

**KEYSTONE RANCH/WEST RANCH  
PLANNED UNIT DEVELOPMENT DESIGNATION**

This Planned Unit Development Designation, to be known as Keystone Ranch/West Ranch, is approved this 13th day of June, 1988 and revised this 25th day of October, 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 Keystone Resorts Management, Inc., 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 AND DEVELOPMENT PLAN**

Use and development of the property shall be in accordance with the Development Plan attached hereto as Exhibit B and the following specific requirements:

**1. Permitted Uses**

The following uses are permitted within the Keystone Ranch/West Ranch Planned Unit Development:

**KEYSTONE RANCH**

<u>Tract</u>	<u>Use</u>	<u>Acres</u>
A	12 single family homes	16.394
B	14 single family homes	12.473
C	22 single family homes	32.425
D	26 single family homes	35.648
F	<u>35</u> single family homes (1)	<u>30.568</u>
Total	109 units	127.463 acres

F	tennis facility	
E	18-hole golf course 10,000 square foot restaurant/pro shop VIP suite 3 lodge units 4 employee housing units pool and associated facilities maintenance building	228.243 acres

**WEST RANCH**

<u>Tract</u>	<u>Use</u>	<u>Acres</u>
F	Open space and recreational such as golf course and stables	46.258

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G	2 duplex units	40.621
	74 residential units recreation facility (including, but not limited to) swimming pool, tennis courts, spa, kitchen, maintenance building	
H	<u>5</u> employee housing units (2)	<u>2.748</u>
	Total 76 units	89.627 acres
	Grand Total 185	445.333 acres

The overall density of the Keystone Ranch/West ranch shall not exceed one unit per 1.17

1. Home sites within Tract F are allocated as follows:

<u>Tract</u>	<u>Units</u>
F-1	12
F-2	4
F-3	3
F-4	3
F-5	<u>13</u>
	35

2. Employee housing units are not counted toward project density.

## B. DEVELOPMENT STANDARDS

### 1. Building Height

Building heights shall not exceed 35 feet as defined in the Uniform Building Code.

### 2. Setbacks

Building envelopes meeting the criteria in A.1 above shall be designated at the preliminary plat stage. Structures shall be setback from right-of-ways at least 10 feet unless otherwise approved by the County Planning Department and the Keystone Architectural and Planning Board when cause for a variance can be found. All buildings shall be designed with scale and character appropriate for the mountain environment. The use of natural materials such as wood and stone should be emphasized.

### 3. Parking

All residential units are required to provide a minimum of two off-street parking spaces which may be in garage, but must not encroach into the road right-of-way. All residential units constructed after June, 1988, are required to provide two additional, off-street temporary guest parking (not overnight) spaces.

The temporary guest parking spaces may be in driveways and may be in tandem. All parking spaces shall have an all weather surface such as gravel, asphalt or concrete pavement. Temporary guest spaces may be located partially within the road right of way. Required parking cannot overhang or obstruct any portion of a road surface.

#### 4. Caretakers Units

Single family units in the Keystone Ranch/West Ranch PUD may include caretaker units. Caretaker units are not to be offered or used as rental units. Caretakers units are intended for the use of persons related to the property owner by blood or marriage, guests of the owner or employees of the owner who exchange security and/or caretaker services for housing. Caretakers units shall comply with the following criteria:

- a. Each caretakers unit shall be provided with at least one parking space in addition to the parking spaces required for the single family unit.
- b. The property owner shall pay additional water and/or sewer tap fees and charges for the caretakers unit if so required by the supplier of water and/or sewer service.
- c. The floor area of the caretakers unit shall not exceed 750 square feet.
- d. The use of the caretakers unit shall be restricted to members of the property owner's family, or guests or employees of the property owner by a covenant recorded against the property. The covenant shall grant enforcement power to Summit County.
- e. Units which contain caretakers units shall retain a single family character in both function and design.
- f. Each single family unit shall have no more than one caretaker unit.

In addition to the above criteria, a caretakers unit may have a separate kitchen and may have a separate entrance from that of the single family unit with which it is associated. It is the property owner's responsibility to insure the use and occupancy of a caretakers unit located on his property complies with the requirements of this section. Each caretakers unit shall be reviewed and approved by the Keystone Architectural and Planning Control Board and approved by the Summit County Planning Department prior to issuance of building permits or occupancy of the unit.

#### 5. Dog Restriction

A maximum of two (2) dogs per dwelling unit shall be allowed in the west ranch portion of the development. Because of the proximity of the West Ranch to critical elk winter range on Swan Mountain, the protective covenants affecting the West ranch shall authorize the Board of Managers of the homeowners association to enforce rules and regulations pertaining to dog ownership, including the imposition of fines for violation of the rules and regulations. The association shall develop rules and regulations in coordination with the Colorado Division of Wildlife which, at a minimum shall require that any authorized animal shall be kept on a leash when outside the house of the owner.

