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COTTONWOOD

PLANNED COMMUNITY DEVELOPMENT GUIDE

INTRODUCTION

On November 13, 1974 a Master Plan for a planned community known as Cottonwood was approved by the Douglas County Board of Commissioners. As a refinement of that approved Plan and in accordance with Douglas County requirements, Castlewood Corporation hereby respectfully submits a Development Guide.

This Guide shall establish land uses and development standards for Cottonwood. It shall regulate the use of land and the use, bulk, maximum height, minimum lot area, minimum lot width, and minimum yard spaces of buildings; provide for substantial open space and recreation; define certain terms; and clarify the proposed zoning and platting procedure. This Development Guide is authorized under Section XXII, PD-Planned Developments of the Douglas County Zoning Resolution, amended October 6, 1980.

Cottonwood is well suited for long-range comprehensive planning, which in turn, will aid in the protection of the environment, while at the same time facilitating the development of an aesthetically-pleasing community to serve the living needs of the present and future residents of Douglas County.

The long-range comprehensive plan which has been formulated for Cottonwood includes such beneficial features as a mix of residential, commercial, industrial, and recreational uses; complete urban facilities; creation of an aesthetically-pleasing living environment; and promotion of high standards of developmental quality by appropriate site planning and landscaping controls; all for the benefit of the present and future citizens of Douglas County.

COTTONWOOD

PLANNED COMMUNITY DEVELOPMENT GUIDE

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SECTION I

OBJECTIVE, PURPOSE, INTENT, APPLICATION

- A. Objective. Castlewood Corporation's objective for Cottonwood is to create a living and working community in response to the accelerated development of the airport influence industrial area of northeastern Douglas County. Such a community will offer a blend of residential, commercial, industrial and recreational land uses.
- B. Purpose. The purpose of this Cottonwood Development Guide (hereinafter sometimes referred to as "Development Guide") is to establish standards for the comprehensive development and improvement of the property. This Development Guide will provide opportunities for innovative community design and the necessary flexibility for changing community needs.
- C. Intent. It is the intent of this Development Guide to:
1. Provide for necessary commercial and recreational facilities conveniently located to residential areas;
 2. Provide for well-located, clean, safe and pleasant industrial areas;
 3. Encourage innovative approaches to residential, commercial, industrial and recreational 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;
 4. Encourage the development of a community incorporating the best features of modern design;
 5. Encourage energy conservation in site design and building construction within residential, commercial and industrial projects;
 6. Encourage alternatives to conventional transportation systems which will minimize the strain on existing and future facilities in and around Cottonwood. Such alternatives may include mass transit, transit stops, car pooling, van pooling and staggered work hours.
 7. Conserve and enhance the value of the land; and
 8. Encourage design and layout of residential, commercial and industrial projects to best preserve the land's natural characteristics.
- D. Application. This Development Guide shall apply to all land known as Cottonwood and as described in Section XVIII. All Section references, unless otherwise stated, shall apply to Sections in this Development Guide.

SECTION II

AUTHORITY

- A. Authority. The authority for this Development Guide is Section XXII (PD-Planned Developments) of the Douglas County Zoning Resolution, amended October 6, 1980. The authority for the Douglas County Zoning Resolution is Article 28, Title 30, of the Colorado Revised Statutes, 1973, as amended.
- B. Adoption. The adoption of this Development Guide by the Board of County Commissioners of Douglas County shall evidence their finding and decision that this Development Guide complies with Section XXII of the Douglas County Zoning Resolution and is consistent with the Cottonwood Master Plan approved on November 13, 1974.
- C. Enforcement. The provisions of this Development Guide 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 or 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 Cottonwood to the extent expressly provided in this Development Guide and in accordance with its terms and conditions.
- D. Major Modifications. No provisions of this Development Guide may be substantially modified, removed, or released by Douglas County if such modification, removal or release:
1. Affects the rights of residents, occupants and owners established by this Development Guide; or
 2. Is inconsistent with the intent of this Development Guide; or
 3. Affects in a substantially adverse manner either the enjoyment of the land adjacent to Cottonwood, or the public interest.
- E. Minor Modifications. Minor and insubstantial modifications, removals and releases of the provisions of this Development Guide may be made by the Douglas County Board of County Commissioners upon application of an owner of the affected property when it is determined by the Board of County Commissioners that the modification, removal or release does not adversely affect substantial rights of occupants, residents, and owners and is not inconsistent with this Section and the purposes, objectives, and intent of this Development Guide.

SECTION III

CONTROL PROVISIONS

- A. Control Over Use. After the adoption of this Development Guide by the Board of County Commissioners and subject to the provisions of Section VII (Non-Conforming Uses and Buildings) of the Douglas County Zoning Resolution:

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;

for any purpose permitted or required by the provisions 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. 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 for that area, and to any other applicable standards and requirements of this Development Guide.

- B. Control Over Location and Bulk. After the adoption of this Development Guide by the Board of County Commissioners and subject to the provisions of Section VII (Non-Conforming Uses and Buildings) of the Douglas County Zoning Resolution, the location and bulk of all buildings and other structures, existing and future, shall be in conformity with:

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

- C. Incorporation of Development Plan. The plan of development for Cottonwood, including the type, location and boundaries of land use areas, the circulation elements, and the densities established by this Development Guide, are shown upon the "Cottonwood Development Plan" (hereinafter sometimes referred to as "Development Plan"), which Development Plan is hereby incorporated by reference into this Development Guide as Section XIX, together with everything shown thereon and all amendments thereto.

SECTION IV

DEFINITIONS

- A. Purpose. The purpose of this Section is to define certain words, terms and phrases used in this Development Guide. Any words, terms and phrases contained in this Development Guide shall be 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, Castlewood Corporation shall provide their understanding of the meaning to the Douglas County Planning Department, and if uncertainty still remains, the matter will be referred to the Douglas County Board of Commissioners for final determination.
- B. Rules of Construction. The following rules of construction shall govern the provisions of this Development Guide:
1. All words, terms and phrases not defined herein but defined in other resolutions, regulations, or codes of the County relative to land development or construction shall be construed as defined in such resolutions, regulations, or codes, unless the context of this Development Guide indicates a different meaning was intended.
 2. All words, terms and phrases neither defined herein nor in such other resolutions, regulations or codes shall be given their usual and customary meanings, unless the context of this Development Guide indicates a different meaning was intended.
 3. The text of this Development Guide shall control over captions, titles 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 controls over the general.
- C. Definitions. The following words, terms and phrases shall be defined as set forth hereinafter:

1. Abutting or Contiguous Land: A parcel of land which has a common boundary line with another parcel of land.
2. Accessory Building: A subordinate building, the use of which is customarily incidental to that of the main building or to the main use of the land, and which is located on the same lot with the main building or use, excepting therefrom buildings defined herein as farm and garden buildings.
3. Accessory Use: A use naturally and normally incidental to, subordinate to, and devoted exclusively to, the main use of the premises.
4. Alley: A public or private vehicular passageway dedicated or permanently reserved as a means of secondary access to abutting property and designated an alley on a final plat. An alley shall not be considered to be a street, but may be used for public utility access.
5. Antenna: A metallic apparatus used for sending and/or receiving electromagnetic signals.
6. Area Per Dwelling Unit: The amount of land in square feet within the boundaries of a lot or project divided by the total number of dwelling units in such lot or project.
7. Automobile Repair Specialty Shop: A commercial retail and service facility engaged in minor automotive maintenance and repairs such as lubricating and minor tune-ups, and the sale of goods and services for automotive vehicles, including brake, muffler and tire shops, and their accessory uses, but excluding therefrom activities such as the sale of gasoline and diesel fuel, and heavier automobile repairs such as transmission and major engine repairs.
8. Automobile, Trailer and Mobile Home Sales Lot: A commercial retail facility engaged in the display, sale, or rental of new and used automobiles or mobile homes and trailer coaches, but excluding therefrom repair, repainting or remodeling of same.
9. Automobile Service Station: See Section X.
10. Basement: That part of a building partially or totally underground.
11. Board of County Commissioners or Board: Board of County Commissioners of Douglas County; the governing body of the County.
12. Borrow Site: An area used for the extraction of earthen material such as sand, gravel or dirt which is outside the area of immediate development.

13. Buffer Zone: A strip of land established to separate and protect one type of land use from another, to screen from objectionable noise, smoke or visual impact, or to provide for future public improvements or additional open space often in conjunction with a floodplain.
14. Building: Any permanent structure, built for the shelter or enclosure of human beings, animals, chattels, or property of any kind, but excluding therefrom advertising signboards and fences.
15. Building, Principal or Main: A building, or buildings, in which is conducted one or more of the principal permitted uses of the lot or project in which it is situated.
16. Building Height: The vertical distance measured from the highest finish grade point at the building to the highest point of the roof structure excluding therefrom chimneys, vent stacks, antennas or similar projections.
17. Building Line: Imaginary lines which represent the closest distance from the building to the front, side and rear property line of the lot.
18. Business or Commerce: Activities involving the provision of services, purchases, sales or other transactions relating to the handling or disposition of any articles, substances, commodities or intangibles for profit or livelihood; the ownership or management of real estate; and the maintenance and use of offices by professions and trades rendering services.
19. Campground, Private: An area operated by a private organization or institution for its members and invitees, designed and designated for camping and to accommodate the temporary parking or placement of camping and travel trailers, motor homes, truck campers, and tents used for human occupancy.
20. Campground, Public: An area operated for the general public, designed and designated for camping and to accommodate, for remuneration, the temporary parking or placement of camping travel trailers, motor homes, truck campers, and tents used for human occupancy.
21. Caretaker Apartment: A dwelling unit accessory to any building arranged, designed and intended for occupancy by a person or persons owning, employed in or dealing with, and responsible for security and maintenance of such building or the uses permitted therein.
22. Cargport: A roofed structure, or a portion of a building, open on two (2) or more sides, designed primarily for the parking of automobiles.

23. Channel: A natural or man made watercourse of perceptible extent, with definite bed and banks to confine and conduct continuous or periodic flowing water.
24. Child Care Center: A commercial service facility in which care is provided for children for periods of less than 24 hours at a time.
25. Church: A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship, and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.
26. Clinic, Dental or Medical: An institutional facility in which a group of physicians, dentists or physicians and dentists and allied professional assistants are associated for the purpose of carrying on their profession. The clinic may include a dental or medical laboratory. It shall not include in-patient care, operating rooms for major surgery, or overnight accommodations.
27. Club: An association of persons gathered together for some common purpose, but excluding therefrom groups and associations organized primarily to render services which are customarily provided by businesses.
28. Cluster Home Project: See Section VI., Paragraph D.3.b.
29. Commercial Recreation: A commercial use characterized by the provision of recreational facilities, services or events for remuneration including but not limited to: archery centers, bowling alleys, recreational centers, racquet ball/handball facilities, sports arenas, health clubs, swimming facilities, tennis facilities, and movie theaters.
30. Commercial Retail: A commercial use characterized by the selling of tangible goods, wares, and merchandise directly to the consumer including but not limited to: antique shops, automobile repair specialty shops, automobile service stations, trailer and mobile home sales lots, bakeries, bars and lounges, bicycle stores, book stores, building material supply stores, clothing stores, crafts and hobby shops, department stores, drug stores, dry goods and variety stores, electrical and household appliance stores, fast food establishments, florists, furniture stores, gift shops, grocery stores, hardware stores, jewelry stores, kennels, music shops, newsstands, office supply stores, package liquor stores, paint stores, pet shops, photographic equipment stores, plant nurseries, restaurants and other eating establishments, shoe stores, sporting goods and athletic equipment stores, stationery stores, and toy and game stores.

31. Commercial Service: A commercial use characterized by the selling of services and intangibles directly to the consumer including but not limited to: automobile repair specialty shops; automobile service stations; barber shops; beauty parlors; child care centers; dry cleaning and dyeing stores; laundries; and travel agencies.
32. Common Area or Common Element, Commercial: The total area and structures within a commercial or industrial project which are designed, designated and maintained for common use and enjoyment by the owners and tenants of the project and their invitees, such as parking facilities and their appurtenances, enclosed and open malls, sidewalks, landscaped areas, public toilets, and service facilities.
33. Common Area or Common Element, Residential: The total area and structures within a residential project which are designed, designated and maintained for common use and enjoyment by the owners of the project and their invitees, such as recreation areas and facilities, landscaped areas, open space areas, natural areas, hallways and entryways.
34. Community Information Center: A temporary or permanent structure, or facility, including associated parking areas, which is used principally for dissemination of community news and events, and information concerning real estate held for sale or lease during the development of Cottonwood.
35. Condominium: An individual air space dwelling unit together with the interest in the common elements appurtenant to such units.
36. Condominium Project: A project divided into condominiums, including all structures and common areas and elements situated therein.
37. Construction: The actual placement and fastening of construction materials in a fixed position. If a basement is being excavated, such excavation shall be deemed to be actual construction. If demolition or removal of any existing building or structure has commenced preparatory to construction, such demolition or removal shall be deemed to be actual construction. The term construction shall apply to buildings, roadways, utilities, other structures and landscaping.
38. Construction Industry: Businesses and professions engaged in the construction of buildings, roadways, utilities, landscaping, or any related structures or components thereof.
39. Convalescent Home, Nursing Home, Rest Home, and Home for the Aged: An institutional facility which provides bed and ambulatory care for patients with postoperative convalescent, chronic illness or dietary problems, and persons unable to care for themselves, but excluding therefrom care for alcoholics, drug addicts or persons with mental or contagious diseases or afflictions.

