

PUD GUIDE FOR THE RED MOUNTAIN RANCH PLANNED UNIT DEVELOPMENT

Exhibit B to the Annexation and Development Agreement

June 19, 2019

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***Notes in red are intended for Town of Eagle review purposes and are not intended to be included in the final approved version.**

**APPROVAL OF THIS PLAN CONSTITUTES A VESTED PROPERTY RIGHT
PURSUANT TO SECTION 24-68-103, C.R.S., AS AMENDED**

1. PURPOSE:

The purpose of the Red Mountain Ranch PUD Guide is to serve as the governing land use regulations which will control the development of the Red Mountain 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 Red Mountain Ranch PUD authorizes a total of 153 dwelling units, 10,000 square feet of commercial space, an environmental education center of 10,000 square feet, public and private open space, active and passive parks and recreation areas, and trails on 106.2 acres of land within the Town of Eagle, Eagle County, Colorado as described in the approved Red Mountain Ranch PUD Zoning Plan.

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Development within the PUD is administered by the Town of Eagle through the provisions of this PUD Guide and through the review and approval of specific Development Plans for each Planning Area. 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. This PUD Guide and exhibits shall constitute a site-specific development plan and creates a vested right pursuant to Article 68 of Title 24, Colorado Revised Statutes, as amended, for a period of 20 years.

The approved Red Mountain Ranch PUD Zoning Plan Sheets 1 - 6 dated _____, 2019, are attached to this PUD Guide as Exhibit A.

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2. DEFINITIONS:

Unless otherwise defined below, all terms used in this document shall be as defined by the Town of Eagle Land Use Regulations or by common and ordinary use as defined by the Merriam-Webster Dictionary New Edition 2016.

A. Red Mountain Ranch PUD

The Red Mountain Ranch PUD is a zone district authorized by the Town of Eagle Ordinance No., Series of 2014, and containing the property commonly known as Red Mountain Ranch.

B. Bed and Breakfast Lodge

A dwelling unit or lodge building that contains no more than six guest rooms where short term lodging, with or without meals, is provided for compensation.

C. Planning Areas

Areas as indicated on the approved Red Mountain Ranch PUD Zoning Plan for development, the development of which shall be regulated by this Red Mountain Ranch PUD Guide and by specific Development Plans. These Planning Areas are listed as

Planning Area 1, Planning Area 2, Planning Area 3, Planning Area 4, Planning Area 5-B, Planning Area 5 and Planning Area 6.

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E. Special Use

Special Use shall be as defined in Section 4.05 of the Town of Eagle Land Use and Development Code.

F. Short Term Rental

Short Term Rental shall be defined as the rent or lease of a residential property for a term of less than 30 days.

G. Active Recreation

Common areas within the PUD which include useable open space; improved common recreational amenity areas such as pools and fitness facilities; picnic sites; playgrounds; open turf and lawn areas that are sufficient in size to support recreational sports activities; trails and adjacent open spaces not required for direct access to dwelling units or commercial facilities, if connected to a regional system or established trail network; and similar areas as determined by the Town Planner.

H. Buffer Zones and Common Open Space

The term buffer zones and/or open space as used in this document is intended to describe areas within development parcels that have been designed to meet Conservation Oriented Design and Cluster Residential design concepts by creating open space and buffers within and around development areas. Buffer zone and open space lands shall be natural or formal landscape areas or parks that are held in common ownership by the master homeowner association of the greater neighborhood. Roads may traverse buffer zones and open space. Parking areas are not allowed in buffer zones. Lands under ownership of private residences or individual building homeowner associations shall not count toward buffer zone requirements.

I. Farmer's Market

A farmers' market is a physical retail marketplace intended to sell foods directly by farmers to consumers. Farmers' markets may be indoors or outdoors and typically consist of booths, tables or stands where farmers sell fruits, vegetables, meats, cheeses, flowers, plants, and/or prepared foods and beverages. Retail offerings may also include crafts and other non-perishable items. Farmer's markets typically occur over one or two days per week on a seasonal basis.

J. Building Height

Building height shall be measured as per Town of Eagle Municipal Code.

L. Eagle River Setback

No improvement, building, structure, excavation, dumping or backfill shall be placed, built, undertaken or approved within the designated river setback distance measured horizontally from the high water mark, except for bridges, soft surface paths, irrigation structures, flood control and erosion control devices and riparian area vegetation enhancement and revegetation of previously disturbed areas.

Within such Eagle River setback area , underground utilities or public park improvements and/or structures may be allowed as reviewed and approved as a part of a Major Development Permit process, following procedures set forth in the Town of Eagle Municipal Code, provided that the Town Board finds that:

- A) There is no practical alternative for such utilities or public park structures; and
- B) That adequate provision is made to ensure that all construction scars are revegetated.

3. TOWN OF EAGLE OPEN SPACE STANDARDS AND REQUIREMENTS:

Town of Eagle Municipal Code Section 4.11.030. - Standards and requirements.

Open Space

The Town of Eagle PUD zoning requirement detailed in Section 4.11.030.C of the municipal code requires 20% of the gross PUD area as open space. At 106.218 acres, the Red Mountain Ranch PUD requires 21.2 acres of open space under this formula.

Tables 1 and 2 detail the required and proposed open space areas.

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Deleted: The proposed PUD Zoning Plan identifies over 67 acres of open space. This equates to over 52% of the total land area designated as open space. ¶

¶
The plan proposes a 1.8-acre public park and a 3.0-acre riverfront town park and includes 15.4 acres of open space south of the river. These lands, totaling 20.2 acres will be dedicated to the Town of Eagle.¶

¶
The plan also includes designation of all the riverfront property, from the centerline of the river to 50 feet from the average high water mark, as protected open space. Some of this river frontage will include a public pedestrian trail along the river or includes the existing public fishing access easement. These designated open space areas on the PUD Zoning Plan total an additional 34 acres.¶

¶
Planning Area 3 has been designated as an environmental education facility and includes an additional 13.6 acres of protected and sensitive open space lands on both sides of the Eagle River.¶

¶
This results in an open space total of 67.8 acres, over 52% of the total site area of the PUD.

Table 1. PUD Common Open Space, Usable Open Space, Active Recreation 106.218 acres total

Required 20% of total area		21.2	acres
Required 75% Usable (<10% Slope)		15.9	acres
Required Active Recreation (50% of Usable)		7.9	acres
Proposed Common Open Space:			acres
PA-1	65%	22.3	acres
PA-2	42%	2.1	acres
PA-3	91%	13.6	acres
PA-4	34%	4.6	acres
PA-5	57%	8.3	acres
PA-5B	100%	3.0	acres
PA-6	26%	5.2	acres
Total	56%	59.1	acres
Balance		+37.9	acres
Proposed Usable Open Space:		19.5	acres
PA-1 through 6		19.93	acres
Total		19.93	acres
Balance		+0.43	acres
*Proposed Active Recreation:		9.75	acres
*Not yet designed or determined, this will be a function of the PUD Development Plan		*	acres