Dogs are permitted within the remainder of the Keystone Ranch up to a maximum of three (3) per dwelling.

## 6. Platting

Plats of the remaining unplatted areas within the Keystone Ranch/West Ranch PUD shall be processed and approved in accordance with the Summit County Subdivision Regulations now in effect or as hereafter amended. In addition, the platting of property in the Keystone Ranch/West Ranch PUD is subject to the following provisions:

### a. Keystone Ranch, Tracts A through E

All permitted homesites in these tracts have been platted. However, siting buildings to capture views or to maximize solar orientation occasionally requires replatting of a homesite. If replatting of a lot becomes necessary, a replat, provided it has been reviewed and approved by the Keystone Architectural and Planning Control Board, may be approved by the Planning and Engineering Departments and be recorded upon signature by the chairman of the Board of County commissioners.

Replats eligible for staff review are subject to the following criteria:

1. The plat must be in conformance with the summit County Subdivision Regulations.
2. The subject parcel must have been previously platted.
3. The plat must be submitted to the Planning and Engineering Department at least 15 working days prior to scheduled closings.
4. The plat must bear the signature of the chairman of the Board of County Commissioners prior to being recorded to be valid.

### b. Keystone Ranch, Tract F

The owner/developer shall prepare a "Tract F, Perimeter Plat" which will create five salable parcels of land corresponding to Tracts F-1, F-2, F-3, F-4 and F-5, define all road rights-of-way and identify the approximate location of the 35 homesites. It is the owner/developer's intent to create individual parcels for each homesite based on a "dripline survey" after substantial completion of each home. The Planning and Engineering Departments may approve these plats subject to the following criteria:

1. The "dripline surveys" must be in substantial compliance with the "Tract F, Perimeter Plat".
2. Plats submitted by the owner/developer or his agent must include clusters of at least three (3) to six (6) units. The Planning and Engineering Departments may permit the platting of individual homesites where the homesite is to be used for a custom home to be built by persons other than the owner/developer or his agent.
3. The plat must bear the signature of the chairman of the Board of County Commissioners prior to being recorded to be valid.
4. Platting is restricted to 11 units until all water issues are resolved.

### c. West Ranch, tracts F, G and H

Where individual homesites have been platted, and the property owner desires to make adjustments in the platted lot lines, replats may be reviewed and approved as provided in Section A.6a. above. For the unplatted portion of tract G and for Tract H, platting must conform to the review and approval procedures in the County's subdivision regulations.

**7. Public Use Areas**

The Summit County Subdivision Regulations require the dedication of public open space within each new subdivision or the payment of an in-lieu fee. Based on the formula contained in the Subdivision Regulations, this development would be required to dedicate 5.45 acres of open space. The Keystone ranch/West ranch has approximately 109.28 acres of open space associated with the residential development, 228.14 acres of open space associated with the golf course and 46.25 acres of land designated for a nine-hole expansion of the golf course. This is a total of 383.78 acres of open space. Based on this substantial amount of open space and the previous payment of \$12,000 in open space fees, and given the current development allowances under this PUD, the Keystone Ranch/West ranch is hereby relieved of further dedications of open space or payment of in-lieu fees.

**8. Wildfire Hazard Mitigation - Keystone Ranch, Tract F**

The Colorado State Forest Service has identified a "moderate" wildfire hazard to be present on Tract F. To alleviate this hazard the owner/developer must comply with the following mitigation measures:

- a. Compliance with the Wildfire Hazard Mitigation Plan prepared by the Colorado State Forest Service for the Keystone Ranch/West ranch.
- b. Provision of booster pumps for any house with less than 30 psi or as otherwise acceptable to the Snake River fire Protection District.
- c. Provision of residential sprinklers and adequate water storage for the homes on tract F-5, located more than 600 feet along the cul de sac road from the entry to Keystone Ranch Road. In addition, a note must be placed on the final plat indicating said lots are subject to the provision of residential sprinklers and these lots must be deed restricted accordingly.
- d. Those home sites in Tract F-5, as defined in paragraph 8(c) above, must use Class B (fire retardant) roofing material and these lots must be deed restricted accordingly.

**B. Utilities and Improvements**

Public utilities, improvements and services are to be provided in the development of the property as set forth in this section. Detailed specifications and time schedules for their construction shall be set forth in the Improvements Agreement required as a condition of final plat approval.

