

**TOWN OF EAGLE, COLORADO
ORDINANCE NO. 03
(Series of 2022)**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO
ADOPTING THE SIXTH AMENDED PUD GUIDE FOR EAGLE RANCH PLANNED UNIT
DEVELOPMENT AND PUD ZONING PLAN

WHEREAS, Eagle Ranch HOA and the Town own the real property as described in Exhibit A, located in the Town of Eagle, Eagle County, Colorado (the "Property");

WHEREAS, on April 5, 2021, Marc Ruh, Community Manager of the Eagle Ranch HOA (the "Applicant") submitted an application for a major amendment to the PUD to amend and update the Eagle Ranch PUD Guide and PUD Zoning Plan (the "Application");

WHEREAS, on November 16, 2021, the Planning and Zoning Commission held a properly-noticed public hearing on the Application and recommended that the Town Council approve the application;

WHEREAS, the Town Council, upon reviewing the recommendation of the Planning and Zoning Commission, and upon hearing the statements of staff and the public, and giving due consideration to the matter, determines as provided below.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO, AS FOLLOWS:

Section 1. The Town Council finds that the Application complies with 4.11 of the Land Use and Development Code and the 2020 Elevate Eagle Comprehensive Plan.

Section 2. Based on the foregoing findings, the Town Council hereby approves the major PUD amendment amend and update the Eagle Ranch PUD Guide and PUD Zoning Plan.

INTRODUCED, READ, PASSED AND ADOPTED ON JANUARY 11, 2022.

ATTEST:


Jenny Rakow, Town Clerk



TOWN OF EAGLE, COLORADO

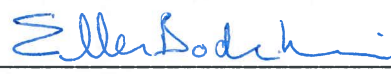

Ellen Bodenheimer, Mayor Pro Tem

Exhibit A

EAGLE RANCH No. 1 Legal Description

All of that tract or parcel of land situate in Tracts 43, 44, 47, 48, 49, 53, 54 and 57, Sections 4, 5, 8 and 9, Township 5 South Range 84 West of the Sixth Principal Meridian according to the Independent Resurvey Supplemental Plat thereof as approved by the Survey General on June 20, 1922; County of Eagle, State of Colorado; being a portion of those lands conveyed by special warranty deed from Colorado Eagle Ranch at Brush Creek Limited Liability Company, a Wyoming limited liability company to West Eagle Ranch LLC, a Delaware limited liability company dated February 19, 1997 and recorded in the Eagle County Clerk and Records Office in Book 719 at Page 074 on February 21, 1997; and being more particularly described as follows, with all bearings contained herein based upon N 00°33'00" W between Town of Eagle Street Monuments found at the intersections of Fifth Street and Broadway and at Second Street and Broadway both being an iron pin in a street monument box, to wit:

Beginning at Corner 4 of Tract 47, being also Corner 1 of Tract 49, and being also a point on the West Eagle Addition boundary and Town of Eagle boundary, a 1 inch diameter G.L.O. Iron Pipe found in place upon which was set a 2 1/2 inch diameter Aluminum Pipe Monument, properly marked and stamped "LS 26967-1998" from which said Town of Eagle Street Monument at Fifth Street and Broadway bears N 53°41'45" E, 3548.08 feet; thence along said boundaries N 87°26' 33" E, 1321.54 feet to Corner 7 of said Tract 47, being also Corner 2 of said Tract 48, a 3 1/2 inch diameter Aluminum Cap Monument on a 2 1/2 inch diameter iron pipe, stamped Eagle County Surveyor and dated 1971, found in place; thence departing said boundaries N 87°48'32" E, 242.23 feet along a parcel of land described in Book 135 at Page 085 of the Eagle County Records , being also the 1-2 line of Tract 48 and the 7-8 line of Tract 47; thence departing said Tract line and continuing along said parcel N 01°48'00" E, 55.58 feet to a point on the Eagle Town boundary and The Bull Pasture Subdivision boundary; thence along said boundaries the following eight (8) courses:

- 1) N 88°58'11" E, 124.22 feet
- 2) S 40°07'03" E, 370.67 feet
- 3) S 67°07'15" E, 248.51 feet
- 4) N 58°40'33" E, 94.09 feet
- 5) S 72°21'56" E, 104.82 feet
- 6) S 25°03'38" E, 218.94 feet
- 7) S 62°53'26" E, 535.36 feet
- 8) N 00°00'00" E, 2.92 feet

to the Southwest Corner of The Terrace, Filing 4 as recorded March 31, 1994 in Book 636 at Page 274 of the Eagle County Records; thence departing said The Bull Pasture Subdivision boundary and along the boundary of said The Terrace, Filing 4 the following five (5) courses:

