

## PROJECT NARRATIVE

Danny Middleton of Western Sky Ranch Planned Unit Development (PUD) is applying for a Major PUD Modification Work Session. The request includes modifying the language of the PUD Designation to allow landscaping and berming outside the platted disturbance envelopes throughout the PUD, allowing for small rock tree wells on Lot 11 outside of the site disturbance envelope, designating Tract A as a temporary construction identification sign location, relocating and reconfiguring disturbance envelopes, realigning driveways, modifying a driveway's disturbance area, relocating the hammerhead area, relocating a small portion of the trail that crosses Lot 20, pulling utilities to Lots 1 and 2 from the Gibson Hill Tower, creating an additional unit of density/lot within the PUD, installing a gate across the shared driveway from County Road 484, and dedicating a public non-motorized trail easement.

In addition to the plan and easement exhibits listed on the last page of this narrative, information from Baseline Surveys, Vidler Water Company, Bishop-Brogden Associates, Walter Schultz, Golder Associates, Blackhawk, Colorado Geological Survey, Red, White & Blue Fire Protection District, and Summit County Environmental Health Department have been provided for review.

The following are the specific items to be discussed:

- A. Lots 5 and 6 – relocation of the shared driveway, and relocation of Lot 5's envelope
- B. Lots 3 and 4 – use of the existing mining road for Lot 3's driveway; relocation and reduction of Lot 4's driveway; and the relocation of the hammerhead area
- C. Change in PUD language to allow for landscaping and berms outside of the disturbance envelopes, and for small rock tree wells to be built on Lot 11 in order to allow for the planting of trees adjacent to County Road 456
- D. Lots 19 and 20 – relocate site disturbance envelopes; realign Lot 19's driveway; designate Tract A as the construction identification sign location; and relocate a small portion of the trail that crosses through Lot 20
- E. Lots 1 and 2 – small change to driveway disturbance area; pulling in utilities from the Gibson Hill Tower
- F. Lot 17 - create an additional unit of density/new home site; designate Lot 17 as a Transferable Development Right (TDR) Receiving Area; and the dedication of a 10' public trail easement along Gold Run Gulch Road
- G. Installation of a gate across the shared driveway off of County Road 484
- H. General conformance with applicable master plans

- A. Lots 5 and 6 – relocation of the shared driveway, and relocation of Lot 5’s envelope to the northeast

The shared driveway to Lots 5 and 6 will be moved to the northeast, onto adjacent property outside of the PUD. (See Exhibits A-1 and A-2 for current and proposed driveway locations, slope report and Exhibit A-3 which is a copy of the new driveway easement.) Road and Bridge Standards require a 200 foot sight distance clearance when entering a County road from a driveway, and moving the driveway to this new location will comply with the requirement. Robert Jacobs of the Engineering Department has reviewed and approved the new driveway location.

Lot 5’s envelope will be moved to the northeast closer to property line, where the driveway was to be built. The size of the envelope remains the same—10,000 square feet. This will allow a greater tree buffer for privacy and separation between Lot 5’s and Lot 7’s envelopes. Section B.1.b) of the PUD Designation allows for minor flexibility in the shape and location of the disturbance envelopes provided that the location meets the requirements of the PUD Designation, the Development Code, and remains in general conformance with the applicable master plans. All requirements of the Designation, Code, and applicable master plans will be met with the relocation of Lot 5’s envelope.

- B. Lots 3 and 4 – use of the existing mining road for Lot 3’s driveway; relocation and reduction of Lot 4’s driveway; and relocation of the hammerhead area

A shared driveway to Lots 3 and 4 off of County Road 484 was originally planned. (See Exhibit B-1 for the current location.) Access to Lot 4 will still be taken from County Road 484, but with a shorter driveway located towards the lot. Access to Lot 3 will be moved to the northeast, onto adjacent property, in order to utilize an existing mining road running through the property. The amount of site disturbance for the driveways’ construction will be greatly reduced, and very little disturbance or tree removal will be necessary to construct either of the new driveways. (Please see Exhibit B-2 for the driveways’ new location and slope report, and Exhibit B-4 for the easement agreement.)

Using the existing mining road will also allow for the reduction of the cistern easement area and the relocation of the hammerhead turnaround area to the intersection of County Road 483 and 484. (Please refer to Exhibits B-2 and B-3 for details.) Reducing the cistern area and using the existing roads for the hammerhead turn around will greatly reduce disturbance. With this new hammerhead location, the existing large trees will remain to provide a buffer between the road and future homes, and provide screening from off-site.

