

PLANNED UNIT  
DEVELOPMENT GUIDE

Compass Homes Development, LLC

September 2008

## INTRODUCTION

Red Peak Village is a new community planned to be attainable to employees working in Summit County. The intent is to have a community that is affordable to the workforce now and in the future. To accomplish this, a variety of distinctive housing opportunities will be available to various income levels, with occupancy and equity deed restrictions implemented to assure long term affordability.

This Planned Unit Development Guide (PUD Guide) is for certain real property as described in Exhibit A located in Summit County Colorado and is to be effective as of the date this PUD Guide is recorded in the official records of the Summit County Clerk and Recorder.

This PUD Guide expressly addresses a certain type of regulation or standard e.g., setbacks, buildings heights, etc. If this PUD Guide does not address a type of regulation or standard within the Town of Silverthorne Code, then the provisions of the Town of Silverthorne Code with regard to that type of regulation or standard shall apply.



## TABLE OF CONTENTS

ARTICLE I DEFINITIONS	3
ARTICLE II PLANNING AREAS, USES AND DENSITIES	6
2.1 Planning Areas	
2.2 Planning Area Development Standards	
2.3 Construction Uses	
2.4 Trail Use	
2.5 Maximum Amount of Irrigated Landscape Area	
ARTICLE III DESIGN REVIEW PROCEDURES	9
3.1 Design Review Process for Planning Area Two	
ARTICLE IV GENERAL DEVELOPMENT STANDARDS AND CONDITIONS	10
4.1 Landscaping	
4.2 Parking and Driveways	
4.3 Street and Alley Standards	
4.4 Conceptual Illustrations	
ARTICLE V DEED RESTRICTIONS	15
5.1 Planning Area Two	
ARTICLE VI MISCELLANEOUS	15
6.1 Binding Effect	
6.2 Amendments & Modifications	
6.3 Incorporation of Introduction and Exhibits (Including the PUD Plan)	
6.4 Entire Designation	
EXHIBITS	
Exhibit A: Legal Description	16

# RED PEAK VILLAGE PUD GUIDE

## ARTICLE I - DEFINITIONS

For the purposes of this PUD Guide, the following terms shall be defined as follows. All terms in this PUD Guide that are not otherwise defined below, shall have the meanings given to them in the Town of Silverthorne's Code.

**RPV** – Red Peak Village, the master planned community to be developed on the Property formerly known as the Smith Ranch.

**RPV LLC** - Red Peak Village, LLC, a Colorado limited liability company and its successors and assigns.

**RPV Owners and Guests** - The owners and potential owners of home sites within Planning Area Two and guests of such owners or potential owners.

**Accessory Apartment** – A dwelling unit located on the same lot as a single family unit, the legal title to both of which are held in the same name, and that which is restricted to occupancy by a person(s) meeting Summit Combined Housing Authority workforce restrictions.

**Alley** – An access easement, dedicated to public uses, which gives a secondary means of access to the rear or side of properties otherwise abutting a street or open space, and which also may be used for public utility and maintenance access. Alleys shall be privately owned and maintained.

**Architectural Guidelines** - Design guidelines for Planning Area Two adopted and administered by the DRB.

**Building** - a permanent structure built for the shelter and enclosure of persons or property, inclusive of decks or porches 30" or greater above grade, but not including overhangs, eaves, patios or terraces or other structures less than 30" above grade.

**Construction Uses** – Storage and construction offices from which building and infrastructure construction activities are managed, which may be allowed on Property during the duration of project construction.

**Declarant** - The developer of Red Peak Village also known as Red Peak Village LLC.

**DRB** - The Red Peak Village Design Review Board established pursuant to the Master Covenants.

**Effective Date** - The date this PUD Guide is recorded.

**Homeowner's Association** - The Homeowner's Association (H.O.A.) for Red Peak Village.

**Lot Coverage** - That area of a lot that may be occupied by Buildings, as defined by this PUD.

**Master Covenants** - The recorded declaration of covenants, conditions and restrictions for Red Peak Village.

**Owner** - The owner of all or any portion of the Property.

**Planning Area** - Each of the separate areas into which the Property is divided as set forth in Section 2.1 for the purpose of designating uses and density.