- 1) 125.87 feet along the arc of a curve to the right having a central angle of $05^{\circ}29'31''$, radius of 1313.14 feet, tangent of 62.98 feet and the chord of which bears $S\ 56^{\circ}43'07''\ E$, 125.82 feet
- 2) $S\ 53^{\circ}58'22''\ E$, 56.94 feet
- 3) 443.79 feet along the arc of a curve to the left having a central angle of $13^{\circ}32'53''$, radius of 1876.85 feet, tangent of 222.94 feet and the chord of which bears $S\ 60^{\circ}44'48''\ E$, 442.76 feet
- 4) $S\ 67^{\circ}31'14''\ E$, 257.96 feet
- 5) 144.32 feet along the arc of a curve to the left having a central angle of $7^{\circ}38'37''$, radius of 1081.82 feet, tangent of 72.27 feet and the chord of which bears $S\ 71^{\circ}20'33''\ E$, 144.21 feet

to the Southwest Corner of The Terrace, Filing 6 as recorded October 21, 1994 in Book 652 at Page 993 of the Eagle County Records; thence departing said The Terrace, Filing 4 and along the boundary of said The Terrace, Filing 6, 195.73 feet along the arc of a curve to the left having a central angle of $10^{\circ}21'59''$, radius of 1081.82 feet, tangent of 98.13 feet and the chord of which bears $S\ 80^{\circ}20'50''\ E$, 195.46 feet to the Southwest Corner of those lands described in Quit Claim Deed for Right-of-Way recorded August 13, 1987 in Book 467 at Page 913 in the Eagle County Records; thence departing said The Terrace, Filing 6 and along the boundary of said lands described in Quit Claim Deed the following three (3) courses:

- 1) 56.31 feet along the arc of a curve to the left having a central angle of $2^{\circ}59'02''$, radius of 1081.82 feet and the chord of which bears $S\ 87^{\circ}00'54''\ E$, 56.33 feet
- 2) $S\ 88^{\circ}30'51''\ E$, 285.48 feet
- 3) 171.73 feet along the arc of a curve to the right having a central angle of $25^{\circ}59'34''$, radius of 378.55 feet, tangent of 87.37 feet and the chord of which bears $S\ 75^{\circ}31'05''\ E$, 170.26 feet

to a point on the 1-2 line of Tract 44, being also the South line of Tract 43, from which Corner 4 of said Tract 43, being also Corner 1 of said Tract 44, a 2 1/2" diameter G.L.O. Brass Cap Monument found in place bears $N\ 89^{\circ}48'05''\ E$, 780.65 feet; thence departing said Town of Eagle Boundary and along said Tract line $S\ 89^{\circ}48'05''\ W$, 540.91 feet to Corner 2 of Tract 44, being also Corner 5 of Tract 48, a 2 1/2 inch diameter G.L.O. Brass Cap Monument found in place; thence along the 4-5 line of said Tract 48, being also the West line of said Tract 44, $S\ 00^{\circ}33'34''\ W$, 1280.25 feet to Corner 4 of said Tract 48, being also Corner 1 of Tract 54, a 2 1/2" diameter Aluminum Cap Monument, marked "LS 23089", found in place; thence departing said Tract line $S\ 89^{\circ}39'43''\ E$, 1446.19 feet to Corner 8 of said Tract 44, being also Corner 5 of Tract 38,

a 2 1/2 inch diameter G.L.O. Brass Cap Monument found in place; thence S 00°23'11" W, 5252.06 feet to a point on the 3-4 line of said Tract 57, being also the 1-2 line of Tract 70; from which Corner 4 of said Tract 57 bears N 89°48'58" E, 4218.48 feet; thence along said line S 89°48'58" W, 1406.16 feet to Corner 3 of said Tract 57, being also Corner 2 of Tract 70, a 2 1/2 inch diameter G.L.O. Brass Cap Monument found in place; thence along the 2-3 line of said Tract 57 N 00°06'39" E, 1311.07 feet to Corner 2 of said Tract 57, being also a point on the South line of said Tract 54, a 2 1/2 inch diameter G.L.O. Brass Cap Monument found in place; thence along said South line S 89°52'51" W, 1319.42 feet to Corner 3 of said Tract 54, a 2 1/2 inch diameter G.L.O. Brass Cap Monument found in place; thence along the West line of said Tract 54 N 00°02'59" E, 1333.58 feet to Corner 4 of Tract 53, a 2 1/2 inch diameter Aluminum Cap Monument, marked "LS 23089" found in place; thence along the 3-4 line of said Tract 53 S 86°38'34" W, 1500.10 feet to Corner 3 of said Tract 53, a 2 1/2 inch diameter G.L.O. Brass Cap Monument found in place; thence along the 2-3 line of said Tract 53 N 01°47'18" E, 2546.97 feet to Corner 2 of said Tract 53, being also Corner 3 of Tract 48 and Corner 4 of Tract 49, a 2 1/2 inch diameter G.L.O. Brass Cap Monument found in place; thence along the 3-4 line of said Tract 49 S 89°56'31" W, 1271.85 feet from which Corner 3 of said Tract 49 bears S 89°56'31" W, 1271.85 feet; thence departing said Tract line N 00°52'53" W, 1365.81 feet to Corner 6 of said Tract 49, being also Corner 5 of Tract 47, a 2 1/2 inch diameter Aluminum Cap Monument, marked "LS 23089", found in place; thence along the 1-6 line of said Tract 49, being also the 4-5 line of said Tract 47, N 02°33'00" E, 1225.87 feet to a point on the approximate centerline of Brush Creek, being also a point on the said West Eagle Addition boundary and said Town of Eagle boundary; thence continuing along said Tract line and said boundaries N 02°33'00" E, 83.92 feet to the Point of Beginning; said tract or parcel of land containing 585.532 acres, more or less, in gross.

