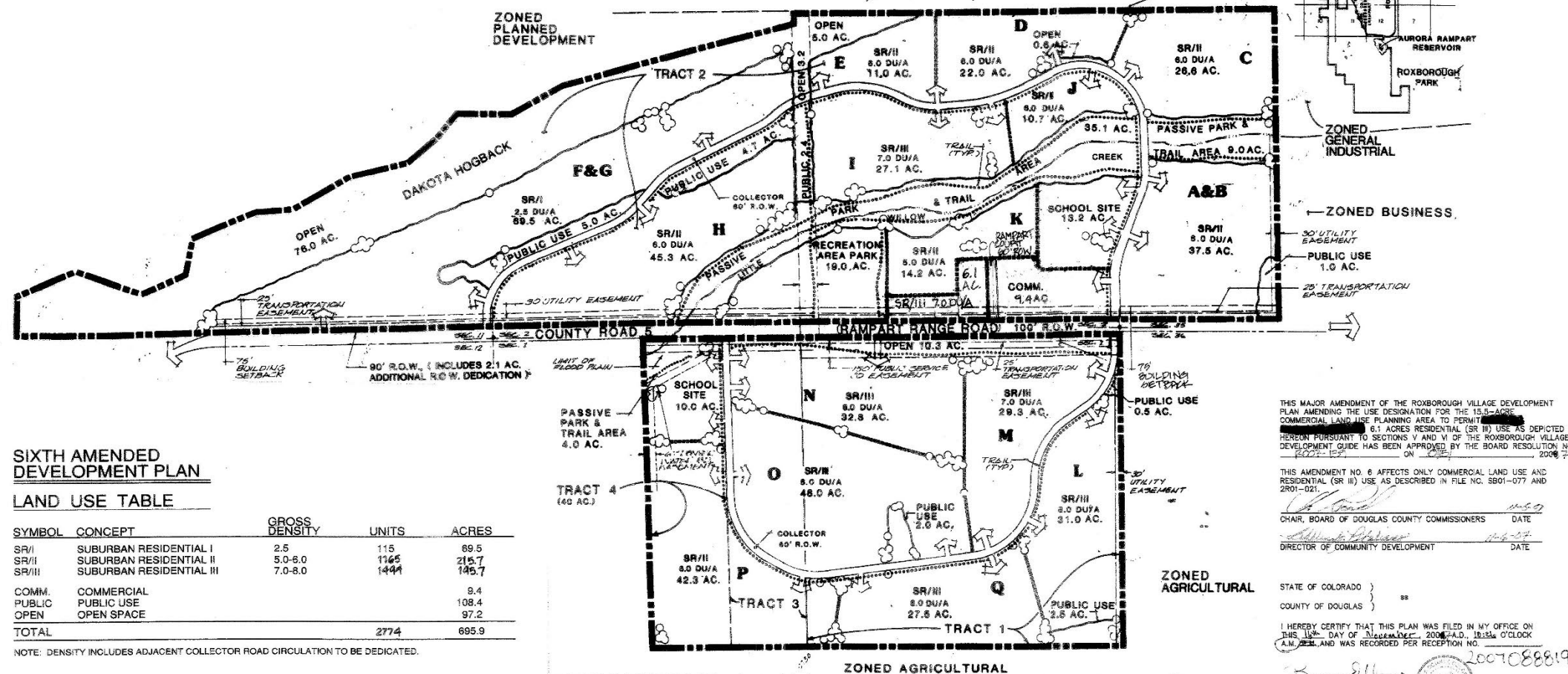
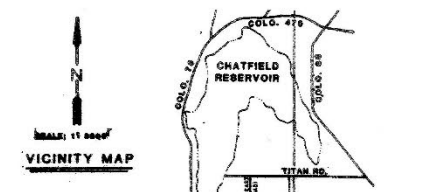
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Section XIII- Development Plan

**ROXBOROUGH VILLAGE**  
 (FORMERLY CALLED ROXBOROUGH PARK EAST)  
 PLANNED DEVELOPMENT DISTRICT  
 DOUGLAS COUNTY, COLORADO

**ROXBOROUGH VILLAGE PD  
 6TH AMEND.  
 ZR00-005**



**SIXTH AMENDED DEVELOPMENT PLAN  
 LAND USE TABLE**

| SYMBOL       | CONCEPT                  | GROSS DENSITY | UNITS       | ACRES        |
|--------------|--------------------------|---------------|-------------|--------------|
| SR/I         | SUBURBAN RESIDENTIAL I   | 2.5           | 115         | 69.5         |
| SR/II        | SUBURBAN RESIDENTIAL II  | 5.0-6.0       | 1165        | 215.7        |
| SR/III       | SUBURBAN RESIDENTIAL III | 7.0-8.0       | 1444        | 145.7        |
| COMM.        | COMMERCIAL               |               |             | 9.4          |
| PUBLIC       | PUBLIC USE               |               |             | 108.4        |
| OPEN         | OPEN SPACE               |               |             | 97.2         |
| <b>TOTAL</b> |                          |               | <b>2774</b> | <b>695.9</b> |

NOTE: DENSITY INCLUDES ADJACENT COLLECTOR ROAD CIRCULATION TO BE DEDICATED.