**Property** - That certain real property located in Summit County, Colorado as described in Exhibit A.

**Sales Uses** - A real estate sales office used for advertising, marketing and sales promotions which may be allowed on Property during the duration of project construction and duration of developer sales. This term includes use of a mobile structure or any dwelling unit as an on-site sales office or model.

**Town Code** - The Town of Silverthorne Code, which includes definitions, regulations and engineering standards currently in effect, or as may be amended from time to time.

**ARTICLE II  
PLANNING AREAS, USES AND DENSITIES**

**2.1 Planning Areas**

(a) **Planning Areas**

The three (3) Planning Areas comprising the Property are as follows:

- (i) Planning Area 1 – Daycare Site
- (ii) Planning Area 2 – Residential
- (iii) Planning Area 3 a-d – Open Space - Public and Private

(b) **Land Use, Densities and Development Standards**

This PUD Guide establishes the land uses, permitted densities and the development standards applicable to each Planning Area.

Planning Areas noted on the PUD Plan are approximate and may be modified up to 10% in area during actual subdivision of the land.

**2.2 Planning Area Development Standards**

The densities, permitted uses and certain other development standards within each Planning Area (including, but not limited to, minimum parcel sizes, setbacks, irrigation allowances and permitted building heights) are set forth in Figure 2.2 and shall be calculated pursuant to the methodologies and procedures set forth in the Town Code, except as expressly set forth otherwise in this PUD Guide.

**Figure 2.2**

	<b>Planning Area 1 – Day Care Site</b>
Permitted Uses	Primary Use: 1. Child Daycare Facility 2. Civic uses 3. Private school 4. Community center 5. Playground equipment
Maximum Building Size	6,000 square feet
Building Setbacks	Front = 20' setback from 60' public right of way Sides = 10' minimum side yard to property line Rear = 20' minimum rear yard to property line
Maximum Lot Coverage	50% of total lot area
Maximum Building Height	35' measured using Town Code.
Maximum Irrigation	2000 sq. ft.

<b>Planning Area 2 – Residential</b>	
Permitted Uses	<ol style="list-style-type: none"> <li>1. Single family and duplex residential dwelling units</li> <li>2. Accessory Apartments</li> <li>3. Construction Uses</li> <li>4. Public park</li> <li>5. Trails, signage, benches, picnic tables and shelters</li> <li>6. Sales Uses</li> </ol>
Allowed Density	180 single family or duplex dwellings units 40 accessory apartments
Minimum Lot Area	3000 s.f.
Lot Frontage	25' minimum on public r.o.w., alley easement, or private shared driveway easement
Max. Market Unit Size	20% greater than the largest similar (same number of bedrooms) deed restricted unit
Building Setbacks	<p>Collector – Adams Avenue extension</p> <ul style="list-style-type: none"> <li>• Front = 10' to Building, no driveway access allowed onto Collector therefore no additional garage setback is provided</li> <li>• Side* = 5' minimum side yard with building openings, 0' one side for duplex and zero lot line units with no building openings</li> <li>• Rear = 10' from Building to property line, 3' from Building to Alley easement</li> </ul> <p>Local Roads</p> <ul style="list-style-type: none"> <li>• Front = 10' to Building, 15' to garage door</li> <li>• Rear = 10' from Building to property line, 3' from Building or garage door to Alley easement</li> <li>• Side* = 5' minimum side yard with building openings, 5' minimum side yard for corner lots adjacent to public streets, 0' on one side for duplex and/or zero lot line units with no building openings</li> </ul> <p>Green Space – Common Greens and Community Green</p> <ul style="list-style-type: none"> <li>• Front = 5' from Building to Green property line</li> <li>• Rear = 10' from Building to property line, 15' from garage door to public right of way, 3' from Building or garage door to Alley easement</li> <li>• Side* = 5' minimum side yard with building openings, 5' minimum side yard for corner lots adjacent to public streets, 0' on one side for duplex and/or zero lot line units with no building openings.</li> </ul> <p>*Note: All corner lot conditions are to be considered to have 1 front, 1 rear, and 2 side yards for application of setbacks.</p>
Minimum Bldg. Separation	10'
Maximum Lot Coverage	60% of total lot area