EAGLE RANCH No. 2

Legal Description

All of that tract or parcel of land situate in Tracts 44, 55, 56, 57, 58 and 70, Sections 9 and 16, Township 5 South Range 84 West of the Sixth Principal Meridian according to the Independent Resurvey Supplemental Plat thereof as approved by the Survey General on June 20, 1922; County of Eagle, State of Colorado; being a portion of those lands conveyed by special warranty deed from Colorado Eagle Ranch at Brush Creek Limited Liability Company, a Wyoming limited liability company to West Eagle Ranch LLC, a Delaware limited liability company dated February 19, 1997 and recorded in the Eagle County Clerk and Records Office in Book 719 at Page 074 on February 21, 1997; and being more particularly described as follows, with all bearings contained herein based upon N 00°33'00" W between Town of Eagle Street Monuments found at the intersections of Fifth Street and Broadway and at Second Street and Broadway both being an iron pin in a street monument box, to wit:

Beginning at Corner 8 of said Tract 44 being also Corner 5 of Tract 38, a 2 1/2 inch diameter G.L.O. Brass Cap Monument found in place, from which said Town of Eagle Street Monument at Fifth Street and Broadway bears N 28°55'09" W, 5274.65 feet; thence along the 7-8 line of Tract 44, being also the South line of Tract 38 N89°23'19" E, 335.21 feet to the Southerly Right-of-Way line of Brush Creek Road, being also Eagle County Road P-307 as described in Book 470 at Page 381 of the Eagle County Records; thence along said Right-of-Way the following three (3) courses;

- 1) 118.16 feet along the arc of a curve to the left having a central angle of 07°38'59", radius of 885.00 feet, tangent of 59.17 feet and the chord of which bears S 49°22'48" E, 118.07 feet
- 2) S 53°12'17" E, 40.08 feet
- 3) S 57°07'58" E, 123.21 feet

to a point on the extension of the Westerly line of The Colorado River & Eagle Company Rural Homesites Nos. 1, 2 and 3 subdivision as recorded in Book 377 at Page 893 of the Eagle County Records; thence along said extension and continuing along said Right-of-Way S 22°53'36" W, 8.58 feet to the Northwest corner of said subdivision; thence departing said Right-of-Way and along the boundary of said subdivision the following three (3) courses;

- 1) S 22°53'36" W, 30.74 feet
- 2) S 13°43'27" W, 307.62 feet
- 3) S 08°38'23 W, 118.13 feet

to the centerline of Brush Creek; thence along said Brush Creek centerline and

continuing along the boundary of said subdivision the following eight (8) courses;

- 1) S 53°29'25" E, 176.59 feet
- 2) S 66°46'08" E, 196.66 feet
- 3) S 36°25'58" E, 142.34 feet
- 4) S 71°11'41" E, 106.93 feet
- 5) N 59°17'26" E, 89.27 feet
- 6) S 57°35'51" E, 83.00 feet
- 7) N 79°25'00" E, 132.00 feet
- 8) S 45°59'33" E, 185.78 feet

to the Southeast corner of said The Colorado River & Eagle Company Rural Homesites Nos. 1, 2 and 3 subdivision, being a point on the Westerly boundary of a parcel of land known as the Eichler Tract and described in Book 189 at Page 147 of the Eagle County Records; thence departing said subdivision and Brush Creek centerline and along the said Westerly boundary of the Eichler Tract S 00°05'34" E, 251.83 feet to the Southwest corner of said Eichler Tract, an 8 inch diameter Cedar Post with 2" x 4" Aluminum Tag stamped "AP1 EICHLER TRACT" found; thence continuing along said Eichler Tract boundary S 87°14'13" E, 139.19 feet, being also the point of beginning of Brush Creek Stables subdivision as described in Book 404 at Page 163 of the Eagle County Records; thence departing said Eichler Tract boundary and along said Brush Creek Stables subdivision boundary the following eight (8) courses;

- 1) S 00°01'50" W, 519.37 feet
- 2) S 74°23'52" E, 1943.91 feet
- 3) S 01°19'13" W, 1182.39 feet
- 4) N 88°40'47" W, 759.56 feet
- 5) S 01°19'13" W, 150.00 feet
- 6) N 88°40'47" W, 65.00 feet
- 7) S 01°19'13" W, 3802.00 feet
- 8) N 89°55'00" E, 1744.14 feet

to the 4-1 line of Tract 70, being also the 2-3 line of Tract 88 from which Corner 1 of Tract 70, being a 2 1/2" diameter G.L.O. Brass Cap Monument found in place, bears N 00°04'36" W, 2225.20 feet; thence departing said subdivision and along said Tract line S 00°04'36" E, 461.58 feet to Corner 3 of said Tract 88, a 2 1/2 inch diameter G.L.O. Brass Cap Monument found in place; thence continuing along said 4-1 line of Tract 70 S 00°15'39" E, 2663.76 feet to Corner 4 of said Tract 70, being also Corner 1 of Tract 71, from which a 2 1/2 inch diameter Aluminum Cap Monument properly marked and stamped 10.00' W.C. - LS 23089 - 1992 bears N 88°29'52" W, 10.00 feet; thence along the 3-4 line of Tract 70 being also the 1-2 line of Tract 71, N 88°29'52" W, 1404.69 feet to Corner 2 of Tract 71, a 2 1/2 inch diameter G.L.O. Brass Cap Monument

