

## Exhibit 1



June 1, 2016

Mr. Dominic Mauriello  
Mauriello Planning Group, LLC  
PO Box 477  
Eagle, Colorado 81631

RE: Zoning Interpretation Request / Cordillera Subdivision Eleventh Amended and Restated Planned Unit Development Control Document

Dear Dominic:

Following is the requested interpretation of the Cordillera Subdivision Eleventh Amended and Restated Planned Unit Development Control Document (PUD Guide), dated December 21, 2009, and which is Attachment 'A' to Board of County Commissioner Resolution No. 2010-001 recorded at reception number 201000508 in the records of the County Clerk and Recorder.

Section 2.01 of the above referenced PUD Guide delineates the uses-by-right for the Lodge Parcel. Section 3.01 of the PUD Guide delineates the uses-by-right for the Village Center Parcel. Specifically, the request for zoning interpretation pertains to the itemized use-by-right of "***Medical Offices/Facilities, limited to clinic and outpatient facilities for non-critical care, including, without limitation, for outpatient plastic surgery and other cosmetic procedures***". This allowed use pertains to both the Lodge Parcel and the Village Center Parcel.

The use proposed for the Lodge Parcel and lodge building itself, is a clinic including inpatient, non-critical care, for treatment of a variety of conditions including, but not limited to, eating disorders, alcoholism, chemical dependency, and behavioral health conditions with a focus on health and fitness, including fitness facilities, yoga, nutrition and recreation. It is presumed that the future use of the Village Center Parcel will likewise incorporate these types of uses.

Staff concurs that 'clinics' are clearly an allowable use for non-critical care; which may provide inpatient clinical facilities. 'Outpatient facilities' for non-critical care are likewise allowed as a use-by-right.

Thank you

Robert Narracci, AICP  
Managing Director of Community Development

xc: file

## Exhibit 2

COMMUNITY DEVELOPMENT  
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Community Development Director

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Gentlemen and Lady,

As you are all aware, I was requested to issue a zoning interpretation request regarding the use of the Lodge Parcel as a clinic. I issued said interpretation on June 1, 2016. Mr. Harstead filed a timely appeal on June 29, 2016, on behalf of the Cordillera Metro District and Cordillera Property Owners Association. One of his arguments was that my interpretation should not have been given absent a request coming from someone who is a citizen, owns land, or has a land use application pending in Eagle County. The request was made by Dominic Mauriello, a local land use planner, on behalf of his client Concerted Care Group. Additionally and subsequent to my interpretation, the current owner of the Lodge Parcel, Behringer Harvard Cordillera, LLC, sent a clarification letter indicating the request was made on their behalf as a landowner in Eagle County.

I feel that the interpretation was appropriate based on the above. However, after consultation with our legal counsel, I feel it is best to clean up and moot any argument of procedural irregularity. I know this will add some brief time to the appeal process and add a slight delay to the ultimate resolution of the matter. However, I think we all agree that a clean record focused on the substantive rather than the procedural issues is desirable.

Accordingly, I shall rescind my interpretation of June 1, 2016. I will consider the Letter of July 7, 2016, to be a new request for interpretation from Behringer Harvard Cordillera, LLC. My interpretation will be identical to that interpretation given on June 1, 2016. I am attaching that prior

interpretation that shall serve as my interpretation being given today in response to a request from Behringer Harvard Cordillera, LLC.

Mr. Harstead will now have thirty (30) days to file an appeal pursuant to Section 5-2400(A)(1) of the Eagle County Land Use Regulations. I am assuming all parties will file similar, if not identical, materials that have already been submitted so I am hopeful this will not create any undue burdens. The hearing discussed for July 18 will be vacated. A new hearing date will be scheduled once a new appeal is received.

Thank you



Robert Narracci, AICP  
Managing Director of Community Development

## Exhibit 3



Commissioner Hauney moved adoption  
of the following Resolution:

**BOARD OF COUNTY COMMISSIONERS  
COUNTY OF EAGLE, STATE OF COLORADO**

**RESOLUTION NO. 2010 - 001**

74/  
NE

**APPROVAL  
OF THE CORDILLERA SUBDIVISION ELEVENTH AMENDED AND  
RESTATED PLANNED UNIT DEVELOPMENT CONTROL DOCUMENT**

**FILE NO. PDA-2563**

**WHEREAS**, on or about November 12, 2009, the County of Eagle, State of Colorado, accepted for filing an application submitted by the Behringer Harvard Cordillera, LLC (hereinafter "Applicant") for approval of a Planned Unit Development Amendment, File No. PDA-2563; and

**WHEREAS**, the Applicant requested approval of a PUD Amendment to correct typographical errors; replace inaccurate PUD Guide Maps; update the present status of development approvals for the Lodge Parcel and the Village Center Parcel; recognize the Lodge Parcel and the Village Center Parcel as a single planning parcel; and

**WHEREAS**, This amendment better defines the concept contained in the existing PUD that density shifts are permissible among the various planning parcels, so long as the actual maximum densities for the project are not exceeded. Specifically, that previously approved density is transferable between the Lodge Parcel and the Village Center Parcel, and that the permitted uses are the same for the Lodge Parcel and the Village Center Parcel, effectively treating these adjacent areas as a single planning parcel. This treatment reflects existing development and the contemplated completion of the Lodge at Cordillera.

**WHEREAS**, at its public hearing held on December 16, 2009 the Eagle County Planning Commission, based upon its findings, unanimously recommended **approval** of the proposed PUD Amendment; and

**WHEREAS**, at their hearing on December 21, 2009 the Board of County Commissioners (hereinafter "the Board") of the County of Eagle, State of Colorado, considered this application and based upon the findings, **approved** the proposed PUD Amendment; and

**WHEREAS**, based on the evidence, testimony, exhibits, and study of the Comprehensive Plan for the unincorporated areas of Eagle County, comments of the Eagle County Department of Community Development, comments of public officials and agencies, the recommendation of the Planning Commission, and comments from all interested parties, the Board of County Commissioners of the County of Eagle, State of Colorado, finds as follows:

1. That proper publication and public notice **was provided** as required by law for the hearings before the Planning Commission and the Board.
2. **Pursuant to *Eagle County Land Use Regulations Section 5-240.F.3.e. Standards for the review of a PUD Amendment:***
  - (1) ***Unified ownership or control.*** The title to all land that is part of this PUD **IS** owned or controlled by one (1) person and/or entity.
  - (2) ***Uses.*** The uses that may be developed in the PUD **ARE** uses that are designated as uses that are allowed pursuant to the currently governing Cordillera Planned Unit Development. This PUD Amendment does not propose any new or additional uses within the Cordillera PUD.
  - (3) ***Dimensional Limitations.*** The dimensional limitations that apply to the Cordillera PUD **WILL NOT** change as a result of this PUD Amendment.
  - (4) ***Off-Street Parking and Loading.*** The existing Cordillera PUD complies with the standards of Article 4, Division 1, Off-Street Parking and Loading Standards, without a necessity for a reduction in the standards. This PUD Amendment **WILL NOT** change the off-street parking and loading standards.
  - (5) ***Landscaping.*** It **HAS** been demonstrated that landscaping provided in the PUD **DOES** comply with the standards of Article 4, Division 2, Landscaping and Illumination Standards.
  - (6) ***Signs.*** The sign standards applicable to the PUD **ARE** as specified in Article 4, Division 3, Sign Regulations.
  - (7) ***Adequate Facilities.*** It **HAS BEEN** demonstrated that the proposed PUD will be conveniently located in relation to schools, police and fire protection, and emergency medical services.
  - (8) ***Improvements.*** The applicable improvements standards for the Cordillera PUD will not change as a result of this PUD Amendment.

