

ORDINANCE NO. 3.36

AN ORDINANCE AMENDING  
THE ZONING DISTRICT MAP OF THE  
TOWN OF LARKSPUR, COLORADO

WHEREAS, the Town Planning Commission and Town Council of Larkspur, Colorado have previously held public hearings, at which time they approved the provisional rezoning to Planned Unit Development (P.U.D.), of certain real property located in the Town of Larkspur, which property is legally described on Exhibit "A" attached hereto and incorporated herein by this reference ("Property"); and

WHEREAS, the Town Planning Commission and Town Council have previously held public hearings at which time they approved final P.U.D. ordinances with respect to certain use areas as more particularly set forth in those ordinances; and

WHEREAS, an application was subsequently made to amend certain portions of the site plan previously approved, requesting the enactment of a final P.U.D. ordinance with respect to the future (F area), and further requesting the alteration of the boundaries of the various use areas which had been previously approved as set forth in Ordinance No. 3.05, enacted on March 5, 1980.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LARKSPUR, COLORADO as follows:

Section 1. The permitted uses of the Property shall be as set forth in the Amended Final Site Plan submitted herewith and incorporated herein by this reference (the "Plan"). The Property shall be divided into six use areas, which are generally demarcated on the Plan, and are individually described on Exhibits B, C, D, E, F, and G attached hereto and incorporated herein by reference. These areas are Parking, Camping, Administration-Camping, Exhibit, Well Site, and Open Space.

Section 2. The Parking Area shall have the following permitted uses:

- a. Motor vehicle parking (during festival period only)

- b. Access roads
- c. Entry and exit signs and facades (during festival period only)
- d. Two check-in booths (500 square feet each maximum).

Section 3. The Exhibition Area shall have the following permitted uses:

- a. Art, crafts, trade exhibitions and seminars
- b. Theme related equestrian events
- c. Sales and preparation facilities for food and drink (on site activity only)
- d. Workshops and equipment storage facilities. No offices or residences
- e. Ticket sales facilities
- f. Shops and stands for sale of activity related items
- g. Stages and backdrops for theatrical performances
- h. Playgrounds and gaming areas
- i. Principal identification signs not extending more than thirty-five (35) feet above ground level and not over 300 square feet in size
- j. Directional and identifying signs as needed (not to exceed fifty (50) square feet per sign.

Section 4. The Camping Area shall have the following permitted uses:

- a. Limited participant camping permitted in designated and cleared camp areas during festival period only (not more than 60 days prior to the annual festival opening date nor more than 72 hours after the annual festival closing date). Each Camping Area shall be less than 600 square feet. Participant camping shall be permitted only at such times as full time on-site security is provided. The use of this area is primarily intended for tent camping. Motor homes, campers, and camp trailers are permitted provided no dumping or draining of sewage from such motor homes, campers or camp trailers is permitted. Temporary chemical outdoor sanitation facilities, shall be provided at all times that

participant camping is permitted, pursuant to this ordinance.

- b. Directional and identifying signs as needed (not to exceed six square feet per sign).

Section 5. The Administrative Camping area shall have the following permitted uses:

- a. Directional and identifying signs as needed (not to exceed six (6) square feet per sign)
- b. Administrative offices
- c. Workshops
- d. Equipment storage facilities
- e. Employee dwellings (not to exceed 3 in number)
- f. Limited participant camping permitted in designated and cleared camp areas during festival period only (not more than 60 days prior to the annual festival opening date nor more than 72 hours after the annual festival closing date). Each Camping Area shall be less than 600 square feet. Participant camping shall be permitted only at such times as full time on-site security is provided. The use of this area is primarily intended for tent camping. Motor homes, campers, and camp trailers are permitted provided no dumping or draining of sewage from such motor homes, campers or camp trailers is permitted. Temporary chemical outdoor sanitation facilities, shall be provided at all times that participant camping is permitted, pursuant to this ordinance.

