

~~FIFTH~~ SIXTH AMENDED PUD GUIDE FOR EAGLE RANCH PLANNED UNIT DEVELOPMENT

Amended and Approved
~~March 14, 2017~~ ADD IN DATE OF APPROVAL

This document supersedes and replaces the ~~Eagle Ranch PUD Guide February 26, 2013~~, December 3, 1998, the Amended PUD Guide dated February 13, 2001, the Amended PUD Guide dated August 2003, ~~and~~ the Amended PUD Guide dated March 30, 2004, Eagle Ranch PUD Guide February 26, 2013, and the Amended PUD Guide dated March 14, 2017.

1. PURPOSE

The purpose of the Eagle Ranch PUD Guide is to serve as the governing regulations which will control the development of the Eagle Ranch PUD. The PUD Guide will serve as the “Zone District Regulations” for the PUD and is in conformance with ~~Section 4.11.030 of~~ the Town of Eagle Land Use and Development Code.

The Eagle Ranch PUD authorizes ~~a total of 1,295 dwelling units, 120,000 square feet of commercial floor area, 175,200 gross square feet of additional commercial area limited to medical facility uses, and 150,000 square feet of additional floor area limited to senior care uses, a mixed-use development~~ on 1,967.91 acres of land within the Town of Eagle, Eagle County, Colorado. Development within the PUD is administered by the Town of Eagle through the provisions of this PUD Guide. Building construction within the PUD is governed by the applicable Town of Eagle ordinances, rules, regulations and codes. Approval of this plan constitutes a vested property right pursuant to section 24-68-103, C.R.S., as amended.

2. DEFINITIONS

Unless otherwise defined below, all terms used in this document shall be as defined by the Town of Eagle Land Use Regulations.

~~A. Accessory Apartment:~~

Accessory apartment to owner-occupied single-family dwelling means an individual dwelling unit subordinate to, and contained within or adjacent to, a single-family dwelling as may be further regulated in the Eagle Ranch Design Guidelines, subject to the following requirements:

1. The accessory apartment will be a complete, separate housekeeping unit.
2. The owners of the residence in which the accessory unit is created shall occupy at least one of the dwelling units on the premises except for temporary absences, during which time the owner-occupied dwelling unit shall remain unoccupied.
3. The accessory unit shall not exceed 850 square feet of floor area (as defined herein) with a maximum of one-bedroom.
4. The Executive Board of the Eagle Ranch Property Owners Association may adopt additional rules, regulations, and guidelines regulating accessory apartments.

B.—Accommodation Unit:

Any room or group of rooms without a kitchen, used primarily as a bedroom for transient lodging, and accessible from common corridors, walks, or balconies without passing through another accommodation unit or dwelling unit. For purpose of density calculations one dwelling unit shall equal 3 accommodation units.

Bed and Breakfast:

An owner occupied dwelling unit that contains no more than four guest rooms where lodging, with or without meals, is provided for compensation.

Building Height:

The height of a building is measured using an elevated plane above the more restrictive of the existing or finished grade measured along the perimeter of the building or within the building footprint. No portion of the building or structure, except for chimneys may exceed this plane. For multiple family and commercial buildings, non-habitable architectural features such as mechanical appurtenances, chimneys, towers, steeples and similar features may exceed the building height by not more than 15 feet. The elevated plane is determined by the building height limitations contained within this PUD Guide.

BC. — Eagle Ranch PUD:

The Eagle Ranch PUD is a zone district authorized by the Town of Eagle Ordinance No. 5, Series of 1999, and containing the property commonly known as Eagle Ranch.

Floor area:

The floor area within the inside perimeter of the exterior walls of the building under consideration, without deduction for corridors, ramps, closets, the thickness of interior walls, columns, or other features. Floor area shall not include shafts with no openings, interior courts, stairs, mechanical rooms, garages, and decks and porches that are not enclosed.

Floor area, net:

Total floor area minus fifteen percent (15%).

CD. — Bed and Breakfast

~~An owner occupied dwelling unit that contains no more than four guest rooms where lodging, with or without meals, is provided for compensation. Additional parking shall be provided at 1 space per guest room.~~

DE. — Hotel, Motel and Lodge:

A building containing five or more accommodation units intended for temporary occupancy of guests. Accessory uses to these facilities may include offices, laundry facilities, recreation facilities, lobbies, lounges, kitchen and dining facilities, meeting rooms, retail and other similar accessory uses ~~commonly customarily~~ associated with hotels, motels and lodges.

EE. — Planning Parcels:

~~Areas as indicated on the Eagle Ranch PUD Development Plan, the development of which shall be regulated by the Eagle Ranch PUD Guide.~~The PUD Guide originally referred to Planning Parcels but these Planning Parcels have been replaced with references to subdivision plats and condominium maps. The PUD Development Plan has been replaced with a PUD Zone District Map that shows all of the platted parcels within the PUD and their zone designations. Individual subdivision plats and condominium maps can be founded in the public records of the Eagle County Clerk and Recorder.

Seating Area:

The area within the interior of a restaurant or bar that contains tables, chairs, and bar stools used to calculated parking requirements.

3. PUD ZONE DISTRICTS – See ~~attached PUD Development Zone District Map Plan~~ (Exhibit A)

The following are the PUD zone districts for Eagle Ranch. Any use not listed shall be

prohibited unless determined to be a use similar to Uses By Right or Special Use or an accessory or ancillary use to those allowed as determined by the Eagle Ranch Association (or assigns) and the Town of Eagle Community Development Director (or assigns).

Special uses listed herein shall be processed in accordance with the Town of Eagle Municipal Code. No application for special use shall be accepted by the Town unless a written approval has been issued by the Eagle Ranch Association Executive Board or assigns. The Executive Board shall make the following findings when approving a proposal for a special use:

- A. The use is generally compatible with adjacent uses and other uses by right within the district allowed;
- B. The impacts generated by the use are able to be appropriately mitigated; and
- C. The use will likely have a positive impact upon the economic vitality of the district.

1A.Neighborhood Center Commercial District -Parcels A, B, B1, C, D, E, F, G

1. Purpose:

To ~~provide sites for single family and multi-family homes on a variety of lot sizes that will maintain and reinforce the existing small town development pattern, character and architectural heritage of the Town of Eagle and to~~ provide for a neighborhood center which will allow for sites for a variety of commercial, residential, lodging, educational and recreational uses and activities in a mixed- use setting in order to serve the needs of the residents of Eagle. The uses by right in these parcels are intended to allow for flexibility, innovation and site sensitive planning that is responsive to both the design character and the functional requirements of the community.