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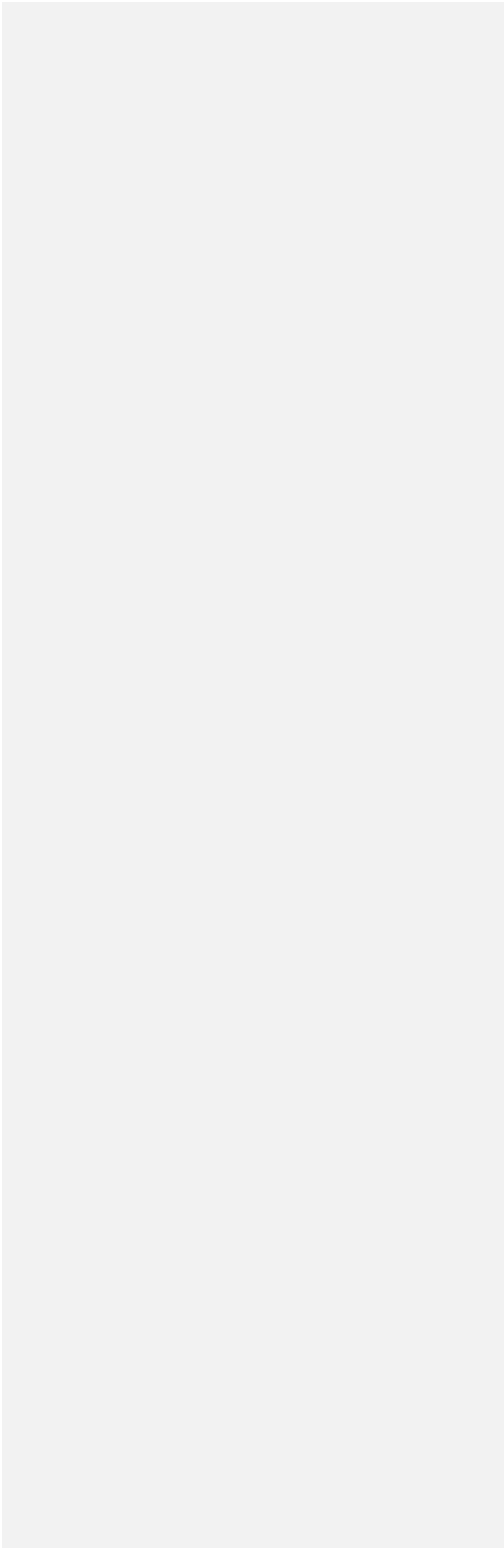


Table 2. Municipal and Park Land Dedication

Total Project Area 106.218 acres

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REQUIRED

Total Units	153	MF units
# of people (2.5/unit)	382.5	people
Required Acres (.012)	4.59	acres
Public/Private 50%	2.29/2.29	acres

PROPOSED

Total Public Dedication		
PA-1 Town Park	1.8	acres
PA-1 South of River	15.4	acres
PA-5B Riverfront Park	3	
*Total	20.2	acres
Balance	+17.91	acres
Total Private Dedication		
PA-3	13.6	acres
Balance	+11.31	acres
Total Provided	33.8	acres
Total Balance	+29.22	acres
*Of the public land dedication (2.29 acres total required), 80% must be usable (i.e. having a slope of 10% or less). Subject application proposes 2.68 acres usable where 1.8 acres is required.		

Deleted: This open space calculation of 67 acres does not include the park and open space lands that will be designed into each of the residential neighborhoods. ¶

¶ The municipal code also states that 75 % of the open space shall have a slope of 10% or less and that half of that area be developed as “active recreation area”. The applicant assumes this means 75% of the ‘required minimum’ of 20% of the gross land area. At 75% of the required minimum of 26 acres of open space there would need to be 19.5 acres of dedicated open space at a 10% or less grade and 9.75 acres of that would need to be developed as active recreation. The proposed PUD Zoning Plan meets the minimum open space requirement and the active recreation area requirement. ¶

Maintenance of Open Space

The open space areas indicated in the plan that will be dedicated to the Town of Eagle will be maintained by the Town. This includes the 1.8-acre public park designated as OS-1, the open

space lands on the south side of the river designated as OS-3 and the entirety of the river park and boat ramp identified as Planning Area 5B.

Open Space -5 will be a part of the overall dedication of Planning Area 3 to a non-profit entity and will be owned, managed and maintained by that entity as an integral part of Planning Area 3.

All other open space lands and recreation areas shall be owned and be maintained by a homeowners association.

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Deleted: with the means and expertise to carry out this task. The HOA will be appropriately structured and funded to allow for full ownership, care, maintenance, operation and management capabilities. Some of these HOA owned open space parcels will include public access easements for use of the proposed Discovery Trail along the river. These details will be fully addressed in both the PUD approval documents and in the Red Mountain Ranch Annexation Agreement. Final maintenance programs will be determined at the PUD Development Plan and subdivision review plans for each Planning Area as those applications move through the review process. ...

Deleted: Municipal and Park Land Dedication

The Red Mountain Ranch PUD Zoning Plan will far exceed the Town of Eagle standards for municipal and park land dedication. Section 4.13.190 of the land use regulations includes a formula for land dedication requirements for parks and open space. At this level of review an exact calculation of that formula is not possible nor appropriate as the exact densities and unit mix types will not be finally determined until Development Plan review. However, a general calculation based on the maximum density of 153 units and a hypothetical unit mix of 92 multi-family homes and 61 single family homes indicates that the dedication requirement would be 5.32 acres. The PUD Zoning Plan includes a dedication of Planning Area 5B as a town park of 3-acres and a town park on OS-1 of 1.8-acres. OS-3 is an additional 15.4 acres for a total public dedication of 20.2 acres. The public easement dedicated for the riverside Discovery Trail as depicted on the PUD Zoning Plan adds additional lands to public recreation. In addition, portions of the Red Mountain Ranch lands include a public fishing easement. This easement area qualifies as public dedication and as active recreation.

4. PUD PLANNING AREAS:

A. Planning Area 1:

1. R/PUD-1

1. Purpose:
To provide sites for a variety of residential land uses including single family, duplex, townhomes, condominiums and apartments at a maximum density of 97 dwelling units.

The design of residential neighborhoods in this district is 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. In general, residential density should be higher at the west end of the property and transition to lower density to the east.

Site planning should follow the principles of Conservation Oriented Development and Cluster Residential design as articulated in the Eagle Area Community Plan and in the Town of Eagle River Corridor Plan. The design should provide for clustered areas of development areas and integrate buffer zones and formal or informal open space areas within the plan. Within the area of 12.4 acres designated as R/PUD -1 there should 4 acres designed as parks, open space or buffer zones for a ratio of 78% development area to 32% of buffer zone and common open space.

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2. Uses by Right:
- a. Single family homes.
 - b. Duplex building (two units)
 - c. Multiple family residential, including condominiums, townhomes, flats or apartments, and single family or duplex cluster units on specifically designated lots.
 - d. Accessory dwelling unit to owner-occupied single family dwelling.
 - e. Other uses which the Town Planner find to be compatible.
 - f. A Homeowner Association owned enclosed storage building. *Variation from Town of Eagle R/PUD listed uses*
 - g. Short term rentals. *Variation from Town of Eagle R/PUD listed uses*
 - h. Wastewater lift station and associated improvements.
3. Special Uses:
- a. Day care of more than 8 children.
 - b. Special Events. *Variation from Town of Eagle R/PUD listed uses*
4. Accessory uses:
- a. Home occupation.
 - b. Parks, playground, pools, greenbelt.
 - c. Model homes and sales office. *Variation from Town of Eagle R/PUD listed uses*
 - d. Pedestrian and bicycle trails. *Variation from Town of Eagle R/PUD listed uses*
 - e. Day care of less than 8 children

Deleted: The R/PUD-1 lands are intended to be served by Town of Eagle municipal water and wastewater system. ↴

- f. Detached garages
- g. Other uses which the Town Planner find to be compatible.

5. Minimum Building Setback Requirements:

- a. Front: Highway 6 shall be considered the primary front setback. All habitable buildings shall maintain a 50-foot setback from the Highway 6 right-of-way line. Non-habitable buildings including garages, and surface parking areas shall maintain a 25-foot setback from the Highway 6 right-of-way line.

Internal roads, driveways, signs, landscaping, grading, berms and utility structures shall be allowed within the front setback.
 Variation from Town of Eagle residential setback standards of 50 feet from arterial road.