Section 6. The Open Space Area shall have the following permitted uses:

- a. Area to be preserved in its natural state
- b. Spectator and participant access into the green belt open space area is prohibited.
- c. Fires of any kind within the green belt open space area are prohibited

Section 7. Traffic Study.

- a. The Colorado Renaissance Festival, Inc. shall complete a traffic study, at its own cost, utilizing the engineering firm of Felsberg-Holt Associates, no later than 30 days after the last date of the 1986 Renaissance Festival in Larkspur, Colorado.
- b. In addition to the cost of the traffic study, the Festival shall pay the costs of recommended traffic improvements up to the sum of \$20,000.00. The recommended improvements shall be completed prior to the opening date of the Renaissance Festival in calendar year 1987.
- c. In the event that the cost of implementation exceeds the sum of \$20,000.00, the Festival and the Town shall negotiate the amount, if any, to be contributed by each party, in excess of the \$20,000.00 to be expended by the Festival for traffic improvements.

Section 8. Drainage. The Colorado Renaissance Festival, Inc. shall implement the drainage plan prepared by Jerald S. Fiefield dated June 27, 1985 and previously submitted to the Town. The drainage plan shall be implemented in accordance with the schedule set forth in the aforesaid Plan, except that the detention pond referred to in the Fiefield study shall be completed on or before May 15, 1986 instead of the date originally set forth in the plan.

Section 9. Landscaping. The Colorado Renaissance Festival, Inc. shall implement the landscaping plan prepared by David E. Ranson and previously submitted to the Town. The landscaping plan shall be implemented in accordance with the schedule set forth in the aforesaid Plan.

Section 10. In the event that the Town, in its reasonable discretion, determines that the extension of water lines is necessary to the western or northern boundary of the Renaissance Festival property or the western boundary of the adjoining 82.10 acre tract to the west, commonly known as the "Summerfest Property", the Town shall so notify the Colorado Renaissance Festival, Inc., and the Colorado Renaissance Festival shall complete the extension

of such water lines in accordance with Town specifications in a timely manner.

Section 11. Period of Operation. The period of operation of the Colorado Renaissance Festival, Inc. shall be during the months of June, July and August of each year and the Festival shall not be conducted for more than fifteen (15) days during said period without the express written approval of the Town Council of the Town of Larkspur, Colorado.

Section 12. The Colorado Renaissance Festival, Inc. shall make adequate provisions for traffic, participant, spectator, security, fire control and emergency medical treatment. Consequently, the Colorado Renaissance Festival, Inc., shall, prior to the March Town Council meeting of each year, submit to the Town Council for review, regulations governing participants, and shall submit to the Town Council, for approval, plans for (a) traffic control and (b) dust control. Further, prior to the March Town Council meeting of each year, the Colorado Renaissance Festival shall submit to the Larkspur Fire Protection District, for approval, plans for fire control and emergency medical treatment, and shall submit to the entity providing police protection within the Town, for approval, plans for security. All approvals must be granted by the April Town Council meeting of each year, and written evidence thereof shall be submitted to the Town Council by that date.

Section 13. The Festival shall submit a report on or before January 15 of each year beginning with 1986 with regard to the implementation of the drainage and landscaping plans referred to above.

Section 14. The document entitled Amended Final Site Plan Colorado Renaissance Festival, a Final Site Plan and Amendments Thereto, dated April 10, 1985, as subsequently amended and all markings and notations thereon are made a part hereof as if fully set forth herein.

Section 15. Future Expansions. Any future expansion of the exhibition area, including the placement or construction of additional booths or the use of additional space within the

exhibition area for festival activity, shall require the certification of a registered surveyor certifying that the proposed additional booth or additional exhibit space is located within the approved exhibition area. This certification shall be furnished to the Town prior to the issuance of a building permit.

Section 16. Electronic Sound Amplification of any type is prohibited within the Planned Unit Development.