2. Lots and parcels included:

Lots 1 and 2, Eagle Ranch Filing 28

1020 Capital Street Condominiums including Lot B-3A

Eagle Ranch Live-work Townhomes

Lot 1, Eagle Ranch Filing 11

Castle Peak Condominiums

Addison Center Condominiums

Lot 2, Eagle Ranch Filing 27

Sylvan lake Building Condominiums

Tract A, Lots 1 and 2, Eagle Ranch Filing 30

Fulford Building

Lots 1 and 2, Block 9, Eagle Ranch Filing 5

23. Uses by Right:

- a) Commercial uses including any activity for the purpose of generating retail business or consumer services including retail stores, professional and medical offices and businesses, banks and financial institutions, real estate sales offices, personal services, food and beverage establishments, public and private clubs, and recreation and entertainment uses. Provided, however, at no time shall the gross square footage of all commercial floor areas in all planning parcels within the Eagle Ranch PUD, exclusive of ~~commercial area for use as medical office and related commercial uses on Lot 1 Filing 13, and exclusive of~~ floor area for senior care uses on Lots 1 and 2, 3, 4, Filing 2629, exceed 120,000 square feet. ~~The 120,000 square feet of commercial space permitted by this Section 2a is in addition to the 175,200 square feet of commercial floor area for medical facility uses as provided in Section 2e and the 150,000 square feet of floor area for senior care uses as provided in 2f.~~
- b) ~~*Residential uses including single-family, two-family and multi-family dwellings and apartments. However, the total number of residential units in all planning parcels within the Eagle Ranch PUD, including residential units located in live/work units and in mixed-use residential/commercial structures, shall not at any time exceed 1,295 units.~~
- c) Live/work units, which combine residential and commercial uses in a single building.
- d) ~~**Extended stay and temporary lodging facilities including hotel, motel, and bed and breakfast.~~
- e) ~~Commercial area for use as medical facility not to exceed 175,200 square feet and limited in location to Lot 1 Filing 13. The following uses and ancillary support uses are the only allowed uses on Lot 1 Filing 13. The following uses are allowed under the category of medical uses:~~
 - ~~Medical offices not to exceed 40,000 square feet.~~
 - ~~Adult health day/_assisted/_extended care living facilities not to exceed 63,000 square feet and 90 beds.~~

~~Outpatient services, including urgent care/occupational health/outpatient surgery/pharmacy/lab and waiting and admitting not to exceed 13,000 square feet.~~

~~Inpatient services including birthing center/observation unit/ICU/inpatient bed unit not to exceed 18,500 square feet.~~

~~Support services including dining, food prep, records/administration/service and loading/mechanical/supply, processing and storage not to exceed 11,500 square feet.~~

~~Each of these uses will be allowed a public circulation and fit up factor of 20%, not to exceed the total gross square foot allowance of 175,200. The 175,200 square feet of commercial floor area limited to medical facility uses permitted by this Section 2e is in addition to the 120,000 square feet of commercial floor area as provided for in Section 2a.~~

- ~~f) Without limiting the uses by right related to residential use of the property as otherwise set forth herein, the senior care uses identified in this paragraph 2(f) shall not exceed 150,000 gross square feet and shall be limited in location to Lots 2, 3 and 4, Filing 26. The 150,000 gross square feet of floor area is in addition to the 120,000 square feet of commercial floor area provided in Section 2(a).~~

~~The only uses allowed on Lots 2, 3 and 4, Filing 26 shall be (i) senior care uses as identified below and additional or accessory uses customarily appurtenant to or determined to be incidental thereto; or (ii) 75 residential dwelling units of the type permitted in the Neighborhood Center zone district and additional or accessory uses customarily appurtenant to or determined to be incidental thereto; or (iii) any combination of senior care uses and residential dwelling units as described herein using a conversion factor of 2,000 square feet of senior care use per residential dwelling unit. The foregoing uses shall not diminish the 120,000 square feet of commercial floor area identified in paragraph 2(a) hereof.~~

~~Senior care uses include any combination of independent living, assisted living, skilled nursing, memory care, adult day care, wellness activity center, community center, support services, medical offices, dining facility and food preparation, hair salon, and other uses related and incidental to the provision of senior care services and uses and/or special services for handicap/disabled individuals.~~

- ge) ****Educational facilities including public and private schools, colleges, and elderly care.**

- ~~hf)~~ ******Parking facilities.
- ~~i)~~ ~~Accessory apartment to owner occupied single family dwelling, as defined in Section 2.A. of this PUD Guide not to exceed 700 square feet.~~
- ~~ig)~~ Utility service structures and buildings.
- ~~kh)~~ ******Churches, museums, libraries, firehouses and other governmental services and public buildings.
- ~~hi)~~ Indoor and outdoor recreational facilities.
- ~~mj)~~ Home occupations.
- ~~nk)~~ Parks and open space.
- ~~o)~~ ~~Model homes.~~
- ~~pl)~~ Equestrian, pedestrian and bicycle trails.
- ~~qm)~~ Temporary construction staging areas.
- ~~rn)~~ Additional uses determined to be similar to uses by right listed ~~above~~in this section.
- ~~so)~~ Accessory uses customarily appurtenant to uses by right listed ~~in this section~~above including special events.
- ~~tp)~~ ~~Childcare~~, six or less children in compliance with State regulations.***
- ~~q)~~ Outdoor electric car charging stations.
- ~~r)~~ Veterinary clinic without daycare or overnight boarding of pets, except as necessary for medical treatment, and without crematory facilities.
- ~~s)~~ Pet grooming.
- ~~t)~~ Indoor automotive sales.
- ~~u)~~ Outdoor seasonal Christmas tree sales.