found in place, thence along said 3-4 line S 89°18'50" W, 2803.24 feet, from which point Corner 3 of Tract 70, a 2 1/2 inch diameter G.L.O. Brass Cap Monument found in place, bears S 89°18'50" W, 1401.62 feet; thence departing said line N 00°17'22" W, 5333.78 feet to a point on line 1-2 of said Tract 70, being also the 3-4 line of said Tract 57, from which said Corner 1 of Tract 70, bears N 89°48'28" E, 4218.38 feet; thence N 00°23'11" E, 5252.06 feet to the Point of Beginning;

excepting therefrom; a parcel of land known as PARCEL 1719, described in Book 292 at Page 427 of the Eagle County Records containing 1.00 acres, more or less;

said tract or parcel of land containing 689.598 acres, more or less, in gross.

EAGLE RANCH No. 3

Legal Description

All of that tract or parcel of land situate in Tracts 55, 57, 58, 59, 60 and 70, Sections 9, 10, 15 and 16, Township 5 South, Range 84 West of the Sixth Principal Meridian according to the Independent Resurvey Supplemental Plat thereof as approved by the Survey General on June 20, 1922; Eagle County, State of Colorado.; being all of those lands conveyed by warranty deed from Micah, Ltd., a Colorado limited partnership to West Eagle Ranch LLC., a Delaware limited liability company dated 27 February, 1997 and recorded in the Eagle County Clerk and Records Office in Book 719 at Page 668 on 28 February 1997; and being a portion of Brush Creek Stables subdivision, according to the Final Plat thereof as recorded in the Eagle County Clerk and Records Office in Book 404 at Page 163 on January 4, 1985; and being more particularly described as follows, with all bearings contained herein based upon N 00°33'0" W, between Town of Eagle Street Monuments found at the intersections of Fifth Street and Broadway and at Second Street and Broadway both being an iron pin in a street monument box, to wit:

Beginning at the Northwest corner of said Brush Creek Stables subdivision, and being on the Easterly boundary of a parcel of land known as the Eichler Tract and described in Book 189 at Page 147 of the Eagle County Clerk and Recorder, and being on the centerline of Brush Creek, from which said Town of Eagle Street Monument at Fifth Street and Broadway bears N 35°25'57" W, 7008.66 feet; thence along said centerline of Brush Creek and along the boundary of said Brush Creek Stables, being also the Southerly boundary of the land known as Parcel 2037 and described in Book 298 at Page 803 and in Book 398 at Page 079 of the Eagle County Clerk and Recorder, the following eight (8) courses;

- 1) N 86°24'03" E, 120.10 feet
- 2) S 58°51'44" E, 158.23 feet
- 3) S 85°11'38" E, 94.84 feet
- 4) S 65°46'00" E, 77.04 feet
- 5) S 27°51'02" E, 121.09 feet
- 6) S 85°07'00" E, 88.57 feet
- 7) N 51°47'58" E, 91.31 feet
- 8) N 86°13'14" E, 115.07 feet

to the Southwesterly corner of a parcel of land known as the Yost Parcel and as described in Book 692 at Page 066 of the Eagle County Recorder; thence departing said Brush Creek centerline and along the boundary of said Yost Parcel the following five (5) courses;

- 1) S 77°40'04" E, 50.78 feet

- 2) S 61°46'12" E, 108.64 feet
- 3) S 68° 44'24" E, 177.09 feet
- 4) S 61°30'59" E, 276.03 feet
- 5) N 04°11'33" E, 177.28 feet

to the North line of Tract 58; thence along said North line N 89°13'00" E, 25.10 feet to the Northwest corner of a parcel of land known as the Pearch Parcel and described in Book 135 at Page 087 of the Eagle County Recorder; thence along the Westerly boundary of said Pearch Parcel S 00°45'29" E, 206.20 feet to the centerline of Brush Creek; thence along said centerline of Brush Creek and continuing along the Southerly boundary of said Pearch Parcel the following three (3) courses;

- 1) S 77°28'12" E, 206.56 feet
- 2) N 89°14'20" E, 201.44 feet
- 3) S 72°06'25" E, 52.63 feet

thence departing said Brush Creek centerline and continuing along the Pearch Parcel boundary N 00°46'00" E, 261.49 feet to a point on the Southerly Right-of-Way boundary of Eagle County Road P-103; thence along said Right-of-Way boundary the following two (2) courses

- 1) S 87°23'14" E, 58.33 feet
- 2) 1.77 feet along the arc of a curve to the right having a radius of 507.23 the chord of which bears S 87°17'14" E, 1.77 feet to the Northwest corner of a parcel of land known as the Parcel 2441 and as described in Book 267 at Page 280 of the Eagle County Recorder; thence along the Westerly boundary of said Parcel 2441 S 00°46'00" E, 283.67 feet to the centerline of Brush Creek; thence along said Centerline of Brush Creek and along the Southerly boundary of said Parcel 2441 the following three (3) courses;