Jackie Pike of the Red, White & Blue Fire Protection District has reviewed and approved the relocation of the hammerhead area. (Please see the approval letter which is Exhibit B-3.) A berm area on Lot 4 is requested to help provide a visual buffer from County Road 484. (Please see discussion C below for details.)

- C. Change in PUD language to allow for landscaping and berms outside of the disturbance envelopes, and for small rock tree wells to be built on Lot 11 in order to allow for the planting of trees adjacent to County Road 456.

In order to minimize the impacts associated with the future development of each lot within the PUD, disturbance envelopes were created. No soil disturbance, tree removal or tree installation is allowed outside of the disturbance envelopes. However, we believe it would be beneficial to allow for softscape improvements such as revegetation, landscaping and berming outside of the envelopes in order to reduce soil erosion, diversify the forest, and create a visual buffer between the homes and the roads.

We ask that Section B. 1. e. of the PUD Designation include the following or similar language:

*Landscaping improvements are allowed outside of the site disturbance envelopes. Landscaping is soft surface improvements meaning grass, shrubs, trees and berms of natural materials. All berms shall meet the design requirements of the Development Code. All disturbed areas must be brought back to a natural state and free of noxious weeds. No hardscaping or impervious improvements are allowed outside of the disturbance envelope. This includes, but is not limited to, concrete walks and patios, brick walls, or decks.*

*Berms are specifically allowed on Lots 1, 2 and 4 in the locations shown on Exhibits E-2 and B-2. All other berms will be considered by the County under separate review and must meet the design requirements of the Development Code.*

*Small rock tree wells are allowed on Lot 11 adjacent to County Road 456 on the steep downward slope to accommodate the planting of trees and shrubs. The tree wells shall be of rock and meet the requirements of the Development Code. (See Exhibit C for location details.)*

- D. Lots 19 and 20 – relocate and reconfigure envelopes; realign Lot 19’s driveway; designate Tract A for the construction identification sign location; and relocate a small portion of the trail that crosses through Lot 20

A number of trees have been lost due to the pine beetle epidemic as well as subsequent blow downs from opening up/weakening the tree stands. From experience over the last four years, it is not safe to have large trees adjacent to the envelopes due to the possibility of these blowing down onto the future homes. We ask that Lot 20’s envelope be moved slightly uphill to its original location and reconfigured so that it is out of the way of any potential danger from the large nearby spruce trees (Exhibit D-2). This location has a few small pockets of 30% slopes. (See Exhibit D-3.) However, these are anomalies and are allowed per the PUD Designation. Lot 19’s envelope will also be

relocated to the north, avoiding 30% slopes, and reconfigured for the same reasons. The square footage of the envelopes will stay the same as originally allowed. Section B.1.b) of the PUD Designation allows small changes in the shape and location of disturbance envelopes provided that the new locations meet the intent of the PUD Development Code, and remain in general conformance with the applicable master plans. We believe that the new envelope locations meet these requirements.

A small section of the trail on Lot 20 will need to be relocated to accommodate the envelope's move to its original location. We will work with Open Space and Trails Department to relocate the trail to a suitable location.

In order to reduce the amount of site disturbance, Lot 19's driveway will be slightly realigned to accommodate the new location of Lot 19's envelope. (See Exhibits D-1, D-2 and D-3 for existing locations, proposed locations and slope report.)

According to Section 16 of the PUD Designation, a construction identification sign is allowed on Tract A. However, Tract A was inadvertently omitted on the PUD plan. Tract A is now shown on Exhibit D-1 to designate the location of the sign. A verbal easement agreement has been obtained from the owner of Lot 21 for the temporary location of the sign. (The easement agreement document is pending.)

E. Lots 1 and 2 – small change to driveway disturbance area; pulling in utilities from the Gibson Hill Tower

Currently, a driveway disturbance area has been designated for Lots 1 and 2. The Planning Department has suggested that the area be slightly enlarged to include the area between the two envelopes. By doing so, the future owners of the lots will have greater flexibility in the design of the homes and the garages. At the time of building permit, the County will define the driveway location to each home and limit the disturbance area. (Please refer to Exhibits E-1 and E-2 for existing and proposed disturbance locations, as well as new landscaping and berm areas outside of the disturbance envelopes which will help screen the radio towers from view.) An engineered driveway plan and slope report for Lots 1 and 2 have been provided for your review. (See Exhibits E-1 and E-3 for details.)