~~* These two family dwellings are limited to Parcels A, B1, C, E, F and G.~~

~~** These uses are limited to Parcels A, B and B-1.~~

~~*** six or less children permitted in Parcels A, B, B1, and D~~

3. Special Uses:

- a) *Any commercial use which involves on site fabrication or manufacture of a product.
 - b) *Any commercial use which requires outdoor storage & display of merchandise except as listed in uses by right.
 - c) *Gasoline service station.
 - ~~d) Outdoor storage of automobiles, recreational vehicles and other large items.~~
 - ~~ed) Childcare of more than six children in compliance with State regulations.~~
 - ~~f) Veterinary clinic, which may or may not include kennel services~~
 - ~~g) Kennel, as defined by the Eagle Town Code~~
- ~~* These uses are limited to Parcels A, B and B-1.~~

4. Minimum Building Setback Requirements:

~~a) Commercial uses:~~

~~There shall be no setback requirements for commercial and mixed use buildings within Parcels accommodating these uses except as may be necessary to accommodate utilities, drainage, access, fire and building code regulations. There shall also be a 50' building setback from minor streams and a 100' building setback from Brush Creek. Uses on Lot 1 Filing 13 shall include a 50' building setback from Sylvan Lake Road, a 25' building setback from all other roads, a 15' building setback from side and rear property lines and a 15' parking setback from Sylvan Lake Road. Senior Care Uses on Lots 2, 3 and 4, Filing 26 have no minimum setback requirements except as may be necessary to accommodate utilities, drainage, access, fire and building code regulations.~~

There shall also be a 50' building setback from minor streams and a 100' building setback from Brush Creek.

~~b) Residential uses:-~~

~~Front: 15 feet.~~

~~Front yard setbacks along MacDonald and Gambel Streets shall be 15' from the property line to the front facade of the building. Porches less than 42" above finish grade and roofs over porches may not be closer than 10' to the front property line. Decks or balconies over porches shall not be closer than 15' to the front property line. Steps to porches may not be closer than 5' to the front property line.~~

~~Side: 5 feet, except in Tract C, G and E the side yard setback is 7.5 feet. Residential buildings on separate lots must maintain a 15' separation from the primary wall planes.~~

~~Rear: 5 feet, except in Tract C, G and E the rear yard setback is 15 feet.~~

~~There shall also be a 50' building setback from minor streams and a 100' building setback from Brush Creek.~~

5. Maximum Building Height:

~~Commercial, public and senior care buildings (uses) shall be limited to not more than two stories, with the exception that:~~

~~(a1) a senior care building located at the intersection of Capitol Street and Sylvan Lake Road, if constructed, shall be limited to not more than three stories and not to exceed a height of 50 feet. Non-habitable architectural features such as mechanical appurtenances, chimneys, towers, steeples and similar features may exceed the commercial building height by not more than 15 feet. In the event a senior care building is planned for the intersection of Capitol Street and Sylvan Lake Road, such senior care building shall include architectural elements and be located on a site plan to provide a focal point at this key intersection within the Neighborhood Center of the Eagle Ranch Planned Unit Development. Any design review of such senior care building will occur as set forth in paragraph 6 (Design Review) of this PUD Guide.~~

~~(ba2) Mixed use commercial and residential buildings may be three stories not to exceed 35-40 feet in height. Non-habitable architectural features such as mechanical appurtenances, chimneys, towers, steeples and similar features may exceed the building height by not more than 15 feet.~~

~~(eb) Multiple family residential buildings, and apartments shall be limited to 35-40 feet in height and a maximum of three stories. Single-family residential structures shall not exceed 24 feet at the plate line of the primary roof form.~~

6. Maximum Lot Coverage:

Commercial, Mixed use, and Multi Family:

Building - 80%

All impervious materials- 100%

Landscape area – No minimum landscape area is required. Adequate landscape areas shall be provided as determined by the Design Review Board on a case by case basis recognizing the urban nature of this district.

~~A minimum of 15% of the portion of the Neighborhood Center as depicted in Exhibit A shall be maintained as landscaped area. Should commercial uses extend outside of the boundaries of Exhibit A, the exhibit shall be considered expanded by the boundaries of the commercial uses.~~

~~Residential Multi Family~~

~~Building 60%~~

~~All impervious materials 80%~~

~~Residential Single Family~~

~~Building 40%~~

~~All impervious materials 60%~~

7. Maximum Density:

The maximum density within the Neighborhood Center Commercial District for multiple family residential parcels shall not exceed 15 dwelling units per acre, except for senior care uses and residential uses as identified in Section 3.A1.2(f) shall be limited to 160 units which is approximately 15 units per acre for the entire area of the district.

B. Neighborhood Center Residential District

1. Purpose:

To provide sites for single family homes, townhomes, and multi-family units on a variety of lot sizes that will maintain and reinforce the existing small town development pattern, character and architectural heritage of the Town of Eagle. Also included are medical and senior care facilities.

2. Lots and parcels included:

Macdonald Street Townhomes, Phases 1 and 2, including Tracts A-D

Redstone Townhomes

Founders Place Condominiums

Eagle Ranch Filing 2, Block 4 (Village Homes)

Eagle Ranch Filing 3, Tract B-4 (School)

Eagle Ranch Filing 6, Block 10

Eagle Ranch Filing 7 (Village Homes)

Eagle Ranch Filing 13 (Medical Center)

Eagle Ranch Filing 15 (Newquist Street)

Eagle Ranch Filing 16 (Horton Street)

Eagle Ranch Filing 17 (Seabry Street)

Eagle Ranch Filing 18 (Village Homes)

Eagle Ranch Filing 23 (Aidens Meadow)

Eagle Ranch Filing 26, Tract A (Open Space)

Eagle Ranch Filing 29 (Castle Peak)

Sylvan Square Condominiums

Gambel Street Townhomes

Castle View Townhomes

West Village Condominiums

Frontgate Townhomes

3. Uses by Right:

- a) Residential uses including single-family, two-family and multi-family dwellings and apartments.
- b) Medical facility not to exceed 175,200 square feet and limited in location to Lot 1 Filing 13. The following uses and ancillary support uses are the only allowed uses on Lot 1 Filing 13. The following uses are allowed under the category of medical uses:
 - i. Medical offices not to exceed 40,000 square feet.
 - ii. Adult health day / assisted / extended care living facilities not to exceed 63,000 square feet and 90 beds.
 - iii. Outpatient services, including urgent care /occupational health / outpatient surgery / pharmacy / lab and waiting and admitting not to exceed 13,000 square feet.
 - iv. Inpatient services including birthing center/observation unit / ICU / inpatient bed unit not to exceed 18,500 square feet.
 - v. Support services including dining, food prep, records / administration / service and loading / mechanical / supply, processing and storage not to exceed 11,500 square feet.

