

CORTINA RIDGE PLANNED UNIT DEVELOPMENT

This Planned Unit Development Designation, to be known as CORTINA RIDGE is approved this 8th day of February, 1999 by the Board of County Commissioners of Summit County, Colorado, hereinafter referred to as the "County," for certain real property located in Summit County and described in attached Exhibit A, hereinafter referred to as the "Property." This designation establishes the general uses which shall be permitted on the Property, a general development plan and a statement of development guidelines and conditions which must be adhered to by hereinafter referred to as the "Owner/Developer." This designation also specifies improvements which must be made and conditions which must be fulfilled in conjunction with this designation by the Owner/Developer.

A. PERMITTED USES

The overall goal of the Cortina Ridge PUD is to provide a rural, low density, single family residential development, in addition to preserving the Mesa Cortina Trail and Trailhead area located in the northwest corner of the development.

1. Permitted Uses

- A. A maximum of 30 single family residential lots;
- B. Attached or detached garages, (if a detached garage is proposed, it must be completed at the same time as the residence);
- C. Motor vehicle parking and storage;
- D. Recreational vehicle parking and storage, (includes camper, boat, snowmobile, trailer, etc.);
- E. Gazebos, greenhouses, hot tub structures;
- F. Home occupations, as permitted in the Summit County Land Use Development Code.

2. Non-Permitted Uses

- A. Modular, manufactured or prefabricated structures, including storage structures;
- B. Tennis courts, outdoor swimming pools;
- C. Temporary structures except for a temporary construction trailer.

3. Animal Keeping

Animal keeping shall be restricted as follows:

- A. Because of the close proximity to wildlife, NO animals, livestock, poultry, etc. other than pets for household enjoyment and not for commercial purposes shall be kept or maintained on any building site. Fences and dog runs are allowed but must be within setbacks or building envelopes.

B. DEVELOPMENT STANDARDS

Final, specific locations of residential building envelopes and their encompassing lots, roads, common driveways, utility corridors, etc. shall be determined and approved by the County at the time of preliminary and/or final plat review. The following design guidelines/criteria shall be used to guide the development of the plan..

1. Building Height

Building height is measured from natural or historic grade to the highest point of the ridge directly above (perpendicular), excluding chimneys, flues, vents, etc. The height limitations shall be as follows:

- A. Lots 1 to Lot 20: a maximum height of 34'-0"
- B. Lots 21 to Lot 25: a maximum height of 32'-0"
- C. Lots 26 to Lot 30: a maximum height of 30'-0"

2. Setbacks & Building Envelopes

- A. Lots 1 to 20 shall have 25'-0" setbacks on all sides
- B. Lots 21 to Lot 30 shall have building envelopes as defined on the subdivision plat
- C. All building construction, including roof overhangs and building projections decks, patios and sidewalks shall be located within the required setbacks or envelopes
- D. On lots with typical 25'-0" setbacks on all sides, all site disturbance should be within the setbacks except for one driveway connecting to the street
- E. On lots with building envelopes, all site disturbances shall be within 10'-0" of the building envelope except for one driveway connecting to the street

3. Parking

Each residential lot is required to have a two car garage at a minimum. No parking shall be permitted on County roads. Parking areas for RV storage shall be within setbacks or envelopes.

4. Public Use Areas

Pursuant to Section 8601 of the Summit County Land Use and Development Code the Owner / Developer is required to provide public use areas. (Please see C. Required Improvements #7 of this PUD).

5. Signs and Lighting

All signs shall comply with the Summit County Sign Regulations as now in effect or hereafter amended. Site lighting including sidewalk, driveway, and landscaping lighting shall be indirect, low-level and non-glare to adjacent roads or properties.

6. Fences

Fences shall be restricted to building envelopes and setbacks. Fences cannot extend past the front of the residence and cannot exceed 6'-0" in height. The fence design should be consistent with the exterior materials and compatible with the design of the residence. Chain link, chicken wire, snow fence and similar materials are not allowed.