- (9) **Compatibility with Surrounding Land Uses.** All aspects of the development proposed for the PUD ARE compatible with the character of surrounding land uses.
- (10) **Consistent with Comprehensive Plan.** The proposed PUD Amendment was found to be consistent with all stated purposes, goals, objectives and policies of applicable master plans.
- (11) **Phasing.** A phasing plan IS NOT necessary for this development.
- (12) **Common Recreation and Open Space.** The common recreation and open space standards with respect to: (a) Minimum area; (b) Improvements required; (c) Continuing use and maintenance; or (d) Organization will not be altered by this proposed PUD Amendment.
- (13) **Natural Resource Protection.** The PUD Amendment **DOES** demonstrate that the recommendations made by the applicable analysis documents available at the time the application was submitted, as well as the recommendations of referral agencies as specified in Article 4, Division 4. Natural Resource Protection Standards, have been considered in the design.

3. Pursuant to *Eagle County Land Use Regulations* Section 5-240.F.3.m Amendment to Preliminary Plan for PUD:

- (1) **Amendment to Preliminary Plan for PUD** [Section 5-240.F.3.m.] – *No substantial modification, removal, or release of the provisions of the plan shall be permitted except upon a finding by the County, following a public hearing called and held in accordance with the provision of Section 24-67-104(1)(e) Colorado Revised Statutes that:*
  - (a) **Modification.** *The modification, removal, or release is consistent with the efficient development and preservation of the entire Planned Unit Development;*
  - (b) **Adjacent Properties.** *The PUD Amendment does not effect, in a substantially adverse manner, either the enjoyment of land abutting upon or across a street from the Planned Unit Development or public interest;*
  - (c) **Benefit.** *The PUD Amendment is not granted solely to confer a special benefit upon any person.*

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of the County of Eagle, State of Colorado:

**THAT**, this Cordillera Subdivision Eleventh Amended and Restated Planned Unit Development Control Document, Eagle County File No. PDA-2563 (Attachment 'A') be, and is hereby **approved** with the following **conditions**:

- 1) Except as otherwise modified by this development permit, all material representation made by the applicant in this application and in public meetings shall be adhered to and considered conditions of approval.
- 2) Pursuant to the Engineering Department Memorandum dated December 4, 2009, any future development of the Lodge Parcel and Village Center Parcel will be required to comply with all necessary permitting processes.

**THAT**, the Board of County Commissioners directs the Department of Community Development to provide a copy of this Resolution to the Applicant.

**THAT** the Board further finds, determines and declares that this Resolution is necessary for the health, safety and welfare of the inhabitants of the County of Eagle, State of Colorado.

**MOVED, READ AND ADOPTED** by the Board of County Commissioners of the County of Eagle, State of Colorado, at its regular meeting held this 5 day of January, 2010, *nunc pro tunc* to the 21st day of December, 2009.

COUNTY OF EAGLE, STATE OF COLORADO,  
By and Through Its BOARD OF COUNTY  
COMMISSIONERS

ATTEST:

BY:

Teak J. Simonton  
Clerk to the Board of  
County Commissioners



Sara J. Fisher, Chairman

BY:

Peter F. Runyon, Commissioner

BY:

Jon Stavney, Commissioner

Commissioner Runyon seconded adoption of the foregoing resolution. The roll having been called, the vote was as follows:

Commissioner Sara J. Fisher  
Commissioner Peter F. Runyon  
Commissioner Jon Stavney

absent  
ay  
ay

This Resolution passed by 2/6 vote of the Board of County  
Commissioner of the County of Eagle, State of Colorado.

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**CORDILLERA SUBDIVISION**  
**ELEVENTH AMENDED AND RESTATED**  
**PLANNED UNIT DEVELOPMENT CONTROL DOCUMENT**  
**December 21, 2009**

***ATTACHMENT "A"***

**Section 1.01** Introduction. This Development Guide (this “**Guide**”) sets forth the land uses and development standards for all properties of Cordillera, as more particularly depicted in Exhibits A, B, C, D, E, and F attached hereto and incorporated herein by this reference. The Guide defines the permitted use of land, regulates the bulk, height, minimum lot area, minimum lot width, minimum and maximum yard spaces for structures, provides for Wildlife Conservation Areas and Open Space and provides additional supplementary regulations. This Guide is authorized under Section 2.06.13 of the Eagle County Land Use Regulations.

This Guide is intended to replace the standard zoning provisions contained in Chapter II of the Eagle County Land Use Regulations. The specific provisions of this Guide shall supersede those of the Eagle County Land Use Regulations. Where the Guide is silent the provisions of the Land Use Regulations shall govern.

**Section 1.02** Purpose. This “Cordillera Subdivision, Eleventh Amended and Restated Planned Unit Development Guide, December 21, 2009” amends and restates, in its entirety, and supersedes the previously approved “Cordillera Subdivision, Tenth Amended and Restated Planned Unit Development Guide, September 23, 2003”. The primary purpose of this Guide is (i) to reiterate and clarify the standards, restrictions and regulations which govern development and land use within the lands made part of the Cordillera Subdivision, and (ii) to incorporate into this Guide any amendments to the Cordillera Subdivision P.U.D. approved by the Eagle County Commissioners.

Additionally, the purpose of this Guide is to insure that Cordillera is developed as a comprehensively planned resort residential community. The Guide will insure the orderly and compatible development of the property. The Guide replaces the standard zoning provisions of Eagle County with site specific restrictions that are more appropriate to the specific conditions of lands contained within this development.

**Section 1.03** Intent. The Cordillera Community is intended to be a nearly self-contained, resort residential community. Cordillera will provide for a balanced mixture of recreational, commercial, office, and undisturbed natural lands to support the focus of resort residential uses. This Guide remains somewhat flexible to allow for changes and innovations in community design as the project progresses through its multi-year development schedule. These changes will be permitted only as they remain consistent with the overall character as defined throughout this Guide.

**Section 1.04** Enforcement. The provisions of this Guide are enforceable by the authority and powers of Eagle County as granted by law. Enforcement action shall be consistent with the authority and actions defined in the Eagle County Land Use Regulations. All provisions of this Guide shall run in favor of the residents, occupants and owners of land within Cordillera to the extent expressly provided in this Guide and in accordance with its terms and conditions.

**Section 1.05** Modifications to this Guide. It is anticipated that modifications to this Guide and Preliminary Plan will be necessary from time to time as the project progresses through its development life. This Guide provides for four types of modifications; Major, Minor, Building Envelope Adjustments and Density Transfers. These four are defined as follows:

**Section 1.05.1 Major Modifications.** Major modifications shall require amendments to this Guide. Major modifications are those changes, which could alter the character or land use of a portion of the project. Once a final plat is approved any change from one category of land use to another such as residential to commercial, any change in designation of open space or wildlife areas to a non-recreational or non-conservation related use shall be considered a major modification. In addition, any addition of land to be governed by the Guide other than for recreational, open space or access shall be considered a major modification. Major Modifications shall be under the authority of the Eagle County Board of Commissioners. After first receiving the approval of the Cordillera Homeowners Association any owner of lands within Cordillera may make application to the Board of Commissioners for major modification. Applications for major modifications shall be heard in public hearing before the Board of Commissioners after hearing recommendation from the Planning Commissioners. The Board of Commissioners may approve a major modification if it is found to be consistent with the purpose and intent of this Guide or if the character of the surrounding area has changed such that the purpose and intent are no longer appropriate and that the modification does not adversely affect substantial rights of owners within Cordillera.