As allowed by the PUD Designation, we are also proposing to pull in the utilities to Lots 1 and 2 from the existing power supply from the Gibson Hill Tower. The lines will run along the south side of Lot 16 and contiguous with the north side of Lots 1 and 2. The lines will be buried underground, and all disturbed areas will be revegetated with grass seed and be free of noxious weeds.

- F. Lot 17 - create an additional unit of density/new home site; designate Lot 17 as a TDR Receiving Area; and the dedication of a 10' public trail easement along Gold Run Gulch Road

The owner of Western Sky Ranch has worked with the County to improve the Gibson Hill area throughout the development of the PUD. The overall density of 28 mining claims has been reduced down to 17 building sites, Forest Hills Drive has been paved for Huron Heights, numerous public trails have been constructed and easements granted to the County, and active forest management against the pine beetle epidemic has taken place through preventative tree spraying and removal of most of the infected trees on site. In addition, the owner has established a private, perpetual real estate transfer fee equal to 1% of the purchase price that is paid to the County each time a lot within the PUD is sold.

Danny Middleton, the owner of Lot 17 and Western Sky Ranch, is requesting a unit of density be added to Lot 17. Lot 17 is approximately 29.5 acres and has a 100,000 square foot residential disturbance envelope and a 219,978 square foot agricultural disturbance envelope. A maximum 7,000 square foot residence, a total 1,000 square foot maximum garage, as well as a 1,000 square foot maximum accessory apartment (per the requirements of the Development Code) are allowed within the residential envelope. In addition, a 10,000 square foot maximum footprint barn and corral are allowed within the agricultural envelope. (Please see Exhibit F-1 for the current envelopes' locations.)

Mr. Middleton requests to use the existing 2,363 square foot home as guest house for his family and friends, and be allowed to construct a new 7,000 square foot home. He is seeking to move the existing envelope for the allowed 7,000 square foot home to a new location on Lot 17, and use the existing 2,363 square foot home as a guest house. He would place a 5,000 square foot site disturbance envelope restriction around the 2,363 square foot home, as well as restrict any further square feet from being added onto the structure. Selling the two homes separately would be prohibited. A whole TDR (allowing for a 4,356 square foot structure) would be purchased to offset the existing 2,363 square foot home.

An amendment to the TDR Map is needed to designate this lot as a Receiving Area and to allow for the additional unit of density. Mr. Middleton was not aware of the workforce housing occupancy requirements or size restrictions of accessory units during the PUD process, nor did he understand the effect of TDR Sending, Receiving and Neutral Area designations when he was asked for input by the County on the TDR designation of Western Sky Ranch. If he realized the implications of these designations, he would have asked that Lot 17 be split in two, assigned two units of density and deemed a TDR Receiving Area. The 27 acres between Western Sky Ranch and Bruce Campbell's home, owned by High Country Services, was changed to a Receiving Area with a potential of two units of density. The request was made by Mr. Middleton to change the TDR designation and add the two units of density. Lot 17 has exactly the same characteristics as the lot that was given these designations. In short, Mr. Middleton made an error during the original review process and is requesting help from the County in securing a new home site.

According to the terms of the PUD Designation, the existing 2,363 square foot residence may be torn down and replaced with a new 7,000 square foot residence, along with a 1,000 square foot garage and 1,000 square foot accessory unit. This, however, is not environmentally sensitive and wasteful of natural resources. According to the High Country Conservation Center, approximately 50% of our local waste stream comes from construction and destruction of buildings. Using the existing building as a guest house instead of tearing it down is more green—conserving valuable fossil fuels, water and other natural resources.

Currently there are 208 acres for 21 units of density in the PUD, which equates to 9.90 acres per unit of density. This is an existing development in which one additional unit of density would fit in to the natural environment and surrounding man-made neighborhood. Existing infrastructure is place, and very little additional disturbance would take place with the proposed lot. The additional unit of density would equate to 9.454 units per acre—a nominal increase over that which it is currently. We believe that the Western Sky Ranch PUD will still meet the intent of the Development Code and be in general conformance with the applicable master plans. (Please see discussion H below for details.)