Maximum Building Height	35' measured using Town Code.
Maximum Irrigation	500 sq. ft. per duplex lot, 750 sq. ft. per single family lot 1 acre for Public Park

	<b>Planning Areas 3 a-d - Open Space – Public or Private</b>
Permitted Uses	Open space and recreational uses: <ol style="list-style-type: none"> <li>1. Trails, signage, benches, picnic tables and shelters</li> <li>2. Landscaping and irrigation, including maintenance</li> <li>3. Wetlands mitigation</li> <li>4. Stormwater control facilities</li> <li>5. Utility crossings</li> </ol>
Building Setback	20' from any property line
Building Height	20'
Maximum Irrigation	None

### 2.3 Construction and Sales Uses

#### **All Planning Areas**

Construction Uses related to the construction of infrastructure and buildings shall be permitted in accordance with Town Codes within each of the Planning Areas in which construction is taking place.

Sales Uses related to the Developer sales of Red Peak Village real estate products shall be permitted on the Property until Developer sales are complete.

### 2.4 Trail Use

Soft surface public pedestrian trails will be constructed within the Property and dedicated to the Town for use as public trails. The specific locations and easements of public trails are to be determined at the time of Subdivision. The use of motorized vehicles (except motorized vehicles necessary for maintenance) shall not be permitted on any recreational trail within the Property.

### 2.5 Maximum Amount of Irrigated Landscape Area

Maximum irrigated landscape areas on residential lots shall be as noted in Figure 2.2  
Common area / road easement landscaping will be drip irrigated as part of each residential lot allocation.

Daycare site irrigation is limited to 2000 sq. ft.

Park irrigation is limited to 1 acre.

**ARTICLE III  
DESIGN STANDARDS AND REVIEW PROCEDURES**

**3.1 Design Standards for Residential Planning Area Two**

**Architectural Character.** The character of Red Peak Village is intended to reflect the rustic flavor and charm of the site's historic ranching history, with warm and friendly authentic Rocky Mountain home designs. The plan will foster a real neighborhood, to create an attractive community that evokes "pride of place".

The community will have open spaces, walking trails, sidewalks on one side of some of the streets, neighborhood parks, and a child daycare facility.

- (a) **Materials.** Combinations of siding are permitted including stucco, wood, wood products and metal, provided reflectivity is minimized. Durable products such as cementitious siding may be utilized to ensure low maintenance while being environmentally sensitive.

**Roof materials:** Asphalt, wood or metal.

- (b) **Colors:** Paint and stain colors are restricted to those that are subdued and blend with the environment.
- (c) **Design Review.** The architectural style and quality will be maintained through the Design Review Board and the Red Peak Village Architectural Guidelines.

**ARTICLE IV  
GENERAL DEVELOPMENT STANDARDS AND CONDITIONS**

**4.1 Landscaping**

All development activities on the Property shall comply with all applicable landscaping regulations of the Town Code. Red Peak Village HOA will be responsible for Noxious Weed Control in all private open space areas, and the Town will be responsible for Noxious Weed Control in the Community Green and all public open space areas.

**4.2 Parking and Driveways**

All Parking on the Property shall comply with all applicable Parking regulations of the Town Code section 4-6-13, except as set forth herein.

Intersections: Given the compact nature of the development, driveways leading from or to a public street or alley for the purpose of off-street parking shall be a minimum of fifteen (15') feet from an intersection of two (2) or more public streets or alleys.