**Section 1.05.2 Minor Modifications.** Minor Modifications are those changes which will not alter the original concept of the project but which may result in a change in design of the development. Minor modifications include, but are not limited to internal road alignment alterations, additions of land uses not previously itemized in this Guide, provided that the changes are similar in nature to the listed permitted uses and are consistent with the intent, adjustments to Planning Parcel boundaries, golf course and recreational amenity design modifications. Minor Modifications shall be under the authority of the Eagle County Community Development Director and may or may not require an Amended Final Plat. The Director may approve such a minor request if it is found:

- i. to be consistent with the established goals of Cordillera and supports the stated intent of the Planning Parcel;
- ii. to not negatively impact adjacent land uses or the ability to implement the provisions of this Guide; and
- iii. to accommodate anticipated changes in the resort industry.

Appeals must be filed with the Director within 5 days of action by the Director.

**Section 1.05.3 Building Envelope Adjustments.** Amendments to the Building Envelopes may occur upon approval of one of two of the following processes:

- i. Administrative Process for a Building Envelope Amendment - adjustments in the location of the building envelope may be made if approved by the Eagle County Director of Community Development. The applicant must submit the following information with their request for a building envelope amendment:
  1. a properly executed application clearly stating the reason for the requested change;

2. a list of all property owners within 75 feet of the outer boundaries of the lot in which the building envelope adjustment is being proposed (along with letters of approval from all of those described property owners);
3. Cordillera Design Review Board approval, and approved building site plans; and
4. five copies of an Amended Final Plat which defines the current building envelope, the proposed change and the percentage change of the envelope.

- ii. The Plat will be referred to appropriate agencies for review and comment.
- iii. The Director of Community Development will review the plat and submittal information to determine the following criteria:
  1. the proposed amendment will not substantially impact in an adverse manner the view corridor of any property owner to whom notice of the proposed building envelope amendment has been sent, or is required by geologic or other hazard considerations;
  2. the envelope change does not adversely affect wildlife corridors;
  3. the envelope change does not adversely impact ridgelines nor create any increase in impacts to ridgelines;
  4. the envelope amendment is not inconsistent with the intent of the Final Plat; and
  5. the envelope amendment is not an alteration of a restrictive plat note.
- iv. Upon determination that the above criteria has been met, the Director will request that the Chairman of the Board of County Commissioners sign the plat.
- v. Appeals to the Director's decision may be made to the Board of County Commissioners through the Public Process for a Building Envelope Amendment.
- vi. Public Process: Building Envelope Amendment- This process would apply to any requested building envelope amendment that cannot meet the submittal requirements for the above Administrative Process for a Building Envelope Amendment. The applicant must submit the following information with their request for a building envelope amendment:
  1. a properly executed application clearly stating the purpose for the requested change;
  2. a list of all property owners within 75 feet of the outer boundaries of the lot in which the building envelope adjustment is being proposed (along with letters of approval from all available described property owners);
  3. five copies of an Amended Final Plat which defines the current building envelope, the proposed change and the percentage change of the envelope; and
  4. building site plan.
- vii. The Plat will be referred to appropriate agencies for review and comment. Upon completion of the referral period, a public hearing will be scheduled and notice shall be sent to the adjacent property owners at least 30 days prior to the public hearing. The Board of County Commissioners shall consider the following in their review of the proposal:

1. The proposed amendment will not substantially impact in an adversely manner the view corridor of any property owner to whom notice of the proposed building envelope amendment has been sent, or is required by geologic or other hazard considerations;
2. The envelope change does not adversely effect wildlife corridors;
3. The envelope change does not adversely impact ridgelines nor create any increase in impacts to ridgelines;
4. The envelope amendment is not inconsistent with the intent of the Final Plat; and
5. The envelope amendment is not an alteration of a restrictive plat note.

**Section 1.05.4 Density Transfers.** In order to remain flexible and responsive to the changing market demands over the multi-year development schedule and to provide for innovations in design, variations in defined densities, including, without limitation, the unrestricted transfer between the Lodge Parcel and the Village Center Parcel of densities allocated to the Lodge Parcel and the Village Center Parcel (collectively, “**Density Transfers**”) are permitted without modification to this Guide or the approved Preliminary Plan, and are not subject to review or approval by Eagle County, provided that any such Density Transfers meet the following restrictions:

- i. In no case shall the total number of units set forth herein be exceeded:
  1. Cordillera density limitation:

910	Dwelling Units.
46	Caretaker Units.
50	Lodge Units.
29	Employee Dwelling Units.
  2. Solely for purposes of calculating density, and regardless of the nature of the use of the unit, any of the 50 Lodge Units that is later converted to a condominium unit or a fractional interest ownership unit, shall remain and be counted as a “Lodge Unit,” and not as a “Dwelling Unit.” Any other residential condominium unit or residential unit sold in fractional interests, shall be counted for density purposes as a single “Dwelling Unit,” and not as a “Lodge Unit” or as “Commercial/Office.”
- ii. Increases to densities within individual Planning Parcels shall be limited to 1.5 times the total number of dwelling units defined for that Planning Parcel. Dwelling unit transfers shall not be restricted by unit type;
- iii. Increases in densities in any area shall be considered a transfer of dwelling units;
- iv. Increases in densities must be accommodated within the defined boundaries of the Planning Parcel, or the identified density transfer areas. Encroachments into established wildlife conservation areas, corridors, or required open space must be considered a Density Transfer Area;

- v. The resulting infrastructure requirements (roads, water and sewer lines, utilities, etc.) of the transfer must be proven to be adequate at the time of Final Plat application; and
- vi. Each Final Plat submitted for County approval shall include a Land Use Summary describing the total number of dwelling units platted and dwelling units remaining to be platted for the Planning Parcel being platted and for the project as a whole.
- vii. In the event that an owner of not more than three contiguous Dwelling Unit lots shall consolidated them into one lot, the owner retains the right to re-subdivide them at some future time under the following conditions:
  - a. The total number of lots re-created shall not be more than the original number of lots consolidated.
  - b. The lot lines to be re-created shall be substantially the same as the original lot lines.
  - c. Building envelopes shall be created that substantially reflect the original building envelopes unless the following are submitted with the application:
    - (1) A list of all property owners within 75 feet of the outer boundaries of the lot(s) for which the building envelope adjustment is being proposed (along with letters of approval from all of those described property owners);
    - (2) Cordillera Design Review Board approval;
    - (3) Evidence of the following:
      - (a) That the envelope change does not adversely affect wildlife corridors;
      - (b) That the envelope change does not adversely impact ridgelines nor create any increase in impacts to ridgelines;
      - (c) That the envelope amendment is not inconsistent with the intent of the original Final Plat for the lots;
      - (d) That the envelope amendment is not an alteration of a restrictive plat note.
  - d. All Eagle County procedures for a minor subdivision in effect at the time of application shall be followed.