Although it appears that a new unit of density is being created, in the spirit of the PUD, it is not. A new unit of density is not being added to Lot 17, but rather the currently allowed 7,000 square feet home and its envelope are being relocated to another area on Lot 17, and the existing 2,363 square foot home would be restricted so that it could not be sold separately. Moving the building envelope to a new area, and using the existing 2,363 square foot home as a guest home means that only 2,363 square feet have been added. One TDR is equal to 4,356 square feet and only 2,363 of it would be used (54.2%). Because Mr. Middleton did not understand the workforce housing occupancy requirements or size restrictions of accessory units of the Development Code during the PUD process, he must request the additional unit and subdivision of Lot 17.

Mr. Middleton is willing to reduce the 10,000 square foot allowed barn footprint to a 4,000 square foot footprint, dedicate a trail along Gold Run Gulch Road, and purchase a whole TDR (rather than a portion of a TDR) in exchange for the additional unit of density on the new lot. The new lot would be subject to all the provisions of the PUD designation including the 1% perpetual real estate transfer fee. (Please see Exhibits F-1 and F-2 for a conceptual development plan of Lot 17.)

In addition, the existing residential disturbance envelope around the existing home would be reduced from 100,000 square feet to 5,000 square feet in order to contain disturbance and minimize soil disruption. The proposed new residential lot's disturbance envelope would also be limited to 44,519 square feet for the same reasons. ( $5,000 + 44,519 = 49,519$  square feet of total residential envelope.) The currently allowed 44,519 square foot barn envelope would be limited to 40,000 square feet in an effort to contain site disturbance and habitat fragmentation. With the proposed limitations, there will be a reduction of 55,000 square feet/38% of disturbance envelope area from that which is allowed per the current PUD Designation.

<u>Currently Allowed</u>	<u>Proposed Allowed</u>
10,000 square feet footprint barn	4,000 square feet footprint barn
7,000 square feet home	7,000 square feet home
1,000 square feet garage	1,000 square feet garage
<u>1,000 square feet accessory unit</u>	<u>2,363 square feet guest home</u>
19,000 total square feet	14,363 total square feet

\*4,637 square feet/24.4%—total reduction in size of buildings

<u>Currently Allowed</u>	<u>Proposed Allowed</u>
100,000 square feet disturbance envelope	49,519 square feet disturbance envelope
<u>44,519 square feet barn envelope</u>	<u>40,000 square feet barn envelope</u>
144,519 square feet	89,519 square feet

\*55,000 square feet/38%—total reduction in size of disturbance envelopes

Based upon calculations from Baseline Surveys, 2,245 square feet of the existing driveway serving Lot 17 will be removed and revegetated, while a total of 5,576 square feet of new driveway will be added to access the additional lot. This small increase of approximately 3,331 square feet is nominal in relation to the 55,000 square feet reduction in the size of the site disturbance envelopes. (Please refer to the letter from Baseline Surveys for details on the square footage calculations.)

\*51,669 square feet—total reduction in size of disturbance envelopes and driveways

Also shown on the plans is the dedication of a 10' public trail easement along Gold Run Gulch Road. This easement will provide an important link to the trail system within and adjacent to the PUD.

G. Installation of a gate across the shared driveway off of County Road 484

Mr. Middleton is working in cooperation with the Open Space and Trails Department in order to control unwanted vehicular access to the Detroit Mine.

H. General conformance with applicable master plans

According to Section 12104.03A. of the Development Code, zoning amendment proposals must meet all relevant County regulations and standards including:

*The proposed rezoning is in general conformance with the goals, policies/actions and provisions of the Summit County Countywide Comprehensive Plan and any applicable basin or subbasin master plans.*

The County's master plans are advisory documents and contain recommendations of the vision of the community, and the goals and policies do not have the force and effect of law. However, "general conformance" with the provisions of the master plans is required. According to Chapter 15 of the Development Code:

*When a development application is evaluated regarding its general conformance with applicable master plans, the Review Authority shall evaluate the application against the entirety of the goals, policies, and actions contained in the master plans and need not require compliance with every provision contained therein. Nonetheless, the Review Authority may require that an application satisfy any particular goal, action or policy if such compliance is deemed necessary to attain general conformance.*

The proposed modifications to the Western Sky Ranch Planned Unit Development (PUD) have been carefully considered so that site disturbance has been reduced and the rural mountain character of the Upper Blue Basin is preserved. The proposal complements the natural environment, and blends in with the surrounding man-made neighborhoods. Additional open space will be provided, and a public trail easement will be granted which provides an important link to the backcountry. The proposal includes the following elements which specifically address the goals and policies of the Countywide Comprehensive Master Plan, the Joint Upper Blue Master Plan (JUBMP) and the Upper Blue Master Plan:

- Reducing site disturbance for various driveways in the PUD through relocation, length reduction, and utilization of an existing mining road
- Reducing site disturbance by decreasing the size of the cistern easement and relocating the proposed hammerhead area to an existing area—the intersection of County Roads 484 and 484
- Reducing site disturbance by designating site disturbance envelopes throughout the PUD
- Reducing site disturbance and increasing open space by shrinking the size of the allowed buildings on Lot 17 by 4,637 square feet /24.4%
- Reducing site disturbance and increasing open space by reducing the size of the allowed site disturbance envelopes on Lot 17 by 55,000 square feet/38% from that which is allowed
- Adding to the Upper Blue Basin's trail system by dedicating a 10' wide public trail easement along Gold Run Gulch Road
- Residential design requirements limiting home sizes, requiring the residences' heights to be below the tree canopy, and specifying exterior materials be non-reflective and the colors to be dark/subdued to blend the future homes into the mountain backdrop
- Requiring the use of full cut-off luminaries to control light pollution from the residences
- All new utilities to be buried and all disturbed areas to be revegetated
- Active forest manage practices to promote a healthy forest and reduce wildfire risk through preventative tree spraying against the Mountain Pine Beetle infestation and the cutting down/disposal of the infected trees
- noxious weeds are not allowed to proliferate within the Western Sky Ranch PUD
- 1% real estate transfer fee paid to the County with the initial sale and subsequent sales of each lot within the PUD with a portion of each transfer fee going towards affordable housing

Thus, we believe that the proposed modifications to the Western Sky Ranch PUD are in general conformance with the goals, policies and provisions of the Countywide Comprehensive Master Plan, the Joint Upper Blue Master Plan (JUBMP) and the Upper Blue Master Plan and have elaborated on them below.

### Countywide Comprehensive Master Plan

The proposed modifications to the Western Sky Ranch PUD meet the following provisions of the Countywide Comprehensive Master Plan. In addition, goals and/or policies calling for the County to adopt new development regulations which are applicable to the modifications have been listed:

#### Land Use Element

Vision: Guide future land use decisions to ensure that growth occurs in appropriate locations and that our rural mountain character is maintained.

The Western Sky Ranch PUD was originally approved on October 11, 2005 (Planning Case Files #04-019 and #05-038). The PUD contains approximately 208 acres and 21 units of density. The lots are accessed off of Forest Hills Drive, and served by Individual Sewer Disposal Systems (ISDS) and wells. This is an existing development in which one additional unit of density would fit into the natural environment and surrounding man-made neighborhood. Existing infrastructure is in place, and very little additional disturbance would take place with the proposed lot. The additional unit of density would equate to 9.454 units per acre which is a nominal increase over that which it is currently—9.90 units per acre.

#### Environment Element

Vision: Protect, enhance, and promote our environmental resources.

Goal A: Protect and preserve environmentally sensitive areas.

Policy/Action 1: Environmentally sensitive areas should be identified, mapped, and protected to the maximum extent possible.

Policy/Action 3: Development in environmentally sensitive areas should be avoided to the maximum extent possible. Minimize and mitigate impacts where site conditions preclude the ability to avoid all environmentally sensitive areas.

Policy/Action 3.1: While respecting underlying zoning and density and according to established County design standards and regulations, require that new development employ design and construction techniques that, to the maximum extent practicable, utilize sensitive site design of lots and building envelopes to minimize disturbances to environmentally sensitive areas and provide infrastructure most efficiently.

Policy/Action 6: The County should work cooperatively with homeowner groups and the State and Federal Forest Service to promote healthy and naturally diverse forests while reducing wildfire hazards.

Goal K: Mitigate the adverse impacts of noise and light.

Policy/Action 4: Outdoor lighting should be subdued and have minimal offsite impacts.

Goal M: Support the County's weed control program.

Policy/Action 1: Support, sustain, and promote efforts to eradicate noxious weeds from Summit County.

Policy/Action 2: Work with developers and homeowners to ensure that revegetation and landscaping is weed-free.