Frequency of driveways: Given the compact nature of the development, two driveways connecting to a public or private street, or alley are to be no closer than fifteen (15') feet from one another at their intersections with the property line, curblin, right-of-way line or the physically established edge of the public street, or alley. Flexibility to this standard may be granted by the Town on a limited basis. No private driveways will access onto Adams Avenue extension.

Residential Parking Standards and Requirements shall apply to parking related to residential uses of the Property as follows:

**Planning Area Two:** Each single family or duplex dwelling unit shall have at least two parking spaces. Exterior paved spaces, and spaces provided within garages will count toward this requirement. One additional parking space is required to be provided for an accessory apartment in a non-tandem configuration.

Guest parking may be located in the driveway and may be directly behind the garage door. Guest parking spaces, inclusive of spaces provided for the Public Park and parallel spaces within the public right of way in the vicinity of the alley loaded homesites will be provided on the Property. Guest parking spaces will be signed to allow time for maintenance and snow removal by the Town.

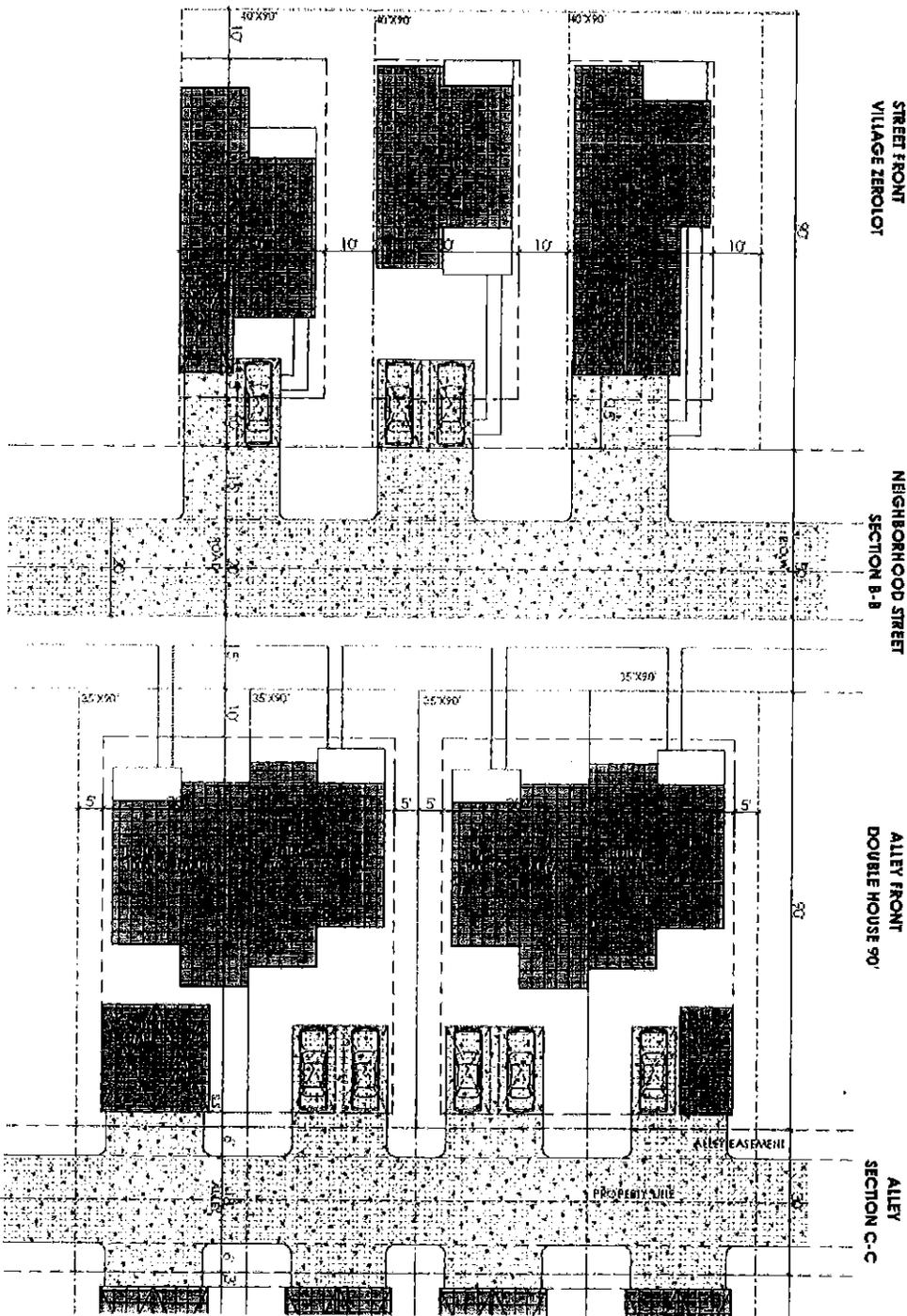
**4.3 Street and Alley Standards**

- (a) Public street right of ways will be 60' in width for Collectors.
- (b) Local street rights of way will be 50' with 5' snow stack easements on each side. Local street widths are proposed to have an asphalt width of 20', excluding drainage pans, curb, gutter and/or shoulders.
- (c) Alley easements will be 30' in width, with 18' of pavement surface, inclusive of drainage pan.
- (d) A 6' sidewalk will be provided on one side of all Collectors. Internal sidewalks will be provided for primary pedestrian connection routes, but not necessarily alongside all Local streets within Planning Area 2.