**Section 1.06 Density Transfer Areas.** This Guide establishes Density Transfer Areas in response to the Board of County Commissioner's direction to permit flexibility yet preserve certain sensitive areas as open space and to transfer the proposed dwelling units from those sensitive areas into other areas within the Preliminary Plan boundaries. These Density Transfer Areas are outside of areas which are essential to the long term viability of wildlife. They are also outside of areas which are visible from the I-70 corridor and established points within the Lake Creek Valley and are consistent with the January 28, 1992 Preliminary Plan Resolution. Density Transfers will be made into these areas after further analysis has been demonstrated to the Director of Community Development and to Cordillera's satisfaction that no other areas are suitable for such transfer. These Density Transfer Areas are intended to be in addition to the Density Transfer rights defined above for established planning parcels. Density Transfers into these Density Transfer Areas will be implemented at the Final Plat stage and shall not require further modifications to this Guide or Preliminary Plan.

**Section 1.07 Density Standards.** Calculations of density within any Planning Parcel shall be computed by dividing the total number of dwelling units in a Planning Parcel by the gross acres in that Planning Parcel.

**Section 1.08 Conflict.** The specific provisions of this Guide shall supersede those of the Eagle County Land Use Regulations. However, where the Guide does not address an issue, the specific provisions of the Eagle County Land Use Regulations shall prevail. In cases of dispute or ambiguity, the Board of Commissioners shall act to interpret.

**Section 1.09 Incorporation of Preliminary Plan.** The illustrative development plan for Cordillera referred to as the Phase II Preliminary Plan, the Bearden Parcel Preliminary Plan and the Mountain tract Preliminary Plan, as contained within the Preliminary Plan applications defining the Planning Parcels, land uses, and densities and as amended shall be used collectively as a general guide.

**Section 1.10 Building Envelope.**

- i. Each single family lot shall have a building envelope described by the P.U.D. Control Document or as indicated on the Final Plat.
- ii. All building construction including but not limited to dwellings, attached patios and decks, garages, swimming pools and storage buildings shall be located entirely within the described envelope.
- iii. Upon the Cordillera Design Review Board approval, roof overhangs or any other appurtenance or protuberance may extend no more than 18 inches beyond the vertical plane of the building envelope provided such extension is above grade and does not negatively impact adjacent neighbors, or unless it is specifically prohibited elsewhere in this Guide.
- iv. Within Filings No. 1 through No. 23 and upon the Cordillera Design Review Board approval, attached patios and decks may be located outside the building envelope provided they are constructed at grade, have no railing and are less than 5% of the building envelope area, or unless it is specifically prohibited elsewhere in this guide.

All Filings approved subsequently to Filing No. 23 and all Amended Final Plats approved after 6/18/96 indicating a Building Envelope Adjustments shall be prohibited from having attached patios and decks located outside the building envelopes.

- v. Unless specifically prohibited elsewhere in this guide, fencing of building envelopes is permitted provided that it is no higher than 42" and has a minimum of 12" between the top two wires or boards. The fence design and location must be approved by the Cordillera Design Review Board.
- vi. Within Filings No. 1 through No. 23 and upon the Cordillera Design Review Board approval, lawns, gardens, entertainment and recreational facilities, including but not limited to playing areas, picnic shelters, hot tubs, and play grounds may be located outside a building envelope, or unless it is specifically prohibited elsewhere in this guide.

All Filings approved subsequently to Filing No. 23 and all Amended Final Plats approved after 6/18/96 indicating a Building Envelope Adjustments shall be prohibited from locating lawns, gardens, entertainment and recreational facilities, including but not limited to playing areas, picnic shelters, hot tubs, and play grounds outside a building envelope.

**Section 1.10.1 Building Envelope Adjustments.** Amendments to the Building Envelopes may occur upon approval of one of the processes described in *Section 1.05.3*.

**Section 1.11 Setbacks.** No setbacks from the boundary lines of a building envelope are required.

**Section 1.12 Parking.** The following parking restrictions shall apply:

- i. Residential.
  - a. Single-family, 3 spaces/d.u.
  - b. Single-family Cluster, 2 spaces/d.u.
  - c. Town House, 2 spaces/d.u.
  - d. Multi-family, 2 spaces/d.u.
- ii. Non-residential.
  - a. Commercial 1 space/500 sq.ft.
  - b. Restaurant 1 space/4 seats.
  - c. Office 1 space/1000 sq.ft.
  - d. Lodging 1 space/room.
- iii. Size.
  - a. Full size 10 x 20 feet.
  - b. Compact size up to 30% of total - 8 x 16 feet.
  - c. Covered parking - 9 x 18 feet.
- iv. Location.
  - a. All residential parking must be provided within the lot boundaries or on road right-of-ways, if permission is granted by the Design Review Board. Non-residential uses may provide a common, centrally located parking facility.
- v. Landscaping.
  - a. 10% of all non-residential parking areas accommodating over 10 spaces shall be reserved for landscaping.
- vi. All parking should be located within the building envelope. Additional parking may be located outside of the building envelope if approved by the Design Review Board.
- vii. For each dwelling unit there shall be provided a minimum of one parking space within a fully enclosed garage.
- viii. The back-up space in front of one garage parking stall may count as one parking space. Only one such space per dwelling may be counted.

- ix. The minimum size of an outside parking space shall be 9' x 17'.
- x. A space equal in area to 25% of the parking and driveway areas shall be available for snow storage.
- xi. Parking is permitted on Tracts O, P, Q, R, and S if approved by the Design Review Board.

***Section 1.13 Impact Control.*** The following impact restrictions apply:

- i. Dog Control. All dogs within the development property shall be subject to the Cordillera Wildlife Mitigation Agreements and the following rules:
  - a. Dogs may not at any time be permitted to roam unattended or uncontrolled beyond its owner's property line;
  - b. All lots on which dogs reside must be provided with a fenced or enclosed area which will limit dogs movement from the site. Fence or enclosure to be subject to Design Review Board approval;
  - c. When not on owner's property, dogs must be secured on a leash of no more than 12 feet in length and under the direct control of its owner or authorized representative; and
  - d. No more than two dogs are permitted on any lot in Cordillera. Offspring less than six months in age shall be the only exception to this rule.
- ii. Maintenance.
  - a. All lots must be maintained in a clean and litter free condition.
  - b. No unlicensed motor vehicles may be stored on a lot unless stored in a visually unobtrusive manner.
  - c. Noxious weeds must be controlled and eliminated by the lot owner.
  - d. All land surface disturbed by construction or erosion must be satisfactorily revegetated. The Design Review Board may require additional revegetation work if it deems it necessary.
  - e. Dead or down vegetation which may contribute to wildfire hazard must be eliminated by the lot owner or by the Homeowner's Association if it is located on land owned by the Homeowner's Association.
- iii. Landscape Plans.
  - a. Landscape plans must be reviewed and approved by the Design Review Board prior to construction.

- b. Landscape plans may be submitted to Eagle County along with building permit applications, as may be required.
- iv. Building height. Building height is determined as follows unless otherwise noted herein:
  - a. A vertical distance will be taken at a series of points at equal intervals around the perimeter of the building. The intervals may be of any equal distance less than 30 feet each. Within each interval, the height of any roof with a horizontal projection of 10 feet or greater will be measured from finished grade to the respective midpoint between eave and ridge. These heights are then averaged to determine the height for that specific interval of the building. Finally, the height of the building is determined by averaging the heights of all intervals around the building. Finished grade for purposes of these height calculations is the final elevation of the surface material (soil, paving, decking, or plaza) adjacent to the building at the specific interval point as shown on the architect's site plan. The maximum building height will be 35 feet for residential structures.