Residential buildings not fronting Highway 6 shall maintain a 10-foot setback from their internal front property line.

- b. Side: The side setback for single family homes and duplex buildings shall be 7.5 feet. The side setback for multi-family buildings shall be 7.5 feet.
 Variation from Town of Eagle residential setback standards of 12.5 feet.

- c. Rear: The rear yard setback shall be 10 feet from internal property lines.

- d. Eagle River: 75 feet as defined in this PUD Guide.

- e. Supplementary setback requirements:
 Roof eaves, bay window elements and similar features may encroach up to 30 inches into any required setback.

6. Maximum Building Height:

35 feet.

7. Maximum Lot Coverage: To encourage clustering, small lots and the provision of common open space while integrating Conservation Oriented Design and Residential Cluster Design techniques there are no maximum lot coverage restrictions.

8. Maximum Density:
 The maximum density shall not exceed 97 dwelling units.

2. OS-1

- 1. Purpose:
 To provide a site for a small public riverfront park with publicly accessible soft surface

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Deleted: The average high water mark of the Eagle River shall be considered the river setback. All buildings and parking areas shall meet a 75-foot river setback except where the river bank is more than 15 feet above the high water line and then a 50-foot building river setback shall be allowed. Formal landscaping and soft surface trails may be allowed in the zone between the 50-foot stream preservation area and the 75-foot building setback. ...

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Deleted: 40 feet for multi-family structures. Variation from Town of Eagle R/PUD listed uses (35 feet)¶

Deleted: for single family and duplex structures and accessory/storage buildings....

footpaths extending east along the river. Fishing shall be allowed by fly fishing and catch and release only, no commercial guided fishing shall be allowed.

Deleted: OS-1 shall be dedicated to the Town of Eagle at the first post-development permit subdivision plat filed within Planning Area 1. ...

2. Uses by Right:

- a. Park, playground, picnic shelters, trails, restrooms, recreation areas and associated parking.
- b. Utility lines and stormwater retention.
- b. Other uses which the Town Planner find to be compatible.
- c. Accessory uses customarily appurtenant to uses by right listed above.

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3. Special Uses:

- a. Special Events. **Variation from Town of Eagle R/PUD listed uses**

4. Minimum Building Setback Requirements:

- a. **Front:** Highway 6 shall be considered the front setback. Buildings such as picnic shelters and restrooms, shall maintain a 25-foot setback from the Highway 6 right-of-way line. Internal roads, parking, driveways, signs, landscaping, grading, berms and utility structures shall be allowed within the front setback.
Variation from Town of Eagle residential setback standards of 50 feet from arterial road.
- b. **Side:** The side setback for picnic shelters and buildings shall be 7.5 feet.
- c. **Rear:** 10 feet
- d. **Eagle River:** Eagle River: 75 feet as defined in this PUD Guide.

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Deleted: The average high water mark of the Eagle River shall be considered the rear and river setback. All buildings and parking areas shall meet a 75-foot river setback except where the river bank is more than 15 feet above the high water line and then a 50-foot building river setback shall be allowed. Formal landscaping and park improvements may be allowed in the zone between the 50-foot stream preservation area and the 75-foot building setback. Soft surface trails, natural vegetation restoration, landscape and vegetation maintenance, removal and restoration shall be allowed within the 50-foot preservation area setback...

- d. **Supplementary setback requirements:**
Roof eaves, bay window elements and similar features may encroach up to 30 inches into any required setback.

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5. Maximum Building Height:

20 feet

6. Maximum Lot Coverage: There are no maximum lot coverage restrictions.

7. Maximum Density:

There is no allowed density.

3. OS-2

1. Purpose:

The purpose of OS-2 is to describe specific uses for the river corridor and the adjacent 50-foot land from the average high water mark. This area shall be owned and maintained by the R/PUD -1

homeowners association. A public trail easement of 12 feet in width shall be created for the soft surface trail. The exact trail location will be determined at Development Permit approval for R/PUD-1 and the easement shall be dedicated at the first post development subdivision plat filed for Planning Area 1. Fishing shall be allowed by fly fishing and catch and release only, no commercial guided fishing shall be allowed. There are no buildings or formal improvements allowed other than those specifically listed below.

2. Uses by Right:

- a. Soft surface trails with limited river access points
- b. Natural vegetation management and removal of non-native species to maintain the health of the native ecosystem.
- c. Planting of native vegetation to improve or protect the native ecosystem.

3. Special Uses:

- a. None

4. OS-3

1. Purpose:

The purpose of OS-3 is to describe specific uses for the land within Planning Area 1 that is south of the river.

Fishing shall be allowed by fly fishing and catch and release only, no commercial guided fishing shall be allowed. There shall be no overnight camping allowed on OS-3. There are no buildings or formal improvements allowed other than those specifically listed below.

2. Uses by Right:

- a. Soft surface trails with limited river access points
- b. Natural vegetation management and removal of non-native species to maintain the health of the native ecosystem.
- c. Planting of native vegetation to improve or protect the native ecosystem.

3. Special Uses:

- a. None

B. Planning Area 2 The Farm: C/PUD

1. C/PUD-1

1. Purpose:

To provide a land for a neighborhood center area allowing for small scale residential and commercial uses with a focus on walkability from existing and future residential density and proximate public and educational uses. This area has the potential to include a river view restaurant that would serve the greater Eagle community as a unique tourism asset and community gathering spot.

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2. Uses by Right:

- a. Single family, duplex and/or multi-family residences. Variation from Town of Eagle C/PUD listed uses
- b. Accessory dwelling unit to owner-occupied single family dwelling.
- c. Bed & Breakfast Lodge.
- d. Restaurant.
- e. Retail.
- f. Farmer's market
- g. Short term rental. Variation from Town of Eagle C/PUD listed uses
- h. Community gardens and small animal farm. Variation from Town of Eagle C/PUD listed uses
- i. Greenhouses. Variation from Town of Eagle C/PUD listed uses
- j. Existing or restored historic buildings. Variation from Town of Eagle C/PUD listed uses
- k. Day use parking. Variation from Town of Eagle C/PUD listed uses
- l. Other uses which the Town Planner find to be compatible.

3. Special Uses:

- a. Day care of more than 8 children.

4. Accessory Uses:

- a. Home occupation.
- b. Parks, playground, recreation areas, pools, greenbelt.
- c. Pedestrian and bicycle trails. Variation from Town of Eagle R/PUD listed uses
- d. Day care of less than 8 children
- e. Detached garages
- f. Other uses which the Town Planner find to be compatible.

5. Maximum Density:

Up to 10 residential units and 10,000 square feet of commercial use. Variation from Town of Eagle C/PUD listed uses as there is no FAR allowance based on lot size

6. Minimum Building Setback Requirement:

- a. Front: Highway 6 shall be considered the front setback. All buildings shall maintain a 25-foot setback from the Highway 6 right of way line. Internal roads, driveways, signs, landscaping, grading, berms and utility structures shall be allowed within the front setback. Variation from Town of Eagle commercial setback standards of 50 feet from arterial road.
- b. Side: The side setback for single family homes and duplex buildings shall be 7.5 feet. The side setback for multi-family buildings shall be 7.5 feet. The side setback for commercial buildings shall be 12.5 feet. Variation from Town of Eagle commercial setback standards of 12.5 feet.
- c. Rear: The rear yard setback shall be 20 feet. Variation from Town of Eagle

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commercial rear setback standards of 25 feet.

d. ~~Eagle River: 75 feet as defined in this PUD Guide.~~

e. Supplementary setback requirements:

Roof eaves, bay window elements and similar features may encroach up to 30 inches into any required setback.