**4.4 Development Condition Illustrations**

The following diagrams are provided as conceptual illustrations of a potential configuration that the development standards may create for the standard unit types at Red Peak Village. These are provided for illustrative purposes only and may be subject to change.





STANDARD UNIT TYPES  
 ALLEY-DOUBLE HOUSE-STREET-ZERLOT  
 1 2  
 7' x 100'

DATE	NOV 5
PROJECT NO.	
DATE OF ISSUE	
DESCRIPTION	

SITE PLAN

**RED PEAK VILLAGE**  
 SILVERHORN, CO

**ARAPAHOE**  
 ARCHITECTS, P.C.  
 201 14th St  
 DENVER, CO 80202  
 TEL: 303.733.1100  
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**ARTICLE V  
DEED RESTRICTIONS**

**5.1 Planning Area Two**

Occupancy and equity deed restrictions will apply and run with the land for 50% of the residential units at Red Peak Village. The deed restrictions for these units will include income, employment, residency and equity restrictions on all buyers and residents in accordance with the Summit Combined Housing Authority Guidelines. Refer to the Development Agreement for specific conditions of the restrictions.

**Phasing of unit mix:**

The total number of market unit closings may not exceed the total number of deed restricted unit closings during a given period. Completed deed restricted units can be banked toward future phases of market units.

**ARTICLE VI  
MISCELLANEOUS**

**6.1 Binding Effect**

This PUD Guide shall run with the Property and be binding upon each Owner and all persons who may hereafter acquire an interest in the Property.

**6.2 Amendments & Modifications**

Amendments to this PUD Guide shall be processed as minor or major amendments in accordance with Town Code.

**6.3 Incorporation of Introduction and Exhibits (Including the PUD Plan)**

All documents, maps and plans are hereby fully incorporated into and shall be deemed part of this PUD Guide.

**6.4 Entire Designation**

This PUD Guide contains all provisions and requirements that differ from the Town Code that are incumbent upon Red Peak Village, other Owners and the Town regarding the Red Peak Village Planned Unit Development.