***Section 1.14 Cordillera Design Review Board.***

- i. Purpose.
  - a. A board shall be established to ensure harmonious design of new and remodeled structures, and to promote visually pleasing and environmentally sensitive landscaping and grading for the benefit of the present and future property owners.
- ii. Membership.
  - a. The board shall be appointed by the Board of Directors of the Cordillera Property Owners Association and shall consist of such odd numbers of regular members and alternate members as designated by the Directors. The regular term of office for each member shall be one year.
- iii. Powers.
  - a. All plans for site preparation, landscaping, building construction, sign erection, exterior changes, modification, alteration or enlargement of any existing structure, paving, fencing, major landscaping or other improvements must receive written approval from the Design Review Board before the applications for any such plans are approved by Eagle County, and prior to commencement of construction. Alterations or remodeling which are completely within a building or structure and which do not change the exterior appearance and are not visible from the outside of the structure may be undertaken without Design Review Board approval.

***Section 1.15 Signs. The following sign code shall apply:***

- i. Permitted Signs.
  - a. East side of Squaw Creek Project Entrance Sign.
    - (1) Location: In the area of the intersection of Squaw Creek Road and Cordillera Way.
    - (2) Maximum Size: 64 square feet.

- (3) Features: To be placed on a stone and/or stucco wall.
- (4) Lighting: Spotlights directed on sign face or tube light placed in wall.
- b. West side of Squaw Creek Project Entrance Sign.
  - (1) Location: On Fenno Drive R.O.W.
  - (2) Maximum Size: 64 square feet.
  - (3) Features: To be placed on a stone and/or stucco wall
  - (4) Lighting: Spotlights directed on sign face or backlighting.
- c. Business/Project Identification Sign.
  - (1) Location: Along Squaw Creek Road on the Beatty Parcel.
  - (2) Maximum Size: 12 square feet.
  - (3) Features: To be placed on a stone.
- d. Clubhouse/Lodge Sign for the Mountain Course.
  - (1) Location: In the area of the intersection of Cordillera Way and the Clubhouse/Lodge driveway.
  - (2) Maximum Size: Height 8', Length 11'
  - (3) Features: To be placed on a stone and/or stucco wall.
  - (4) Lighting: Spotlights directed on sign face or tube light placed in wall.
- e. Clubhouse/Lodge Sign for the Summit Course.
  - (1) Location: In the area of the intersection of Summit Trail and Gore Trail on the Clubhouse/Lodge driveway.
  - (2) Maximum Size: Height 8', Length 11'
  - (3) Features: To be placed on a stone and/or stucco wall.
  - (4) Lighting: Spotlights directed on sign face or tube light placed in wall.
- f. Sub-project and Neighborhood Signs.
  - (1) Project groups and neighborhoods within the Cordillera P.U.D. such as Les Pyrenees Townhome project are permitted one sign at each entrance. In locations where roadways serve more than one project or neighborhood an additional sign may be located identifying the same.
  - (2) Location: at the entrance roads or driveways at each sub-project or neighborhood.
  - (3) Maximum size: height 7' - length 14'.
  - (4) Features: to be placed on a stone and/or stucco wall.
  - (5) Lighting: spotlights directed on sign face or tube light placed in wall.
- g. Specific Use Signs.
  - (1) Signs which identify specific areas or service facilities such as Construction Office or Maintenance Building are permitted provided that each does not exceed 18" x 36".

ii. General Regulations.

- a. Only one real estate sign is permitted per lot or parcel. The size of the sign shall be limited to 2' x 3'.

- b. Traffic control devices within the Cordillera P.U.D. are controlled by the "Manual on Uniform Traffic Control Devices for Streets and Highways" and the Colorado Supplement thereto.
- c. All signs within the Cordillera P.U.D. must comply with the provisions of Section 2.11 of the Eagle County Land Use Regulations unless specifically superseded by this Cordillera P.U.D. Sign Code.
- d. Maximum height of all freestanding signs is 10 feet unless specifically approved as a P.U.D. amendment by Eagle County.
- e. Signs may be lighted by directed spot or flood lights or may be lit by back or surrounding lights. Transparent or translucent plastic signs may not be back lit.
- f. No setbacks for signs are required.
- g. A sign permit shall be obtained from the Eagle County Planning Department for all signs exceeding six (6) square feet in sign area, unless otherwise exempted by Section 2.11.05 of the Eagle County Land Use Regulations.

***Section 1.16 Utilities.***

- i. Central water and sewer facilities are provided for herein with the exception of Individual Sewage Disposal Systems (ISDS), in Phase I, the Chaveno Parcel (Planning Parcel E), the Western Parcel entry gatehouse, Golf Course Maintenance Facilities, Golf Course restroom facilities, recreational structures to be reviewed on a case by case basis, specified lots within the Bearden Parcel (Planning Parcel P), and the Bearden Homestead. Wells and ISDS are permitted on the far western portion of the Western Parcel (Planning Parcel N), the Southern Parcel (Planning Parcel O) on lots equal to or greater than 2 (two) acres and as otherwise restricted, and the Mountain Tract (Planning Parcels Q, R, S, T, U, V and W).

A comprehensive water supply and sewage disposal plan shall be prepared by a professional engineer showing the location of the wells and the on-site sewage disposal systems for Planning Parcel N and the Chaveno Parcel, in conjunction with final plat applications for Planning Parcel N and the Chaveno Parcel phases.

**Section 2      Cordillera - Phase I.**

***Section 2.01    Planning Parcel A, Filing No. 1, Cordillera Subdivision, Clubhouse/Lodge, depicted as The Lodge on Exhibit A attached hereto (the "Lodge Parcel").***

***Section 2.01.1 Permitted Uses.*** The following uses are permitted within the Lodge Parcel of Planning Parcel A:

- 1. Clubhouse and Lodge building or buildings with related facilities.

2. Both indoor and outdoor athletic and recreation facilities such as racquet ball courts, tennis courts, golf, bike paths, swimming pools, exercise rooms, weight lifting rooms, pro shops, game rooms or other similar uses and facilities.
3. Restaurant and bar.
4. Meeting rooms.
5. Lounge or sitting rooms.
6. Offices for administration of the subdivision, lodge and club facility.
7. Lodge and conference facility including hotel uses, lodge suites, food service facilities, laundry and cleaning facilities, reception desk and lobby along with related facilities.
8. Non-salable employee dwellings.
9. Parking areas.
10. Storage and maintenance structures for equipment and vehicles used for roads, lawns, gardens, buildings, and utilities.
11. Retail Commercial.
12. Service Commercial, including eating establishments.
13. Recreational Commercial.
14. Medical Offices/Facilities, limited to clinic and outpatient facilities for non-critical care, including, without limitation, for outpatient plastic surgery and other cosmetic procedures.
15. Professional Offices.
16. Temporary Offices.
17. Lodging and Accommodations.
18. Community Recreational Facilities.
19. Amphitheater/Concerts/Performances.
20. Special Community Events.
21. Residential - Single-family.
22. Residential - Townhome.
23. Residential - Multi-family.
24. Residential – Condominium and/or fractional interest ownership.
25. Employee Housing.
26. Educational Facilities.
27. Community Information Center.
28. Parking Structures.
29. Day Care Facility.
30. Playground.
31. Utility Facilities.
32. Community Safety, Service, Maintenance and Administrative Facilities.
33. Spa Facilities.
34. Accessory Buildings and Uses.

ii. Utility structures.