40. Convenience Store: A commercial retail and/or commercial service facility which serves the area immediately surrounding the facility by providing groceries, sundries and miscellaneous services which do not typically offer comparison shopping opportunities.
41. Conventional Development: A form of development consisting of lots and buildings wherein each lot fronts on a street; buildings conform to traditional front, side and rear yard requirements, and commonly-owned and special use areas, if any, are secondary and supplementary to the development design.
42. Cottonwood Metropolitan District: The special service district which in accordance with its service plan, will construct certain arterial roads and appurtenances within Cottonwood and construct, operate and maintain certain parks, recreational facilities and open space within Cottonwood.
43. Cottonwood Water and Sanitation District: The special service district which, in accordance with its service plan, will construct, operate and maintain facilities to provide Cottonwood with water and sewer service including but not limited to: sewage treatment plant, sewage lift stations, water reservoirs, water wells, pump stations and water and sewer trunk lines.
44. Country Club: A club organized and operated primarily for social and recreational purposes, including incidental accessory uses and structures, and parking areas.
45. County: Douglas County, Colorado.
46. Courtyard: A space open and unobstructed to the sky, located at or above grade level on a lot and bounded on three (3) or more sides by walls of a building.
47. Covered Parking: Parking facilities which are protected by a roof or enclosed within a structure.
48. Craftwork: Individual pieces not mass produced including but not limited to: ceramics, inlays, needlework, knitting, weaving, leather work, woodwork, metal work, and glass work.
49. Cul-de-sac: A local dead-end street with a turning area located at the end providing limited access to a minor number of residential and/or other land uses.
50. Density: The number of dwelling units per gross residential acre within a specific area of land.
51. Detached Structure: Any structure having no party wall or common wall with another structure. Bridges, tunnels, and other similar means of connecting one structure to another shall not be considered to constitute a party wall or a common wall.

52. Douglas County Zoning Resolution: The Zoning Resolution regulating uses of land in Douglas County.
53. Driveway: A private vehicular passageway for the exclusive use of the owners and occupants of the lot or project and their invitees. A driveway shall not be considered to be a street.
54. Dwelling: A building consisting of one or more dwelling units used exclusively for residential occupancy including mobile homes, but excluding therefrom hotels, motels, tents, seasonal vacation cabins and other structures designed or used primarily for temporary occupancy. A dwelling may be constructed by conventional framing methods or by any factory produced method including but not limited to panelization, prefabrication, and modular construction.
55. Dwelling, Multiple-Family: A dwelling situated on one (1) lot consisting of three (3) or more dwelling units arranged, designed and intended for occupancy by three (3) or more families living independently of each other, but excluding therefrom hotels and motels.
56. Dwelling, One-Family: A dwelling situated on one (1) lot consisting of one (1) dwelling unit arranged, designed, and intended for occupancy by not more than one (1) family.
57. Dwelling, Two-Family: A dwelling situated on one (1) lot consisting of two (2) dwelling units arranged, designed, and intended for occupancy by two (2) families living independently of each other.
58. Dwelling Unit: Three (3) or more rooms arranged, designed and intended as a unit for occupancy by one (1) family and consisting of no more than one (1) kitchen and no less than one (1) bedroom and one (1) bathroom.
59. Easement: An interest in land owned by another that entitles its holder to a specific limited use of enjoyment.
60. Educational Facility: Private or public schools, colleges, universities, technical schools, or libraries qualified to offer general academic and/or specialized education.
61. Electric Substation: An assemblage of equipment which receives, transforms and distributes electric energy to individual consumers, other power producing agencies or other local electric distribution substations.
62. Encroachment: An extension of a building or part of a building upon the land of another, into a required yard or into a recorded easement.
63. Executive Apartment: A dwelling unit accessory to any industrial, commercial, or office main building which is arranged, designed and intended for occupancy by a person or persons owning, employed by or dealing with a business contained within such building.

64. Family: An individual, or two (2) or more persons related by blood or marriage, or a group of not more than five (5) persons (excluding servants) living together as a single housekeeping unit in a dwelling unit.
65. Farm and Garden Building: A building or structure used to shelter or enclose livestock, poultry, feed, flowers, field equipment or similar items.
66. Floodplain: The area adjoining any river, stream, watercourse, lake or other body of standing water which is subject to inundation by a 100-year flood.
67. Floor Area, Gross: The total horizontal floor area measured in square feet, of all floors surrounded by the exterior walls of a building excluding therefrom courtyards. The gross floor area shall include those usable areas not surrounded by exterior walls but under horizontal projections of roofs and floors above.
68. Floor Area, Net: The total horizontal floor area measured in square feet, of all floors of a building, excluding therefrom walls, stairwells, elevator shafts, covered malls, covered walkways, roof patio areas, covered entries, covered parking, covered driveways, covered loading areas, utility rooms and storage areas.
69. Garage, Private: A building, or portion thereof, used primarily for the parking of motor vehicles belonging to the occupants of the land upon which it is situated and their invitees.
70. Garage, Public: A building, or portion thereof, other than a private garage, used for the parking of motor vehicles.
71. Golf Course: An area of land laid out for the game of golf with a series of 9 or 18 holes each including tee, fairway, and putting green and often one or more natural or artificial hazards.
72. Grade, Ground Level: The elevation of the finished lot surface measured at any point along the perimeter of the building.
73. Gross Residential Acres: The total number of acres within the boundaries of a residential area excluding therefrom arterial streets.
74. Home Occupation: Any business use which is conducted principally within a dwelling unit by the occupants thereof and no others, is clearly incidental and secondary to the use of the dwelling unit for dwelling purposes, and does not change the character of the dwelling unit, excluding therefrom such uses as a medical clinic, hospital, barber shop, beauty parlor, tea room, tourist home, kennel, veterinary clinic or hospital, or any similar use generating more than occasional and minimal vehicular and pedestrian traffic.

75. Homeowners' Association: An association of homeowners within a residential area created to govern the area with powers including but not limited to: the setting and collection of expense assessments from the members of the association, the control and maintenance of common areas, and the enforcement of protective covenants.
76. Hospital: An institutional facility used primarily for the overnight accommodation and medical and surgical care of the sick, injured, and infirm, including sanitariums, but excluding therefrom medical or dental clinics, rest homes, convalescent homes and homes for the aged.
77. Hotel: Any building arranged, designed and intended as a temporary lodging place for human beings, with or without meals; in which there are six (6) or more guest rooms or suites; and in which no provision is made for cooking in any individual room or suite.
78. Household Pets: Small animals customarily permitted to be kept in dwelling units for company or pleasure, including but not limited to dogs, cats, rabbits, and common house birds, provided that such animals are not kept to supplement food supplies or for any commercial purpose other than the offering for sale of one (1) litter, brood or offspring of a household pet domiciled in the premises, at any one time, that is less than four (4) months old.
79. Industrial Service: An industrial use characterized by the sale of services as opposed to the manufacture or sale of products including but not limited to: repair services, printing services, trucking services; recording studios and warehousing.
80. Industrial Manufacture/Processing: An industrial use characterized by the manufacture or processing of tangible goods, wares and merchandise including but not limited to: assembling plants; bottling plants; compounding plants; dairy processing plants; and food and beverage processing plants.
81. Institution: A social, educational, governmental, health, charitable or religious organization or facility including but not limited to: museums, art galleries, cultural centers, convention centers, educational facilities, hospitals, medical and dental clinics, convalescent homes, nursing homes, rest homes, homes for the aged, churches, and temples.
82. Joint Use of Parking: The shared use of off-street 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.
83. Junk: Scrap iron, scrap tin, scrap brass, scrap copper, scrap lead, scrap zinc and all other scrap metals and their alloys, and bones, rags, used cloth, used rubber, used rope, used tinfoil, used bottles,

old or used machinery, used tools, used appliances, used fixtures, used utensils, used lumber, used boxes or crates, used pipe or pipe fittings, used automobiles or airplanes, and other manufactured goods that are so worn, deteriorated or obsolete as to make them unusable in their existing condition, but are subject to being dismantled.

84. Junk Yard: A place where junk, waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including but not limited to wrecking yards, but not including the purchase or storage of used furniture and household equipment, used automobiles in operable condition, or used or salvaged materials as part of manufacturing operations.
85. Kennel: Any building, structure or open space, or portion thereof, used for the breeding, raising, boarding, or selling of three (3) or more dogs that are more than four (4) months old or of more than one (1) litter.
86. Laboratory: A building or portion of a building devoted to the experimental study of the science of testing and analysis of chemicals, drugs, explosives, minerals, etc.
87. Laboratory - Medical or Dental: A building or a portion of a building devoted to the use of providing bacteriological, biological, medical, X-ray, pathological and similar analytical or diagnostic services to doctors or dentists and where no fabrication is conducted on the premises, except the custom fabrication of dentures.
88. Landscaping: Improvement to an area of land by the planting of a combination of trees, shrubs and ground cover, or the installation of other materials such as rock, bark, retaining walls, or sprinkler systems.
89. Lot: A parcel of land occupied or designed to be occupied by a main building and the accessory buildings or uses customarily incidental to such main building. A lot may or may not be land shown as a lot on a duly recorded plot.
90. Lot Area: The total horizontal area within the lot lines of a lot.
91. Lot, Corner: A lot of which at least two (2) adjacent sides abut for their full length upon a public street.
92. Lot, Double Facing: A lot of which the front and rear property lines abut for their full length upon a public street.
93. Lot, Flag or Panhandle: A lot, the sole access of which to a public street is by means of a corridor or accessway not less than 12 feet nor more than 30 feet in width.

94. Lot Line, Front: The property line dividing a lot from the public street providing access thereto, provided that with respect to a corner lot, or a double facing lot, the front line shall be determined by the orientation of the building.
95. Lot Line, Rear: The property line most nearly opposite the front lot line.
96. Lot Line, Side: Any lot line other than the front lot line and rear lot line.
97. Lot Width: The distance parallel to the front lot line, measured between side lot lines at the rear of the front yard.
98. Mobile Home: A structure transportable on its own wheels used or designed to be used for living and sleeping purposes, containing its own axle and axles and requiring only minor work after arrival on its site to become suitable for occupancy.
99. 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.
100. Motel: A hotel primarily for transients traveling by automobile.
101. Museum: A non-profit, non-commercial institution operated as a repository for a collection of natural, scientific or literary curiosities or objects of interest or works of art, not including the regular sale or distribution of the objects collected.
102. Nonurban Area: Areas within Cottonwood intended for recreational uses including but not limited to open space; parks; ball fields; playgrounds; campgrounds; picnic grounds; wildlife and natural preserves; golf courses and driving ranges; riding, hiking and biking trails; riding stables; swimming facilities and tennis facilities.
103. Nuisance: Any activity which is noxious, annoying, unpleasant, or offensive by reason of emission of dust, odor, gas, smoke, fumes, noise, radio frequency interferences, vibration, electromagnetic disturbance, or radiation.
104. Nursing Home: An establishment, other than a hospital, licensed by the State, which operates and maintains continuous day and night facilities providing room and board, personal service, and skilled nursing care.
105. Open Space: Public or private land and aquatic areas which are unoccupied except for natural vegetation and/or landscaping and improvements intended for recreational use excluding therefrom buildings or structures.