Each of these uses will be allowed a public circulation and fit up factor of 20%, not to exceed the total gross square foot allowance of 175,200.

- c) Senior care facility not exceeding 150,000 gross square feet and shall be limited in location to Lots 1, 2, and 3 of Filing 29.

The only uses allowed on Lots 1, 2, and 3, Filing 29 shall be (i) senior care uses as identified below and additional or accessory uses customarily appurtenant to or determined to be incidental thereto; or (ii) 75 residential dwelling units of the type permitted in the Neighborhood Center Residential District and additional or accessory uses customarily appurtenant to or determined to be incidental thereto; or (iii) any combination of senior care

uses and residential dwelling units as described herein using a conversion factor of 2,000 square feet of senior care use per residential dwelling unit.

Senior care uses include any combination of independent living, assisted living, skilled nursing, memory care, adult day care, wellness activity center, community center, support services, medical offices, dining facility and food preparation, hair salon, and other uses related and incidental to the provision of senior care services and uses and/or special services for handicap/disabled individuals.

- d) Educational facilities including public and private schools, colleges, and elderly care.
- e) Parking facilities.
- f) Accessory apartment
- g) Utility service structures and buildings.
- h) Churches, museums, libraries, firehouses and other governmental services and public buildings.
- i) Indoor and outdoor recreational facilities.
- j) Home occupations.
- k) Parks and open space.
- l) Equestrian, pedestrian and bicycle trails.
- m) Temporary construction staging areas.
- n) Additional uses determined to be similar to uses by right listed in this section.
- o) Accessory uses customarily appurtenant to uses by right listed in this section including special events.
- p) Childcare six or less children in compliance with State regulations.
- q) Outdoor electric car charging stations.

4. Special Uses:

- a) Childcare of more than six children in compliance with State regulations.

5. Minimum Building Setback Requirements:

Front: 15 feet.

Front yard setbacks along MacDonald and Gambel Streets shall be 15' from the property line to the front facade of the building. Porches less than 42" above finish grade and roofs over porches may not be closer than 10' to the front property line. Decks or balconies over porches shall not be closer than 15' to the front property line. Steps to porches may not be closer than 5' to the front property line.

Side: 5 feet, except in Tract C, G and E the side yard setback is 7.5 feet. Residential buildings on separate lots must maintain a 15' separation from the primary wall planes.

Rear: 5 feet, except in Tract C, G and E the rear yard setback is 15 feet.

There shall be a 50' building setback from minor streams and a 100' building setback from Brush Creek.

6. Maximum Building Height:

- a) A senior care building located on Lots 1 and 2, Filing 29 shall be limited to not more than three stories and 50 feet.
- b) Residential buildings shall be limited to 35 feet.
- c) The medical facility located in Eagle Ranch Filing 13 shall be limited to 35 feet.

7. Maximum Lot Coverage:

Medical facility, Senior Care, and Educational facility:

Building - 80%
All impervious materials- 100%

Residential Multi Family:

Building 60%
All impervious materials - 80%

Residential Single Family:

Building 40%
All impervious materials - 60%

8. Maximum Density:

See Section 4 Density Control. Except for the Senior Care facility located in Eagle Ranch Filing 29, the remainder of this district has no additional density available beyond what has already been subdivided.

BC2. Residential Parcels District H, I, J, K, L, M, N, O, P, P1, Q, R, S, Tracts 1, 2, 3, 4, 5, 6, and 7

1. Purpose:

To provide sites for low density single-family home sites.

2. Lots and parcels included:

Eagle Ranch Filing 1 (Abrams Creek, Lime Park, Haystacker)

Eagle Ranch Filing 3 (Abrams Creek, Robins Egg)

Eagle Ranch Filing 4 (Bunkhouse, Eagle Ranch Road)

Eagle Ranch Filing 8 (Hernage Creek)

Eagle Ranch Filing 14 (Eagle Ranch Road)

Eagle Ranch Filing 21 (Haystacker)

Eagle Ranch Filing 22 (Fourth of July)

Eagle Ranch Filing 24 (East Haystacker)

Eagle Ranch Filing 25 (Haystacker)

23. Uses by Right:

- a) Single-family dwelling ~~u-n-i-t-u-n-i-t-s~~ units not to exceed 7,000 square foot maximum size.
- b) ~~Multiple family dwelling units in parcels N & P1.~~
- c) ~~Duplex units on Tract P1.~~
- db) ~~Accessory apartment to owner occupied single family dwelling, as defined in Section 2.A. of this PUD Guide. Accessory apartment to owner occupied single family dwelling unit not to exceed 700 square feet.~~
- ec) Parks, recreation facilities and open space.
- fd) Home occupations.
- ge) Utility services structures and buildings / golf course maintenance facilities.
- hf) Equestrian, pedestrian and bicycle trails.
- ig) Lakes, ponds, reservoirs and irrigation ditches.
- jh) Temporary construction staging areas.
- ki) Additional uses determined to be similar to uses by right listed above.
- hj) Accessory uses customarily appurtenant to uses by right listed above.

~~m) Gravel borrow pit.~~

34. Special Uses:

- a) Day care of more than 6 children and elderly care.
- ~~b) Bed and breakfast.~~
- ~~c) Temporary sales office.~~
- ~~d) Model homes.~~

25. Minimum Building Setback Requirements:

Front: 25 feet

Side: 12 feet

Rear: 15 feet

Live stream: 50 feet for minor streams, 100 feet for Brush Creek

56. Maximum Building Height:

35 feet.