THIS MAJOR AMENDMENT OF THE ROXBOROUGH VILLAGE DEVELOPMENT PLAN AMENDING THE USE DESIGNATION FOR THE 15.5-ACRE COMMERCIAL LAND USE PLANNING AREA TO PERMIT 6.1 ACRES RESIDENTIAL (SR III) USE AS DEPICTED HEREON PURSUANT TO SECTIONS V AND VI OF THE ROXBOROUGH VILLAGE DEVELOPMENT GUIDE HAS BEEN APPROVED BY THE BOARD RESOLUTION NO. 2007-157 ON 03/27/2007.

THIS AMENDMENT NO. 6 AFFECTS ONLY COMMERCIAL LAND USE AND RESIDENTIAL (SR III) USE AS DESCRIBED IN FILE NO. SB01-077 AND 2001-021.

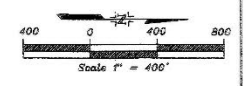
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 CHAIR, BOARD OF DOUGLAS COUNTY COMMISSIONERS DATE 03/27/07

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 DIRECTOR OF COMMUNITY DEVELOPMENT DATE 03/27/07

STATE OF COLORADO }  
 COUNTY OF DOUGLAS } 88

I HEREBY CERTIFY THAT THIS PLAN WAS FILED IN MY OFFICE ON THIS 15th DAY OF November, 2007, A.D., 10:34 O'CLOCK A.M., AND WAS RECORDED PER RECEPTION NO. 2007088819

\_\_\_\_\_  
 DOUGLAS COUNTY CLERK AND RECORDER



DEVELOPER  
**SIGNATURE ROXBOROUGH, LLC**  
 ENGINEER/PLANNER  
**COSTIN ENGINEERING CONSULTANTS, INC.**  
 MAJOR AMENDMENT MARCH 2006

**ROXBOROUGH PARK EAST LEGAL DESCRIPTION**  
 FOUR TRACTS OF LAND LYING WITHIN THE S 1/2 SE 1/4 OF SECTION 35, TOWNSHIP 9 SOUTH, THE NW 1/4 AND PART OF THE SW 1/4 OF SECTION 1, THE E 1/2 OF SECTION 2, AND E 1/2 OF SECTION 11, TOWNSHIP 7 SOUTH, ALL IN THE RANGE OF 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
**TRACT NO. 1 (ZONED PLANNED DEVELOPMENT)**  
 BEGINNING AT THE N 1/4 CORNER OF SAID SECTION 1;  
 THENCE S027°27'02" E A DISTANCE OF 264.57 FEET ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 1 TO THE CENTER OF SAID SECTION 1;  
 THENCE S88°30'23" W A DISTANCE OF 2609.24 FEET ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 1 TO A POINT ON THE EASTERLY R.O.W. LINE OF DOUGLAS COUNTY ROAD NO. 5 (RAMPART ROAD), SAID POINT BEING N88°30'23" E A DISTANCE OF 18.59 FEET FROM THE W 1/4 CORNER OF SAID SECTION 1;  
 THENCE N03°34'12" W A DISTANCE OF 2897.45 FEET ALONG THE SAID EASTERLY R.O.W. LINE TO A POINT ON THE NORTH LINE OF SAID NW 1/4 OF SECTION 1, SAID POINT BEING N88°38'47" E A DISTANCE OF 27.05 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 1;  
 THENCE N88°47' E A DISTANCE OF 2614.71 FEET ALONG THE SAID NORTH LINE TO THE POINT OF BEGINNING, CONTAINING 160.196 ACRES, MORE OR LESS.