106. Parking, Off Street: A portion of land, other than a street, used for the parking of motor vehicles and available for general public use, either free or for remuneration.
107. Patio Home Project: See Section VI., Paragraph D.3.a.
108. Planning Commission or Commission: The Douglas County Planning Commission.
109. Planning Office: The Douglas County Planning Office.
110. Plant Nursery: Commercial retail facility engaged in the sale of plants, bulbs, bushes, trees, other planting materials and related products. The planting materials may be grown or maintained on the premises in either indoor or outdoor areas.
111. Prefabricated, Panelized, or Modular Dwelling Units: Any structure or component thereof designed primarily for residential occupancy, either permanent or temporary, including a mobile home, which is wholly or in substantial part made, fabricated, formed, or assembled in manufacturing facilities for installation, or assembly and installation, at its intended location.
112. Professional Office: A place of business for any of the following: accountants, architects, attorneys, bookkeeping services, brokers (of stocks, bonds, real estate), building designers, persons licensed by the State to practice any of the healing arts, corporate offices, drafting services, financial institutions (including banks, savings and loan associations, insurance companies, credit unions and credit-reporting agencies), development companies, engineers, interior decorators and designers (no retail sales allowed on premises), laboratories (medical and dental), pharmacies, notaries public, public stenographers, typing and secretarial services, and other similar businesses or professions.
113. Project: One or more lots planned, designed and developed as a unified entity such as a condominium project, patio home project, cluster project, commercial project, or industrial project.
114. Protective Covenants: A written agreement, duly recorded, binding upon a specified group of property owners and their successors, heirs, or assigns wherein certain restrictions and conditions are established to promote and protect the value, desirability, and development of the subject property.
115. Public or Quasi-Public Facilities: Facilities intended for public use including but not limited to: educational facilities, fire stations, police stations, public parks, public recreational facilities, public utilities, and public roadways.

116. Public Utilities: Utilities intended for public use including but not limited to: electric transmission and distribution lines, electric substations, telegraph and telephone lines, telephone exchanges, gas distribution mains and gas regulator stations, water and sewer mains and appurtenances, sewage treatment plants and lift stations, water wells, water pumps and water reservoirs.
117. Recreation Vehicle: A motor home, travel or camping trailer, boat, van or truck camper, with or without self-motive power, designed for temporary human habitation.
118. Recreation Vehicle Storage: An area of land and associated structures arranged, designed and intended to accommodate the temporary parking or storage of unoccupied recreation vehicles.
119. Riding, Hiking, and Biking Trail: A trail or passageway arranged, designed and intended for use by equestrians, pedestrians, and cyclists using nonmotorized bicycles.
120. Right of Way or Passageway: An area or strip of land, either publicly or privately owned, over which a right of passage has been recorded for the use by vehicles, or pedestrians, or both.
121. Setback Line-Front: A line parallel to the front lot line and tangent to that part of the building situated on the lot which is closest to the front lot line (excluding open fire escapes or stairways, eaves, overhangs, chimneys, uncovered patios and courtyards).
122. Setback Line-Rear: A line parallel to the rear property line and tangent to that part of the building situated on the lot which is closest to the rear property line (excluding open fire escapes or stairways, eaves, overhangs, chimneys, uncovered patios and courtyards).
123. Setback Line-Side: A line parallel to the side property line and tangent to that part of the building situated on the lot which is closest to the side property line (excluding open fire escapes or stairways, eaves, overhangs, chimneys, uncovered patios and courtyards).
124. Show Home or Model Home Complex: A group of buildings arranged, designed and intended for public view in a residential project, and representing the product offered for sale by a particular home builder. Such a complex is strategically located for a maximum exposure, and intended for permanent occupancy once the residential project is developed and all other dwelling units are sold.
125. Sign: Something designed to inform or attract the attention of people, but excluding therefrom any flag, badge or insignia of any government or governmental agency, or of any civic, charitable, religious or fraternal organization.

- 126. Sign, Animated: Any sign or part of a sign which changes physical position by any movement or rotation.
- 127. Sign, Directional: A sign that does not contain either identification or advertising copy, but includes pertinent information, including assisting the flow of traffic.
- 128. Sign, Flashing: Any directly or indirectly illuminated sign either stationary or animated, which exhibits changing natural or artificial light or color effects by any means whatsoever.
- 129. Sign, Individual Letter: Letters or figures individually fashioned from metal or other materials and attached to the wall of a building, or other surface.
- 130. Sign, Illuminated: A sign lighted by or exposed to artificial lighting either by lights on the sign or directed towards the sign.
- 131. Sign, Low-Silhouette: A sign which does not project higher than 10 feet above ground.
- 132. Site Development Plan: See Section XVI.
- 133. Special Community Event: A temporary event, sponsored by a club, homeowners' association, property owners' association, other community organization or the owner of a major portion of the land within Cottonwood, including but not limited to: fireworks, parades, swim meets, community picnics, athletic events, nonmotorized vehicles races, rodeos, Christmas and holiday pageants, and other outdoor programs.
- 134. Stable, Private: A building, or portion thereof, and accessory structures used to shelter and feed horses which are used exclusively by the owners or occupants of the property upon which the stable is situated, and their guests.
- 135. Stable, Public: A stable other than a private stable.
- 136. Street: A public or private right-of-way for motor vehicles other than an alley or driveway.
- 137. Structure: Anything constructed or erected in, under, over or upon the land, or attached to something in, under, over, or upon the land.
- 138. Structure, Permanent: A structure which is built of such materials, and in such a manner, that it would reasonably be expected to last and remain useful for a substantial period of time.
- 139. Structure, Temporary: A structure which is not a permanent structure, or one which is constructed for a special purpose in contemplation of removal upon accomplishment of such purpose.
- 140. Subdivision: The division of a lot, tract, or parcel of land into

two or more plats, sites, or other divisions of land for the purposes, whether immediate or future, of sale of a building or development. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

141. Subdivision Regulations: Regulations established by Douglas County which provide a procedure for processing plats, and prescribe methods for variances, enforcement, interpretation, amendment, separability and repeals.
142. Swimming Pool/Facility: A public or private man made body of water having a depth in excess of eighteen (18) inches, designed, constructed and intended for swimming, dipping or immersion by men, women and/or children. Such a swimming pool may include accessory structures and uses such as poolhouse, diving boards, slides, tennis courts, parking facilities, locker facilities and restaurant.
143. Temporary Construction Yard: A place for temporary offices and temporary storage of materials used for the construction of any structure permitted within Cottonwood.
144. Tennis Court/Facility: One or more public or private, indoor or outdoor, lighted or unlighted, playing surfaces designed, constructed and intended for the game of tennis. Such courts may include accessory structures and uses such as equipment shop, locker facilities, parking facilities, and restaurant.
145. Townhome: An individual dwelling unit situated on one (1) lot but attached to one (1) or more similar dwelling units by a common wall or party wall. 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.
146. Townhome Project: A project divided into townhomes, including all structures and common areas and elements situated therein.
147. Use: The purpose for which land areas or buildings are arranged, designed and intended.
148. Veterinary Hospital: A commercial service building where animals or pets of all types are given medical or surgical treatment. Use as a kennel shall be limited to short-term boarding and shall only be incidental to such hospital use and need not be enclosed within the main building.
149. Watercourse: A channel, slough, artificial channel, gulch, arroyo, stream, creek, pond, reservoir, or lake which carries or contains storm runoff and flood water.
150. Warehouse: A building, or portion thereof, for storing goods, wares and merchandise for the owner or for others.

151. 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 and patios.
152. Yard - Front: That portion of the lot lying between the front lot line and the front setback line of such lot.
153. Yard - Rear: That portion of the lot lying between the rear lot line and the rear setback line of such lot.
154. Yard - Side: That portion of the lot lying between a side lot line and the side setback line of such lot.

SECTION V

GENERAL PROVISIONS

- A. Purpose. The purpose of this Section is to provide general provisions and clarifications of standards and requirements for development which will occur in Cottonwood.
- B. Effect of the Douglas County Zoning Resolution. The provisions of the following sections of the Douglas County Zoning Resolution and the successors thereof, as now in effect and as hereafter amended, are by this reference incorporated herein as if set forth in full to the extent not inconsistent with the provisions of this Development Guide.
- | | | |
|----------------|---|------------------------------------------------------------|
| Section I | - | Administrative Provisions |
| Section II | - | Interpretation of Intent |
| Section III | - | Amendments to the Zoning Resolution or Zoning District Map |
| Section IV | - | Board of Adjustment |
| Section V | - | Planning Commission |
| Section VI | - | Uses Not Itemized |
| Section VII | - | Public Notice |
| Section VIII | - | Non-Conforming Uses and Buildings |
| Section IX | - | Enforcement |
| Section XXII | - | PD-Planned Development |
| Section XXXII | - | New Communities Regulations |
| Section XXXIII | - | Floodplain Regulations |
| Section XXXIV | - | Airport Regulations |
| Section XXXV | - | Wildlife Habitat Regulations |
- C. Effect of the Douglas County Subdivision Regulations. All provisions of the Douglas County Subdivision Regulations and the successors thereof, as now in effect and as hereafter amended, are by this reference incorporated herein as if set forth in full to the extent not inconsistent with the provisions of this Development Guide.
- D. Effect of the Douglas County Highway and Street Specifications. All provisions of the Douglas County Highway and Street Specifications and the successors thereof, as now in effect and as hereafter amended, are by this reference incorporated herein as if set forth in full to the extent not inconsistent with the provisions of this Development Guide.
- E. Conflict. The provisions of this Development Guide shall prevail and govern the development of Cottonwood, except where the provisions of the Development Guide do not clearly address a specific subject. In such case the provisions of the Douglas County Zoning Resolution, Douglas County Subdivision Regulations, or any other ordinances, resolutions or regulations of Douglas County shall prevail.

- F. Early-Start Development. The developer may, at his discretion and risk, construct any or all site improvements, including but not limited to overlot grading, drainage facilities, and public utilities, prior to receiving Final Plat approval from the County Commissioners, contingent upon securing inspections by the appropriate agencies.
- G. Development Phasing. Any project within Cottonwood may be constructed in phases, provided that the project complies with the applicable provisions of this Development Guide.
- H. Density Standards. The dwelling unit density permitted in any Residential Area shall apply to the entire Area and shall not be specifically applicable to any portion thereof. Density of any Residential Area shall be computed by dividing the total number of dwelling units in the Area by the gross residential acres in the Area.
- I. Land Use Area Boundaries. The boundaries and acreages of all Land Use Areas within Cottonwood are shown on the Development Plan. Where a Land Use Area abuts an arterial street the boundary shall be the abutting right-of-way line of that arterial. Where a Land Use Area abuts a collector street, the boundary shall be the center line of that collector street. Where a Land Use Area abuts another Land Use Area the boundary shall be as shown on the Development Plan. Changes in the boundaries and acreages of Land Use Areas shall be permitted as follows:
 - 1. The size of any Land Use Area may increase or decrease after final determination of: internal street alignments, arterial street alignments, C-470 corridor alignment, 100-year floodplain boundary, open space and buffer zone areas.
 - 2. An increase or decrease in any Land Use Area will be accomplished by a shift in boundaries between adjacent Land Use Areas.
 - 3. No amendment to this Development Guide nor approval by Douglas County shall be required for increase or decrease in Land Use Areas.
 - 4. The final boundary of any Land Use Area will be established when the final plat is prepared for that area.
 - 5. Density variations in Residential Land Uses Areas shall be in accordance with paragraph J of this Section.
- J. Density Variations. The total number of residential dwelling units for Cottonwood is shown on the Development Plan. The anticipated maximum density for each Residential Area is also shown on the Development Plan. Density variations within Cottonwood shall be permitted as follows:

1. The density of any Residential Area may be less than the anticipated maximum density shown on the Development Plan for that area.
 2. The density of any Residential Area may exceed the anticipated maximum density shown on the Development Plan for that Area by 20%.
 3. The increase in maximum density for any Residential Area will be accomplished by a transfer of dwelling units from another Residential Area.
 4. No amendment to this Development Guide nor approval by Douglas County shall be required for these density variations.
 5. In no event shall the total number of residential dwelling units for Cottonwood, as shown on the Development Plan, be exceeded.
- K. Construction Standards. Construction shall comply with applicable provisions of the Uniform Building and Mechanical Code, the National Electrical Code, the Colorado Plumbing Code, and other such Codes and the successors thereof, setting forth construction standards as adopted by Douglas County.
- L. Utility Connections. Connection to Cottonwood District water and Cottonwood District sewerage facilities shall be required for each principal building constructed in the future within Cottonwood.
- M. Agricultural Uses. Agricultural activities and uses, and all accessory structures and uses which are customarily incidental or appropriate to farming, shall be permitted within Cottonwood. In those areas of Cottonwood under development, an orderly transition from agricultural to urban uses will be undertaken to assure that agricultural uses will not be detrimental to Cottonwood residents.
- N. Yard Encroachments. Cornices, canopies, eaves and similar architectural features may extend not more than four (4) feet into any yard required by applicable development standards.
- O. Underground Utility Requirements. All electrical and communication distribution lines shall be placed underground, unless specifically determined otherwise by the Planning Commission. All electrical transmission lines may be placed above ground unless it is determined by the person or entity which causes their installation to be desirable and economically feasible to place them underground.
- P. Borrow Sites. Any area within Cottonwood may be used as a borrow site for construction materials. No material from a borrow site shall be used

for commercial purposes outside the Cottonwood area without a special permit obtained in accordance with Douglas County regulations. Uses permitted for borrow material within Cottonwood shall include but not be limited to overlot fill, street sub base and base course, utility bedding, foundation backfill, floor sub base, and landscaping. Once a borrow site becomes permanently inactive, it shall be returned as much as possible to its original condition including reseeding with appropriate native vegetation.