67. Density Allowance and Lot Consolidation:

~~The maximum density for multiple family residential parcels shall not exceed 10 dwelling units per acre. One dwelling unit per lot. No lot originally platted shall be further subdivided to create a new lot capable of being developed with dwelling unit.~~

~~Lots may be consolidated from two or more lots, into a single lot through the Lot Line Adjustment or similar process, as may be amended from time to time, with the Town of Eagle. The consolidation of lots may be restored to the previous subdivision with the original lot sizes through the same process used to create the consolidation. The Executive Board of the Eagle Ranch Property Owners Association may adopt additional rules, regulations, and guidelines regulating the consolidation of lots.~~

78. Maximum Lot Coverage:

Building - 30%

All impervious materials - 50%

89. Building Envelopes:

~~The Subdivision Final Plat or Plats for Parcels K, L, M and Tracts 1, 2, 3, 4, 5, 6 and 7, as shown on the Development Plan as amended shall contain appropriate notations requiring building envelopes to be designated on certain lots prior to any site grading or other disturbance of the designated lot. Specifically, home-Home site construction disturbance on any lot over 1/2 acre that is located within, or partially within, areas of native vegetation that have not been previously cultivated for agricultural use Eagle Ranch Filings 8, 22, 24,~~

~~and 25 shall be limited to a building envelope of 16,500 square feet. Developer's application(s) for Subdivision Final Plat approval Parcels K, L, M, and Tracts 1, 2, 3, 4, 5, 6, and 7 as shown on the Development Plan, as amended, shall include a supplemental exhibit specifying lots requiring building envelopes. Upon approval of such supplemental exhibit by the Town, any modification of such supplemental exhibit shall require approval from the Town. The owner of such lot shall propose a building envelope as part of the Preliminary Plan application for design review. The proposed building envelope shall comply with all criteria affecting building envelopes contained in the Design Guidelines as approved by the Town, and shall be so indicated graphically on a landscape/site plan. This landscape/site plan shall also include calculations to indicate the building envelope does not exceed 16,500~~20,000~~ sq. ft. The Town reserves the right not to issue a building or site improvement permit until a building envelope, if required, that complies with all approved Design Guideline criteria has been approved by the Design Review Committee.~~

As used in this document, the term "building envelope" shall be deemed to include the residence, any allowable outbuildings, driveways, walkways, patios and landscaped areas.

All portions of a lot outside of the designated 16,500 square feet building envelope ~~as require for parcels K, L, M and Tract 1, 2, 3, 4, 5, 6 and 7, as shown on the development plan, as amended,~~ shall be retained in its natural state to maintain undisturbed native vegetation as wildlife habitat. No grading, vegetation manipulation (~~except noxious weed control protocols and wildfire hazard mitigation protocols adopted by the Town~~) or landscaping shall be permitted on these lands, except for wildfire hazard mitigation requirements approved by the Design Review Board and in accordance with the requirements of the Town of Eagle and noxious weed control. Underground utility crossings shall be permitted but must be revegetated to a natural condition subject to Design Review ~~Committee~~Board and Town approval.

~~9. Ridge Line Visibility:~~

~~At the time of review of an application for subdivision final plat approval that includes those portions of Tract 1 and Tract 6, contained within the Eagle Ranch Addition No. 4, and Tract 7, contained within the Lapin Parcel Addition, as shown on the Development Plan, as amended, that are visible from Brush Creek Road, the developer shall demonstrate that the ridge line visibility of structures on lots within these areas has been minimized when viewed from Brush Creek Road. In addition, at the time of review of an application for subdivision final plat approval that includes the areas described above, the Developer shall present for approval by the Town, a set of "design guidelines" which may establish more restrictive setbacks, allowable building heights, colors, landscaping and/or exterior lighting standards than currently exist in the P.U.D. Guide to further address ridge line visual impacts of the residential development as viewed from Brush Creek Road. As used in this section the term "ridge line visibility" shall mean the condition in which a substantial, identifiable portion of the structure is visible against the sky.~~

3CD. **Recreation Open Space** ~~District-Parcels OS6, OS7~~

1. Purpose:

To provide sites for park and recreation facilities, open space, water storage and drainage improvements, landscape ~~improvements, stream~~ improvements, stream corridors and recreation trails.

2. Lots and parcels included:

Tract OS6, Eagle Ranch Filing 1

Tract OS7, Eagle Ranch Filing 1

~~23.~~ Uses by Right:

- a) Indoor and outdoor recreation and entertainment facilities.
- b) Parks and picnic facilities.
- c) Community Center.
- d) Cultural and educational buildings and activities.
- e) Concessions, food and beverage service.
- f) Special events (subject to a special event permit from the Town).
- g) Public Administration building.
- h) Administration / Maintenance facilities.
- i) Equestrian, pedestrian and bicycle trails.
- j) Landscape improvements.
- k) Lakes, ponds, reservoirs and irrigation ditches.
- l) Temporary construction / administration office and sales center.
- m) Agricultural uses.
- n) Public or private roads and utilities including bridges, utility improvements, lines and mains, facilities, services and buildings.

- o) Additional uses determined to be similar to uses by right listed in this section above.

- ~~p) Gravel borrow pit.~~

~~34.~~ Minimum Building Setback Requirements:

There shall be a 25' building setback from all lot lines that front public roads. From other lot lines there shall be no minimum except must be sufficient to accommodate utilities, drainage, access, fire and building code regulations.

There shall ~~also~~ be a 50' building setback from minor streams and a 100' building setback from Brush Creek.

45. Maximum Building Height:

35 Feet. ~~Non-habitable architectural features such as chimneys, towers, steeples and similar features shall be excluded from the calculation of building height.~~

56. Density Allowance:

N/A.

67. Maximum Site Coverage:

N/A.

DE4. Natural Open Space District—~~Parcels OS1, OS2, OS3, OS4, OS5, OS8, and Tracts OS A, OS B, OS C, OS D, OS E, OS F, OS G.~~

1. Purpose:

To provide sites for natural open space, trails and park facilities, water storage and drainage improvements and landscape improvements.