7. Maximum Building Height:
~~35 feet.~~

8. Maximum Site Coverage:
Building: 20%
All impervious: 40%

As this standard is applied to C/PUD-1 site coverage shall be measured against the entire parcel of 2.9 acres. This standard will not apply to internal lots created to define building or lot ownership.

Deleted: The average high water mark of the Eagle River shall be considered the river setback. All buildings and parking areas shall meet a 75-foot river setback except where the river bank is more than 15 feet above the high water line and then a 50-foot river setback shall be allowed. Formal landscaping may be allowed in the zone between the 50-foot stream preservation area and the 75 foot building setback. ¶

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Deleted: 40 feet for multi-family and commercial structures. ¶

Deleted: for single family and duplex structures and accessory/storage/greenhouse buildings.

2. OS-4

1. Purpose:

The purpose of OS-4 is to describe specific uses for the river corridor and the adjacent 50-foot land from the average high water mark as well as for the upland area extending north to Highway 6.

This area shall be owned and maintained by the R/PUD -1 Homeowners Association. A public trail easement of ~~12~~ feet in width shall be created for the soft surface trail along Highway 6. The exact location of the trail will be determined at Development Permit approval for C/PUD-1 and the easement shall be included with the first post-development permit subdivision plat filed within Planning Area 2. Fishing shall be allowed by fly fishing and catch and release only, no commercial guided fishing shall be allowed. There are no buildings or formal improvements allowed other than those specifically listed below.

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2. Uses by Right:

- a. Soft surface trails with limited river access points
- b. Natural vegetation management and removal of non-native species to maintain the health of the native ecosystem.
- c. Planting of native vegetation to improve or protect the native ecosystem.
- d. Existing historic buildings may be maintained and restored in place.

3. Special Uses:

- a. None

C. Planning Area 3 Nature Center: C/PUD

1. C/PUD-2

1. Purpose:
To provide a land area for an environmental education facility, employee housing and open space. C/PUD-2 shall be donated or conveyed to a non-profit entity that will operate an environmental education center.
2. Uses by Right:
 - a. Buildings for non-profit programming, environmental education and programming. Variation from Town of Eagle C/PUD listed uses
 - b. Multi-family residential that is subordinate to the environmental education center. Prohibited as a primary use. Variation from Town of Eagle C/PUD listed uses
 - c. Outdoor recreation facilities. Variation from Town of Eagle C/PUD listed uses
 - d. Open sided shade shelters. Variation from Town of Eagle C/PUD listed uses
 - e. Existing, restored or relocated historic buildings. Variation from Town of Eagle C/PUD listed uses
 - f. Landscape improvements, soft surface trails & interpretive signs. Variation from Town of Eagle C/PUD listed uses
 - g. Pedestrian bridge over the Eagle River. Variation from Town of Eagle C/PUD listed uses
 - h. Other uses which the Town Planner find to be compatible.
3. Special Uses:
 - a. None
4. Minimum Building Setback Requirement:
 - a. Front: Highway 6 shall be considered the front setback. All buildings shall maintain a 25-foot setback from the Highway 6 right of way line. Internal roads, driveways, parking, signs, landscaping, grading, berms and utility structures shall be allowed within the front setback. Variation from Town of Eagle commercial setback standards of 50 feet from arterial road.
 - b. Side: The side setback for single family homes and duplex buildings shall be 7.5 feet. The side setback for multi-family buildings shall be 7.5 feet. The side setback for commercial buildings shall be 12.5 feet. Variation from Town of Eagle commercial setback standards of 12.5 feet.
 - c. Rear: The rear yard setback shall be 20 feet.
- d. Eagle River: 75 feet as defined in this PUD Guide.
- e. Supplementary setback requirements:

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¶ The C/PUD-2 lands are intended to be served by Town of Eagle municipal water and wastewater system. No development permit will be issued until these services are available.

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Roof eaves, bay window elements and similar features may encroach up to 30 inches into any required setback.

5. **Maximum Building Height:**
40 feet for commercial, educational and multi-family structures. **Variation from Town of Eagle R/PUD listed uses (35 feet)**
35 feet for single family and duplex structures.

6. **Maximum Density:**
A maximum of 6 dwelling units not to exceed a total of 6,000 of floor area. These units are allowed only as a support use to the primary use by right education and programming facility. The dwelling units may not be developed prior to a primary facility. These dwelling units shall not be subdivided from the primary use facility.

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10,000 square feet of enclosed education and programming space. **Variation from Town of Eagle C/PUD listed uses as there is no FAR allowance based on lot size**

7. **Maximum Site Coverage:**
The C/PUD-2 area has been tightly defined and is adjacent to a significant open space parcel in OS-5. The maximum building and lot coverage ratios have been developed in recognition of this adjacent open space.

Building: 30%
All impervious: 70%

2. OS-5

1. **Purpose:**
The purpose of OS-5 is to describe specific uses for open space land on both sides of the Eagle River designated as OS-5.

This intent for this area is to provide open space in conjunction with the environmental education facility located on C/PUD-2. OS-5 shall be owned and maintained by the same owner as C/PUD-2. OS-5 should not be subdivided as a separate parcel from C/PUD-2. The soft surface trail traverses OS-5. The exact trail location will be determined at Development Permit approval for C/PUD-2 and a 12-foot wide easement shall be recorded upon completion of the path improvements. Fishing shall be allowed by fly fishing and catch and release only, no commercial guided fishing shall be allowed. There are no buildings or formal improvements allowed other than those specifically listed below.

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2. **Uses by Right:**
 - a. Open sided shade shelters. **Variation from Town of Eagle C/PUD listed uses**
 - b. Existing, restored or relocated historic buildings. **Variation from Town of Eagle C/PUD listed uses**
 - c. Interpretive signs. **Variation from Town of Eagle C/PUD listed uses**
 - d. Pedestrian bridge over the Eagle River. **Variation from Town of Eagle C/PUD listed uses**
 - e. Soft surface trails with limited river access points.

- f. Natural vegetation management and removal of non-native species to maintain the health of the native ecosystem.
- g. Planting of native vegetation to improve or protect the native ecosystem.
- h. Other uses which the Town Planner find to be compatible.

3. Special Uses:

- a. None

4. Setbacks:

- a. Front: Highway 6 shall be considered the front setback. All buildings shall maintain a 50-foot setback from the Highway 6 right of way line. Internal roads, driveways, and trails shall be allowed within the front setback.
Variation from Town of Eagle commercial setback standards of 50 feet from arterial road.
- b. Side/rear: 10 feet.
- c. Eagle River: The average high water mark of the Eagle River shall be considered the river setback. The setback shall be 75 feet for shade shelters or relocated historic buildings.

D. Planning Area 4: R/PUD

1. R/PUD-2

1. Purpose:

To provide sites for the balance of 153 units allowed in Planning Areas 1-6 but no more than ~~forty-four~~(44) units.

Site planning should follow the principles of Conservation Oriented Development and Cluster Residential design as articulated in the Eagle Area Community Plan and in the Town of Eagle River Corridor Plan. The design should provide for clustered areas of development areas and integrate buffer zones and formal or informal open space areas within the plan. Lands adjacent to Highway 6 would be an appropriate location for buffer and open space areas. Within the area of 9.1 acres designated as R/PUD -2 there should be 4.1 acres designed as open space or buffer zones for a ratio of 55% of development area and 45 % of buffer zone and common open space. Internal roadways serving Planning Area 3, 4 and 5B would be allowed within the open space/buffer zones.

2. Uses by Right:

- a. Single family, duplex or multi-family townhome dwelling units.
- b. Accessory dwelling unit to owner-occupied single family dwelling.
- c. Campground.