- Q. Dedication Requirements. The developer shall satisfy the land dedication requirements indentified in Section XXXII "New Communities Regulations" of the Douglas County Zoning Resolution as follows:
1. Section XVIII of this Development Guide shows that Cottonwood consists of 837.178 gross acres. Of this total, 11.64 acres is existing Jordan Road. The resulting net acreage of Cottonwood is 825.538 acres. This figure shall be used in computing land dedication requirements.
 2. A minimum of 49.532 acres shall be dedicated to Douglas County to satisfy the 6% county use requirement. Such acreage may include but not be limited to:
 - a. A reserve strip varying in width from 120 feet to 240 feet for proposed C-470 west of Jordan Road (see Development Plan for proposed alignment.)
 - b. A reserve strip 40 feet in width for proposed C-470 east of Jordan Road (see Development Plan for proposed alignment.)
 - c. A reserve strip along existing Parker Road for future highway expansion (see Section XII of this Development Guide.)
 - d. Two parcels of land reserved for the Cottonwood Water and Sanitation District to serve as the future sites of the sewage treatment plant and water storage reservoir (see Development Plan for location.)
 - e. Smaller parcels reserved for the Cottonwood Water and Sanitation District to serve as water well sites.
 3. A minimum of 198.129 acres shall be retained as nonurban area to satisfy the 24% community use requirement. Such acreage shall be used in accordance with Section XI of this Development Guide and shall include but not limited to:
 - a. The Cherry Creek 100-year flood plain.
 - b. Other 100-year flood plains determined to exist within Cottonwood.
 - c. Parks, green belts and open space established as buffer zones between land use areas.
 - d. Green belts, open space and common areas established within residential, commercial, and industrial projects (see Sections VI, VII, VIII of this Development Guide.)

4. Upon written request by the developer the Board of County Commissioners may accept cash-in-lieu of land to satisfy any part of the land dedication requirements. Any such cash substitute shall equal the fair market value of the land it replaces. Such funds given to the County Commissioners shall be utilized to benefit Cottonwood and/or that region of the County.
5. The land dedication requirements set forth in this paragraph shall apply to all of Cottonwood and not necessarily to any particular portion thereof. The developer will be permitted to plat any portion of Cottonwood without providing land for County or community use in or contiguous to that portion. The developer will, however, endeavor to provide land for County and community use at a rate consistent with development.

SECTION VI

MIXED RESIDENTIAL AREAS

- A. Purpose. The purpose of this Section is to establish standards for the development of residential areas within Cottonwood which will result in a pleasant and desirable living community. The standards set forth herein will offer both a conventional and contemporary approach to the residential development of Cottonwood and will permit mixed residential and nonresidential uses as identified below and as defined in Section IV "Definitions".
- B. Uses Permitted by Right: The following uses shall be permitted in Mixed Residential Areas as a matter of right:
1. One-family dwellings including patio homes, cluster homes and prefabricated, panelized or modular living units.
 2. Two-family dwellings.
 3. Multiple-family dwellings including townhomes and condominiums.
 4. Public and private schools, colleges and universities.
 5. Libraries.
 6. Public and quasi-public facilities.
 7. Child care centers.
 8. Show home complexes and sales offices accessory thereto.
 9. Churches, temples and other religious institutions.
 10. Museums.
 11. Convalescent homes, nursing homes, rest homes and homes for the aged.
 12. Community information centers.
 13. Special community events.
 14. Temporary construction yards.
 15. Transit stops.
 16. Nonurban facilities as provided in Section XI.
 17. Accessory buildings and uses as provided in Section XIII.
 18. Signs as provided in Section XV.

19. Off-street parking as provided in Section XIV.

20. Any other uses consistent with the purpose of this Section and compatible with the uses set forth herein.

C. Conventional Development Standards. Projects permitted as a matter of right in Mixed Residential Areas may be constructed in a conventional manner in accordance with the following development standards:

1. Minimum lot area: 5,000 square feet.
2. Minimum lot width: 50 feet.
3. The following yards shall be required:
 - a. Minimum front yard: 20 feet, provided that with respect to a flag or panhandle lot, the length of the corridor or access-way shall be excluded in applying such minimum to such lot.
 - b. Minimum side yard: None, except corner lots which shall have a minimum of 10 feet on the side adjoining the street.
 - c. Minimum rear yard: 15 feet.
4. Minimum distance between dwelling units: 10 feet.
5. Maximum building height: 35 feet.

D. Contemporary Development Standards. In order to provide Cottonwood with a more varied and interesting urban pattern and flexibility in residential development, and to encourage the assemblage of Nonurban Areas for more scenic, passive and active recreational uses, contemporary development standards have been formulated and are set forth below:

1. The purpose of these contemporary development standards is to:
 - a. Encourage variety in the physical development standards of Cottonwood.
 - b. Encourage a greater variety of housing than would be possible through conventional development standards as identified in Paragraph C above.
 - c. Encourage a more creative and efficient approach to the development of land.
 - d. Encourage a more aesthetic and desirable approach to Nonurban Areas.
2. The intent of these contemporary development standards is to:

- a. Assure that the density variations within Mixed Residential Areas conform to the provisions of Section V, Paragraph J of this Development Guide.
 - b. Provide high standards of development and provide amenities appropriate to the densities involved in the project.
 - c. Discourage uniform or redundant row housing, all with architecturally similar front elevations.
 - d. Allow for a variety of housing types to meet the housing demands of a wide range of age and income groups.
3. Residential projects permitted as a matter of right in Mixed Residential Areas may be constructed in accordance with the following contemporary development standards:
- a. **Patio Home Project**
 - (1) A Patio Home Project will offer efficient use of residential land by providing one-family dwellings situated to the front, rear or side of compact lots and offering courtyards and patio areas as extensions of the indoor living areas. Garages or carports may be detached to help define the patio and courtyard areas.
 - (2) The development standards for a Patio Home Project shall be as follows:
 - (a) Minimum lot area: 3,000 square feet.
 - (b) Minimum lot width and depth: None.
 - (c) The following yards shall be required:
 - (i) Minimum front yard: None, except where a garage or carport enters directly upon a public street, and in such case, 17 feet for such garage or carport.
 - (ii) Minimum side yard and rear yard: None.
 - (d) Maximum building height: 35 feet.
 - (e) Signs shall be permitted as provided in Section XV.
 - (f) Off-street parking shall be provided as required by Section XIV.

b. Cluster Home Project

- (1) A Cluster Home Project, in contrast to conventional development, will allow a greater percentage of land within the Project to be utilized for Nonurban Area and will reduce the amount of land required for streets by grouping the dwellings together. The more casual orientation of the dwellings and open area will serve as a needed variation from the redundant patterns that evolve from conventional development.
- (2) Cluster Home Projects shall consist of one-family dwellings, along with Nonurban Areas available for common use by the residents within the Project. Such Nonurban Area shall be maintained by the Cottonwood Metropolitan District or by a homeowners' association created within the Project.
- (3) The development standards for a Cluster Home Project shall shall be as follows:
 - (a) Minimum lot area: 3,000 square feet.
 - (b) Minimum lot width and depth: None.
 - (c) The following yards shall be required:
 - (i) Minimum front yard: None, except where a garage enters directly upon a public street, and in such case, 17 feet for such garage.
 - (ii) Minimum side yard and rear yard: None
 - (d) Maximum building height: 35 feet.
 - (e) Minimum Nonurban Area: To allow for the unique arrangement of buildings and open area within a Cluster Home Project a minimum of 30% of the total Project area shall be devoted to Nonurban Area. Such area 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.
 - (f) Signs shall be permitted as provided in Section XV.
 - (g) Off-street parking shall be provided as required by Section XIV.

c. Townhome Project

(1) A Townhome Project will offer a high density living area wherein individual dwelling units are attached to similar units by common walls or party walls. The Project will offer common areas and elements to be owned and enjoyed by its residents. Such common areas and elements will be maintained by a homeowner's association thus relieving each individual homeowner of the responsibility of yard work.

(2) The development standards for a Townhome Project shall be as follows:

(a) Minimum lot area per unit: 700 square feet.

(b) Minimum lot width and depth: None.

(c) The following yards shall be required:

(i) Minimum front yard: None, except where a garage or carport enters directly upon a public street, and in such case, 17 feet for such garage or carport.

(ii) Minimum side yard and rear yard: None.

(d) Maximum building height: 35 feet.

(e) Minimum common areas and elements: A minimum of 30% of the 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.

(f) Signs shall be permitted as provided in Section XV.

(g) Off-street parking shall be provided as required by Section XIV.

d. Condominium Project

(1) A Condominium Project will also offer a high density area wherein individual dwelling units are attached to similar units by common walls, or by common floor/ceilings as with condominium highrises. The Project will offer common areas and elements to be owned and enjoyed by its residents. Such common areas and elements will be maintained by a homeowners' association.

- (2) The development standards for a Condominium Project shall be as shown on an approved Site Development Plan prepared in accordance with Section XVI of this Development Guide and as follows:

- (a) Maximum building height: 50 feet.
- (b) Minimum common areas and elements: A minimum of 30% of the Project area shall be devoted to common areas and elements. These 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.
- (c) Signs shall be permitted as provided in Section XV.
- (d) Off-street parking shall be provided as required by Section XIV.

E. Nonresidential Use Development Standards: Any nonresidential use permitted by right under the provisions of this Section shall be subject to the commercial development standards established in Section VII.

SECTION VII

COMMERCIAL AREAS

- A. Purpose. The purpose of this Section is to establish standards for the development of those areas within Cottonwood intended solely for the concentration of professional and commercial uses as identified below, and as defined in Section IV "Definitions".
- B. Uses Permitted by Right. The following uses shall be permitted in Commercial Areas as a matter of right:
1. Commercial retail.
 2. Commercial service.
 3. Commercial recreation.
 4. Professional offices.
 5. Public and quasi-public facilities.
 6. Institutional facilities.
 7. Hotels and motels.
 8. Recreation vehicle storage.
 9. Common areas and elements.
 10. Community information centers.
 11. Special community events.
 12. Temporary construction yards.
 13. Transit stops.
 14. Nonurban facilities as provided in Section XI.
 15. Accessory buildings and uses as provided in Section XIII.
 16. Signs as provided in Section XV.
 17. Off-street parking as provided in Section XIV.
 18. Any other uses consistent with the purposes of this Section and compatible with the uses set forth herein.
- C. Development Standards. The development standards for Commercial Areas shall be as shown on an approved Site Development Plan, prepared in accordance with Section XVI of this Development Guide and as follows:
1. Minimum lot area: 20,000 square feet unless such development is designed as a project or projects, in which case there shall be no minimum lot area.

2. Minimum lot width: 50 feet, unless such development is designed as a project or projects, in which case there shall be no minimum lot width.
3. Maximum building height: 50 feet.
4. Yard requirements:
 - a. Minimum yards of 30 feet shall be required in areas abutting perimeter and interior public streets and the boundaries of the Commercial Areas, provided such yards shall be 50 feet wherever such boundaries abut, without street separation, Mixed Residential Areas, and provided further, 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.
 - b. No yards shall be required adjacent to property lines which merely separate different commercial uses.
5. All lighting shall be designed and located to reduce power consumption to its lowest practical level and to direct light rays to the lot or project.
6. All loading and unloading shall be performed on the lot or project. Loading platforms and areas shall be screened from view from adjacent streets, highways and residential areas in a manner prescribed by Paragraph 9 below.
7. Trash and storage areas shall be screened from view by placement within buildings, or by enclosure within opaque walls or fences not less than 5 feet in height. Wall and fence materials shall complement exterior building materials.
8. All permitted uses and their resulting products shall be contained entirely within a fully enclosed structure, excluding therefrom such uses as off-street parking; trash storage; loading; sale of nursery stock; automobile washing; outdoor dining; automobile, mobile home and recreation vehicle sales; temporary construction yards; outdoor recreation activities; special community events; and similar uses.
9. 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 Areas abut any Mixed Residential Areas without street separation. The height of such screening shall be indicated on the approved Site Development Plan prepared in accordance with Section XVI of this Development Guide.

- 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, shall be screened from view from any street and any abutting Mixed Residential Area.
 - c. Wall: A wall consisting of concrete block, stone, brick, tile or similar solid masonry material.
 - d. Berm: A knoll constructed of earthen material and landscaped.
 - e. Fence: An opaque fence constructed of wood or other materials.
10. Landscaping requirements:
- a. Landscaping shall be installed on at least 10 percent of the acreage of each lot or, if the development is in a project, 10 percent of each project, exclusive of streets.
 - b. All landscaping shall be separated from abutting parking areas and driveways by curbs at least 4 inches higher than the abutting vehicular driving surfaces in order to provide such landscaping protection from vehicular damage.
 - c. Landscaping at driveway, alley and street opening intersections shall be installed and maintained in such a manner as not to hinder the visibility of motorists.
 - d. Required landscaping shall be maintained in the manner and degree necessary to keep plants reasonably healthy and presentable, including pruning, mowing, weeding, fertilizing, watering, and replacement of plants when necessary.
11. All parking lots and driveways shall be maintained in a reasonably neat and clean manner in order to reduce particulate and nonpoint source pollution.