2. Lots and parcels included: (need to generate list of all open space parcels, tracts)

Parcel A, Block 1, Eagle Ranch Filing 1

Parcel B, Block 1, Eagle Ranch Filing 1

Parcel C, Block 2, Eagle Ranch Filing 1

Parcel D, Block 2, Eagle Ranch Filing 1

Tract OS9, Eagle Ranch Filing 2

Tract OS10, Eagle Ranch Filing 2

Tract OS1, Eagle Ranch Filing 3

Tract OS3, Eagle Ranch Filing 3

Tract OS5, Eagle Ranch Filing 3

Tract OS-11, Eagle Ranch Filing 3

Tract U, Eagle Ranch Filing 3

Parcel A, Block 3, Eagle Ranch Filing 3

Parcel B, Block 3, Eagle Ranch Filing 3

Parcel C, Block 3, Eagle Ranch Filing 3

Parcel D, Block 3, Eagle Ranch Filing 3

Parcel E, Block 3, Eagle Ranch Filing 3

Parcel F, Block 3, Eagle Ranch Filing 3

Parcel F, Block 5, Eagle Ranch Filing 3

Parcel A, Block 6, Eagle Ranch Filing 4

Parcel A, Block 7, Eagle Ranch Filing 4

Parcel B, Block 7, Eagle Ranch Filing 4

Tract OS12, Block 6, Eagle Ranch Filing 4

Tract OS13, Block 6, Eagle Ranch Filing 4

Tract OS14, Block 7, Eagle Ranch Filing 4

Tract OS15, Block 7, Eagle Ranch Filing 4

Tract OS16, Block 8, Eagle Ranch Filing 4

Tract A, Eagle Ranch Filing 7

Tract G, Eagle Ranch Filing 7

Tract OS-1, Eagle Ranch Filing 7

Tract T, Eagle Ranch Filing 8

Parcel A, Eagle Ranch Filing 8

Tract OS17, Eagle Ranch Filing 8

Tract OS18, Eagle Ranch Filing 8

Tract OS19, Eagle Ranch Filing 8

Tract OS20, Eagle Ranch Filing 8

Tract OS21, Eagle Ranch Filing 8

Tract OS22, Eagle Ranch Filing 8

Tract OS23, Eagle Ranch Filing 8

Tract OS4, Eagle Ranch Filing 14

Tract B, Eagle Ranch Filing 14

Tract OS-A, Eagle Ranch Filing 15

Tract OS-B, Eagle Ranch Filing 15

Tract OS-C, Eagle Ranch Filing 15

Tract OS-D, Eagle Ranch Filing 15

Tract OS-E, Eagle Ranch Filing 15

Tract C1, Eagle Ranch Filing 16

Tract C2, Eagle Ranch Filing 16

Tract OS-C1, Eagle Ranch Filing 16

Tract OS-C2, Eagle Ranch Filing 16

Tract G1, Eagle Ranch Filing 17

Tract G2, Eagle Ranch Filing 17

Tract G3, Eagle Ranch Filing 17

Tract G4, Eagle Ranch Filing 17

OSG-1, Eagle Ranch Filing 17

OSG-2, Eagle Ranch Filing 17

Tract OS-D1, Eagle Ranch Filing 18

Tract OS-N1, Eagle Ranch Filing 21

Tract OS-N2, Eagle Ranch Filing 21

Tract OS-N3, Eagle Ranch Filing 21

Tract OS-N4, Eagle Ranch Filing 21

Tract OS-N6, Eagle Ranch Filing 21

Tract OS-N7, Eagle Ranch Filing 21

Tract OS-N8, Eagle Ranch Filing 21

Tract OS-M1, Eagle Ranch Filing 22

Tract OS-M3, Eagle Ranch Filing 22

Tract OS-M4, Eagle Ranch Filing 22

Tract OS-M5, Eagle Ranch Filing 22

Parcel OS1, Eagle Ranch Filing 23

Parcel OS2, Eagle Ranch Filing 23

Parcel OS3, Eagle Ranch Filing 23

Parcel OS4, Eagle Ranch Filing 23

Parcel OS5, Eagle Ranch Filing 23

Parcel OS6, Eagle Ranch Filing 23

Tract OS-B, Eagle Ranch Filing 24

Tract OS-C, Eagle Ranch Filing 24

Tract OS-F, Eagle Ranch Filing 25

Tract OS-G, Eagle Ranch Filing 25

Tract OS-I, Eagle Ranch Filing 25

Tract OS-J, Eagle Ranch Filing 25

Tract A, Eagle Ranch Filing 26

23. Uses by Right:

- a) Equestrian, pedestrian and bicycle trails.
- b) Landscape improvements.
- c) Lakes, ponds, reservoirs and irrigation ditches.
- d) Park and picnic facilities.
- e) Public or private roads, trailhead parking and utilities including bridges, utility improvements, lines and mains, facilities, services and buildings.
- f) Agricultural uses.
- ~~g) Gravel borrow pit.~~

34. Minimum Building Setback Requirements:

N/A

45. Maximum Building Height:

N/A

56. Density Allowance:

N/A

67. Maximum Site Coverage:

N/A

5EF. _____ Golf Course District—Parcels GC1, GC2, GC3, GC4.

1. Purpose:

To provide sites for golf course and related improvements.

2. Lots and parcels included:

Tract GC1, Eagle Ranch Filing 1

Tract GC2, Eagle Ranch Filing 1

Tract GC3, Eagle Ranch Filing 1

Tract GC4, Eagle Ranch Filing 1

Tract GC5, Eagle Ranch Filing 3

Tract GC6, Eagle Ranch Filing 3

Tract GC7, Block 6, Eagle Ranch Filing 4

Tract GC8, Block 6, Eagle Ranch Filing 4

Tract GC9, Block 6, Eagle Ranch Filing 4

Tract GC10, Block 8, Eagle Ranch Filing 4

Tract GC11, Eagle Ranch Filing 8

Tract GC1, Eagle Ranch Filing 20

Tract GC8, Block 6, Eagle Ranch Filing 21

23. Uses by Right:

- a) Golf Course and related ancillary facilities.
- b) Clubhouse and related ancillary facilities, ~~which may include a real estate office solely for marketing Eagle Ranch and Allen Tract properties. Such office shall not exceed 150 square feet of space within existing clubhouse.~~
- c) Maintenance Facilities.
- d) Storm shelters.
- e) Concessions.
- f) Public or private roads and utilities including bridges, pedestrian and bicycle trails, utility improvements, lines and mains, facilities, services and buildings.
- g) Day care and elderly care within the clubhouse facilities.
- h) Outdoor electric car charging stations.
- i) Special events (subject to a special event permit from the Town).
- j) Additional uses determined to be similar to uses by right listed in this section above.
- k) Accessory uses customarily appurtenant to uses by right listed in this section above.
- j) ~~Gravel borrow pit.~~

34. Minimum Building Setback Requirements:

There shall be a 25' building setback from all lot lines that front public roads. From other lot lines there shall be no minimum except must be sufficient to accommodate utilities, drainage, access, fire and building code regulations and flood plain of live streams.

45. Maximum Building Height:

35 feet.