Variation from Town of Eagle R/PUD listed uses

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§ The R/PUD-2 lands are intended to be served by Town of Eagle municipal water and wastewater system. No development permit for residential uses will be issued until these services are available. If a camping facility is developed such facility may be served by an on-site wastewater treatment system and a common water well may be permitted. §

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c. -Short term rentals. Variation from Town of Eagle R/PUD listed uses

Deleted: d

d. Other uses which the Town Planner find to be compatible.

Deleted: e

3. Special Uses:

- a. Day care of more than 8 children.
- b. Bed and breakfast. *Variation from Town of Eagle R/PUD listed uses*

4. Accessory uses:

- a. Home occupation.
- b. Parks, playground, pools, greenbelt.
- c. Model homes and sales office. *Variation from Town of Eagle R/PUD listed uses*
- d. Pedestrian and bicycle trails. *Variation from Town of Eagle R/PUD listed uses*
- e. Day care of less than 8 children
- f. Detached garages, sheds and other similar buildings.
- g. Other uses which the Town Planner find to be compatible.

5. Minimum Building Setback Requirements:

- a. Front: Highway 6 shall be considered the primary front setback. All habitable buildings shall maintain a 50-foot setback from the Highway 6 right of way line. Non-habitable buildings including garages, and surface parking areas shall maintain a 25-foot setback from the Highway 6 right-of-way line.

Internal roads, driveways, signs, landscaping, grading, berms and utility structures shall be allowed within the front setback.

Variation from Town of Eagle residential setback standards of 50 feet from arterial road. Residential buildings not fronting Highway 6 shall maintain a 10-foot setback from their internal front property line.

Variation from Town of Eagle residential setback standard of 50 feet from arterial road.

- b. Side: The side setback for single family homes and duplex buildings shall be 7.5 feet. The side setback for multi-family buildings shall be 7.5 feet. *Variation from Town of Eagle residential setback standard of 12.5 feet.*

- c. Rear: The rear yard setback shall be 20 feet.

- d. Eagle River: 75 feet as defined in this PUD Guide.

- f. Supplementary setback requirements: Roof eaves, bay window elements and similar features may encroach up to 30 inches into any required setback.

Deleted: /River

Deleted: The average high water mark of the Eagle River shall be considered the river setback. All buildings and parking areas shall meet a 75-foot river setback except where the river bank is more than 15 feet above the high water line and then a 50-foot river setback shall be allowed. Formal landscaping may be allowed in the zone between the 50-foot stream preservation area and the 75-foot building setback. ¶

¶
-d.->

Deleted: 40 feet for multi-family structures. *Variation from Town of Eagle R/PUD listed uses (35 feet)¶*

Deleted: for single family and duplex structures and accessory/storage buildings.¶
Variation from Town of Eagle R/PUD of 35 feet

6. Maximum Building Height:
35 feet.

7. Maximum Lot Coverage:

- a. Building ~~50%~~
- b. All impervious materials - 70%

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8. Maximum Density:
 The maximum density shall not exceed 97 dwelling units.

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OS-6

1. Purpose:
 The purpose of OS-6 is to describe specific uses for the river corridor and the adjacent 50-foot land from the average high water mark. This area shall be owned and maintained by the Planning Area 4 Homeowners Association. A public trail easement of 12 feet in width shall be dedicated to the Town of Eagle for the soft surface trail. The location of the trail will be determined at Development Permit approval for R/PUD-2 and the easement shall be included in the first post-development subdivision plat filed within Planning Area 4. OS-6 includes a Colorado Parks and Wildlife public fishing easement from 25 feet north of the average high water mark to the centerline of the river. There are no buildings or formal improvements allowed other than those specifically listed below.
2. Uses by Right:
 - a. Soft surface trails with limited river access points
 - b. Natural vegetation management and removal of non-native species to maintain the health of the native ecosystem.
 - c. Planting of native vegetation to improve or protect the native ecosystem.
3. Special Uses:
 - a. None.

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E. Planning Area 5B: Eagle River Park: P/PUD

1. P/PUD

1. Purpose:
 To provide a land area for a recreation/park site to be dedicated to the Town of Eagle. This park will provide parking and access to the existing Colorado Parks and Wildlife public fishing easement.
2. Uses by Right:
 - a. Outdoor recreation facilities.
 - b. Park and picnic facilities including open sided shade shelter.
 - c. Boat ramp.
 - d. Public restrooms.
 - e. Parks, playground, greenbelt.

Deleted: located between the average high water mark and the centerline of the river...

Deleted: Planning Area 5B may be served by an on-site wastewater disposal system. §

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e. Dog park.

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- f. Existing, restored or relocated historic buildings.
- g. Day use parking.
- h. Other uses which the Town Planner find to be compatible.

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3. Minimum Building Setback Requirement:
 There shall be a 25-foot side and front setback and a 75-foot setback from the Eagle River. A boat ramp and associated improvements and a soft surface trail may be located within the Eagle River setback.

Deleted: building setback from Highway 6

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Deleted: A boat ramp and associated improvements and a soft surface trail may be located within the Eagle River setback....

- 4. Maximum Building Height:
20 Feet.
- 5. Density Allowance:
N/A
- 6. Maximum Site Coverage:
N/A

F. Planning Area 5: R/PUD

1. R/PUD -3

- 1. Purpose:
To provide sites for no more than fifteen (15) single family or duplex units.

Planning Area 5 has been designed to meet the principles of Conservation Oriented Development and Cluster Residential design by creating OS-7 and OS-8 and tightly defining the size, shape and scale of the development area designated as R/PUD-3. The 15 dwelling units will be clustered into the 6.2 acres designated as R/PUD-3.

Access to R/PUD-3 will be directly from Highway 6.

- 2. Uses by Right:
 - a. Single family and duplex dwelling units.
 - b. Accessory dwelling unit to owner-occupied single family dwelling.
 - c. Other uses which the Town Planner find to be compatible.

Variation from Town of Eagle R/PUD listed uses

Deleted: The R/PUD- 3 lands may be developed under on-site wastewater treatment systems ("OWTS") and an on-site potable water well(s). When municipal water and wastewater service are brought to within 400 feet of the site then all residential development within R/PUD-3 will be required to connect to such system. Should R/PUD-3 develop prior to extension of such service the maximum density will be based on the proposed OWTS capacity.

- 3. Special Uses:
 - a. Day care of more than 8 children.
 - b. Bed and breakfast. Variation from Town of Eagle R/PUD listed uses

Deleted: j

c. -Short term rentals. Variation from Town of Eagle R/PUD listed uses

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- 4. Accessory uses:
 - a. Home occupation.
 - b. Parks, playground, pools, greenbelt.
 - c. Model homes and sales office. Variation from Town of Eagle R/PUD listed uses

- d. Pedestrian and bicycle trails. *Variation from Town of Eagle R/PUD listed uses*
- e. Day care of less than 8 children
- f. Detached garages, sheds, non-commercial greenhouses and other structures.
- g. Other uses which the Town Planner find to be compatible.

5. Minimum Building Setback Requirements:

- a. Front: Highway 6 shall be considered the primary front setback. All habitable buildings shall maintain a 50-foot setback from the Highway 6 right of way line. Non-habitable buildings including garages, and surface parking areas shall maintain a 25-foot setback from the Highway 6 right-of-way line.

Internal roads, driveways, signs, landscaping, grading, berms and utility structures shall be allowed within the front setback.

Variation from Town of Eagle residential setback standards of 50 feet from arterial road.

Residential buildings not fronting Highway 6 shall maintain a 10-foot setback from their internal front property line.

Variation from Town of Eagle residential setback standard of 50 feet from arterial road.

- b. Side: The side setback for single family homes and duplex buildings shall be 7.5 feet.

Variation from Town of Eagle residential setback standards of 12.5 feet.

- c. Rear: The rear yard setback shall be 20 feet.