- a. Real estate sales office for the Cordillera Subdivision.
- b. Ski Shop.

#### **Section 2.01.2 Development Standards.**

- i. Setbacks are as shown on development plans except that no building may be closer than 20 feet from any lot line. Decks, patios, uncovered swimming pools and other outdoor features may be located up to property lines.
- ii. Total floor area of buildings may not exceed 60,000 square feet. However, any buildings constructed on the Lodge Parcel under any density allocation transferred from another parcel, including, without limitation, from the Village Center Parcel, shall not be counted against this total floor area. For example, the 30 Lodge Units that were referred to as "Lodge Units (New)" prior to the amendment of this Guide, shall not be counted against the 60,000 square foot cap.
- iii. Building Height: Building Height is determined as follows: A vertical distance will be taken at a series of points at equal intervals around the perimeter of the building. The intervals may be of any equal distances less than 30 feet each. Within each interval, the height of any roof with a horizontal projection of 10 feet or greater will be measured from finished grade to the respective midpoint between eave and ridge. These heights are then averaged to determine the height for that specific interval of the building. Finally, the height of the building is determined by averaging the heights of all intervals around the building. Finished grade for purposes of these height calculations is the final elevation of the surface material.(soil, paving, decking, or plaza) adjacent to the building at the specific interval point as shown on the architect's site plan. The maximum height shall be 45 feet.
- iv. Parking may be constructed on Tracts H, I, and J.
- v. A minimum of 50 parking spaces are required.
- vi. Lodge Units may be used for hotel purposes or residential purposes, including, without limitation, as condominiums or fractional interest ownerships.

**Section 2.01.3 Density and Land Use Classification.**

- i. Land use and dwelling unit density are based on the following chart:

Lot 1	Lodge Units	50
	Employee Units	4

- ii. All density allocations are freely transferable between the Lodge Parcel and the Village Center Parcel. For example, any of the Dwelling Unit density allocation (45 Dwelling Units), the Commercial/Office density allocation, or the Community Recreational allocation on the Village Center Parcel may be transferred to the Lodge Parcel through a Density Transfer.

**Section 2.02 Planning Parcel A - Filing No. 2 and 3, Cordillera Subdivision.**

**Section 2.02.1 Allowed Uses.**

- i. Single family dwellings.

- ii. Multiple family dwellings.
- iii. Employee housing
- iv. Recreation facilities
  - a. Trails and tracks for hiking, running, skiing, bicycles and equestrian use.
  - b. Ski runs.
  - c. Athletic fields for active games and sport use.
  - d. Tennis courts.
  - e. General purpose recreational facilities, including, but not limited to ice skating ponds, swimming pools, hot tubs, saunas, etc.
- v. Utilities
  - a. Water storage and transmission facilities.
  - b. Cable television lines.
  - c. Telephone lines.
  - d. Electricity transmission lines.
  - e. Natural gas lines.
  - f. Sewage collection and transmission.

**Section 2.02.2 Development Standards.** Refer to Sections 1.0 and 4.0 for development standards. Additionally, a minimum setback requirement of five feet from the side and back lot lines shall apply to the following lots within Alcazar Phases I, II and III: Lot 2, Lot 4, Lot 6, Lot 7, Lot 8, Lot 9, Lot 10, Lot 11, Lot 12, Lot 13, Lot 15, Lot 18, Lot 20, Lot 22, Lot 23 (NOTE: Lots within Alcazar Phases I, II and III not herein listed were sold prior to the adoption of this P.U.D. Guide and, therefore, are not subject to the setback requirements listed above.).

**Section 2.02.3 Density and Land Use Classification.**

- i. Land use and dwelling unit density are based on the following chart:

Dwelling Units	Single/Multi Family Cluster Residential	27
Dwelling Units	Single Family Residential	88

**Section 2.03 Planning Parcel A - Filing No. 4, Cordillera Subdivision.**

**Section 2.03.1 :Allowed Uses.**

- i. Single family dwellings
- ii. Recreation facilities
  - a. Trails and tracks for hiking, running, skiing, bicycles, and equestrian use.
  - b. Ski runs.
  - c. General purpose recreational facilities, including, but not limited to ice skating ponds, swimming pools, hot tubs, saunas, etc.

iii. Utilities

- a. Water storage and transmission facilities.
- b. Cable television lines.
- c. Telephone lines.
- d. Electricity transmission lines.
- e. Natural gas lines.
- f. Sewage collection and transmission.

**Section 2.03.2 Development Standards.**

i. Purpose

- a. The restrictions are intended to minimize potential visual impacts of structures constructed within Filing 4 through the regulations of visually significant elements.

ii. Design Intent

- a. The design intent calls for buildings to blend with their sites, as seen from a distance, so that the overall building forms and massing respond to natural landforms and topography. Contrasts are to be avoided. Building forms and rooflines should relate to surrounding landforms, avoiding exposed profiles and harsh angular forms. Sympathetic form, natural materials and color will create visual continuity.

iii. Color

- a. Exterior color should take into account the natural colors of the site found in the soil, exposed rock and vegetation. Colors of white, light gray and light buff are most acceptable. Wood timbers, logs and wood siding should convey the natural amber, ochre and sienna colors of the natural wood itself. Roof colors should be subdued on non-reflective material to blend with the natural landscape, again utilizing the natural colors found on the site.

- b. The following restrictions on the use of materials shall apply:

(1) Exterior building materials are to be non-reflective and primarily of natural materials.

(2) Walls - simple forms which are visually emerging from the ground and are constructed predominately of stone, stucco and timbers are encouraged. Prohibited materials include:

Plastic  
Metal siding  
Composition siding  
Imitation stone, wood or brick

(3) Roofs - concrete tile, clay tile or cedar shakes are encouraged. Natural slate is permitted but must be carefully screened for non-reflective character. Prohibited materials include:

Glazed tiles  
Ceramic tiles  
Metal roofing  
Asphalt shingles  
Fiberglass shingles  
Any type of reflective materials

(4) Windows - mirrored glass is prohibited

(5) Trim - cut stone, stucco, and wood should be utilized as trim material. Copper is permitted trim material as long as it has been pretreated and oxidized prior to installation.

iv. Windows/Openings.

a. Consideration should be given to reducing window openings on exposed, visually sensitive views (i.e., east and north facing walls). Large window openings on stories above first floor should avoid expanses of glass in excess of 30 square feet. Windows above the first floor should avoid repetitive, linear rows of continuous windows or curtain walls. Penetrations of roofs for window openings (i.e. skylights) shall be prohibited on north and east exposure.

b. Exterior Lighting.

(1) Outdoor lighting shall be minimized. No outdoor landscape lighting shall be permitted on the east and north exposures. No high intensity lighting shall be permitted.

(2) All outdoor lighting shall be directional to the ground or shielded to contain sources within lot boundaries.

v. Landscaping.

a. Landscape plans must be submitted to Eagle County along with building permit applications and include existing and proposed contours.

vi. Building Height. Building height is determined as follows:

a. Building heights on lots within Filing No. 4 will be limited as indicated on the final approved plat. No structure, roof ridge, or any other improvement to the homesites will be allowed to pierce the planes defining the height restrictions of the approved building envelope other than vent stacks and chimneys. Each building permit application shall include cross sectional elevations sufficient to determine conformance with the height limitations approved on the final plat.