7. Snow Storage

Snow storage shall be totally contained on each lot and located adjacent to driveways and parking areas. Snow storage shall be located in areas which provide protection for existing vegetation or proposed landscaping.

8. Trash

Because of the close proximity to wildlife, all trash shall be contained within the garage or in enclosed, secured, covered containers not visible to the public except on collection days.

9. Exterior Storage Areas

Exterior storage areas including RV parking shall be within setbacks and building envelopes and directly adjacent to the structure. Exterior storage shall be limited to those items which meet the definition of “residential outdoor storage” in the Development Code such as firewood, barbecue grills, lawn furniture, etc.

10. Site Disturbances

The maximum impervious area per lot including building footprint, sidewalks, parking and driveways shall be 25% of the total lot square footage.

11. Maximum Allowable Gross Floor Area

Each residential structure shall be a minimum of 2,500 square feet and a maximum of 7,000 square feet of enclosed floor area including basements, garages and secondary units.

12. Re-subdivision / Lot Line Adjustment / Lot Line Vacations

No additional subdivision of the lots will be permitted. No adjustment to property line lines will be allowed except that if two or more lots are combined, the common property line can be vacated.

13. Landscaping

The primary goal of the landscape regulations is the preservation of existing vegetation and the integration of proposed improvements into the natural environment. Professional assistance with landscape design is encouraged. Landscaping improvements shall be required as part of any site plan required pursuant to Summit County Regulations. Revegetation of all disturbed areas shall be required in accordance with Summit County Landscaping and Grading and Excavation Regulations.

The removal of existing trees and vegetation (excluding dead-fall materials) outside of setbacks and envelopes is discouraged. Any new landscaping in the proposed development area should match the existing natural vegetation. The use of landscaping to define property lines is prohibited.

Ornamental shrubs and plants, flower beds, gardens and more formal landscaping should be located adjacent to proposed improvements inside of setbacks and envelopes. Sod lawns are limited to 1,000 square feet. The use of drought tolerant grasses is encouraged.

14. Erosion Control

Erosion control and revegetation should be included in all landscape plans. Temporary erosion control measures during construction are required and should be included on the required construction management plan.

C. REQUIRED IMPROVEMENTS

1. Access

A) Roadways: Access to the property and to all building sites shall be provided by roads built to applicable County standards.

B) Driveways: Each lot will be accessed by a single driveway located in such a way as to minimize site disturbance. Driveways shall be a maximum of 8% slope and 12'-0" to 18'-0" wide. The first 20'-0" of the driveway from the edge of the road cannot exceed 2.0%. Culverts shall be provided under driveways at drainage ditches.

2. Retaining Walls

The use of retaining walls shall be minimized and restricted to driveways, parking areas and preservation of existing vegetation.

3. Water Systems

Water supply for the development shall be provided by Buffalo Mountain Metro District. Adequate fire flows shall be provided as determined by the Lake Dillon Fire Department.

4. Sewer Systems

Sewage for the development shall be provided by Buffalo Mountain Metro District.

5. Fire Protection

The entire property is located within the Lake Dillon Fire District. All development on the property shall meet all fire protection requirements of the District.

6. Utilities and Easements

All new utility lines shall be installed in full accordance with the standards of each utility provider and County Subdivision Regulations. Easements for all utilities shall be shown on the final plat.

7. Public Use Areas

Pursuant to Section 8601 of the Summit County Land Use and Development Code the Owner / Developer is required to provide public use areas. Cortina Ridge LLC agrees to donate the trailhead parcel, (access to the Mesa Cortina Trailhead), for public use as required by Section 8601 of the Summit County Land Use and Development Code. Cortina Ridge LLC also agrees to construct the trailhead parking area, but nothing shall prevent Cortina Ridge LLC from potentially being reimbursed for construction of the parking area.

D. IMPLEMENTATION

1. Preliminary and final plats: A preliminary and final plat shall be approved by the County prior to any development that involves selling or conveying any interest in the property to others. Densities of

development indicated in Exhibit B represent maximum permitted densities and levels of use. All development must meet all applicable standards and requirements as contained in the Summit County Land Use and Development Code unless such standards and requirements are specifically waived or modified by the terms of this designation.