The proposed modifications protect the environment in a number of ways. The envelopes and driveways have been located to avoid steep slopes as much as possible and reduce the amount of site disturbance. Specifically, utilizing an existing mining road as a driveway will reduce the amount of cut and fill needed to access the lot. Site disturbance envelopes have been designated for each lot in order to contain soil disruption. The proposed modifications also include reducing the size of the allowed buildings on Lot 17 by 4,637 square feet/24.5%, and reducing the size of Lot 17's allowed site disturbance envelopes by 55,000 square feet/38%.

In addition, forest manage practices are in place to promote a healthy forest and reduce wildfire risk through preventative tree spraying against the Mountain Pine Beetle infestation and the cutting down/disposal of the infected trees. In addition, noxious weeds are not allowed to proliferate within the PUD, and full cut-off luminaries are required to control light pollution from the residences.

#### Housing Element

Vision: Provide for the diverse housing needs of all residents, workers, and guests in the County.

During the review of the PUD, it was determined that accessory apartments should not be permitted within the PUD. Instead, as a public benefit, a 1% real estate transfer fee with the initial sale and subsequent sales of each lot within the PUD was accepted by the County. A portion of each transfer fee goes towards affordable housing and the other portion towards community care.

#### Design and Visual Resource Element

Vision: Design development to complement the environment, existing neighborhoods, and the historic nature of the County.

Goal B: Ensure that new development is designed in a visually sensitive manner, complementing the surrounding natural environment.

Policy/Action 1: New development should be subject to design standards and prescriptions for the mitigation of visual impacts to protect and preserve the rural landscapes.

Policy/Action 3: Mitigate visual impacts by requiring the following, where appropriate: the use of building material, building design, (e.g. building mass, size, and height), colors, location of structures, and landscaping, so that structures blend into the natural landscape.

Policy/Action 5: Amend the Land Use and Development Code to require the undergrounding of new utility lines for development.

Policy/Action 6: The placement of new utilities should be done in a visually acceptable manner, maintaining existing vegetation and landscapes to the maximum extent possible.

Policy/Action 7: Require building envelopes and/or disturbance envelopes to be established when necessary in new subdivisions to minimize visual and environmental impacts.

Policy/Action 11: Work with appropriate parties to ensure that the visual impacts of new roads are minimized and that roads maintain character with their surroundings.

Goal D: The visual dominance of forested areas should be retained.

Policy/Action 1: Where possible, development should be located in forested areas when it can be screened from view, while still maintaining the overall visual character of the forest.

Policy/Action 2: Building heights in forested areas should not penetrate the tree canopy.

Goal E: Avoid or minimize development impacts on steep hillsides and ridgelines.

Policy/Action 1: Development on ridgelines and steep slopes should be avoided wherever possible. Where no feasible alternative exists, buildings on ridgelines and slopes should be located and designed so that the existing visual dominance of the natural landform, vegetation and topography is maintained.

Policy/Action 2: Minimize the need for grading, earth moving, vegetation removal, and site disturbance related to development on sloped area.

Policy/Action 3: Grading or earth moving to create a flat building pad on a slope should be discouraged; instead, buildings should be stepped to fit with the natural terrain.

The location of the proposed disturbance envelopes, driveways and new home site have been carefully considered to create as little disturbance as possible, blend in with the natural surroundings, and minimize potential off site visual impacts. The envelopes and driveways have been located so that 30% slopes are avoided as much as possible, and envelopes have been placed in forested areas. In addition, the homesite have been spread out far enough so that tree thinning and clearing for fire mitigation will not create large vacant swaths on the hillside. Residential design requirements are also in place in the PUD limiting home sizes, requiring the residences' heights to be below the tree canopy, and specifying exterior materials be non-reflective and the colors to be dark/subdued to blend the future homes into the mountain backdrop. Finally, all new utilities will be undergrounded and all disturbed areas will be revegetated and kept free of weeds.

### Open Space Element

Vision: Preserve, protect, and enhance our County's open space.

Goal A: Preserve and protect the County's open space and minimize the negative impacts on open space associated with development.

In an effort to preserve open space, site disturbance envelopes have been used throughout the PUD to contain development, and six parcels within the PUD have been designated as open space. In addition, the proposed modifications include reducing the size of the allowed buildings on Lot 17 by 4,637 square feet/24.5%, and reducing the size of Lot 17's allowed site disturbance envelopes by 55,000 square feet/38%. With the reduction in the size of the proposed envelope, approximately 98%

of the entire property within the PUD will be protected from development with the exclusion of roads and drives.