**EXHIBIT A**  
**Legal Description**  
**(see following)**

## LEGAL DESCRIPTION

Order No.: 3560172

A parcel of land located in Sections 1 and 2 Township 5 South, Range 78 West of the 6<sup>th</sup> Principal Meridian, Summit County, State of Colorado being more particularly described as follows:

Beginning at the East  $\frac{1}{4}$  corner of said Section 2, said point being a US ELM standard brass cap; thence North  $89^{\circ}37'17''$  West along the East-West centerline of said Section 2 a distance of 1,367.45 feet to the Southwest corner of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of said Section 2, being a found rebar and cap, LS 15242;

thence North  $01^{\circ}32'37''$  West along the West line of said Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  a distance of 1,240.06 feet to a point on the South line of Willowbrook Meadows Subdivision Filing No. 3, Reception No. 198525, Office of the Summit County Clerk and Recorder;

thence North  $84^{\circ}23'00''$  East along said South line a distance of 2.02 feet;

thence North  $01^{\circ}33'04''$  West along the East line of said Willowbrook Meadows Subdivision Filing No. 3 a distance of 329.44 feet;

thence South  $89^{\circ}37'00''$  East along the South line of said Willowbrook Meadows Subdivision Filing No. 3, Willowbrook Meadows Subdivision Filing No. 2 Amended, Reception No. 186904, Office of the Summit County Clerk and Recorder, and Willowbrook Meadows Filing No. 1 Amended, Reception No. 161004, Office of the Summit County Clerk and Recorder, a distance of 1,304.50 feet to the Northwest corner of that parcel of land known as the Homestead parcel, Reception No. 817454, Office of the Summit County Clerk and Recorder;

thence South  $10^{\circ}41'37''$  East along the Westerly line of said Homestead Parcel a distance of 50.80 feet to a point on the Northerly line of that parcel of land as recorded in Book 197, Page 86;

thence South  $79^{\circ}12'49''$  West along said Northerly line a distance of 21.82 feet to a point on the Northerly line of that parcel of land as recorded in Book 293, Page 597;

thence South  $89^{\circ}36'21''$  West along the Northerly line of said Book 293, Page 597 a distance of 315.83 feet to the Northwest corner of said Book 293, Page 597;

thence South  $10^{\circ}41'28''$  East along the Westerly line of said Book 293, Page 597 and the Westerly line of Book 203, Page 306 a distance of 371.61 feet to the Southwest corner of said Book 203, Page 306;

thence North  $85^{\circ}17'05''$  East along the Southerly line of said Book 203, Page 306 and the Southerly line of Book 197, Page 86 a distance of 334.40 feet to the Southeast corner of said Book 197, Page 86, said point also being on the Westerly line of said Homestead Parcel.

Thence along the Westerly and Southerly lines of said Homestead Parcel the following four (4) courses:

1. South  $10^{\circ}41'37''$  East a distance of 19.32 feet;
2. North  $80^{\circ}27'24''$  East a distance of 80.87 feet;
3. along a curve concave to the Southwest an arc distance of 88.21 feet, having a radius of 230.00 feet, a central angle of  $21^{\circ}58'23''$ , whose chord bears South  $88^{\circ}33'24''$  East a chord distance of 87.67 feet;
4. South  $77^{\circ}34'13''$  East a distance of 96.05 feet to a point on the Westerly line of the Silverthorne Town limits;

thence South  $11^{\circ}37'11''$  West along said Westerly line a distance of 709.10 feet;

thence South  $33^{\circ}23'44''$  East a distance of 123.33 feet;

thence South  $13^{\circ}05'18''$  East a distance of 122.08 feet;  
thence South  $33^{\circ}23'44''$  East a distance of 180.77 feet;  
thence South  $22^{\circ}41'19''$  West a distance of 65.20 feet;  
thence along a curve concave to the Northeast an arc distance of 77.47 feet, having a radius of 350.00 feet, a central angle of  $12^{\circ}40'55''$ , whose chord bears South  $73^{\circ}39'08''$  East a chord distance of 77.31 feet;  
thence North  $89^{\circ}38'02''$  West a distance of 337.14 feet to the Point of Beginning; said parcel containing 51.49 acres, more or less.