Deleted: /River

- d. Eagle River: 50 feet as defined in this PUD Guide.

Deleted: The Eagle River shall be considered the river setback. All buildings and parking areas shall meet a 75-foot river setback except where the river bank is more than 15 feet above the high water line and then a 50-foot river setback shall be allowed. Formal landscaping may be allowed in the zone between the 50-foot stream preservation area and the 75-foot building setback. Soft surface trails, natural vegetation restoration, landscape and vegetation maintenance, removal and restoration shall be allowed within the 50-foot preservation area setback.

- e. Supplementary setback requirements:
Roof eaves, bay window elements and similar features may encroach up to 30 inches into any required setback.

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6. Maximum Building Height:
35 feet.

7. Maximum Lot Coverage:

- a. Building - 50%
- b. All impervious materials - 70%

8. Maximum Density:
The maximum density shall not exceed 15 dwelling units.

OS-7

1. Purpose:
The purpose of OS-7 is to describe specific uses for the river corridor and the adjacent 50-foot land from the average high water mark. This area shall be owned and maintained by the Planning Area 4, 5 and 6 Homeowners Association. OS-7 includes a CPW public fishing easement. There are no buildings or formal improvements allowed other than those specifically listed below.

- Deleted: .
- Deleted: 6 and 7
- Deleted: from the average high water mark to the centerline of the river. ...

2. Uses by Right:
a. Soft surface trails with limited river access points
b. Natural vegetation management and removal of non-native species to maintain the health of the native ecosystem.
c. Planting of native vegetation to improve or protect the native ecosystem.

3. Special Uses:
a. None.

OS-8

1. Purpose:
The purpose of OS-8 is to describe specific uses for an open space buffer area. This area shall be owned and maintained by the Planning Area 4, 5 and 6 Homeowners Association. There are no buildings or formal improvements allowed other than those specifically listed below. An access road from R/PUD-3 may traverse through OS-8 to provide connection to R/PUD-4.

- Deleted: .
- Deleted: and 7
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2. Uses by Right:
a. Formal landscape areas.
b. Parks, playgrounds and recreation areas.
c. Natural vegetation and landscaping.
d. Open sided shade shelters and picnic areas.
e. Roads and driveways.

3. Special Uses:
a. None

- Deleted: f. On-site Wastewater Treatment System.

G. Planning Area 6: R/PUD

1. R/PUD-4

1. Purpose:
To provide sites for no more than twenty-five (25) single family or duplex units.

Site planning should follow the principles of Conservation Oriented Development and Cluster Residential design as articulated in the Eagle Area Community Plan and in the Town of Eagle River Corridor Plan. The design should provide for clustered areas of development areas and integrate buffer zones and formal or informal open space areas

within the plan. Within the area of 14.8 acres designated as R/PUD -4 there should be 6.7 acres designed as open space or buffer zones for a ratio of 55% of development area and 45 % of buffer zone and common open space. Buffer and open space zones may include internal roads.

Deleted: on-site wastewater systems and

R/PUD-4 will have direct Highway 6 access.

Deleted: The R/PUD- 4 lands

2. Uses by Right:

- a. Single family or duplex dwelling units.
- b. Accessory dwelling unit to owner-occupied single family dwelling.
- c. Other uses which the Town Planner find to be compatible.

Deleted: may be developed under on-site wastewater treatment systems ("OWTS") and an on-site potable water well(s). When municipal water and wastewater service are brought to within 400 feet of the site then all residential development within R/PUD-4 will be required to connect to such system. Should R/PUD-4 develop prior to extension of such service the maximum density will be based on the proposed OWTS capacity.¶

3. Transitional Uses by Right:

- a. Non-retail greenhouses. Variation from Town of Eagle R/PUD listed uses.
- b. Non-retail Tree Farm and/or Plant Nursery. Variation from Town of Eagle R/PUD listed uses.

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3. Special Uses:

- a. Day care of more than 8 children.
- b. Bed and breakfast.

Deleted: c. -Short term rentals. Variation from Town of Eagle R/PUD listed uses

Deleted: d. -Other uses which the Town Planner find to be compatible. ¶

4. Accessory uses:

- a. Home occupation.
- b. Parks, playground, pools, greenbelt.
- c. Model homes and sales office. *Variation from Town of Eagle R/PUD listed uses*
- d. Pedestrian and bicycle trails. *Variation from Town of Eagle R/PUD listed uses*
- e. Day care of less than 8 children
- f. Detached garages, sheds, non-commercial greenhouses and other structures.
- g. Other uses which the Town Planner find to be compatible.

5. Minimum Building Setback Requirements:

- a. Front: Highway 6 shall be considered the primary front setback. All buildings shall maintain a 50-foot setback from the Highway 6 right of way line.

Internal roads, driveways, signs, landscaping, grading, berms and utility structures shall be allowed within the front setback.
Variation from Town of Eagle residential setback standards of 50 feet from arterial road.

Residential buildings not fronting Highway 6 shall maintain a 10-foot setback from their internal front property line.

Variation from Town of Eagle residential setback standards of 50 feet from arterial road.

- b. Side: The side setback for single family homes and duplex buildings shall be 7.5 feet. The side setback for multi-family buildings shall be 7.5 feet.
Variation from Town of Eagle residential setback standards of 12.5 feet.

- c. Eagle River: 75 feet as defined in this PUD Guide.

- d. Setbacks from internal property lines shall be:
Front: 25 feet from edge of private road asphalt.
Side: 12.5 feet.
Rear: 20 feet.

- e. Supplementary setback requirements:
Roof eaves, bay window elements and similar features may encroach up to 30 inches into any required setback.

- 6. Maximum Building Height:
35 feet.

- 7. Maximum Lot Coverage:
 - a. Building - 30%
 - b. All impervious materials - 50%

- 8. Maximum Density:
The maximum density shall not exceed 25 dwelling units.

OS-9

- 1. Purpose:
The purpose of OS-9 is to describe specific uses for the river corridor and the adjacent 50-foot land from the average high water mark. This area shall be owned and maintained by the Planning Area 4, 5 and 6 homeowners association. OS-9 includes a CPW public fishing easement. There are no buildings or formal improvements allowed other than those specifically listed below.

- 2. Uses by Right:
 - a. Soft surface trails with limited river access points
 - b. Natural vegetation management and removal of non-native species to maintain the health of the native ecosystem.
 - c. Planting of native vegetation to improve or protect the native ecosystem.

- 3. Special Uses:
 - a. None

Deleted: River: The Eagle River shall be considered the river setback. All buildings and parking areas shall meet a 75-foot river setback except where the river bank is more than 15 feet above the high water line and then a 50-foot river setback shall be allowed. Formal landscaping may be allowed in the zone between the 50-foot stream preservation area and the 75-foot building setback. Soft surface trails, natural vegetation restoration, landscape and vegetation maintenance, removal and restoration shall be allowed within the 50-foot preservation area setback.

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Deleted: H. - Planning Area 7: R/PUD

1. -R/PUD-5

1. -Purpose:

To provide sites for no more than nine (9) single family homesites.

Site planning should follow the principles of Conservation Oriented Development and Cluster Residential design as articulated in the Eagle Area Community Plan and in the Town of Eagle River Corridor Plan. The design should provide for clustered areas of development areas and integrate buffer zones and formal or informal open space areas within the plan. As the eastern-most development area and the lowest density planning area there should be a significant amount of open space and buffer zones. Within the area of 15.8 acres designated as R/PUD -5 there should be a ratio of 50% of development area and 50 % of buffer zone and common open space. Internal access roads may be located within open space and buffer zones.