### **Section 2.03.3 Density and Land Use Classification.**

1. Land use and dwelling unit density are based on the following chart:

Dwelling Units	Single Family Residential	9
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### **Section 3 Cordillera - Phase II.**

**Section 3.01** Planning Parcel A, Village Center, Cordillera Subdivision, depicted as Tract X Village Center on Exhibit A attached hereto (the “**Village Center Parcel**”).

**Section 3.01.1 Intent.** The intent of the Village Center is to provide a focal point to the community both within a physical design context and as a social gathering place. The proximity of the Lodge at Cordillera to the Village Center will enhance this intent. The Village Center is designed to contain the highest residential densities within Cordillera and to accommodate the widest mixture of uses. The scale of the structures are designed to create pedestrian intimacy. The scope of the uses is intended to serve the needs of the residents, fractional interest owners, and resort guests of Cordillera. Except for fractional interest owners and Lodge guests, the Village Center is not intended to service residents outside of Cordillera.

**Section 3.01.2 Permitted Uses.** The following uses are permitted within the Village Center Parcel of Planning Parcel A:

1. Clubhouse and Lodge building or buildings with related facilities.
2. Both indoor and outdoor athletic and recreation facilities such as racquet ball courts, tennis courts, golf, bike paths, swimming pools, exercise rooms, weight lifting rooms, pro shops, game rooms or other similar uses and facilities.
3. Restaurant and bar.
4. Meeting rooms.
5. Lounge or sitting rooms.
6. Offices for administration of the subdivision, lodge and club facility.
7. Lodge and conference facility including hotel uses, lodge suites, food service facilities, laundry and cleaning facilities, reception desk and lobby along with related facilities.
8. Non-salable employee dwellings.
9. Parking areas.
10. Storage and maintenance structures for equipment and vehicles used for roads, lawns, gardens, buildings, and utilities.
11. Retail Commercial.
12. Service Commercial, including eating establishments.
13. Recreational Commercial.
14. Medical Offices/Facilities, limited to clinic and outpatient facilities for non-critical care, including, without limitation, for outpatient plastic surgery and other cosmetic procedures.
15. Professional Offices.
16. Temporary Offices.
17. Lodging and Accommodations.

18. Community Recreational Facilities.
19. Amphitheater/Concerts/Performances.
20. Special Community Events.
21. Residential - Single-family.
22. Residential - Townhome.
23. Residential - Multi-family.
24. Residential – Condominium and/or fractional interest ownership.
25. Employee Housing.
26. Educational Facilities.
27. Community Information Center.
28. Parking Structures.
29. Day Care Facility.
30. Playground.
31. Utility Facilities.
32. Community Safety, Service, Maintenance and Administrative Facilities.
33. Spa Facilities.
34. Accessory Buildings and Uses.

**Section 3.01.3 Development Standards.** Development within the Village Center shall be constructed in accordance with the following standards:

- i. Non-residential
  - a. Minimum lot area: none.
  - b. Minimum lot width: none.
  - c. Minimum setback: all sides, none.
  - d. Maximum building height: 40 feet.
  - e. Maximum lot coverage: 100%.
- ii. Residential
  - a. Minimum lot area: 2,000 square feet.
  - b. Minimum lot width: 20 feet.
  - c. Minimum setback: front, side and rear none, or as specifically identified on final plat.
  - d. Maximum building height: 35 feet.
  - e. Maximum irrigated lawn area: 5,000 sq.ft. per unit.
  - f. Maximum lot coverage: 100%.
- iii. Lodge Units may be used for hotel purposes or residential purposes, including, without limitation, as condominiums or fractional interest ownerships.

**Section 3.01.4 Density and Land Use Classification.**

- i. Land use and dwelling unit density are based on the following chart:

Dwelling Units	45
Commercial/Office	22,435 square feet
Community Recreation	15,344 square feet

- ii. All density allocations are freely transferable as between the Lodge Parcel and the Village Center Parcel. For example, any of the Lodge Unit density allocation (50 Lodge Units) on the Lodge Parcel may be transferred to the Village Center Parcel through a Density Transfer
- iii. As of the date of this Guide, as it has been amended, the Lodge Unit density allocation originally designated for the Village Center Parcel (previously referred to as “Lodge Units (New)”), has been transferred to the Lodge Parcel. Such 30 Lodge Units (New) that are constructed on the Lodge Parcel shall not be counted against the 60,000 square foot floor area cap, as described in ***Section 2.01.2 Development Standards*** for the Lodge Parcel.
- iv. Community Recreation means any recreational community uses or community recreational facilities, whether indoor or outdoor, including, without limitation, restaurant/food and beverage service, teaching facility, golf course, pro shop, gift shop, spa, fitness, day care, playground, medical or first aid.

**Section 3.02 Northern Parcel, Planning Parcels B, C & D, Cordillera Subdivision.**

***Section 3.02.1 Intent.*** The intent of the Northern Parcel development is to create a residential neighborhood of moderate density residential uses surrounded by community park land and open space for recreational use. The residential development shall be designed to mitigate potential visual impact from Lake Creek and the I-70 corridor.

**Section 3.03 Planning Parcel B, Open Space, Cordillera Subdivision.**

***Section 3.03.1 Intent.*** The open space of Planning Parcel B is intended to serve as a wildlife conservation area, as a visual buffer between the I-70 Corridor and development within Cordillera, and as passive recreational land for hiking, cross country skiing, nature study, and other passive recreational uses. Active recreational uses shall be limited to the area approved for golf course recreation.

***Section 3.03.2 Permitted Uses.*** The following uses are permitted within the designated open space of Planning Parcel B:

1. Facilities and activities conducted in support of wildlife management and habitat enhancement.
2. Trails for hiking, skiing, biking, nature study and equestrian use.
3. Community recreation including a par three golf course for recreational use (in conjunction with Planning Parcels C & D).
4. Utility distribution lines and facilities.
5. Golf course and recreation maintenance facility.

**Section 3.03.3 Development Standards.** In order to remain flexible to future design opportunities and to accommodate final park design, no specific limitations shall be set with the exception of site selection and height for recreation structures as they specifically relate to visibility. These specific limitations will be defined on the Final Plat for Planning Parcel B when more detailed design analyses are available. Such improvement may include ski shelters, interpretive center, observational stands or gazebos.

- i. Lighting. The following restrictions on lighting shall apply to recreational uses including landscaping:
  - a. No lighting is permitted in the open space or on the par three golf course.
- ii. The recreational development in which the par three golf course is to be located shall be platted.

**Section 3.03.4 Density and Land Use Classification.**

- i. There are no dwelling units allocated to this site.

NOTE: All land platted within Tract E, Filings No. 1 and No. 2, Cordillera Subdivision, are herein made a part of Planning Parcel B and are subject to the permitted uses and development standards as identified in *Section 3.03.2*.

**Section 3.04 Planning Parcel C and Planning Parcel D, Single Family, Community Park, Cordillera Subdivision.**

**Section 3.04.1 Intent.** Planning Parcels C and D have been carefully planned with individual residential building sites selected to mitigate visual impacts from the upper Eagle River Valley/I-70/Edwards area. The community open space is intended to serve both the active and passive outdoor recreational needs of the entire Cordillera Community.