- 1) S 44°46'19" E, 103.21 feet
- 2) S 70°55'26" E, 140.37 feet
- 3) S 73°02'09" E, 154.97 feet

thence departing said centerline of Brush Creek and continuing along said Parcel 2441 boundary N 31°58'25" E, 231.83 feet to the Southerly Right-of-Way fence line of Eagle County Road P-307; thence along said fence S 57°18'46" E, 284.09 feet to the extension of the Westerly boundary of a parcel of land known as Parcel 2535 and described in Book 267 at Page 281 of the Eagle County Clerk and Recorder; thence S 02°31'13" W, 13.82 feet to the Northwesterly corner of said Parcel 2535; thence along the Westerly boundary of said Parcel S 02°31'13" W, 285.56 feet to the centerline of Brush Creek; thence along said centerline of Brush Creek and continuing along said boundary S 71°32'40" E, 173.55 feet; thence departing said centerline and along said boundary

N 02°31'13" E, 234.61 feet to the Southerly Right-of-Way fence line of Eagle County Road P-307; thence departing said Parcel and along said fence line S 53°49'02" E, 545.84 feet to the Northwesterly corner of a parcel of land known as Parcel 2677 and described in Book 267 at Page 282 of the Eagle County Records; thence along said Parcel 2677 the following five (5) courses;

- 1) S 11°47'13" W, 353.87 feet
- 2) S 79°10'59" E, 150.04 feet
- 3) N 16°31'05" E, 77.52 feet
- 4) N 22°51'16" W, 59.69 feet
- 5) N 17°33'39" E, 100.00 feet

to the Southwest corner of Lot 21 of said Brush Creek Stables subdivision as conveyed in Book 616 at Page 920 of the Eagle County Records; thence departing said Parcel 2677 boundary and along the Southerly boundary of said Lot 21 the following eleven (11) courses;

- 1) S 61°07'40" E, 92.12 feet
- 2) S 38°10'00" E, 81.00 feet
- 3) S 56°30'00" E, 78.00 feet
- 4) S 05°10'00" W, 100.00 feet
- 5) S 71°10'00" E, 291.00 feet
- 6) S 53°40'00" E, 63.00 feet
- 7) S 06°10'00" E, 67.00 feet
- 8) S 68°00'00" E, 53.00 feet
- 9) N 72°40'00" E, 153.00 feet
- 10) S 61°40'00" E, 77.00 feet
- 11) S 36°55'57" E, 77.71 feet

to the Westerly boundary of a parcel of land known as Parcel 2941 and described in Book 267 at Page 284 of the Eagle County Records; thence departing said Lot 21 and along the boundary of said Parcel 2941 the following two (2) courses;

- 1) S 03°44'56" W, 207.00 feet
- 2) S 72°07'36" E, 429.63 feet

to the centerline of Brush Creek and the Westerly boundary of a parcel of land known as Parcel 3021 and described in Book 267 at Page 285 of the Eagle County Records; thence departing said Parcel 2941 and along the centerline of Brush Creek being the Southerly boundary of said Parcel 3021 the following six (6) courses;

- 1) S 31°39'57" E, 53.39 feet
- 2) S 16°59'49" W, 71.60 feet

- 3) S 53°08'26" E, 47.56 feet
- 4) N 61°23'55" E, 71.52 feet
- 5) S 83°17'34" E, 65.14 feet
- 6) S 13°37'22" E, 160.18 feet

thence departing said centerline of Brush Creek and continuing along said Parcel 3021 N 23°28'24" E, 398.03 feet to the Northeast corner of said Parcel 3021; thence N 23°28'24" E, 12.48 feet to the Southerly Right-of-Way fence line of Eagle County Road P-307; thence along said fence line S 49°34'51" E, 413.93 feet; thence along said fence line S 65°18'22" E, 246.49 feet to the Northwest corner of a parcel of land described in Book 214 at Page 083 of the Eagle County Records; thence along said parcel the following two (2) courses;

- 1) S 11°27'00" E, 127.03 feet
- 2) S 21°52'00" E, 62.00 feet

to the Northwest corner of Lot 33 of said Brush Creek Stables subdivision as conveyed in Book 573 at Page 801 of the Eagle County Records; thence along the boundary said Lot 33 and along the boundary of Tract C of the said Brush Creek Stables subdivision the following four (4) courses;

- 1) S 30°22'05" W, 321.32 feet
- 2) S 73°26'25" E, 226.70 feet
- 3) 182.04 feet along the arc of a non-tangent curve to the right having a radius of 50.00 feet, the chord of which bears S 29°08'32" E, 96.90 feet
- 4) S 14°50'27" E, 528.71 feet

to the South boundary of said Brush Creek Stables; thence along said South boundary N 68°30'00" W, 1707.00 feet to Corner 1 of Tract 88, also being Corner 2 of Tract 60, a 2 1/2 inch diameter G.L.O. Brass Cap Monument found in place; thence along the North boundary of said Tract 88 also being the South boundary of Tract 59 S 89°58'55" W, 1401.96 feet to Corner 1 of Tract 57 also being Corner 5 of Tract 59, a 3 1/2 inch diameter Brass Cap on a 2 inch diameter iron pipe, stamped "Eagle County Surveyor -1978", found in place; thence along the East boundary of said Tract 57 being also the West boundary of Tract 88 S 01°58'11" E, 1276.98 feet to Corner 1 of Tract 70 being also Corner 4 of Tract 57, a 2 1/2 inch diameter G.L.O. Brass Cap Monument found in place; thence along the East boundary of Tract 70 being also the West boundary of Tract 88 S 00°04'36" E, 2225.20 feet from which Corner 3 of Tract 88 bears S 00°04'36" E, 461.58 feet; thence departing said Tract lines and continuing along the boundary of said Brush Creek Stables subdivision the following nine (9) courses;