Section 17. All portions of Ordinances Nos. 3.05, 3.06, 3.07, 3.08, and 3.09, which are not inconsistent with the provisions hereof, are hereby incorporated by reference and made a part hereof, and all portions of said ordinances which are not consistent with the provisions hereof are repealed.

Section 18. Nothing in this ordinance shall be construed to affect any right, duty or liability under any ordinances in effect prior to the effective date of this ordinance, and the same shall be continued and concluded under such prior ordinances.

Section 19. It is hereby declared to be the intention of the Town Council that each and every part of this ordinance is severable, and if any term, phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance since the same would have been enacted by the Town Council without the incorporation in this ordinance of any such unconstitutional or invalid term, phrase, clause, sentence, paragraph or section.

Section 20. This ordinance shall not become effective until such time as the Town Council of Larkspur, Colorado is furnished with written evidence of the landowner's acquiescence to the subject rezoning request and until the Amended Final Site Plan has had all signatures properly affixed thereto and has been recorded at the office of the Clerk and Recorder of Douglas County, Colorado.

Introduced as an Ordinance at a regular meeting of the Town Council of the Town of Larkspur, Colorado, on the 4th day of December, 1985, and passed by a vote of 7 for and 0 against, and ordered published.

  
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Mayor

ATTEST:

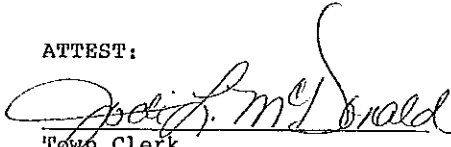
  
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Town Clerk

EXHIBIT "A"  
TO ORDINANCE NO. 3.36

PROPERTY DESCRIPTION:

A tract of land situated in Section 33, Township 9 South, Range 67 West of the 6th Principal Meridian, Douglas County, Colorado, more particularly described as follows:  
Commencing at the Northwest corner of said Section 33 and considering the West line of said Section 33 to S 01°02'22"W with all bearing contained herein relative thereto;  
Thence S 01°02'22"W along said West line a distance of 265.82 feet to a point on the South Right of Way line of County Road No. 60 and to the true point of beginning;  
Thence S 43°41'21"E along said South Right of Way line a distance of 283.18 feet;  
Thence S 52°54'24"E along said South Right of Way line a distance of 58.07 feet;  
Thence S 89°32'46"E along said South Right of Way line a distance of 2920.63 feet;  
Thence S 01°02'22"E a distance of 3533.84 feet;  
Thence N 89°18'33"W a distance of 503.19 feet to the Southeast corner of the North  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of said Section 33;  
Thence N 89°18'33"W a distance of 2663.58 feet to the Southwest corner of said North  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$ ;  
Thence N 01°02'22"E along the West line of Section 33 a distance of 3758.62 feet to the true point of beginning.  
Containing 257.068 acres, more or less.



EXHIBIT "B"  
TO ORDINANCE NO. 3.36

PROPERTY DESCRIPTION: (Area P)

A tract of land situated in Section 33, Township 9 South, Range 67 West of the 6th Principal Meridian, Town of Larkspur, Douglas County, Colorado, more particularly described as follows:

Commencing at the Northwest corner of said Section 33 and considering the West line of said Section 33 to bear S 01°02'22"W with all bearings contained herein relative thereto;

Thence S 01°02'22"W along said West line a distance of 265.82 feet to a point on the South Right of Way line of County Road No. 60 and to the true point of beginning;

Thence S 43°41'21"E along said South Right of Way line a distance of 283.18 feet;

Thence S 52°54'24"E along said South Right of Way line a distance of 58.07 feet;

Thence S 89°32'46"E along said South Right of Way line a distance of 2890.63 feet;

Thence S 01°02'22"W a distance of 1100.00 feet;

Thence N 89°32'46"W a distance of 750.00 feet;

Thence N 01°02'22"E a distance of 657.41 feet;

Thence N 88°35'10"W a distance of 1652.98 feet;

Thence N 57°29'19"W a distance of 282.50 feet;

Thence N 89°32'46"W a distance of 492.89 feet to the West line of said Section 33;

Thence N 01°02'22"E along said West line a distance of 502.82 feet to the point of beginning;

Containing 40.728 acres, more or less.