SECTION VIII

INDUSTRIAL AREAS

- A. Purpose. The purpose of this Section is to establish standards for the development of those areas within Cottonwood intended for Industrial uses as identified below and as defined in Section IV "Definitions".
- B. Use Permitted by Right. The following uses shall be permitted in Industrial areas as a matter of right:
1. Industrial service.
 2. Industrial manufacture.
 3. Construction industries.
 4. Scientific research, development and testing.
 5. Sale at wholesale and storage of any commodity, except live animals, commercial explosives, or aboveground bulk storage of flammable liquids or gases unless, and only to the extent that, storage of such liquids or gases is necessary for energy or heating devices to serve the uses in the project or lot.
 6. The sale at retail and storage of any commodity manufactured, processed, or fabricated on the premises, and equipment, supplies and materials (except commercial explosives) for agriculture, mining, business, industry, transportation, or construction.
 7. Nonurban facilities as provided in Section XI.
 8. Recreational vehicle storage.
 9. Public and quasi-public facilities.
 10. Automobile garages and body shops.
 11. Automobile/truck service stations.
 12. Temporary construction yards.
 13. Transit Stops
 14. Accessory buildings and uses as provided in Section XIII.
 15. Signs as provided in Section XV.
 16. Off-street parking as provided in Section XIV.
 17. Any other uses consistent with the purpose of this Section and compatible with the uses set forth herein.
- C. Development Standards. The development standards for Industrial Areas shall be as shown on an approved Site Development Plan prepared in accordance with Section XVI of this Development Guide and as follows:

1. Minimum lot area: 10,000 square feet, unless development is designed as a project or projects, in which case there shall be no minimum lot area.
2. Minimum lot width: 100 feet, unless such development is designed as a project or projects, in which case there shall be no required minimum lot width.
3. Maximum building height: 50 feet.
4. Yard requirements:
 - a. Minimum yards of 30 feet shall be required in areas abutting perimeter and interior public streets and the boundaries of the Industrial Areas, provided such yards shall be 50 feet wherever such boundaries abut without street separation, a Residential Land Use Area adjacent to Cottonwood and provided further 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.
 - b. No yards shall be required adjacent to property lines which merely separate Industrial Use Areas.
5. All lighting shall be designed and located to reduce power consumption to its lowest practical level and to direct light rays to the lot or project.
6. All loading and unloading shall be performed on the lot or project. Loading platforms and areas shall be screened from view from adjacent streets and highways in a manner prescribed by Paragraph 9, below.
7. Trash and storage areas shall be shielded from view by placement within buildings, or enclosure within opaque walls or fences not less than 5 feet in height. Wall and fence materials shall complement exterior building materials.
8. All mechanical equipment placed on any roof or otherwise outside of any building, including, but not limited to, air-conditioning, heating and ventilating equipment, shall be screened from view from any street or highway.
9. Screening shall be provided as set forth below:
 - a. Wall: A wall consisting of concrete block, stone, brick, tile or similar solid masonry material.
 - b. Berm: A knoll constructed of earthen materials and landscaped.
 - c. Fence: An opaque fence constructed of wood or other materials.

10. Landscaping requirements:

- a. Landscaping shall be installed on at least 10 percent of the acreage of each lot or, if the development is in a project, 10 percent of each project, exclusive of streets.
 - b. All landscaping shall be separated from abutting parking areas and driveways by curbs at least 4 inches higher than the abutting vehicular driving surfaces in order to provide such landscaping protection from vehicular damage.
 - c. Landscaping at driveway, alley and street intersections shall be installed and maintained in such a manner as not to hinder the visibility of motorists.
 - d. Required landscaping shall be maintained in the manner and degree necessary to keep plants reasonably healthy and presentable, including pruning, mowing, weeding, fertilizing, watering, and replacement of plants when necessary.
11. All parking lots and driveways shall be maintained in a reasonably neat and clean manner in order to reduce particulate and nonpoint source pollution.
 12. Unless otherwise specified, no permitted business or industrial operation shall cause or produce a nuisance to adjacent sites.

SECTION IX

MIXED COMMERCIAL/INDUSTRIAL AREAS

- A. Purpose. The purpose of this Section is to establish standards for the development of those areas within Cottonwood intended for Mixed Commercial and Industrial uses as identified below and as defined in Section IV "Definitions".
- B. Uses Permitted by Right. The following uses shall be permitted in Mixed Commercial/Industrial Areas as a matter of right:
1. Commercial retail.
 2. Commercial service.
 3. Commercial recreation.
 4. Professional offices.
 5. Industrial service.
 6. Industrial manufacture.
 7. Construction industries.
 8. Scientific research, development and testing.
 9. Sale at wholesale and storage of any commodity, except live animals, commercial explosives, or aboveground bulk storage of flammable liquids or gases unless, and only to the extent that, storage of such liquids or gases is necessary for energy or heating devices to serve the uses in the project or lot.
 10. The sale at retail and storage of hardware, any commodity manufactured, processed, or fabricated on the premises, and equipment, supplies and materials (except commercial explosives) for agriculture, mining, business, industry, transportation, or construction.
 11. Institutional facilities excluding hospitals, convalescent homes, nursing homes and homes for the aged.
 12. Hotels and motels.
 13. Nonurban facilities as provided in Section XI.
 14. Kennels.
 15. Veterinary hospitals and clinics.

16. Public and quasi-public facilities.
17. Automobile garages and body shops.
18. Automobile service stations.
19. Recreation vehicle storage.
20. Community information centers.
21. Special community events.
22. Temporary construction yards.
23. Transit stops.
24. Accessory buildings and uses as provided in Section XIII.
25. Signs as provided in Section XV.
26. Off-street parking as provided in Section XIV.
27. Any other uses consistent with the purpose of this Section and compatible with the uses set forth herein.

C. Development Standards. The development standards for Mixed Commercial/Industrial Areas shall be as shown on an approved Site Development Plan prepared in accordance with Section XVI of this Development Guide and as follows:

1. Minimum lot area: 10,000 square feet, unless development is designed as a project or projects, in which case there shall be no minimum lot area.
2. Minimum lot width: 100 feet, unless such development is designed as a project or projects, in which case there shall be no required minimum lot width.
3. Maximum building height: 50 feet.
4. The following yards shall be required:
 - a. Minimum yards of 30 feet shall be required in areas abutting perimeter and interior public streets and the boundaries of the Mixed Commercial/Industrial Area, provided such yards shall be 50 feet wherever such boundaries abut without street separation, a Residential Land Use Area contiguous to Cottonwood and provide further 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.
 - b. No yards shall be required adjacent to property lines which merely separate Commercial/Industrial Use Areas.
5. All lighting shall be designed and located to reduce power consumption to its lowest practical level and to direct light rays to the lot or project.

6. All loading and unloading shall be performed on the lot or project. Loading platforms and areas shall be screened from view from adjacent streets and highways in a manner prescribed in Paragraph 9, below.
7. Trash and storage areas shall be shielded from view by placement within buildings, or enclosure within opaque walls or fences not less than 5 feet in height. Wall and fence materials shall complement exterior building materials.
8. All permitted uses and their resulting products shall be contained entirely within a fully enclosed structure, excluding therefrom such uses as off-street parking; trash storage; loading; sale of nursery stock; automobile washing; outdoor dining; automobile, mobile home and recreation vehicle sales; temporary contractor storage yards; outdoor recreation activities; special community events; and similar uses.
9. All mechanical equipment placed on any roof or otherwise outside of any building, including, but not limited to, air-conditioning, heating and ventilating equipment, shall be screened from view from any street or highway.
10. Screening shall be provided as set forth below:
 - a. Wall: A wall consisting of concrete block, stone, brick, tile or similar solid masonry material.
 - b. Berm: A berm constructed of earthen materials and landscaped.
 - c. Fence: An opaque fence constructed of wood or other materials.
11. Landscaping requirements:
 - a. Landscaping shall be installed on at least 10 percent of the acreage of each lot or, if the development is in a project, 10 percent of each project, exclusive of streets.
 - b. All landscaping shall be separated from abutting parking areas and driveways by curbs at least 4 inches higher than the abutting vehicular driving surfaces in order to provide such landscaping protection from vehicular damage.
 - c. Landscaping at driveway, alley and street intersections shall be installed and maintained in such a manner as not to hinder the visibility of motorists.

- d. Required landscaping shall be maintained in the manner and degree necessary to keep plants reasonably healthy and presentable, including pruning, mowing, weeding, fertilizing, watering, and replacement of plants when necessary.
- 12. All parking lots and driveways shall be maintained in a reasonably neat and clean manner in order to reduce particulate and nonpoint source pollution.
- 13. Unless otherwise specified, no permitted business or industrial operation shall cause or produce a nuisance to adjacent sites.

SECTION X

AUTOMOBILE SERVICE STATIONS

- A. Purpose. The purpose of this Section is to establish development standards for the design and use of Automobile Service Stations. It is the intent of this Section to encourage the development of properly located and aesthetically-pleasing Automobile Service Stations to service primarily the needs of the motorists of Cottonwood.
- B. Uses Permitted by Right. Automobile Service Stations providing only the following goods and services shall be permitted as a matter of right in Commercial and Industrial Areas:
1. Sale of petroleum products, propane, butane, and natural gas.
 2. Sale of tires, batteries, and related automotive accessories.
 3. Minor automobile maintenance such as: tuneups, fanbelt maintenance, alternator repair, car washing, and car lubrications.
 4. Incidental food and beverage sales.
- C. Development Standards. The development standards for Automobile Service Stations shall be as shown on an approved Site Development Plan prepared in accordance with Section XVI of this Development Guide and as follows:
1. Minimum lot area: 10,000 square feet.
 2. Minimum lot width: 100 feet.
 3. Maximum building height: 35 feet.
 4. The following yards shall be required:
 - a. Minimum front, side and rear yards: 20 feet
 5. All lighting shall be designed and located to reduce power consumption to the lowest practical level and to direct light rays to the lot or project.
 6. Trash and storage areas shall be screened from view by placement within buildings, or by enclosure within opaque walls or fences not less than 5 feet in height. Wall and fence materials shall complement exterior building materials.

7. All facilities other than gasoline pump islands, and trash and storage areas shall be contained entirely within a fully enclosed structure.
8. Wherever an Automobile Service Station abuts a Mixed Residential Area, a 6-foot high opaque wall or fence shall be erected along said common boundary.
9. Landscaping requirements:
 - a. Landscaping shall be installed on at least ten (10) percent of the acreage of each Automobile Service Station, exclusive of streets.
 - b. All landscaping shall be separated from abutting parking areas and driveways by curbs at least 4 inches higher than the abutting vehicular driving surfaces in order to provide such landscaping protection from vehicular damage.
 - c. Landscaping at driveways, alleys and street intersections shall be installed and maintained in such a manner as not to hinder the visibility of motorists.
 - d. Required landscaping shall be maintained in the manner and degree necessary to keep plants reasonably healthy and presentable, including pruning, mowing, weeding, fertilizing, watering, and replacement of plants when necessary.
10. Balloons, flags, spotlights, and similar devices shall be prohibited, provided, however, that nothing herein shall preclude the flying of the flag of the United States, the State or the County, or the use of ornamental landscape lighting as accent lights only.
11. All parking lots and driveways shall be maintained in a reasonably neat and clean manner in order to reduce particulate and nonpoint source pollution.