2. Site Plan Review: The project shall comply with Section 12600 of the Summit County Land Use and Development Code.

E. GENERAL PROVISIONS

1. Enforcement

The provisions of the planned unit designation and the development plan relating to the use of land shall run in favor of Summit County and shall be enforceable at law or in equity by the County without limitation on any power or regulation otherwise granted by law. Other provisions of the planned unit development designation and the development plan shall run in favor of the residents, occupants and owners of the planned unit development, but only to the extent expressly provided in, and in accordance with the terms of, the planned unit development designation and the development plan. Provisions not expressly stated as running in favor of the residents, occupants or owners of the planned unit development shall run in favor of the County.

2. Breach of Provisions of PUD Designation

If any time any provision or requirements stated in the planned unit development designation has been breached by the Owner/Developer, the County may withhold approval of any or all site plans or plat maps, or the issuance of any or all grading or building permits or occupancy permits applied for on the Property, until such breach has been remedied; provided, however, that the County shall not take affirmative action on account of such breach until it shall have first notified the Owner/Developer in writing and afforded the Owner/Developer a reasonable opportunity to remedy the same.

3. Binding Effect

The PUD Designation shall run with the land and be binding upon the Owner/Developer, their respective successors, representatives and assigns, and all persons who may hereafter acquire an interest in the Property or any part thereof, with the exception that provisions of this designation may be modified through an amendment in accordance with the procedure stated in the County Development Review Procedures. This designation shall be recorded in order to put prospective purchasers or other interested persons on notice as to the terms contained herein.

4. Amendments

Amendments to the provisions of a planned unit development designation shall be reviewed and acted upon as a rezoning application, subject to the County's procedures for zoning amendments and to the requirement for findings under the Planned Unit Development Act of 1972 at CRS 24-67-106(3)(b), unless such amendment is determined to be minor in nature.

5. Notices

All notices required by this designation shall be in writing and shall be either hand-delivered or sent by certified mail, return receipt requested, postage prepaid, as follows:

Notice to County:
Board of County Commissioners
P.O. Box 68
Breckenridge, CO 80424

Notice to Developer:
Cortina Ridge LLC
P.O. Box 1969
Silverthorne, CO 80435

All notices so given shall be considered delivered three days after the mailing thereof, excluding weekends or official holidays. Either party, by notice so given, may change the address to which future notices shall be sent.

6. Entire Designation

This designation contains all provisions and requirements incumbent upon the Owner/Developer relative to the Planned Unit Development, except as modified by subsequent action of the Board of County Commissioners in accordance with procedures set forth in the Summit County Land Use and Development Code and the Colorado Planned Unit Development Act (CRS 24-67-106) for amending planned unit developments, and except that nothing contained herein shall be construed as waiving any requirements of the Summit County Land Use and Development Code or other regulations otherwise applicable to the development of the Property.

7. Effective Date

This designation must be signed by both the Summit County Board of County Commissioners and the Owner/Developer and must be recorded by the Summit County Clerk and Recorder in order to become effective. The effective date shall be the date of recordation.

8. PUD Review Requirements

The Summit County Land Use and Development Code, Chapter 12, includes procedures and requirements for review of all Planned Unit Developments. The Owner/Developer shall be on notice of these requirements and shall insure that information necessary for the periodic review is made available to the County within the time frames as may be established in Chapter 12. The Owner/Developer further understands that failure to provide the necessary information or to proceed with the review process may result in development approvals within the PUD being withheld.

IN WITNESS WHEREOF, the County and the Owner/Developer have executed this Designation as of the date first written above.

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO

Thomas A. Long
Thomas A. Long, Chairman

Approved as
the form
Legal

ATTEST:

Cheri Brunvand, Clerk and Recorder

OWNER/DEVELOPER:

Bob Luvina
Owner/Developer

M. Jill Berman
ATTEST:



MY COMMISSION EXPIRES: 03/10/2003