

**LAKE RIDGE TOWNHOMES  
PLANNED UNIT DEVELOPMENT DESIGNATION**

This Planned Unit Development Designation, to be known as Lake Ridge Townhomes, is approved this 27th day of October, 1997 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 SPCG LLC 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**

22 multi-family residential units not exceeding 28,100 sq.ft. of gross living area.

**2. Accessory and Conditional Uses**

Accessory and conditional uses shall be regulated as per the provisions of the R-6 zoning district or as hereinafter amended.

**3. Animal Keeping**

Animal keeping shall be regulated as per the provisions of the R-6 zoning district or as hereinafter amended. All dogs, whether they be owned by residents or their guests, must be under the control of the owner at all times where they are outside individual dwelling units to prevent harassment of wildlife in the area.

**4. Trash Storage**

To prevent trash from becoming an attractive nuisance for bears and other wildlife, all trash containers shall be stored within permanent structures until the day of pick-up. On trash collection days, said trash containers shall be kept in the curbside "corrals" shown on the approved site plan for the project.

**B. DEVELOPMENT STANDARDS**

**1. Building Height**

Building heights shall not exceed 30 feet as defined in Section 3505.06 of the Summit County Land Use and Development Code.

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Cheri Brunvand - Summit County Recorder

**2. Setbacks**

Setbacks shall be as follows:

Cove Blvd.	60 feet
Swan Mountain Rd.	25 feet
Private Property Lines	15 feet

**3. Parking**

At least one garage space and one exterior, non-tandem space shall be provided for each residence. In addition, 10 non-tandem and 5 tandem, exterior spaces shall also be provided on-site for a total of 59 parking spaces within the PUD. No parking shall be permitted on County roads or the main driveway serving the project.

**4. Designated Open Space Areas/Public Use Areas**

- a. **Open space areas:** The open space areas as shown conceptually in Exhibit B shall remain open and free from all improvements except landscaping, utility work and access.
- b. **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. The requirement for public use areas may be met by either payment of fees, land dedication, or obtaining credits for construction of recreational facilities. Dedication of a non-motorized public easement for that portion of the bikepath that crosses the property and payment of public use area in-lieu-of fees is required prior to recordation of a final plat for the site. Should relocation of the County path system occur prior to approval of a final plat for this site the Owner/Developer shall dedicate the easement within thirty (30) days of the request of the County.

**5. Wetlands**

It is the intent of this PUD to preserve wetlands from development wherever possible. The Owner/Developer is required to obtain 404 permits as required by the U.S. Army Corps of Engineers wherever necessary for roads and utilities. Wetland areas should remain free of development other than roads and utilities.

**6. Signs and Lighting**

All signs shall comply with the Summit County Sign Regulations as now in effect or hereafter amended.

**7. Site Plan Review**

The project shall comply with Section 12600 of the Summit County Land Use & Development Code.

## C. REQUIRED IMPROVEMENTS

### 1. Access

- a. **Roadways:** Access to the property, and to all building sites, shall be provided by a main driveway built to applicable County standards.
- b. Due to the importance of providing looped access for adequate fire protection/emergency vehicle access, the main driveway serving the project shall be connected, as per the requirements of the Snake River Fire District and the County's Road & Bridge standards prior to the issuance of the first certificate of occupancy for any units north of Units 1 & 2 and 11 & 12.

### 2. Water Systems

Water supply for the development shall be provided by the East Dillon Water District. Adequate fire flows shall be provided as determined by the Snake River Fire District.

### 3. Sewer Systems

Sewage for the development shall be provided by the Snake River Wastewater Treatment Plant. All sewer facilities on the property shall comply with the applicable standards of the Snake River Wastewater Treatment Plant.

### 4. Fire Protection

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

### 5. 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. If deemed necessary by the County Engineer and Road & Bridge Department to provide adequate turning facilities for the Summit Stage, the Owner/Developer shall provide a 10 foot drainage easement along the Cove Blvd. ROW.

### 6. Landscaping

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 & Excavation Regulations.

### 7. Water Quality

Due to the close proximity of the Lake Ridge Townhomes project to Lake Dillon, any site plan submittal shall meet the following requirements intended to protect water quality:

1. The project drainage engineer shall be required to verify in writing that all drainage control facilities have been completed as per the approved design prior to the issuance of any

- building permits (this will help ensure that adequate drainage control facilities are constructed and functional from the outset of construction.
2. The project drainage engineer shall be responsible for ensuring that these facilities are functioning properly and water quality violations do not occur.
  3. Bonding for the cost of such drainage control facilities shall be required prior to the issuance of any grading/excavating permits.
  4. The project drainage engineer shall prepare a long term maintenance program for the drainage control facilities and the homeowners association shall be responsible for implementing such a program with oversight by the County Engineer.

#### **D. IMPLEMENTATION**

##### **1. Platting Requirements**

- a. A townhome 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 & 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 Lake Ridge Townhomes 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 Lake Ridge Townhomes 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  
PO Box 68  
Breckenridge, CO 80424

Notice to Owner/Developer

SPGC LLC  
c/o Steve Letofsky  
PO Box 549  
Frisco, CO 80443

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 Lake Ridge Townhomes 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 & 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 & Development Code or other regulations otherwise applicable to the development of the Property.

**7. Effective Date**

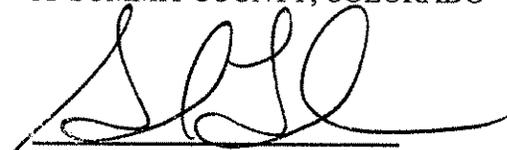
This designation must be signed by both the Summit County Board of County Commissioners and the Owner/Developer and must be recorded by the Summit County Clerk & Recorder in order to become effective. The effective date shall be the date of recordation.

**8. PUD Review Requirements**

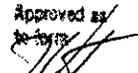
The Summit County Land Use & Development Code, Chapter 12, includes procedures and requirements for review of all Planned Unit Developments. The Owner/Developer shall be on notice of these requirements and shall insure that information necessary for the periodic review is made available to the County 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



Gary M. Lindstrom, Chairman

Approved as  
to type  
  
Legal

ATTEST



Cheri Brunvand, Clerk and Recorder

## **EXHIBIT A**

The Lake Ridge Townhomes PUD covers the entirety of Lot 2B, Summit Center #1 recorded in the Office of the Summit County Clerk & Recorder under reception # 333045