The R/PUD- 5 lands may be developed under on-site wastewater treatment systems (“OWTS”) and an on-site potable water well(s). When municipal water and wastewater service are brought to within 400 feet of the site then all residential development within R/PUD-5 will be required to connect to such system. Should R/PUD-5 develop prior to extension of such service the maximum density will be based on the proposed OWTS capacity. [1]

Deleted: 3. -Special Uses:

a. -Day care of more than 8 children.

b. -Bed and breakfast.

4. -Accessory uses:

a. -Home occupation.

b. -Parks, playground, pools, greenbelt.

c. -Model homes and sales office. **Variation from Town of Eagle R/PUD listed uses** [2]

Deleted: Rear: -20 feet.

Deleted: d. -Supplementary setback requirements:

Roof eaves, bay window elements and similar features may encroach up to 30 inches into any required setback.

Deleted: 6. -Maximum Building Height:

35 feet.

7. -Maximum Lot Coverage:

a. -Building - 30%

b. -All impervious materials – 50%

Deleted: OS-10

1. -Purpose:

The purpose of OS-10 is to describe specific uses for the river corridor and the adjacent 50-foot land from the average high water mark. This area shall be owned and maintained by the Planning Area 5, 6 and 7 Homeowners Association. OS-10 includes a public fishing easement from the average high water mark to the centerline of the river. There are no [3]

I. Planning Area Summary Chart

Red Mountain Ranch PUD Zoning Plan Planning Area Summary Chart							Date: 5/20/2020
	PUD Designation	Planning Area Acres	% of Total Site	Maximum Density	DU's per Acre	Development Area and % of Planning Area	Open Space and % of Planning Area
Planning Area 1	R/PUD	34.6 acres	32.5% of Total Site	97	2.8	12.3 acres 35%	22.3 acres 65%
Planning Area 2	C/PUD	5.5 acres	5.1% of Total Site	10 du's 10,000 sf Commercial	2 0.045 far	2.9 acres 53%	2.6 acres 47%
Planning Area 3	C/PUD	14.5 acres	13.6% of Total Site	6 du's 10,000 sf Commercial	0.4 0.015 far	1.4 acres 13%	13.1 acres 87%
Planning Area 4	R/PUD	13.7 acres	12.9% of Total Site	44 du's	3.2	9.1 acres 66%	4.6 acres 34%
Planning Area 5B	P/PUD	3.0 acres	2.8% of Total Site	0	0	0	3 acres 100%
Planning Area 5	R/PUD	14.6 acres	13.7% of Total Site	15 du's	1.05	6.2 acres 43%	8.3 acres 57%
Planning Area 6	R/PUD	20 acres	18.8% of Total Site	25 du's	1.25	14.8 acres 74%	5.2 acres 26%

5. TEMPORARY USES

Temporary uses including, but not limited to construction staging, project sales office, and pre-development temporary uses such as, but not limited to, corporate team building events, day outfitter programs, and agricultural uses may be permitted in all Planning Areas in accordance with Town of Eagle Land Use and Development Code Section 4.04.100 B. Temporary Uses.

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6. DENSITY TRANSFER PROVISION

A total of 153 dwelling units will be allowed on Planning Areas 1-6. A density transfer shall be allowed between all Planning Areas except Planning Area 3 and 5B.

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For example – if Planning Area 1 has a maximum density of 97 dwelling units and only 70 dwelling units are approved for development, 27 dwelling units may be transferred to other Planning Areas. Transfers shall not exceed the maximum allowed units on any Planning Area unless approved by

the Town of Eagle Town Board. LERP unit transfer is only allowed as a Major Modification to the PUD Guide.

7. WATER AND WASTEWATER SERVICE

Development on all lands within the PUD is prohibited until connection to the Town of Eagle municipal water and wastewater system.

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8. STREET STANDARDS

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All streets shall remain private. Private street standards will be detailed as part of future Development Plans and subdivision applications for each Planning Area.

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9. TRAIL STANDARDS

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Soft surface trails including the Discovery Trail shall be a minimum of four (4) feet wide and constructed of crusher fines or similar materials, as approved by the Town of Eagle. Any associated public easement shall be 12 feet in width.

Hard surface common area trails shall be a minimum of six (6) feet wide and constructed of a durable hard surface such as asphalt or concrete. Sidewalks connecting parking areas to residential units may be a minimum of four (4) feet in width.

Trail grades should not exceed a 10% grade however sections no longer than 100 feet may exceed 15% where significant grade changes must be accommodated. Cross section grades should not exceed 2% for paved trails and 4% for soft surface trails.

10. RIPARIAN AREA MANAGEMENT PLAN

A Riparian Area Management Plan (“RAMP”) shall be submitted prior to or in conjunction with the first Development Plan for a Planning Area. The RAMP shall apply to all riparian areas located in Planning Areas 1 through 6. The RAMP shall be subject to review and approval of the Trustees as a condition of the first Development Plan approval. The minimum components of the RAMP shall include the following:

1. The RAMP shall identify riparian areas in Planning Areas 1 through 6 and shall be applicable to such riparian areas.
2. The RAMP shall identify minimum management practices, including but not limited to:
 - a. Description of acceptable landscaping and grading activities.
 - b. Description of management plans for removing trash and debris, including plans for dog waste pick-up bags and signage.

- c. Description of snow storage plans to prevent snow storage on riparian areas.
 - d. Description of permitted soft trails and/or boardwalks and accessory uses such as benches, picnic tables, and signage.
 - e. Temporary construction activities, erosion control and required revegetation between 50' and 75'.
3. The RAMP shall name the Town as a beneficiary and shall provide rights of the Town to enforce the RAMP, rights to enter the Riparian Area and take corrective action after providing notice of default to Owners' Association and after expiration of the period to cure, and rights of the Town to recover costs for any enforcement.
 4. The RAMP shall require the Town to provide notice of default to the Owner and shall provide a reasonable period to cure such default, which period shall be not less than thirty days or such additional time as appropriate if thirty days is not adequate.

11. COLORADO PARKS AND WILDLIFE (CPW) FISHING EASEMENT

Planning Areas 4, 5, 5B and 6 are subject to a previously designated CPW public fishing easement extending from the centerline of the river to 25 feet north of the average high water mark.

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12. PARKING REQUIREMENTS

All uses within Red Mountain Ranch will be subject to the parking standards of the Town of Eagle Land Use & Development Code. Any accessory dwelling associated within a single family residence shall have one dedicated on-site parking space. A Bed and Breakfast Lodge use as defined in this PUD Guide shall provide one parking space per guest room.

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13. LOCAL EMPLOYEE RESIDENCY PROGRAM

The Town of Eagle Land Use and Development Code includes an adopted Local Employee Residency Program as Section 4.04.110 of the Town Code. The Red Mountain Ranch is required to comply with this program as adopted as of the date of approval of the Red Mountain Ranch PUD. A copy of the Town of Eagle Land Use and Development Code Section 4.04.110 is attached as Exhibit A to the Red Mountain Ranch PUD Guide.

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Deleted: This program requires new residential development to provide 10% of the housing that it produces as deed and price restricted housing...

Deleted: At the proposed density level of 153 residential units Red Mountain Ranch will be required to provide 16 units in conformance with the town program guidelines.¶

Each Development Permit application will be required to provide a Local Employee Residency Plan in accordance with subsection F of Section 4.04.110.

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Planning Area 3, C/PUD 2 is allowed a maximum of six dwelling units that are restricted from free market sale and must be used in support of the educational/environmental non-profit facility.

Deleted: Planning Area by Planning Area basis. In accordance with the Town of Eagle Land Use Regulations each PUD Development Plan application shall include a detailed plan outlining compliance with the housing program....

Development of these units will not be subject to an additional 10% LERP requirement.

The Town of Eagle may accept, at the discretion of the Town Board of Trustees, a mutually acceptable cash-in-lieu fee instead of the required LERP units for any Development Permit application within the PUD. (Should this language match the ADA?)