EXHIBIT "C"  
TO ORDINANCE NO. 3.36

PROPERTY DESCRIPTION: (Area GC) Camping

A tract of land situated in Section 33, Township 9 South, Range 67 West of the 6th Principal Meridian, Town of Larkspur, Douglas County, Colorado, more particularly described as follows:

Commencing at the Northwest corner of said Section 33 and considering the West line of said Section 33 to bear S 1°02'22"W with all bearings contained herein relative thereto;

Thence S 1°02'22"W along said West line a distance of 265.82 feet to a point on the South Right of Way line of County Road No. 60;

Thence S 43°41'21"E along said South Right of Way line a distance of 283.18 feet;

Thence S 52°54'24"E along said South Right of Way line a distance of 58.07 feet;

Thence S 89°32'46"E along said South Right of Way line a distance of 2890.63 feet;

Thence S 1°02'22"W a distance of 1100.00 feet to the true point of beginning;

Thence continuing S 1°02'22"W a distance of 590.00 feet;

Thence N 89°32'46"W a distance of 750.00 feet;

Thence N 1°02'22"E a distance of 590.00 feet;

Thence S 89°32'46"E a distance of 750.00 feet to the point of beginning;

Containing 10.158 acres.

EXHIBIT "D"  
TO ORDINANCE NO. 3.36

PROPERTY DESCRIPTION: (Area A-Admin/Camp)

A tract of land situated in Section 33, Township 9 South, Range 67 West of the 6th Principal Meridian, Town of Larkspur, Douglas County, Colorado, more particularly described as follows:

Commencing at the Northwest corner of said Section 33 and considering the West line of said Section 33 to bear S 1°02'22"W with all bearings contained herein relative thereto;

Thence S 1°02'22"W along said West line a distance of 265.82 feet to a point on the South Right of Way line of County Road No. 60;

Thence S 43°41'21"E along said South Right of Way line a distance of 283.18 feet;

Thence S 52°54'24"E along said South Right of Way line a distance of 58.07 feet;

Thence S 89°32'46"E along said South Right of Way line a distance of 2890.63 feet;

Thence S 1°02'22"W a distance of 1690.00 feet;

Thence N 89°32'46"W a distance of 750.00 feet to the true point of beginning;

Thence continuing N 89°32'46"W a distance of 625.00 feet;

Thence N 1°02'22"E a distance of 500.00 feet;

Thence S 89°32'46"E a distance of 625.00 feet;

Thence S 1°02'22"W a distance of 500.00 feet to the true point of beginning;

Containing 7.174 acres, more or less.

EXHIBIT "E"

TO ORDINANCE NO. 3.36

PROPERTY DESCRIPTION: (Area E)

A tract of land situated in Section 33, Township 9 South, Range 67 West of the 6th Principal Meridian, Town of Larkspur, Douglas County, Colorado, more particularly described as follows:

Commencing at the Northwest corner of said Section 33 and considering the West line of said Section 33 to bear S 01°02'22"W with all bearings contained herein relative thereto;

Thence S 01°02'22"W along said West line a distance of 265.82 feet to a point on the South Right of Way line of County Road No. 60;

Thence continuing S 01°02'22"W a distance of 502.82 feet to the true point of beginning;

Thence S 89°32'46"E a distance of 492.89 feet;

Thence S 57°29'19"E a distance of 282.50 feet;

Thence S 88°35'10"E a distance of 1652.98 feet;

Thence S 01°02'22"W a distance of 747.41 feet;

Thence N 89°32'46"W a distance of 625.00 feet;

Thence S 01°02'22"W a distance of 790.40 feet;

Thence S 89°32'46"E a distance of 100.00 feet;

Thence S 01°02'22"W a distance of 264.60 feet;

Thence N 89°32'46"W a distance of 1075.00 feet;

Thence N 01°02'22"E a distance of 900.00 feet;

Thence N 51°05'02"W a distance of 996.83 feet to the West line of said Section 33;

Thence N 01°02'22"E along said West line a distance of 460.00 feet to the point of beginning;

Containing 65.475 acres, more or less.