**1. Water System**

Water in the Keystone Ranch is to be provided by the Keystone Ranch Water System. Water in the West Ranch is to be provided by the East Dillon Water District. After successful annexation into the district, the East Dillon Water District may serve the Keystone Ranch.

**2. Sewer System**

Sanitary sewer services is to be provided by the Snake River Sewer Fund.

**3. Access**

Primary access to the Keystone Ranch/West Ranch shall be provided via Keystone Ranch Road (County Road #150) which extends from the Keystone Resort into the development.

Secondary (emergency) access is provided via an easement across Tract E and across Lot 45, Block 13, Summit Cove, Filing #2.

**C. General Provisions**

**1. Enforcement**

The provisions of the planned unit development designation and the development plan relating to the use of land and the location of common open space 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 requirement stated in this designation has been breached in a material way 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 building permits applied for on the property until such material breach has been remedied; provided, however, that the County shall not take any affirmative action on account of such material breach until it shall have first notified the owner/developer in writing and afforded them a reasonable opportunity to remedy same.

**3. Binding Effect**

This planned unit development designation shall run with the land and be binding upon the owner/developer and the County and 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 amendment in accordance with the procedure stated in C.3. This designation shall be recorded in order to put prospective purchasers or other interested persons on notice as to the terms contained herein.

**D. IMPLEMENTATION**

**1. Platting Requirements**

- a. **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 and each proposed development phase 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.

**E. GENERAL PROVISIONS**

**1. Enforcement**

The provisions of the planned unit designation and the development plan relating to the use of land and the location of common open space 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).

**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  
PO Box 68  
Breckenridge, CO 80424

Notice to Owner/Developer

Keystone Resort Management  
PO Box 38  
Keystone, CO 80435

All notices so given shall be considered delivered three days after the mailing thereof. 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 Keystone Ranch/West Ranch 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. Relationship to Original PUD Designation and Previous Amendments**

To the extent the provisions of this revised PUD designation are the same in substance to the provisions of earlier approved versions of this PUD designation, they shall be considered as continuations thereof and not new enactments. Where provisions of this revised PUD designation conflict with earlier approved versions of the Keystone Ranch/West Ranch PUD designation, the provisions of this revised PUD designation shall supersede and replace such provisions.

**APPROVAL OF AMENDMENTS**

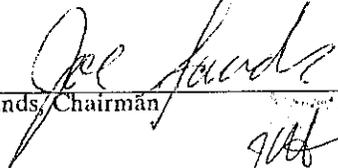
The foregoing document is the Keystone Ranch/West Ranch Planned Unit Development as approved and signed by the Summit County Board of County Commissioners and approved on August 15, 1977, by Resolution No. 77-174A and as amended by the Summit County Board of County Commissioners as follows:

1. Resolution #81-52:  
Amending the Keystone Ranch PUD to include the West Ranch  
Adopted: July 7, 1981      Recorded At: Reception No. 226265
2. Resolution #88-31:  
Overall revision to adjust uses, add caretaker units, establish setbacks and other technical revisions  
Adopted: June 13, 1988      Recorded at: Reception No. 356675
3. Resolution #89-70:  
Adopted: October 23, 1989      Recorded At: Reception No. 377831
4. Resolution #90-24:  
Adopted: April 9, 1990      Recorded At: Reception No. 385756
5. Resolution #90- :  
Revision to remove prohibition of dogs from the West Ranch  
Adopted: October 9, 1990      Recorded At: Reception No.
6. Resolution #93- :  
Revision to parking standards  
Adopted:                      Recorded At: Reception No.

The planned unit development document dated June 13, 1988, and revised to incorporate the amendments approved as noted above shall remain in force as revised. The foregoing document is issued as a continuation of the original document with the amendments shown in boldface type. Copies of the original Keystone Ranch/West Ranch Planned Unit Development Agreement (Designation) and the amendments noted above are available from the Summit county Clerk and Recorder.

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

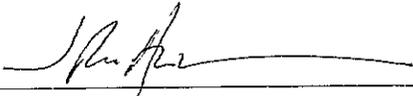
BOARD OF COUNTY COMMISSIONERS  
OF SUMMIT COUNTY, COLORADO

  
\_\_\_\_\_  
Joe Sands, Chairman

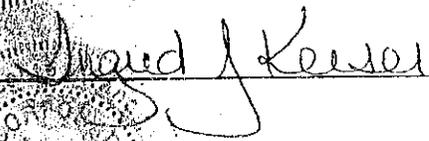
ATTEST:

  
\_\_\_\_\_  
Doris Brill, Clerk and Recorder

KEYSTONE RESORT MANAGEMENT

  
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