14. DESIGN REVIEW

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Design guidelines shall be prepared which will establish architectural and building material standards, landscape design, urban design, site design standards and a design review process for each PUD Planning Area within Red Mountain Ranch. These guidelines shall be approved and in place for any area of the Red Mountain Ranch PUD prior to the approval of any Subdivision Final Plat for that area.

The appropriate home owners association for each Planning Area identified in this PUD Guide, with the exception of Planning Area 5B, Town Park and Planning Area 3, Nature Center, shall establish a Home Owners Association Board that shall have authority and responsibility over the design review process for the Planning Areas within such association. It is anticipated that there will be three separate homeowner associations; one for Planning Areas 1 and 2, one for Planning Area 4 and one for Planning Areas 5, 6 and 7.

All projects requiring a Town of Eagle building permit shall adhere to the standards of this PUD and, where not specifically covered, the provisions of the Town of Eagle Land Use Code.

Applicants for all new buildings or building modifications, residential landscaping or residential landscaping modifications, as defined in the adopted design guidelines, shall submit such proposals for review and approval by the appropriate Home Owners Board.

The Town of Eagle shall not issue a building permit without prior approval by the Home Owners Board as demonstrated by drawings stamped as approved by the Home Owners Board.

1. Architectural Design Standards:

The site design concept for Red Mountain Ranch Planning Area 1 is to create a pedestrian friendly, walkable integrated neighborhood with a variety of housing types.

The architecture of the Red Mountain Ranch community will both integrate with and enhance the beauty of the Town of Eagle and the Eagle River corridor.

Design Guidelines will:

- a. Establish design and construction standards that both fit in the setting and ensure a consistent high level of quality across a wide array of housing types;
- b. Respond to the unique attributes and sensitivities of the site which are reflected in the design tenets underlying the plan;
- c. Implement a diverse but cohesive, unified and balanced architectural and landscape theme;

- d. Control massing of buildings to be appropriate in scale and context;

2. **Environmental Building Practices:**

Each Planning Area should include guidelines that address state of the art environmental building practices.

- a. Low environmental impact and energy efficiency approaches to site planning, design, landscaping and construction are highly encouraged.
- b. Owners are encouraged to review LEED guidelines published by the US Green Building Council (www.usgbc.org) which encourage energy efficiency, resource efficiency and healthy indoor air quality.
- c. Passive and active solar is highly encouraged. Hot water and photo voltaic solar panels are encouraged to be well planned and integrated in to the architectural design. Panels should be installed in the same plane as the roofs and close to flush with the roof. Solar panels and all associated mounting brackets and hardware shall be all black. No bright shiny metal elements are allowed.

3. **Landscape Design Standards:**

Landscape Design Standards will be written and adopted as an integral part of the overall design guidelines. The Landscape design Standards will meet the requirements of Town of Eagle Code Section 4.07.020. The intent of the landscape design guidelines will be provide standards for landscaping and water conservation within the PUD that enhance and maintain the character of the residential neighborhoods and public spaces of the Red Mountain Ranch PUD. This will be accomplished by:

- a. Setting minimum and maximum standards for planting within residential and public spaces.
- b. Promoting the conservation of water through selection of proper plant palettes and the use of efficient irrigation techniques.
- c. Controlling the spread of noxious weeds and invasive plant species.

The perimeter area of the Red Mountain Ranch property has been appropriately designed to address compatibility of adjacent uses. The higher density and intensity of land uses is focused towards the existing town center and decreases to very low density residential uses as the property extends eastward. Those densities are compatible with the existing approved residential neighborhoods adjacent to the east end of Red Mountain Ranch. The riverfront area has been protected with additional enhanced setbacks and limitations on uses and vegetation management. The Highway 6 perimeter will be enhanced with landscape screening and berming where appropriate. These details will be developed as the specific PUD Development Plans are designed and reviewed.

4. **Illumination Design Standards:**

Illumination design standards for residential and public uses shall be included within the

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approved design guidelines. The Illumination Standards will meet the requirements of Town of Eagle Code Section 4.07.010. The intent of these standards will be to provide compliance with adopted Town of Eagle lighting requirements and appropriate dark sky practices.

5. Fencing Design Standards:

Fencing design standards shall be included within the approved design guidelines. The intent of these standards will be to provide a compatible appearance among residential properties and to regulate the structure, location, height, color and materials of fencing prior to installation. Where appropriate and as required, wildlife friendly fencing will be specified. The Fence Design Standards will meet the supplemental setback standards of Town of Eagle Code Section 4.04.100 H 6.

15. SIGNS

Sign regulations shall meet the Town of Eagle sign code; unless a comprehensive Red Mountain Ranch Sign Program is approved by the Town of Eagle.

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16. 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, an electronically 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, other than within designated leash free dog parks. Red Mountain Ranch shall be subject to any and all leash laws and other pet regulations as adopted by the Town of Eagle.

Any additional pet restrictions adopted by Red Mountain Ranch owners through other documents such as declarations, covenants and restrictions, design guidelines or rules and regulations will be enforceable by the entity designated for such purpose and will not be enforced by The Town of Eagle.

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17. TRASH RECEPTACLES

Single family and duplex residences within the Red Mountain Ranch PUD shall be restricted from storing or leaving trash and recycling receptacles outside overnight. Trash and recycling receptacles shall be placed outside on the day of pick-up and shall be returned to an indoor location the same day.

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Multi-family buildings shall provide wildlife resistant trash and recycling enclosure structures consistent with the approved Design Guidelines.

18. CONFLICTS & INTERPRETATIONS

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The specific provisions of this Guide shall supersede those of the Town of Eagle Land Use Regulations. However, where the Guide does not address an issue, the specific provisions and definitions of the Town of Eagle Land Use Regulations shall prevail. In cases of dispute or ambiguity, the Board of Trustees shall act to interpret.

In interpretation of a finding of another use found to be compatible by the Town Planner, when compatibility or consistency with the Town’s goals, policies and plans are in question, the Town Planner has the authority to send use interpretations to the Planning and Zoning Commission or Board of Trustees for final determination, subject to public notice requirements for PUD Amendments as outlined in the Town of Eagle Land Use and Development Code.

19. AMENDMENTS TO THE RED MOUNTAIN RANCH PUD GUIDE

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It is anticipated that modifications or amendments to this PUD Guide will be necessary from time to time. 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 Red Mountain Ranch. Minor modifications include, but are not limited to internal road alignment alterations, minor adjustments to parcel boundaries, building envelope or lot line changes, and additions of land uses not previously listed but determined to be similar to listed uses. Changes to Planning Area boundaries are limited to no more than 10% in area to be considered a minor amendment.

Minor modifications may be authorized by the Town of Eagle Town Planner upon written request. The Town Planner shall act upon any minor modification request within 30 days of such a request. Any decision by the Town Planner 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 number of residential units.

2. Any change or addition to the land use designation of any Planning Area within the PUD, except as provided above.
3. Any additional of land into the PUD.
4. Any transfer of LERP units from one Planning Area to another.

Major modifications shall be under the authority of the Eagle Board of Trustees. Applications for major modifications shall be heard in public hearing by the Board after receiving a recommendation from the Planning and Zoning Commission. The Town 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 Red Mountain Ranch Partnership, Ltd. this _____ day of _____, 2019.

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By: _____

Approved by Mervyn Lapin Revocable Trust this _____ day of _____, 2019.

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By: _____

TOWN of EAGLE Signature block:

Approved by the TOWN OF EAGLE, COLORADO, a municipal corporation acting by and through its Board of Trustees, this _____ day of _____, 2019.

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_____, Mayor

ATTEST:

Town Clerk

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