- 1) S 89°55'00" W, 1744.14 feet
- 2) S 01°19'13" E, 3802.00 feet

- 3) S 88°40'47" E, 65.00 feet
- 4) N 01°19'13" E, 150.00 feet
- 5) S 88°40'47" E, 759.56 feet
- 6) N 01°19'13" E, 1182.39 feet
- 7) N 74°23'52" W, 1943.91 feet
- 8) N 00°01'50" E, 519.37 feet

to the Southeast corner of said Eichler Tract; thence N 00°01'50" E, 216.16 feet to the Point of Beginning; containing 300.002 acres, more or less.

SIXTH AMENDED PUD GUIDE FOR EAGLE RANCH PLANNED UNIT DEVELOPMENT

**Amended and Approved
January 12, 2022**

This document supersedes and replaces the, December 3, 1998, the Amended PUD Guide dated February 13, 2001, the Amended PUD Guide dated August 2003, 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 the Town of Eagle Land Use and Development Code.

The Eagle Ranch PUD authorizes 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.

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.

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.

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%).

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 customarily associated with hotels, motels and lodges.

Planning Parcels:

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 found 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 calculate parking requirements.

3. PUD ZONE DISTRICTS – See PUD Zone District Map (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.

A. Neighborhood Center Commercial District

1. Purpose:

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

3. 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 floor area for senior care uses on Lots 1 and 2 Filing 29, exceed 120,000 square feet.
- b) Residential uses including multi- family dwellings and apartments.
- 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) Educational facilities including public and private schools, colleges, and elderly care.
- f) Parking facilities.
- 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.
- p) 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.

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

4. Minimum Building Setback Requirements:

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 be a 50' building setback from minor streams and a 100'

building setback from Brush Creek.

5. Maximum Building Height:

- (a) Mixed use commercial and residential buildings may be three stories not to exceed 40 feet in height. (b) Multiple family residential buildings, and apartments shall be limited to 40 feet in height and a maximum of three stories.

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.

7. Maximum Density:

The maximum density within the Neighborhood Center Commercial District 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.

C. Residential District

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)

3. Uses by Right:

a) Single-family dwelling units not to exceed 7,000 square foot maximum size.

- b) Accessory apartment
- c) Parks, recreation facilities and open space.
- d) Home occupations.
- e) Utility services structures and buildings / golf course maintenance facilities.
- f) Equestrian, pedestrian and bicycle trails.
- g) Lakes, ponds, reservoirs and irrigation ditches.
- h) Temporary construction staging areas.
- i) Additional uses determined to be similar to uses by right listed above.
- j) Accessory uses customarily appurtenant to uses by right listed above.

4. Special Uses:

- a) Day care of more than 6 children and elderly care.

5. 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

6. Maximum Building Height:

35 feet.

7. Density Allowance and Lot Consolidation:

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.

8. Maximum Lot Coverage:

Building - 30%

All impervious materials - 50%

9. Building Envelopes:

Home site construction disturbance on any lot over 1/2 acre that is located within Eagle Ranch Filings 8, 22, 24, and 25 shall be limited to 16,500 square feet.

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 shall be retained in its natural state to maintain undisturbed native vegetation as wildlife habitat. No grading, vegetation manipulation 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 Board and Town approval.

D. Recreation Open Space District

1. Purpose:

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

2. Lots and parcels included:

Tract OS6, Eagle Ranch Filing 1

Tract OS7, Eagle Ranch Filing 1

3. 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.

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

5. Maximum Building Height:

35 Feet.

6. Density Allowance:

N/A.

7. Maximum Site Coverage:

N/A.

E. Open Space District.

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

3. 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.

4. Minimum Building Setback Requirements:

N/A

5. Maximum Building Height:

N/A

6. Density Allowance:

N/A

7. Maximum Site Coverage:

N/A

F. Golf Course District.

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

3. Uses by Right:

- a) Golf Course and related ancillary facilities.
- b) Clubhouse and related ancillary facilities.
- 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.
- k) Accessory uses customarily appurtenant to uses by right listed in this section.

4. 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.

5. 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 Homeowners 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. Accessory apartments 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 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 1 and 2, Filing 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 Development 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 be approved by the Eagle Ranch Design Review Board and subject to review by the Town subject to 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. 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.

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.

5. PARKING RULES AND REQUIREMENTS

A. Parking Requirements

All uses within Eagle Ranch will be subject to the parking standards found below. Uses not specified shall be regulated by the Town Code. In the Neighborhood Center

Commercial District there are 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. 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.