SECTION XI

NONURBAN AREAS

- A. Purpose. The purpose of this Section is to establish land use and standards for the Nonurban Areas within Cottonwood. It is the intent of this Section to exclude urban uses from these areas while preserving natural resources such as significant vegetation, and wildlife. Uses permitted within Nonurban Areas shall be as identified below and as defined in Section IV "Definitions".
- B. Uses Permitted by Right. The following uses shall be permitted in Nonurban Areas as a matter of right:
1. Open space.
 2. Parks, ball fields, and playgrounds.
 3. Campgrounds and picnic grounds.
 4. Wildlife and natural preserves.
 5. Golf courses and driving ranges.
 6. Riding, hiking and biking trails.
 7. Riding stables.
 8. Swimming facilities.
 9. Tennis facilities.
 10. Public utilities.
 11. Special community events.
 12. Temporary construction yards.
 13. Transit stops.
 14. Accessory buildings and uses as provided in Section XIII.
 15. Signs as provided in Section XV.
 16. Off-street parking as provided in Section XIV.
 17. Any other uses consistent with the purpose of this Section and compatible with the uses set forth herein.
- C. Development Standards. The development standards for a Nonurban Area shall be as shown on an approved Site Development Plan prepared in accordance with Section XVI of this Development Guide and as follows:

1. Any Nonurban Area situated within a 100-year floodplain shall be regulated by Section XXXIII of the Douglas County Zoning Resolution.
2. All lighting shall be designed and located to reduce power consumption to its lowest practical level and to direct light rays to the lot or project.
3. Trash and storage areas shall be screened from view by placement within buildings, or by enclosure within opaque walls or fences not less than 5 feet in height. Wall and fence materials shall complement exterior building materials.
4. All mechanical equipment placed on any roof or otherwise outside of any building, including but not limited to, air-conditioning, heating and ventilating equipment, shall be screened from view.
5. Landscaping at driveway, alley and street opening intersections shall be installed and maintained in such a manner as not to hinder the visibility of motorists.
6. Landscaping shall be maintained in the manner and degree necessary to keep plants reasonably healthy and presentable, including pruning, mowing, weeding, fertilizing, watering, and replacement of plants when necessary.
7. All parking lots and driveways shall be maintained in a reasonably neat and clean manner in order to reduce particulate and nonpoint source pollution.

SECTION XII

PUBLIC STREETS

- A. Purpose. The purpose of this Section is to establish standards for the construction of public streets within Cottonwood.
- B. General Standards.
1. All public streets in Cottonwood shall be designed and constructed in accordance with the Douglas County Highway and Street Specifications and the Douglas County Subdivision Regulations except as modified or revised by this Section.
 2. Dead-end streets (not including cul-de-sacs) shall be prohibited unless they are platted to the boundary of Cottonwood and are located to provide logical connection to future streets in adjacent undeveloped land. All dead-end streets shall be provided with a temporary turnaround right-of-way easement having a diameter of at least 120 feet and a street surface diameter of at least 100 feet.
 3. Half streets including locals, collectors and arterials shall be permitted along the boundary of Cottonwood to accommodate future traffic circulation from adjacent properties. A minimum asphalt surface width of twenty-four (24) feet shall be provided for any such half street.
 4. Minimum grades of less than 2% shall be permitted on all streets within Cottonwood provided the developer can adequately demonstrate to the County Highway Department that such minimum grades are feasible.
 5. Subbase shall not be required under the base course, curb or gutter of streets within Cottonwood provided the developer can adequately demonstrate to the County Highway Department that such subbase is unnecessary.
 6. Combination curb, gutter and sidewalk (6'-6" wide) and/or V-pans (3'-0" wide) in lieu of curb, gutter and sidewalk shall be permitted on local streets as described below provided the developer can adequately demonstrate to the County Highway Department that such variations in curb, gutter and sidewalk are feasible.
 7. The separation between residential driveways may be less than ten (10) feet and the separation between a residential driveway and property line may be less than five (5) feet provided the developer can adequately demonstrate to the County Highway Department that such separations are feasible.
 8. Utilities shall be permitted under the traveled portion of all streets within Cottonwood. Such utilities will include water mains and fittings, water services, sanitary sewer mains and manholes, sewer services, and storm drain systems. When possible and feasible; however, these utilities and other utilities such as gas mains, electric lines and telephone and television cables shall be installed in the street right-of-way outside the asphalt or in front, side and rear

yard easements. In addition, an effort will be made to use joint trenches for these utilities whenever possible. It should be recognized, however, that even out-of-street utilities will require occasional street crossings to adequately serve the community. Every effort will be made to locate utilities under the traveled portion of streets in such a way as to insure continued traffic circulation in the event of repair work. Every effort will be made to see that all utilities located under the traveled portion of streets are installed prior to asphalt placement. The developer will work closely with the County Highway Department to assure a minimum of street cuts after asphalt is in place and that any such cuts are performed in strict conformance with County Highway Department regulations.

9. Buffer strips 75 feet in width shall be provided along all commercial and industrial areas contiguous to Jordan Road, Parker Road or proposed future C-470. No buildings shall encroach on this buffer strip; however, landscaping, uncovered parking facilities, utility poles, and other similar uses shall be permitted.
10. Rear and side yards less than 75 feet in width shall be permitted to serve as buffer strips between residential dwellings and Parker Road, Jordan Road, proposed C-470 or any other county arterial or state highway provided the developer can adequately demonstrate to the County Planning Department and Highway Department that such yards are feasible when combined with sound and sight barriers such as berms and/or fencing.

C. C-470 Requirements.

1. Reserve Right-of-Way west of Jordan Road: The developer shall reserve a strip of land varying in width from 120 feet to 240 feet extending from the western boundary of Cottonwood to Jordan Road as shown on the Development Plan. This strip shall be retained for the future extension of C-470.
2. Jordan Road to Parker Road: A collector road shall be constructed from Jordan Road to Parker Road as shown on the Development Plan as follows:
 - a. Right-of-way width: 60 feet.
 - b. Flow line width: 44 feet.
 - c. Intersection locations: as shown on Development Plan.
 - d. Curb, gutter, and sidewalk: 6" vertical curb with 2-foot wide monolithic gutter and 5-foot wide detached walk.
 - e. Base course and asphalt thickness: as approved by Douglas County.
 - f. Reserve right-of-way: The developer shall reserve an additional strip of land 40 feet in width adjacent to and abutting this collector road for possible future extension of C-470 from Jordan Road to Parker Road. It is assumed C-470, if extended, will be downgraded to boulevard status with all intersections at grade.

D. Parker Road (State Highway 83) Requirements:

1. Existing right-of-way width: varies from 120 to 150 feet.
2. Additional right-of-way: The developer shall reserve a strip of land contiguous to the existing western right-of-way line of Parker Road. The western edge of this reserve strip shall be located 75 feet west of the existing center line of Parker Road.
3. Improvements along Parker Road: All future improvements along Parker Road including asphalt widening, shoulders and ditches shall be made by the State Highway Department. The developer shall be responsible only for the construction of acceleration and deceleration lanes which may be required at intersections on Parker Road.
4. Intersections:
 - a. Parker Road/C-470 intersection: This intersection shall provide for full traffic turning movement. The initial design of this intersection, including whether it is to be grade separated or controlled by traffic signal, shall be mutually agreed upon by Douglas County, the State Highway Department and the developer.
 - b. North boundary intersection: An intersection with full or right-in/right-out turning movements may be required at the northern most point of Cottonwood on Parker Road. The future of such an intersection shall be determined by the County Commissioners.

E. Jordan Road Requirements:

1. Classification: minor arterial.
2. Right-of-way width: 100 feet.
3. Flow line width: 64 feet.
4. Right-Of-way width at intersections: 120 feet with painted center medians which permit left turn movements.
5. Flow line width at intersections: 84 feet.
6. Intersections:
 - a. Approximate intersection locations shall be as shown on the Development Plan.
 - b. The intersection of Jordan Road and the collector road proposed to be part of C-470 shall be at grade. The future of this intersection, including whether it is to be grade separated or controlled by traffic signal, shall be mutually agreed upon by Douglas County, the State Highway Department and the developer.

- c. Acceleration/Deceleration lanes shall be provided on Jordan Road at each proposed intersection.
- 7. Curb, gutter, sidewalk: 6" vertical curb with 2-foot wide monolithic gutter and 5-foot wide detached walk.
- 8. Base course and asphalt thickness: as approved by Douglas County.
- F. Collector Road Requirements: All roads in Cottonwood required to collect traffic from local roads and provide connection to arterial systems shall be classified as collectors and subject to the following requirements:
 - 1. Right-of-way width: 60 feet.
 - 2. Flow line width: 44 feet.
 - 3. Curb, gutter, sidewalk: 6" vertical curb with 2-foot wide monolithic gutter and 5-foot wide detached walks. With the County's approval, the developer may substitute 4-foot wide attached walk or 6'-6" wide combination curb, gutter and sidewalk on any collector. Any such substitution shall depend on the anticipated volume of traffic and the anticipated storm run-off.
 - 4. Base course and asphalt thickness: as approved by Douglas County.
- G. Local Road Requirements: All other roads in Cottonwood may be classified as local roads and constructed to the following specifications provided the developer can adequately demonstrate to the County Highway Department that any deviations from existing County standards are feasible:
 - 1. Through-streets:
 - a. Right-of-way width: 50 feet.
 - b. Flow line width: 36 or 32 feet.
 - 2. Cul-de-sacs:
 - a. Cul-de-sacs which provide access to lots averaging one acre or less in size shall not be more than 500 feet in length.
 - b. Cul-de-sacs which provide access to lots averaging more than one acre in size shall not be more than 1500 feet in length.
 - c. Right-of-way width: 50 feet.
 - d. Flow line width: 32 feet.
 - e. Right-of-way diameter of bulb: 90 feet.
 - f. Flow line diameter of bulb: 72 feet.

3. Curb, gutter, sidewalk: 5'-6" wide combination curb, gutter and sidewalk except where 6" vertical curb with 2-foot wide monolithic gutter is required to accommodate storm run-off. In this case 4-foot wide attached sidewalk shall be provided. Developer may also substitute 3-foot wide V-pan gutter/sidewalk on any local street. Any such substitution shall depend on anticipated storm run-off.
4. Base course and asphalt thickness: as approved by Douglas County.

SECTION XIII

ACCESSORY BUILDINGS AND USES

- A. Purpose. The purpose of this Section is to establish development standards for Accessory Buildings and Uses permitted within all Land Use Areas of Cottonwood in order to assure compatibility with surrounding land uses.
- B. Buildings and Uses Permitted by Right. The Accessory Buildings and Uses which shall be permitted by right and the Land Use Areas to which they shall apply are shown below:
1. Home occupations permitted in Mixed Residential Areas.
 2. Household pets permitted in Mixed Residential Areas.
 3. Private stables permitted in Mixed Residential and Nonurban Areas.
 4. Private greenhouses permitted in all Land Use Areas.
 5. Private swimming pools permitted in all Land Use Areas.
 6. Private tennis courts permitted in all Land Use Areas.
 7. Private fallout shelters permitted in all Land Use Areas.
 8. Executive and caretaker apartments permitted in Commercial and Industrial Areas.
 9. Guard dogs permitted in Commercial and Industrial Areas.
 10. Any other uses consistent with the purpose of this Section and compatible with the uses set forth herein.
- C. Development Standards. Permitted Accessory Buildings and Uses shall be constructed and used in accordance with the following development standards:
1. Each Accessory Building shall comply with the development standards set forth for the Land Use Area in which it is located.
 2. Private uncovered swimming pools may project into any required yard provided that any such use is set back a minimum of 5 feet from any property line and does not encroach into utility easements.
 3. Home occupations.
 - a. Such use shall be conducted entirely within the principal dwelling, and only by the inhabitants thereof.
 - b. Such use shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes and shall not change the character thereof.

- c. The total area used for such purposes shall not exceed one-half the gross floor area of the first floor of the dwelling unit.
 - d. There shall be no exterior advertising other than identification of the home occupation by a sign permitted by Section XV.
 - e. There shall be no sale of stock, supplies, or products conducted on the premises, except sales which are incidental and secondary to the home occupation.
 - f. There shall be no exterior storage of material or equipment used in connection with the home occupation.
 - g. There shall be no offensive noise, vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line.
 - h. Off-street parking shall be as provided in Section XIV.
4. Household pets.
- a. Household pets, not exceeding three (3) animals of more than four (4) months of age per dwelling unit, shall be permitted as an accessory use in any Mixed Residential Area.

SECTION XIV

OFF-STREET PARKING

- A. Purpose. The purpose of this Section is to establish development standards to satisfy the motor vehicle off-street parking needs generated by Land Uses in Cottonwood. The implementation of these standards will result in sufficient, properly located and designed off-street parking facilities to reduce traffic congestion, enhance public safety, provide for the parking of motor vehicles at locations other than streets, and provide a more aesthetically-pleasing community.
- B. General Standards. Off-street parking facilities shall be permitted and required in accordance with the following standards:
1. All required off-street parking facilities shall be designed, constructed and maintained so as to be useable and accessible at all times, and shall be conveniently located to the use or uses they serve in order not to discourage their utilization.
 2. All off-street parking facilities shall be designed so that motorists are not encouraged or required to back directly from a parking space into a public street, excluding therefrom such facilities serving one-family and two-family dwellings.
 3. Common or joint use of parking facilities shall be permitted if traffic congestion or less than adequate parking for the uses involved is avoided.
 4. Except for required off-street parking facilities for one-family dwellings, such facilities will not have to be located on the same lot as the use or uses which generate the requirement, provided the total parking requirement for each use is satisfied. Public garages may be utilized to satisfy the parking requirements for any permitted use in the Commercial and Industrial Areas.
 5. Uncovered parking facilities may be located in any required front, side or rear yard, and garages and carports may be located in any required rear, or side yard, subject to any landscaping, screening or other specific and more restrictive provisions established for the Land Use Area in which they are situated.
 6. All parking spaces, driveways and maneuvering areas, shall be paved with asphalt, concrete, or other all weather surfacing, and shall be maintained.