#### Recreation and Trails Element

Vision: Develop and integrated recreation system within the County that provides diverse, developed and undeveloped, recreational opportunities for all residents and visitors while protecting unique scenic and natural landscapes.

Goal B: Maintain, preserve, and where appropriate, enhance trail management through provided for character, design, access, parking guidelines and protection of environmentally sensitive areas.

Policy/Action 1: Secure trail easements in efforts to carry out community visions, implement basin or subbasin master plans, and create a complete network of interconnected trails.

Policy/Action 2.1: Promote trail design and construction standards which preserve buffers between trails and developed areas, protect the natural terrain provide for natural vegetative screening, and have minimal environmental impact.

Policy/Action 4: Acquire property for trails and trailheads using the following guidelines:

4.1: Work proactively to secure trail easements before or during the development process.

4.2: Negotiate, develop incentives, and work with property owners and developers to provide easements.

Within the PUD numerous public trails have been constructed and easements granted to the County that are important links in the surrounding trail network. With the proposed modifications, an additional non-motorized public trail easement will be dedicated to the County—a 10' public trail easement along Gold Run Gulch Road on Lot 17.

### Joint Upper Blue Master Plan

The proposed modifications to the Western Sky PUD meet the following provisions of the JUBMP. As above, applicable Recommended Actions/Implementation Strategies calling for the County to act upon have been listed:

#### Recreation and Trails

##### Trails

##### Key Goals/Policies:

1. A rich and varied trail network that provides a variety of recreational opportunities should be preserved and enhanced...

##### Recommended Actions/Implementation Strategies:

1. Identify high priority trails and define the most appropriate method of securing public access. Possible methods could include:
  - a. Securing easements through dedications as part of a development plan.

- b. Negotiating with landowners to obtain licenses, easements or other means of insuring long term public access.
8. Use incentives and cooperation with land owners rather than confrontation to acquire trails.
9. Trail design and construction standards which result in trails which follow natural terrain with minimal environmental impact and provide buffers between trails and developed areas should be adopted.

As mentioned before, numerous trails run through the PUD providing important access the surrounding area and backcountry. A 10' public trail easement along Gold Run Gulch Road on Lot 17 will be granted with the proposed modifications.

### Design and Appearance Element

#### Key Goals/Policies:

1. The visual image of the Upper Blue Basin should be one where spectacular mountain vistas and unique environments are retained, and development blends with the natural landscape to the fullest extent possible.

#### Recommended Actions/Implementation Strategies:

3. Road cuts and utility installations should not result in permanent scars, nor be visible from a distance. Standards for rural roads should be developed in order to reduce visual impacts.
4. Restrictions on tree cutting and lot clearing should be implemented.
5. The desired character for landscaping and revegetation should be defined and used as performance criteria for new development.
6. Use of native vegetation and plant materials adapted to our high alpine environment should be required.
7. Design guidelines which are keyed to the varying landforms, vegetation types and development types within the basin should be implemented. These design guidelines should consider the following:
  - c. Forested Areas: Buildings within forested areas should be located and designed so that the existing visual dominance of the forest is maintained. Development within forested areas should be located and designed according to the following guidelines:
    - buildings along forest edges should utilize natural materials and colors so that they blend visually with the forest
    - removal of trees on steep slopes and ridgelines should be discouraged
    - in partially forested areas, and in particular where these areas are adjacent to or over look open meadows, water features or other significant open landscapes, buildings should be located behind the front edge of trees to maximize the visual quality of the forest and gain the maximum effect of screening

The PUD and the proposed modifications blend into the natural landscape to the fullest extent possible. For instance, site disturbance will be limited with the use of an existing mining road for a driveway. Site disturbance envelopes have been used to contain disturbance, and the envelopes placed behind forested areas so that the future homes will be screened from the valley floor. Architectural standards are also in place limiting home sizes, the residences' heights to be below the

tree canopy, and specifying the exterior materials be non-reflective and the colors to be dark/subdued to blend the future homes into the mountain backdrop. All new utilities will be buried, and all disturbed areas will be revegetated and kept free of weeds.

#### Environment Element

##### Key Goals/Policies:

1. Protection and maintenance of the basin's environment and natural systems should be emphasized.

##### Recommended Actions/Implementation Strategies:

1. Proposed development should only be permitted if it is done at a scale and designed in a manner that preserves natural and recreational amenities in the area.