Eagle Ranch Parking Requirements are provided in the table below:

| Use | Number of Spaces |
|---|---|
| Single Family or Duplex | 2 spaces per dwelling unit |
| Accessory Apartment | 1 space |
| Multiple-Family Dwelling | 1 spaces per dwelling unit with 1 bedroom 2 spaces per dwelling unit with 2 or 3 bedrooms |
| Accommodation or Lodging | 0.5 spaces per separate unit |
| Bed and Breakfast | 1 space per guest room plus 2 spaces for dwelling unit |
| Church | 1 space per 5 seats or 1 per 100 sq. ft. of floor area used or designed for public use No parking required in the Neighborhood Center |
| Grocery or liquor store | 1 space per 411 sq. ft. |
| Nursing Home | 1 space per 4 patient beds, plus 1 per 3 full-time employees plus 1 per part time or full-time staff doctor |
| Senior Housing | 1 space per unit |
| Auditorium, assembly hall, gymnasium, skating rink, theater, library, convention hall, exhibition hall, sports arenas, funeral home and other places of public assembly | 1 space per 4 seats or 1 space per 100 sq. ft. of floor area designed or used by the public, whichever is less No parking is required for a theater located in the Neighborhood Center Commercial District |
| Office uses, all | 1 space per 300 sq. ft. of net floor area |
| Retail | 1 space per 300 sq. ft. of net floor area |
| Restaurant or bar | 1 space for 65 sq. ft. of indoor seating area |

| | |
|--|--|
| | No parking is required for outdoor seating areas |
| Drive-in or drive-through restaurant without indoor eating area for the public | 3 spaces per 100 sq. ft. of net floor area |
| | |

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 have been adopted which 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 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 ZONING PLAN AND SUBDIVISION PLANS**

It is anticipated that modifications or amendments to this PUD Guide, the PUD 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.

A. 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.

B. 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.

Applications for major modifications shall be reviewed in accordance with the Town Code.

Approved by the TOWN OF EAGLE, COLORADO, a municipal corporation acting by and through its Town Council, this 11th day of January 2022.

ATTEST


Jenny Rakow, Town Clerk



By:


Ellen Bodenhemier (Jan 20, 2022 17:07 MST)

Ellen Bodenhemier, Council Member

Exhibit A
PUD Zone Districts Map

Eagle Ranch PUD Zoning Plan

Street Centerline

Town Boundary

Subdivision

Eagle Ranch PUD Boundary



1 inch = 1,500 feet
0 750 1,500
Feet



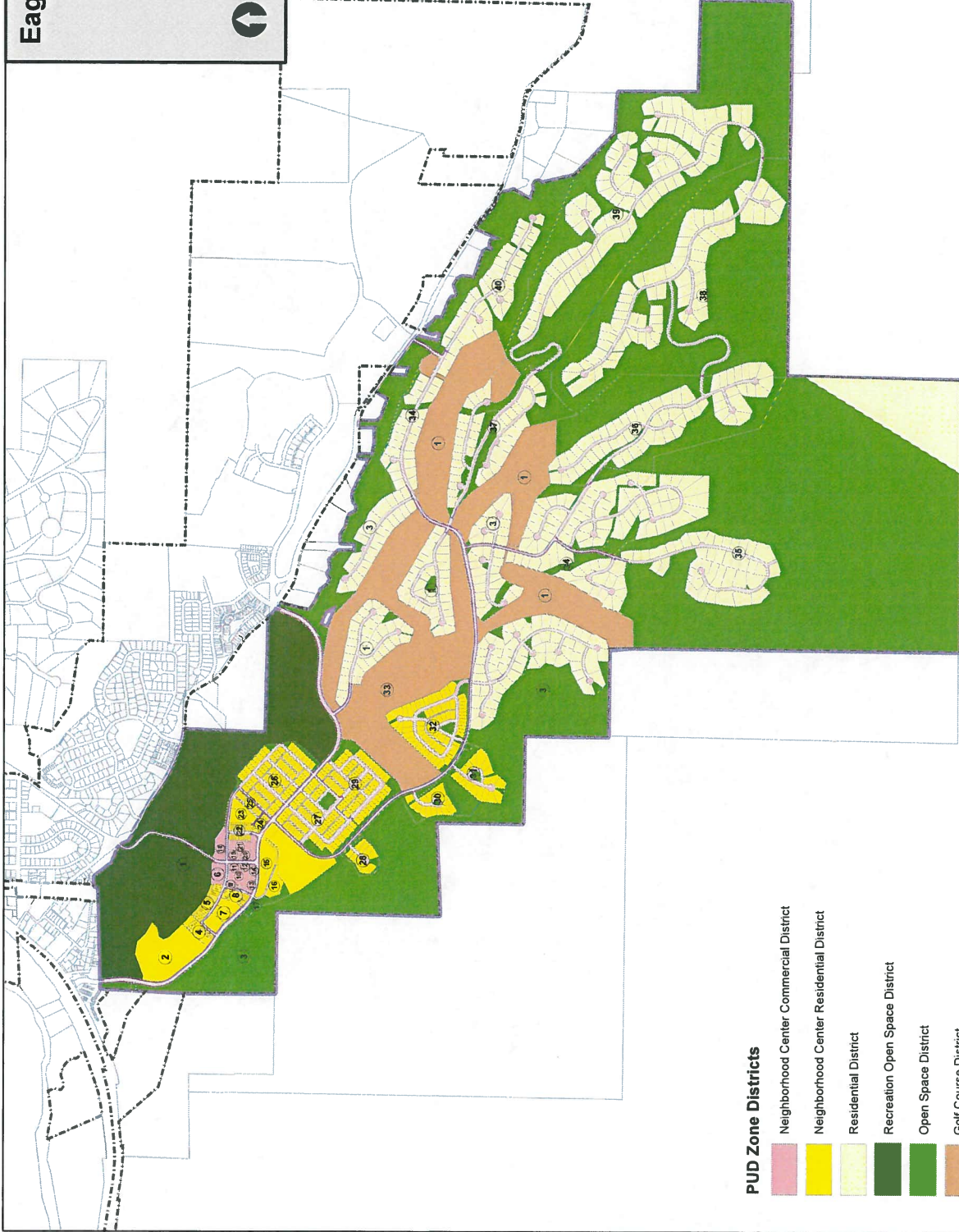
This map was created by the Eagle County GIS Department. Use of this map should be limited to the specific purpose for which it was created and does not warrant the accuracy of the data contained herein.