**TRACT NO. 2 (ZONED PLANNED DEVELOPMENT)**  
 BEGINNING AT THE CENTER OF SAID SECTION 2;  
 THENCE N00°58'44" W A DISTANCE OF 2697.17 FEET ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 2 TO THE N 1/4 CORNER OF SAID SECTION 2;  
 THENCE N03°30'07" W A DISTANCE OF 1239.33 FEET ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 35 TO THE NORTHWEST CORNER OF THE SAID S 1/2 SE 1/4 OF SAID SECTION 35;  
 THENCE N87°27'31" E A DISTANCE OF 2595.70 FEET ALONG THE NORTH LINE OF SAID S 1/2 SE 1/4 TO A POINT ON THE WESTERLY R.O.W. LINE OF DOUGLAS COUNTY ROAD NO. 5 (RAMPART ROAD), SAID POINT BEING S87°27'31" W A DISTANCE OF 503.32 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 2;  
 THENCE ALONG THE SAID WESTERLY R.O.W. LINE FOR THE FOLLOWING FIVE (5) COURSES:  
 1. THENCE S00°16'40" E A DISTANCE OF 1334.24 FEET TO A POINT ON THE NORTH LINE OF THE SAID E 1/2 OF SAID SECTION 2, SAID POINT BEING S89°38'01" W A DISTANCE OF 52.89 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 2;  
 2. THENCE S00°34'12" E A DISTANCE OF 2097.60 FEET TO A POINT ON THE EAST-WEST CENTERLINE OF SAID SECTION 2, SAID POINT BEING S89°39'02" W A DISTANCE OF 81.44 FEET FROM THE E 1/4 CORNER OF SAID SECTION 2;

3. THENCE S00°47'38" E A DISTANCE OF 2832.44 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 11, SAID POINT BEING S89°42'25" E A DISTANCE OF 303.0 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 11;  
 4. THENCE S01°01'14" E A DISTANCE OF 2599.75 FEET TO A POINT;  
 5. THENCE S18°18'29" E A DISTANCE OF 75.00 FEET TO THE E 1/4 CORNER OF SAID SECTION 11;  
 THENCE S00°15'09" E A DISTANCE OF 1314.90 FEET ALONG THE EAST LINE OF THE SE 1/4 OF SAID SECTION 11 TO THE SOUTHEAST CORNER OF THE NE 1/4 SE 1/4 OF SAID SECTION 11;  
 THENCE S89°40'18" W A DISTANCE OF 332.01 FEET ALONG THE SOUTH LINE OF THE SAID NE 1/4 SE 1/4 TO A POINT;  
 THENCE S20°52'00" W A DISTANCE OF 503.98 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF ROXBOROUGH DOWNS AS RECORDED IN DOUGLAS COUNTY RECORDS UNDER RECEPTION NUMBER 141781;  
 THENCE ALONG THE SAID EASTERLY BOUNDARY LINE FOR THE FOLLOWING FIFTEEN (15) COURSES:  
 1. THENCE N09°18'00" W A DISTANCE OF 34.88 FEET TO A POINT  
 2. THENCE N18°14'02" E A DISTANCE OF 583.00 FEET TO A POINT  
 3. THENCE N22°32'00" W A DISTANCE OF 384.00 FEET TO A POINT  
 4. THENCE N82°15'00" W A DISTANCE OF 307.00 FEET TO A POINT;

5. THENCE N21°48'00" W A DISTANCE OF 570.00 FEET TO A POINT  
 6. THENCE N07°42'00" W A DISTANCE OF 335.00 FEET TO A POINT  
 7. THENCE N27°18'00" W A DISTANCE OF 145.00 FEET TO A POINT  
 8. THENCE N31°00'00" W A DISTANCE OF 412.00 FEET TO A POINT  
 9. THENCE N12°32'00" W A DISTANCE OF 476.00 FEET TO A POINT  
 10. THENCE N40°25'00" W A DISTANCE OF 238.00 FEET TO A POINT  
 11. THENCE N47°40'00" W A DISTANCE OF 346.00 FEET TO A POINT  
 12. THENCE N00°00'00" E A DISTANCE OF 460.00 FEET TO A POINT  
 13. THENCE N28°18'00" W A DISTANCE OF 490.00 FEET TO A POINT  
 14. THENCE N14°42'00" W A DISTANCE OF 2345.16 FEET TO A POINT ON THE SAID EAST-WEST CENTERLINE OF SAID SECTION 2;  
 15. THENCE S89°39'02" W A DISTANCE OF 160.00 FEET ALONG THE SAID EAST-WEST CENTERLINE TO THE POINT OF BEGINNING, CONTAINING 455.742 ACRES, MORE OR LESS.

**TRACT NO. 3 (ZONED PLANNED DEVELOPMENT)**  
 THE NORTH 1/2 OF THE NORTH 1/2 OF THE SW 1/4, SECTION 1, TOWNSHIP 7 SOUTH, RANGE 69 WEST, OF THE 6TH PRINCIPAL MERIDIAN.  
**TRACT NO. 4 (ZONED PLANNED DEVELOPMENT)**  
 THE SOUTH 1/4 OF THE NORTH 1/2 OF THE SW 1/4, SECTION 1, TOWNSHIP 7 SOUTH, RANGE 69 WEST, OF THE 6TH PRINCIPAL MERIDIAN.