4. DENSITY CONTROL and WATER RIGHTS DEDICATION

~~There is no additional residential density available in Eagle Ranch beyond what has already be subdivided and platted except for 75 dwelling units associated with senior care facilities located in Eagle Ranch Filing 29 and 160 dwelling units allowed in the Neighborhood Center Commercial District. Of the 160 dwelling units allowed in the Neighborhood Center Commercial District, 100 dwellings were created by amendment in 2021 at the request of the Executive Board of the Eagle Ranch Property Owners Association (Executive Board). The Executive Board shall be responsible for dispersing the additional 100 dwelling units within the Neighborhood Center Commercial District subject to rules and regulations that it establishes. Allowable maximum densities for each parcel are set forth within the following density chart; provided however, that any parcel may contain up~~

~~to 1.5 times the total number of allowable dwelling units as described below. Any such increase in density of a parcel shall be offset by an equal decrease in density from another parcel. The intent of this provision is to allow flexibility in planning to take into account varying site conditions, market conditions and other design factors. In no event shall the total number of residential units, including residential units located in live/work units and in mixed-use residential/commercial structures, in all planning parcels within the Eagle Ranch PUD combined exceed 1,295 units. Accessory dwelling units/apartments not exceeding seven hundred (700) square feet appurtenant to owner-occupied single-family dwellings shall not be included in such limitation. The maximum square feet of gross commercial floor area in all planning parcels within the Eagle Ranch PUD shall not exceed 120,000/104,800 square feet, with the exception of medical related facilities on Lot 1, Filing 13 which shall not exceed 175,200 gross square feet and senior care uses on Lots 2, 3 and 41 and 2, Filing 26-29 which shall not exceed 150,000 gross square feet, subject to the density and floor area conversion found in section B, 3, c.~~

Water rights dedication for 1,295 dwelling units and 445,200 sq. ft. of commercial floor area previously allowed by the PUD was found to be sufficient. The PUD was amended in 2022 to reduce the commercial floor area by 15,200 sq. ft., but the water rights associated with this decrease in commercial floor area was not eliminated. Any residential development in excess of 1,295 units will be responsible for paying a water rights dedication fee to the Town, prior to the issuance of a building permit, for the number of units being proposed in excess of the 1,295 dwelling unit limitation.

In the Neighborhood Center Commercial District, Any conversion of a residential unit to a commercial unit, or of a commercial unit to a residential unit, shall ~~first~~ be approved by the Eagle Ranch Design Review Board and subject to review the Town of Eagle Planning Department. Approval by the Town subject to shall be granted if such conversion is in conformance with this PUD Guide and any applicable PUD requirements and building codes. However, no conversion shall be approved if such conversion would cause the maximum number of residential units or maximum commercial square footage set forth above to be exceeded. In addition, no conversion of a residential unit to a commercial unit shall be permitted if such unit has been designated an affordable housing unit pursuant to Section 13 of the Eagle Ranch Annexation and Development Agreement, and such conversion would reduce the total number of affordable housing units below the minimum number of required affordable housing units.

The Town of Eagle reserves the right to deny an application to subdivide (condominiumize) existing designated affordable housing units if the effect of such subdivision would reduce the total number of designated affordable non-owner occupied units below the number of such units agreed upon by the Town of Eagle and the developer of the Eagle Ranch PUD, if any, pursuant to Section 13 of the Eagle Ranch Annexation and Development Agreement.

The combination of two or more existing residential units into a lesser number of units shall be allowed. first be approved by the Eagle Ranch Design Review Board and the Town

~~of Eagle Planning Department, if any of such units have been designated as an affordable housing unit pursuant to Section 13 of the Eagle Ranch Annexation and Development Agreement.~~ Approval by the Town shall be granted if such combination is in conformance with this PUD Guide and any applicable building codes. However, residential units designated as affordable housing units shall not be combined if such combination would reduce the total number of affordable housing units below the minimum number of required affordable housing units as set forth in Section 13 of the Eagle Ranch Annexation and Development Agreement.

The Eagle Ranch Association (Design Review Board) and the Town of Eagle shall have all remedies available to them at law or in equity to enforce the provisions of this Section.

~~Accompanying each Final Plat application shall be an inventory of dwelling units that have been approved by previously final plats. The Eagle Ranch Association shall maintain a list of units developed and vacant lots allowing for a dwelling unit in order to understand the status of overall density within Eagle Ranch PUD.~~

~~PARCEL # OF DWELLING UNITS~~

A	95
B	175
B1	75
C	20
D	150
E	28
F	103
G	28
H	63
I	18
J	24
K	46
L	63
M	44
N	25
O	32
P	55
P1	45
Q	11
R	34
S	36
1	6
2	25
3	10
4	3
5	18

6 _____ 38
 7 _____ 25

TOTAL _____ **1,295**

5. PARKING RULES AND REQUIREMENTS

A. Parking Requirements

All uses within Eagle Ranch will be subject to the parking standards ~~found below of the Town of Eagle Zoning Regulations.~~ Uses not specified shall be regulated by the Town Code. In the Neighborhood Center Commercial District there are ~~where~~ shared parking facilities within existing parking lots owned by one of the community associations and on-street parking. The parking rates indicated below more closely align with a shared parking arrangement which takes into consideration hours of operation and parking characteristics of commercial and residential uses within the commercial area. ~~exist and are available for use, there shall be no parking requirement for theaters or churches.~~ With the exception of the parking spaces on Sylvan Lake Road all on-~~street~~ parking spaces may be counted toward fulfilling commercial and residential parking requirements. As of January 1, 2021, there are 164 available on-street parking spaces. ~~Each single family residence shall have a minimum of two onsite parking spaces. Any accessory dwelling associated with an owner occupied single family residence shall have one dedicated onsite parking space.~~

Eagle Ranch Parking Requirements are provided in the table below:

<u>Use</u>	<u>Number of Spaces</u>
<u>Single Family or Duplex</u>	<u>2 spaces per dwelling unit</u>
<u>Accessory Apartment</u>	<u>1 space</u>
<u>Multiple-Family Dwelling</u>	<u>1-5 spaces per dwelling unit with 1 bedroom</u> <u>2 spaces per dwelling unit with 2 or 3 bedrooms</u>
<u>Accommodation or Lodging</u>	<u>0.5 spaces per separate unit</u>
<u>Bed and Breakfast</u>	<u>1 space per guest room plus 2 spaces for dwelling unit</u>
<u>Church</u>	<u>1 space per 5 seats or 1 per 100 sq. ft. of floor area used or designed for public use</u> <u>No parking required in the Neighborhood Center</u>
<u>Grocery or liquor store</u>	<u>1 space per 411 sq. ft.</u>