SUBDIVISION

1. EAGLE RANCH FILING 1
2. EAGLE RANCH FILING 13
3. EAGLE RANCH FILING 3
4. FRONTGATE TOWNHOMES
5. CASTLE PEAK TOWNHOMES
6. EAGLE RANCH FILING 28
7. WEST VILLAGE CONDO
8. GAMBEL STREET TOWNHOMES
9. EAGLE RANCH LIVE-WORK TOWNHOMES
10. EAGLE RANCH FILING 11
11. CASTLE PEAK CONDOS
12. ADDISON CENTER CONDOMINIUMS
13. SYLVAN LAKE BUILDING CONDOMINIUMS
14. EAGLE RANCH FILING 27
15. EAGLE RANCH FILING 29
16. SYLVAN SQUARE CONDOMINIUMS
17. EAGLE RANCH FILING 26
18. 1020 CAPITOL STREET CONDOMINIUMS
19. EAGLE RANCH FILING 5
20. FULFORD BUILDING
21. EAGLE RANCH FILING 30
22. MACDONALD STREET TOWNHOMES
23. FOUNDERS PLACE CONDO
24. REDSTONE TOWNHOMES
25. EAGLE RANCH FILING 6
26. EAGLE RANCH FILING 2
27. EAGLE RANCH FILING 16
28. EAGLE RANCH FILING 18
29. EAGLE RANCH FILING 15
30. EAGLE RANCH FILING 17
31. EAGLE RANCH FILING 23
32. EAGLE RANCH FILING 20
33. EAGLE RANCH FILING 4
34. EAGLE RANCH FILING 8
35. EAGLE RANCH FILING 22
36. EAGLE RANCH FILING 21
37. EAGLE RANCH FILING 24
38. EAGLE RANCH FILING 25
39. EAGLE RANCH FILING 14
40. EAGLE RANCH FILING 14

PUD Zone Districts

- Neighborhood Center Commercial District
- Neighborhood Center Residential District
- Residential District
- Recreation Open Space District
- Open Space District
- Golf Course District



Eagle Ranch PUD Guide final 1-12-2022 clean

Final Audit Report

2022-01-21

| | |
|-----------------|--|
| Created: | 2022-01-20 |
| By: | Jenny Rakow (jenny.rakow@townofeagle.org) |
| Status: | Signed |
| Transaction ID: | CBJCHBCAABAAtWdDC0dFbeYQoAfo6sTJyjei0hISbwX2 |

"Eagle Ranch PUD Guide final 1-12-2022 clean" History



Document created by Jenny Rakow (jenny.rakow@townofeagle.org)

2022-01-20 - 7:04:55 PM GMT- IP address: 66.201.145.9



Document emailed to Ellen Bodenhemier (ellen.bodenhemier@townofeagle.org) for signature

2022-01-20 - 7:06:21 PM GMT



Email viewed by Ellen Bodenhemier (ellen.bodenhemier@townofeagle.org)

2022-01-20 - 7:07:44 PM GMT- IP address: 66.86.87.102



Document e-signed by Ellen Bodenhemier (ellen.bodenhemier@townofeagle.org)

Signature Date: 2022-01-21 - 0:07:38 AM GMT - Time Source: server- IP address: 66.86.87.102



Agreement completed.

2022-01-21 - 0:07:38 AM GMT



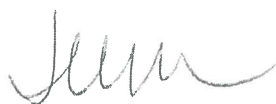
Adobe Sign

PROOF OF PUBLICATION

STATE OF COLORADO)
)
COUNTY OF EAGLE)

I, Jenny Rakow, Town Clerk for the Town of Eagle, do solemnly swear and affirm that I published in full a true and correct copy of ORDINANCE NO. 03 (Series of 2022) AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF EAGLE, COLORADO ADOPTING THE SIXTH AMENDED PUD GUIDE FOR EAGLE RANCH PLANNED UNIT DEVELOPMENT AND PUD ZONING PLAN on the Town 1of Eagle's web site, www.townofeagle.org, on the 17th day of January 2022.

Witness my hand and seal this 17th day of January 2022.



Jenny Rakow
Town Clerk



Ordinance Effective Date:
January 28, 2022