Open space and trails are important recreational amenities for the residents and visitors of Summit County. In an effort to preserve open space, site disturbance envelopes have been used throughout the PUD to contain development, and six parcels within the PUD have been designated as open space. In addition, the proposed modifications include reducing the size of the allowed buildings on Lot 17 by 4,637 square feet/24.5%, and reducing the size of Lot 17's allowed site disturbance envelopes by 55,000 square feet/38%. As mentioned above, with the reduction in the size of the proposed envelope, approximately 98% of the entire property within the PUD will be protected from development with the exclusion of roads and drives.

With the proposed modifications, one additional public trail easement will be dedicated to the County—a 10' public trail easement along Gold Run Gulch Road on Lot 17.

### Upper Blue Master Plan

The proposed modifications to Western Sky Ranch PUD meet the following provisions of the Upper Blue Master Plan:

#### Land Use Element

Goal A. Future land use should be consistent with a land use pattern that focuses growth in existing urban areas and seeks to maintain the character of rural areas in the basin.

The Western Sky Ranch PUD contains approximately 208 acres and 21 units of density. The lots are accessed off of Forest Hills Drive, and are served by ISDSs and wells. This is an existing development in which one additional unit of density would fit into the natural environment and nearby man-made neighborhoods. Existing infrastructure is in place, and very little additional disturbance would take place with the proposed lot. The additional unit of density would equate to 9.454 units per acre which is a nominal increase over that which it is currently—9.90 units per acre.

## Affordable Workforce Housing Element

Goal B. Increase the supply of affordable workforce housing in the Upper Blue Basin through promoting or facilitating opportunities, strategies and proposals that guide, plan for and provide affordable workforce housing.

Western Sky Ranch PUD is not an appropriate location for workforce housing. Consequently, as a public benefit, a 1% real estate transfer fee with the initial sale and subsequent sales of each lot within the PUD was accepted by the County. A portion of each transfer fee goes towards affordable housing and the other portion towards community care.

## Recreation and Trails Element

Goal D. Maintain and improve recreational and trail access throughout the Basin.

Policy/Action 2. Develop a travel management plan for the Golden Horseshoe area through partnerships with property owners, user groups, land trusts, and appropriate local, state, and federal agencies. New recreation facilities and trails should be developed in the Golden Horseshoe area in accordance with a community-developed travel management plan. The Plan should address the following issues:

- Preserve and retain existing access portals for significant recreational routes

We have worked with both the County and Town of Breckenridge Open Space and Trails Department throughout the development of the Western Sky PUD to identify important winter and summer trail routes on the property. The trails within the PUD are important links to nearby recreational trails in the backcountry. Every public trail easement that has been requested by the County and Town has been granted. As mentioned before, an additional 10' public trail easement will be granted along Gold Run Gulch Road with this proposal.

By meeting the above various goals, policies and provisions, we believe that the proposed modifications to the Western Sky Ranch Planned Unit Development are in general conformance with the Countywide Comprehensive Master Plan, the Joint Upper Blue Master Plan (JUBMP) and the Upper Blue Master Plan.

## EXHIBITS

- A-1 Current location of Lots 5 and 6, and the shared driveway
- A-2 New location of the shared driveway for Lots 5 and 6; Slope report for Lots 5 and 6
- A-3 Copies of signed easement for the shared driveway to Lots 5 and 6
  
- B-1 Current Lots 3 and 4 shared driveway location, cistern area easement and hammerhead area
- B-2 New driveway locations for Lot 3 and 4, berm area, cistern easement area reduced and hammerhead relocated; Slope report for Lots 3 and 4
- B-3 New hammerhead area location; RWB Fire Protection District Letter
- B-4 Easement for Lot 3
  
- C-1 Location of rock tree wells on Lot 11
  
- D-1 Existing locations – Lots 19 and 20 envelopes; New and old location of Tract A—temporary construction identification sign location; Small portion of trail to be relocated
- D-2 New locations – Lots 19 and 20 envelopes; Relocation of small portion of trail on Lot 20—location to be determined by the Open Space and Trails Department
- D-3 Slope report for Lots 19 and 20
  
- E-1 Existing driveway disturbance area for Lots 1 and 2
- E-2 New driveway disturbance area for Lots 1 and 2; Addition of berms
- E-3 Slope report for Lots 1 and 2
- E-4 Easements – County Road 484, Xcel Easement from Lot 16, Little Grace Driveway
  
- F-1 Existing and proposed building site – Lot 17; Slope report and conceptual new driveway grading plan; proposed Gold Run Gulch trail easement