<u>Nursing Home</u>	<u>1 space per 4 patient beds, plus 1 per 3 full-time employees plus 1 per part time or full-time staff doctor</u>
<u>Senior Housing</u>	<u>1 space per unit</u>
<u>Auditorium, assembly hall, gymnasium, skating rink, theater, library, convention hall, exhibition hall, sports arenas, funeral home and other places of public assembly</u>	<u>1 space per 4 seats or 1 space per 100 sq. ft. of floor area designed or used by the public, whichever is less</u> <u>No parking is required for a theater located in the Neighborhood Center Commercial District</u>
<u>Office uses, all</u>	<u>1 space per 300 sq. ft. of net floor area</u>
<u>Retail</u>	<u>1 space per 300 sq. ft. of net floor area</u>
<u>Restaurant or bar</u>	<u>1 space for 65 sq. ft. of indoor seating area</u> <u>No parking is required for outdoor seating areas</u>
<u>Drive-in or drive-through restaurant without indoor eating area for the public</u>	<u>3 spaces per 100 sq. ft. of net floor area</u>
<u>Gasoline station</u>	<u>1 space per 100 sq. ft. of retail or office floor area, plus stacking spaces in accordance with Subsection (L)(2)(a) of this section.</u>
<u>Vehicle repair or maintenance facility</u>	<u>1 space per 100 sq. ft. of retail or office floor area, plus three per service bay</u>

B. Parking Rules

The Eagle Ranch Association and any sub-homeowner associations may adopt covenants and/or rules and regulations that are stricter than the ordinances of Town of Eagle related to parking of vehicles and trailers and storage of equipment, without limitation.

C. Parking Lot Design

Due to the unique characteristics of parking in the Neighborhood Center Commercial District and to maximize parking availability, there is no requirement for internal landscaping of parking lots in the Neighborhood Center Commercial District.

6. DESIGN REVIEW

Design guidelines ~~shall be have been adopted prepared~~ which ~~will~~ establish architectural and building material standards, landscape design, urban design, site design standards and a design review process for development within Eagle Ranch. These guidelines, and any subsequent major revisions to the guidelines, shall be subject to the review and approval of the Town of Eagle. In the event that the Eagle Ranch Design Review Board ceases to fulfill its duties as described in the guidelines the Town of Eagle may assume the role of the Design Review Board.

7. SIGNS

Sign regulations ~~shall be prepared for the Preliminary Plan and PUD Development Plan level of review which will establish standards for the number, type, size, location, design and other considerations related to the display of signs within Eagle Ranch and requirements are included in design guidelines adopted by the Design Review Board.~~

8. DOGS AND PET CONTROL

Each dwelling unit will be permitted to house up to two dogs and offspring up to three months old. Residents will be prohibited from harboring dogs on their property unless they have adequate facilities (i.e., animals kept in residence, a fenced yard, dog run, or kennel) to contain the animals. Enclosed runs must be located immediately adjacent to the home, within the lot's building envelope if an envelope is required, and shall not exceed 1,000 square feet. If facilities are inadequate to contain the dog(s), the animals will be immediately removed from the subdivision until adequate structures can be built.

At no time are dogs to be allowed to run freely. Eagle Ranch shall be subject to any and all leash laws and other pet regulations as adopted by the Town of Eagle. Stray Dogs may also be controlled by the County and CDOW. Homeowners not in compliance with these dog restrictions will be responsible for any and all costs incurred by the Town, County, and/or CDOW for enforcing these provisions.

9. AMENDMENTS TO THE EAGLE RANCH PUD GUIDE, PUD ~~DEVELOPMENT~~

ZONING PLAN AND SUBDIVISION PLANS

It is anticipated that modifications or amendments to this PUD Guide, the PUD ~~Development Zoning~~ Plan, and Subdivision Plans will be necessary from time to time as Eagle Ranch progresses. This PUD Guide provides for two types of modifications or amendments: minor and major.

A1. Minor Modifications

Minor modifications are those changes which will not alter the original project concept but which may result in minor changes in the design of Eagle Ranch. Minor modifications include, but are not limited to internal road alignment alterations, minor adjustments to Planning Parcel boundaries, building envelope changes, modification of the text of the PUD Guide, and additions of land uses not previously listed but determined to be similar to listed uses. Minor adjustments to Planning Parcel or subdivision plat boundaries shall be defined as:

Change in land use of a parcel of property not to exceed 20,000 square feet to conform to the land use of property immediately adjacent to it, provided however, that the provisions of this article shall not apply to property adjacent to any parcel of property the land use of which has previously been changed pursuant to the provisions of this article. Minor modification shall also include any decrease in size of a Neighborhood Center Commercial District or Residential parcel that is offset by an equal increase in an open space parcel.

Minor modifications may be authorized by the Town of Eagle Zoning Administrator upon written request finding that the proposed modification does not significantly alter the basic intent of the Planning Parcels, does not result in incompatible uses, and does not result in substantial adverse impacts among uses within the PUD. The Zoning Administrator shall act upon any minor modification request within 30 days of such a request. Any decision by the Zoning Administrator may be appealed in writing to the Eagle Board of Trustees within 30 days of such decision.

B2. Major Modifications

Major modifications are those changes not considered to be minor modifications and are changes that could alter the character or land use of a portion of the project. Major modifications shall include:

- 1) Any increase in the total amount of commercial space or the total number of residential units.
- 2) Any change in land use designation of any parcels within the PUD, except as provided above.
- 3) Any addition of land into the PUD.

~~Major modifications shall be under the authority of the Eagle Board of Trustees.~~

Applications for major modifications shall be reviewed in accordance with the Town Code.
~~heard in public hearing by the Board after receiving a recommendation from the Planning
and Zoning Commission. The Board shall approve the modification if it is found that the
modification is consistent with the efficient development of the entire PUD and does not
substantially affect the enjoyment of land abutting the PUD or the public interest.~~

Approved by the TOWN OF EAGLE, COLORADO, a municipal corporation acting by and
through its ~~Board of Trustees~~Town Council, this ____ day of _____ 2017~~2021~~.

By: _____
~~Anne McKibbin~~Scott Turnipseed,
Mayor

ATTEST

Jenny Rakow, Town Clerk

Exhibit A

PUD Zone Districts Map