7. All lighting for illumination of parking areas and driveways shall be designed and located to direct light rays to the lot or project.
8. Parking area signs, each not to exceed two (2) square feet in surface area, and directional instructions lettered on the paved surface of driveways and parking areas are permitted for all parking facilities. Such signs and instructions may contain only the name of the owner or occupant of the use served, and such words and symbols that are directly related or essential to parking or the direction of vehicular traffic within the parking area and access driveways.
9. Wherever two (2) or more different uses exist on the same lot or project, the total parking requirement therefore shall be the sum of the parking requirements for each such use.
10. Fractions resulting from calculations required by the provisions of this Section shall be rounded off as follows: (a) fractions of one-half ($1/2$) or more shall be rounded to the next higher whole number, and (b) fractions of less than one-half ($1/2$) shall be rounded to the next lower whole number.
11. The number of parking spaces required by this Section for any specific Land Use may be decreased when an applicant can provide an alternate transportation management plan which justifies a decrease in automobile dependence. Such a plan may include but not be limited to provisions for public transit, car pooling, staggered work hours or other means of reducing off-street parking needs. Any such request for a decrease in the number of parking spaces shall be submitted with a Site Development Plan which has been prepared in accordance with Section XVI of this Development Guide. Approval of the Site Development Plan by the County Commissioners shall include approval of the decrease in parking spaces.
12. Whenever the use of any lot or project is changed, enlarged, expanded or intensified from that for which the existing parking facilities were provided, additional parking facilities to meet the requirements of this Section shall be provided for the changed, enlarged, expanded or intensified use.
13. Parking facilities shall not be used for the sale, repair, dismantling or service of any vehicles, equipment, materials or supplies, nor for the storage of such equipment, materials or supplies.
14. Any of the standards and requirements set forth in this Section may be modified with respect to a specific lot or project by an approved Site Development Plan prepared in accordance with Section XVI of this Development Guide.

C. Residential Standards. Off-street parking facilities shall be provided for all residential uses in accordance with the following standards:

1. Each required off-street parking space shall have a minimum unobstructed area of 9 feet in width, 20 feet in length.
2. Off-street parking spaces located parallel to and abutting an aisle may be reduced to 8 feet in width.
3. The minimum number of off-street parking spaces required for each category of residential use shall be calculated in accordance with the following standards:
 - a. One-family and two-family dwellings: 2 spaces for each dwelling unit.
 - b. Multiple-family dwellings:
 - (1) 1.5 spaces for each dwelling unit.
 - (2) 1 guest space for each 5 dwelling units.
 - c. Home occupation: 1 space for each home occupation in addition to the parking spaces otherwise required for the dwelling unit.

D. Nonresidential Standards. Off-street parking facilities shall be provided for nonresidential uses, including those situated in Residential Areas, in accordance with the following standards:

1. Each required off-street parking space shall have a minimum unobstructed area of 9 feet in width, 20 feet in length.
2. Off-street parking spaces located parallel to and abutting an aisle may be reduced to 8 feet in width.
3. The minimum number of off-street parking spaces required for each category of nonresidential use shall be calculated in accordance with the following standards.
 - a. Commercial uses and professional offices: 1 space for each 200 square feet of gross floor area, except as otherwise specified below.
 - b. Furniture stores and appliance stores: 1 space for each 500 square feet of gross floor area.
 - c. Motels and hotels: 1 space for each rental unit, plus one (1) space per two (2) employees.
 - d. Cafes, cocktail lounges, taverns, and restaurants: 1 space for each 200 square feet of gross floor area.

- e. Drive-in restaurants: One (1) space for each 100 square feet of gross floor area, but in no event less than 10 spaces.
- f. Health clubs and spas: One (1) space for each 200 square feet of gross floor area.
- g. Hospitals, medical clinics, animal hospitals and similar facilities: One (1) space for each 400 square feet of gross floor area.
- h. Educational uses:
 - (1) Elementary and junior high schools: Two (2) spaces for each classroom.
 - (2) Senior high schools, colleges, universities and other institutions of higher learning: One (1) space for each employee and faculty member, plus one (1) space for each four (4) students the school is designed to accommodate.
- i. Churches, auditoriums and similar places of public assemblage: One (1) space for each 100 square feet of gross floor area.
- j. Private clubs, lodge halls and similar uses: One (1) space for each 100 square feet of gross floor area.
- k. Recreation uses:
 - (1) Bowling alleys: Five (5) spaces for each alley.
 - (2) Stables: One (1) space for each five (5) horses the stable is designed to accommodate.
 - (3) Golf courses: Four (4) spaces for each hole.
 - (4) Handball, racquetball, squash and similar courts: Two (2) spaces for each court.
 - (5) Swimming pools: One (1) space for each 100 square feet of water surface area, but in no event less than 10 spaces.
 - (6) Tennis courts: Two (2) spaces for each court.
 - (7) Recreation centers: One (1) space for each 200 square feet of gross floor area.
- l. Industrial uses: One (1) space for each 400 square feet of gross floor area, including areas used for office or sales purposes.

- m. Warehouses and wholesale business: One (1) space for each 1,000 square feet of gross floor area, including areas used for office or sales purposes.
- 4. A minimum of two (2) parking spaces for the physically handicapped shall be provided for each nonresidential use and, in addition, not less than two (2) percent of the total number of spaces required for nonresidential uses and projects which provide 25 or more parking spaces shall be designed for use by the physically handicapped. Each space for the physically handicapped shall have minimum unobstructed area of 12 feet in width and 20 feet in length, be located as close as practical to the main entrance of the place of business, and be identified by appropriate signs incorporating the international symbol of the physically handicapped.

SECTION XV

SIGNS

- A. Purpose. The purpose of this Section is to establish standards for the erection and use of signs within Cottonwood.

The following standards, including location limitations, shall apply to all signs within Cottonwood. Such signs shall also be subject to the standards adopted by Douglas County with respect to structural safety, materials and design.

- B. General Standards. The following standards shall apply to signs in all Land Use Areas.

1. No sign exceeding six (6) feet in surface area shall be erected, constructed, or placed on any building, structure or lot unless a permit has been issued for such sign. No permit shall be issued unless the proposed sign complies with the standards of this Section. The sign permit fee shall be established by the Board.
2. All signs erected in any public right-of-way by a public agency authorized to control or direct traffic shall be exempt from the provisions of this Section.
3. Signs located at arterial highway intersections and entries identifying Cottonwood which are integral parts of an entry treatment utilizing landscaping, masonry, or other materials to define and provide an aesthetically-pleasing entry shall be permitted, provided that no such entry treatment shall hinder motorist visibility. The total surface area of all signs at such entry shall not exceed 300 square feet, the surface area of any one such sign shall not exceed 150 square feet, and no such sign shall project higher than 20 feet above ground level.
4. Directional signs for the aid of those traveling within Cottonwood shall be permitted, provided such signs are consistent with each other in materials and design, do not exceed 20 square feet in surface area each nor project higher than 10 feet above ground level.
5. Signs identifying special community events shall be permitted in each Land Use Area, provided such signs are erected or displayed no earlier than two (2) weeks preceding the event and are removed no later than two (2) days subsequent to the event.
6. Temporary signs informing prospective community residents of land uses being constructed or to be constructed in the future

shall be permitted for up to five (5) years after their erection, provided that no such sign shall exceed 20 square feet in surface area nor shall project more than 10 feet above ground level, and all such signs shall be uniform in color, size and materials throughout Cottonwood and consistent with its architectural theme.

7. One (1) temporary sign, lighted or unlighted, accessory to each temporary sales office, leasing office or show home model from which only new homes, residential lots and new nonresidential properties are sold or leased, shall be permitted while such office is being used for such purpose, provided such sign shall not project higher than six (6) feet above ground level. shall not exceed 36 square feet in surface area, and shall indicate only the name of the project, or model available for sale or lease.
8. The following signs shall be prohibited in Cottonwood:
 - a. Any portable sign located on one (1) or more wheels.
 - b. Any revolving beacon, flashing, or rotating sign, or any other sign with any type of movement or intermittent lighting effect.
 - c. Any flag, banner, or other device designed to wave, flap, rotate, or otherwise move with the wind, excluding therefrom weather vanes or any flag or emblem of any government or governmental agency or of any civic, charitable, religious, or fraternal organization.
 - d. Any sign attached to a building which:
 - (1) Projects perpendicular to the building, except as provided in Paragraph D.2, below.
 - (2) Is parallel with a wall of the building but projects more than 18 inches from such wall.
 - (3) Extends above the roof line or above the top of the parapet of the front wall, whichever is higher.
 - e. Any sign which hinders the visibility of traffic control devices or directional signs.

9. The surface area of any sign shall be calculated in accordance with the following standards:
 - a. The structure and bracing of a sign shall be omitted from the calculation unless such structure or bracing is made part of the message or face of the sign.
 - b. The surface area of any sign which has two (2) or more display faces shall include the area of all faces.
 - c. The surface area of any sign with a backing or background that is part of the overall sign display shall be calculated by determining the sum of the areas of each square, rectangle, triangle, circle, and portion of a circle, or any combination thereof, which creates the smallest single continuous perimeter enclosing the outer limits of the display surface or face of the sign including all non-structural frames, backing, faceplates, trim and other component parts not used solely for structural safety.
 - d. The surface area of any sign without backing or a background that is part of the overall sign display shall be calculated by determining the sum of the areas of each square, rectangle, triangle, circle, and portion of a circle, or any combination thereof, which creates the smallest single continuous perimeter enclosing the outer limits of each word, figure, picture or other representation, including all nonstructural frames, faceplates, trim and other component parts not used solely for structural safety.
 - e. The surface area of any sign having parts both with and without backing or background shall be calculated by determining the sum total of the areas of each square, rectangle, triangle, circle and portion of a circle, or any combination thereof, which creates the smallest single continuous perimeter enclosing the outer limits of: (1) the display surface or face of the sign, including all nonstructural frames, backing, faceplates, and other component parts not used solely for structural safety, for parts thereof that have backing or background, and (2) each word, figure, picture or other representation, including all nonstructural frames, faceplates, trim and other component parts not used solely for structural safety, for parts thereof having no backing or background.
10. Signs and sign structures shall be maintained at all times in a state of reasonably good repair, with all braces, bolts, clips, supporting frame and fastenings reasonably free from deterioration, insect infestation, rot, rust or loosening. Signs shall

be able to safely withstand anticipated wind pressure for the area in which they are located. The County Building Inspector shall have the authority to order the repair, alteration, or removal of a sign or sign structure which constitutes a hazard to life or property, and in the event that such a sign has not been repaired, altered or removed to remedy such hazard within 30 days after written notification from such Inspector, the County shall have the authority to so repair, alter or remove such sign or sign structure at the expense of the owner of the lot upon which such sign is located.

C. Residential Signs. In all Mixed Residential Areas, the following signs shall be permitted subject to the following standards:

1. One (1) sign identifying each dwelling unit shall be permitted, provided the surface area of such sign does not exceed three (3) square feet.
2. One (1) "FOR SALE" or "FOR RENT" sign shall be permitted for each dwelling unit, provided such sign is unlighted and the surface area does not exceed six (6) square feet.
3. One (1) sign identifying each public or quasi-public use shall be permitted, provided the surface area of such sign does not exceed ten (10) square feet.
4. Two (2) signs identifying each residential project shall be permitted, provided the surface area of each sign does not exceed 20 square feet.
5. Signs advertising the sale or rental of dwelling units under construction or to be constructed shall be permitted, provided that not more than one (1) such sign is located adjacent to each street abutting the subdivision, each sign is unlighted, and the surface area of each such sign does not exceed 20 square feet in surface area.
6. One (1) sign identifying each home occupation shall be permitted, provided such sign is unlighted, is affixed to the front wall or placed in a front window of the principal building, and does not exceed three (3) square feet in surface area.

D. Commercial/Industrial Signs. In Commercial and Industrial Areas, the following signs shall be permitted subject to the following standards:

1. One (1) sign identifying each principal use shall be permitted for each building face, provided it is attached parallel to and within 18 inches of the wall of the principal building and does not exceed 200 square feet in surface area.

2. One (1) additional sign identifying each principal use is permitted provided such sign shall be unlighted; shall be affixed to the front wall or door, suspended from an overhang, or placed in a front window of the principal building; and does not exceed six (6) square feet in surface area.
3. Within each Commercial and Industrial Project, four (4) double-faced or single-faced signs identifying the Commercial or Industrial Project, lighted or unlighted, shall be permitted, provided such signs shall be low-silhouette signs, and shall not exceed 150 square feet in surface area per display face.