EXHIBIT "F"

TO ORDINANCE NO. 3.36

PROPERTY DESCRIPTION: (well site)

Tract A, Colorado Renaissance Festival, Douglas County, Colorado, recorded May 5, 1980, per Reception Number 252500.

Said Tract situated in Section 33, Township 9 South, Range 67 West of the 6th Principal Meridian, Town of Larkspur, Douglas County, Colorado, more particularly described as follows:

Commencing at the Northwest corner of said Section 33 and considering the West line of said Section 33 to bear S 01°02'22"W with all bearings contained herein relative thereto;

Thence S 01°02'22"W along said West line a distance of 265.82 feet to a point on the South Right of Way line of County Road No. 60;

Thence S 43°41'21"E along said South Right of Way line a distance of 283.18 feet;

Thence S 52°54'24"E along said South Right of Way line a distance of 58.07 feet;

Thence S 89°32'46"E along said South Right of Way line a distance of 2920.63 feet;

Thence S 01°02'22"W a distance of 1690.00 feet;

Thence N 89°32'46"W a distance of 655.00 feet to the point of beginning;

Thence continuing N 89°32'46"W a distance of 750.00 feet;

Thence S 01°02'22"W a distance of 290.40 feet;

Thence S 89°32'46"E a distance of 750.00 feet;

Thence N 01°02'22"E a distance of 290.40 feet to the point of beginning;

Containing 5.000 acres, more or less.

EXHIBIT "G"  
TO ORDINANCE NO. 3.36

PROPERTY DESCRIPTION: (area G0) Open

A tract of land situated in Section 33, Township 9 South, Range 67 West of the 6th Principal Meridian, Douglas County, Colorado, more particularly described as follows:

Commencing at the Northwest corner of said Section 33 and considering the West line said Section 33 to bear S 1°02'22"W with all bearings contained herein relative thereto;

Thence S 1°02'22"W along said West line a distance of 265.82 feet to a point on the South Right of Way line of County Road No. 60;

Thence S 43°41'21"E along said South Right of Way line a distance of 283.18 feet;

Thence S 52°54'24"E along said South Right of Way line a distance of 58.07 feet;

Thence S 89°32'46"E along said South Right of Way line a distance of 2890.63 feet to the true point of beginning;

Thence continuing S 89°32'46"E along said South Right of Way line a distance of 30.00 feet;

Thence S 1°02'22"W a distance of 3533.84 feet;

Thence N 89°18'33"W a distance of 503.19 feet to the Southeast corner of the North ½ of the Southwest ¼ of said Section 33;

Thence N 89°18'33"W a distance of 2663.58 feet to the Southwest corner of said North ½ of the Southwest ¼;

Thence N 1°02'22"E along the West line of said Section 33 a distance of 2795.80 feet;

Thence S 51°05'02"E a distance of 996.83 feet;

Thence S 1°02'22"W a distance of 900.00 feet;

Thence S 89°32'46"E a distance of 1075.00 feet;

Thence N 1°02'22"E a distance of 264.60 feet;

Thence S 89°32'46"E a distance of 650.00 feet;

Thence N 1°02'22"E a distance of 290.40 feet;

Thence S 89°32'46"E a distance of 625.00 feet;

Thence N 01°02'22"E a distance of 1690.00 feet to the point of beginning;

Containing 128.534 acres, more or less.

*W.E.A.*