SECTION XVI

SITE DEVELOPMENT PLANS

- A. Purpose. The purpose of this Section is to establish requirements for the preparation and approval of Site Development Plans related to Cottonwood.
- B. General Requirements.
1. Both Preliminary and Final Site Development Plans shall be prepared in accordance with this Section and shall accompany Preliminary and Final Plats which pertain to any of the following Land Use Areas within Cottonwood:
 - a. Mixed Residential Areas (multi-family and nonresidential areas only).
 - b. Commercial Areas.
 - c. Industrial Areas.
 - d. Mixed Commercial/Industrial Areas.
 - e. Nonurban Areas.
 2. No building permit or certificate of occupancy shall be issued in any Land Use Area where a Final Site Development Plan is required but has not been approved by the County Commissioners.
 3. The preparation of any Site Development Plan shall be done only by qualified professionals with appropriate signatures and seals affixed, when applicable.
- C. Preliminary Site Development Plan Criteria. A Preliminary Site Development Plan shall be prepared in accordance with the following criteria:
1. Draw the Plan at a scale of 1" = 100', 1" = 200' or another scale approved by the Planning Director which clearly shows the entire project and site characteristics.
 2. Draw on sheets with outside dimensions of 24" x 36" in size. Multiple sheets may be used as long as a cover sheet is included which indexes the various pages used. Sheets shall be oriented so that the horizontal dimension is the larger dimension (36") with any title block provided in the lower right hand corner.

3. Provide north arrow and scale.
4. Indicate the name of the proposed development and submittal phase in the top center of the sheet.
5. Provide a vicinity map showing the relationship of the site to the surrounding area within a two (2) mile radius.
6. Show the total area owned by the applicant. If a portion of the total site is not part of the application, show that portion as an excepted parcel.
7. Delineate the topography of the site at five (5) foot intervals, and designate areas in excess of 20% slope.
8. Provide approximate envelope dimensions of all existing and proposed structures and buildings on the site. Also provide minimum setbacks of the envelopes.
9. Show required off-street parking areas and approximate dimensions of the areas.
10. Indicate all points of ingress and egress to the site.
11. Indicate the surfacing type used, or to be used for roads, drives and parking areas.
12. Indicate easements for public and private use on the site.
13. Provide a preliminary landscaping plan for the proposed site showing and/or describing:
 - a. Planting to be used; including type and size.
 - b. Bedding materials to be used.
 - c. Means of irrigation.
 - d. Maintenance of the landscaping.
14. Delineate the land to be retained for future expansions and/or open space, the purpose of which shall be noted along with any other reasonable explanation of the use of that land.
15. Provide elevations of any proposed structures from all sides, if known at this stage of review.
16. Provide the name and complete address of the property owner, the developer if different than the owner, and the person(s) who prepared the site plan.

17. Provide accessory documents as follows:

- a. Preliminary soils information for the site.
- b. Geologic information for the site.
- c. Preliminary drainage study.
- d. Preliminary grading plan.
- e. Proposed utilities for the intended use.
- f. Legal description of the property.
- g. Copy of protective covenants (if applicable).
- h. Proof of ownership.
- i. Proof of water availability for the site.
- j. Proof of ownership of mineral and surface rights on the site.
- k. A general development schedule and general phasing plan when the entire site is not to be developed at one time.

18. Provide any reasonable additional information needed and requested by the Planning Staff to help process the Plan.

D. Final Site Development Plan Criteria. A Final Site Development Plan shall be prepared in accordance with the following criteria:

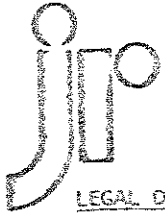
1. Draw the Plan at a scale of 1" = 100', 1" = 200' or another scale approved by the Planning Director which clearly shows the entire project and site characteristics.
2. Draw on sheets with outside dimensions of 24" x 36" in size. Multiple sheets may be used as long as a cover sheet is included which indexes the various pages used. Sheets shall be oriented so that the horizontal dimension is the larger dimension (36") with any title block provided in the lower right hand corner.
3. Provide north arrow and scale.
4. Indicate the name of the proposed development and submittal phase in the top center of the sheet.
5. Provide a vicinity map showing the relationship of the site to the surrounding area within a two (2) mile radius.
6. Itemize the gross acreage, lot acreage, net acreage, number of dwelling units or other structures/uses involved.
7. Provide the location, dimension, and square footage of all proposed buildings and other structures on the site, inclusive of signs.

8. Delineate parking areas, public and private roadways, rights-of-way, points of ingress and egress; all properly dimensioned and surfacing materials noted.
 9. Indicate any land to be retained as open space and/or areas for future expansion, the purposes for which they are to be used, and an explanation of how the open space will be preserved and maintained.
 10. Provide a full legal description of the proposed site.
 11. Designate all known and proposed easements and their locations, dimensions, and uses.
 12. Provide proper title block, certifications, dedications, and acknowledgements, when applicable.
 13. Provide accessory documents as follows:
 - a. A final grading and drainage plan.
 - b. A final landscaping plan.
 - c. A general development schedule and general phasing plan when the site is not to be developed at one time.
 - d. A copy of protective covenants (if applicable).
 14. Provide any reasonable additional information suggested by the Planning Staff to aid in the review of the Plan by the Board of County Commissioners or Planning Commission.
- E. Preliminary Site Development Plan Submittal Procedure. A Preliminary Site Plan shall be submitted concurrently with a Preliminary Plat when the provisions of this Section require that such Plan be submitted. The Preliminary Site Development Plan and Preliminary Plat together shall follow the submittal and approval procedure established in Section VIII ("Preliminary Plan") of the Douglas County Subdivision Regulations and as provided in Section XVII of this Development Guide. County Commissioners' approval of the Preliminary Plat shall include approval of the Preliminary Site Development Plan.
- F. Final Site Development Plan Submittal Procedure. A Final Site Development Plan shall be submitted concurrently with a Final Plat when the provisions of this Section require that such Plan be submitted. The Final Site Development Plan and Final Plat together shall follow the submittal and approval procedure established in Section IX ("Final Plat") of the Douglas County Subdivision Regulations and as provided in Section XVII of this Development Guide. County Commissioners' approval of the Final Plat shall include approval of the Final Site Development Plan.

SECTION XVII

ZONING AND PLATTING PROCEDURE

- A. Purpose. The purpose of this Section is to clarify the process wherein Cottonwood shall be approved by the Commissioners of Douglas County in preparation for development.
- B. Approval Process.
1. Master Plan: The Master Plan for Cottonwood was approved by the Board of County Commissioners on November 13, 1974. The Plan, as approved, established Land Use Areas, densities, total dwelling units, and major arterials within Cottonwood.
 2. Development Guide/Development Plan: The Development Guide and Plan will establish standards for the development of Cottonwood, and propose revisions to the original Master Plan. The Guide and Plan will be reviewed by the Planning Commission and passed to the County Commissioners for action. Commissioners' approval of the Guide and Plan will pave the way for New Communities Application and Amended Master Plan.
 3. New Communities Application: A New Communities Application will be submitted in accordance with Douglas County Zoning Resolution. Following the required referral period, the Planning Commission will make a recommendation on the Application and pass it to the County Commissioners for action. Commissioners' approval of the New Communities Application will permit review and action on all remaining zoning and platting submittals.
 4. Amended Master Plan: The Amended Master Plan will be submitted concurrently with or after submittal of the New Communities Application. The Plan will incorporate all information shown on the Development Plan which is approved as part of the Development Guide. The Planning Commission will make a recommendation on the Amended Master Plan after it has favorably recommended the New Communities Application to the County Commissioners. Commissioners' approval of the Amended Master Plan will not occur until after their approval of the New Communities Application. The Amended Master Plan, once approved, will supersede the original Master Plan.
 5. First Filing-Preliminary Plat: A Preliminary Plat for the first filing will be submitted concurrently with or after submittal of the New Communities Application and Amended Master Plan. The Preliminary Plat will be prepared in accordance with the Douglas County Subdivision Regulations. Following the required referral period and after favorable recommendation of the Amended Master Plan, the Planning Commission will make a recommendation on the Preliminary Plat. The Plat will then pass to the County Commissioners for action. Commissioners' approval of the Preliminary Plat will not occur until after their approval of the New Communities Application and Amended Master Plan.



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SECTION XVIII

LEGAL DESCRIPTION

JOB NO. 973
SEPTEMBER 3, 1980
SHEET 1 OF 2

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN SECTIONS 4, 5, AND 9, TOWNSHIP 6 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 5, SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE N88°15'40"E AND ALONG THE NORTH LINE OF SAID SECTION 4 A DISTANCE OF 241.68 FEET TO THE SOUTHEAST CORNER OF SECTION 32, TOWNSHIP 5 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN; THENCE N88°16'26"E AND ALONG THE NORTH LINE OF SAID SECTION 4 A DISTANCE OF 255.97 FEET TO A POINT ON THE WEST BANK OF CHERRY CREEK; THENCE S41°11'57"W AND ALONG THE WEST BANK OF CHERRY CREEK A DISTANCE OF 380.00 FEET; THENCE S19°11'57"W A DISTANCE OF 628.00 FEET; THENCE S26°13'57"W A DISTANCE OF 61.00 FEET TO A POINT ON THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 5; THENCE S00°51'03"E AND ALONG THE EAST LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 5 A DISTANCE OF 389.88 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 5; THENCE N87°57'09"E A DISTANCE OF 2567.29 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 4, ALSO BEING A POINT ON THE WEST LINE OF A PARCEL OF LAND DESCRIBED IN BOOK 304 AT PAGE 694; THENCE S01°08'14"E AND ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 4, ALSO BEING THE WEST LINE OF THE ABOVE DESCRIBED PARCEL A DISTANCE OF 37.80 FEET; THENCE N88°08'39"E AND ALONG THE SOUTH LINE OF THE ABOVE DESCRIBED PARCEL A DISTANCE OF 273.16 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY NO. 83; THENCE SOUTHEASTERLY AND ALONG THE SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING 5 COURSES:

- 1) S29°30'57"E A DISTANCE OF 238.73 FEET.
- 2) N50°29'03"E A DISTANCE OF 15.00 FEET.
- 3) S29°30'57"E A DISTANCE OF 1029.29 FEET TO A POINT OF CURVE.
- 4) ALONG THE ARC OF A CURVE RIGHT HAVING A DELTA OF 03°48'02", A RADIUS OF 5680.00 FEET, A DISTANCE OF 376.77 FEET TO A POINT OF TANGENT.
- 5) S25°42'55"E A DISTANCE OF 1505.94 FEET;

THENCE S87°41'22"W AND ALONG A LINE 240.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTH ONE-HALF OF THE SOUTH ONE-HALF OF SAID SECTION 4 A DISTANCE OF 4105.09 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF THE COLORADO AND SOUTHERN RAILROAD; THENCE S28°50'25"E AND ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 4181.85 FEET TO A POINT ON THE EAST-WEST CENTERLINE OF SAID SECTION 9; THENCE S87°44'42"W AND ALONG SAID EAST-WEST CENTERLINE A DISTANCE OF 2163.90 FEET TO THE WEST ONE-QUARTER CORNER OF SAID SECTION 9; THENCE N02°03'40"W AND ALONG THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 9 A DISTANCE OF

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 SEPTEMBER 3, 1980
 SHEET 2 OF 2

2651.58 FEET TO THE NORTHWEST CORNER OF SAID SECTION 9; THENCE S87°49'16"W AND ALONG THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 5 A DISTANCE OF 2605.67 FEET TO THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 5; THENCE S87°50'09"W AND ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 5 A DISTANCE OF 2650.46 FEET; THENCE N01°27'22"W AND ALONG THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 5 A DISTANCE OF 2681.24 FEET TO THE WEST ONE-QUARTER CORNER OF SAID SECTION 5; THENCE N88°06'07"E AND ALONG THE NORTH LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 5 A DISTANCE OF 2637.34 FEET TO THE CENTER ONE-QUARTER CORNER OF SAID SECTION 5; THENCE N01°44'06"W AND ALONG THE WEST LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 5 A DISTANCE OF 2644.27 FEET TO THE NORTH ONE-QUARTER CORNER OF SAID SECTION 5 WHICH IS 1.23 FEET NORTH OF A 1 1/2" STEEL PIPE; THENCE N88°19'56"E AND ALONG THE NORTH LINE OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 5 A DISTANCE OF 260.31 FEET TO THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 32; THENCE N88°15'40"E AND ALONG THE NORTH LINE OF SAID SECTION 5 A DISTANCE OF 2426.97 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 837.178 ACRES.

I, JAMES R. FRAKER, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT I HAVE PREPARED THE ABOVE LEGAL DESCRIPTION.

James R. Fraker
 REGISTERED LAND SURVEYOR 110377
 LAND SURVEYOR
 STATE OF COLORADO