**Section 3.04.2 Permitted Uses.** The following uses are permitted within Planning Parcel C:

1. Single-family residential.
2. Community Recreation - Indoor and Outdoor including food and beverage service, teaching facility, pro shop, etc.
3. Employee housing.
4. Child day-care facilities.
5. Sporting and Special Events.
6. Helipad, limited to 1 on the Northern Parcel.
7. Trails.
8. Open Space.
9. Utility lines and facilities.
10. Accessory Buildings and Uses including restrooms.
11. Community Safety, Service, Maintenance (Golf) and Administrative Facilities.
12. A par three golf course for recreational use (in conjunction with Planning Parcels B & D).

**Section 3.04.3 Development Standards.** Development within Planning Parcels C and D shall be constructed in accordance with the following standards:

- i. Residential.
  - a. Minimum lot area: 5,000 sq.ft. per unit.
  - b. Maximum building height: the maximum height is 25 feet, as defined herein.
  - c. Maximum irrigated lawn area: 5,000 sq.ft. per unit.
  - d. Minimum Setbacks: Structural placement shall be restricted by building envelopes specifically identified for each lot to minimize impacts.
  - e. All lots within Planning Parcels C and D shall be prohibited from having roof overhangs or any other appurtenance or protuberance extending beyond the vertical plane of the building envelopes.
  - f. No residence shall exceed 4,500 square feet of habitable floor area. Enclosed parking areas shall not be counted against the maximum square footage.
- ii. Community Center
  - a. Minimum lot area: two acres
  - b. Minimum lot width: none.
  - c. Minimum setback: front - 25 feet, rear - 25 feet, side - 20 feet.
  - d. Maximum building height: the maximum height shall be 25' as defined herein.
  - e. Maximum lot coverage: none.
  - f. Maximum irrigated landscaping: 1.45 acres.
- iii. Non-residential/recreational.
  - a. In order to remain flexible to future design opportunities and to accommodate final park design, no specific limitations shall be set with the exception of site selection and height for recreation structures as they specifically relate to visibility. These specific limitations will be defined on the Final Plat for Planning Parcels C and D when more detailed design analyses are available.
- iv. Lighting. The following restrictions on lighting shall apply to both residential and non-residential (recreational) uses including landscaping:
  - a. All lighting must be directed downward and focused either from overhead or ground fixtures.
  - b. No high intensity vapor lighting shall be permitted.
  - c. No lighting is permitted in the open space or on the par three golf course.
- v. The recreational development in which the par three golf course is to be located shall be platted.

**Section 3.04.4 Density and Land Use Classification.**

- i. Land use and dwelling unit density are based on the following chart:

Dwelling Units	Single Family Residential	57
Employee Units		Up to 23

**Section 3.05** This Section Has Been Deleted.

**Section 3.06** Planning Parcel E, Chaveno, Cordillera Subdivision.

**Section 3.06.1 Intent.** Planning Parcel E has been planned to maintain a majority of the property as open space while providing uses in support of the general population of Cordillera. These uses include facilities to service and support the community, such as administration offices, public safety functions, recreation, postal substation, convenience purchases and construction/maintenance of infrastructure. Additionally, the parcel contains a public fire station and the potential for residential/employee housing. Development within the Chaveno Parcel is planned to occur on the valley floor in order to preserve the outlying acreages of the property for open space and wildlife values.

**Section 3.06.2 Permitted Uses.** The following uses are permitted within Planning Parcel E.

i. Parcel E-1:

1. Single-family residential.
2. Common area amenities to include a community center with a “general store”, food service and a small postal substation.
3. Professional Offices.
4. Community Recreational Facilities.
5. Concerts/Performances.
6. Special Community Events.
7. Educational Facilities.
8. Community Information Center.
9. Parking Structures.
10. Day Care Facility.
11. Equestrian facilities (see supplemental regulations for specific restrictions).
12. Open Space.
13. Employee/caretaker’s units.
14. Trails.
15. Wildlife management and habitat enhancement.
16. Utility lines and facilities.
17. Accessory Building and Uses.
18. Community Safety, Service, Maintenance and Administrative Facilities.
19. Employee housing.

ii. Parcel E:

1. Equestrian Facilities
2. Open Space.
3. Trails.
4. Wildlife management and habitat enhancement.
5. Utility lines and facilities.
6. Accessory Building and Uses.

**Section 3.06.3 Development Standards.** Development within Planning Parcel E and Parcel E1 shall be constructed in accordance with the following standards:

- i. Fire Station
  - a. Minimum Lot Area: 1 acre
  - b. Minimum setback: front – 20 feet, rear – 15 feet, side 15 feet.
  - c. Maximum building height: 35 feet.
- ii. Community Center/Administration
  - a. Minimum lot area: one acre per structure.
  - b. Minimum setback: front - 20 feet, rear - 15 feet, side - 15 feet.
  - c. Maximum building height: 35 feet.
- iii. Maintenance / Storage
  - a. Minimum Lot Area: 8 acres
  - b. Minimum setback: front – 20 feet, rear – 15 feet, side 15 feet.
  - c. Maximum building height: 35 feet.
- iv. Future Development Parcels
  - a. Minimum Lot Area: .5 acres.
  - b. Minimum setback: front –10 feet, rear – 5 feet, side 5 feet.
  - c. Maximum building height: 35 feet.
- v. Residential/Caretaker
  - a. Minimum lot area: 1 acre.
  - b. Minimum lot width: 100 feet.
  - c. Minimum setbacks: Structural placement within lot lines shall be regulated by building envelopes as defined on final plats.
  - d. Maximum building height: 35 feet.
  - e. Maximum irrigated lawn area: 5,000 sq.ft. per unit.
- vi. Equestrian Facilities
  - a. Minimum lot area: 5 acres.
  - b. Minimum lot width: none.
  - c. Minimum building setback: 25 feet all sides.
  - d. Maximum building height: 40 feet.
  - e. Maximum lot coverage: 25%.
- vii. Fencing
  - a. All fencing within Planning Parcel E shall conform to the following specifications:
    - (1) Top strand, not to exceed 42 inches above the ground.
    - (2) Middle strand, at least 12 inches below top strand.
    - (3) Bottom strand, at least 16 inches above the ground.
  - b. Privacy fencing up to 8 feet high is permitted if:
    - (1) The total enclosed area does not exceed 10,000 square feet.

- (2) It is completely contained within the defined building envelope, or it is outside of a designated wildlife movement corridor or winter range enhancement area.
- c. Fenced dog runs up to 6 feet high are permitted if:
  - (1) The total area does not exceed 1000 square feet.
  - (2) The run is located immediately adjacent to the residence and contained within the defined building envelope.
  - (3) Fenced dog runs are required on all lots on which dogs reside.
- d. Perimeter fencing of individual residential lots is prohibited.
- e. Fencing for the common equestrian area and individual "saddle-up" areas on lots are exempt from these specifications. For limitations related to equestrian uses please see "Supplementary Regulations - Equestrian".
- f. Not more than one caretaker unit per lot is allowed.

**Section 3.06.4 Density and Land Use Classification.**

- i. Land use and dwelling unit density are based on the following chart:

Dwelling Units	Residential	14
Caretaker Units	Residential	6

**Section 3.07 Planning Parcel F, Beatty Parcel, Cordillera Subdivision.**

**Section 3.07.1 Intent.** Planning Parcel F has been planned to help preserve the existing character of lands adjacent to Squaw Creek and protect natural open space areas.

**Section 3.07.2 Permitted Uses.** The following uses are permitted within Planning Parcel F:

1. Fishing Pond (Up to 10 acre feet capacity).
2. Open Space
3. Trails, utility lines, irrigation, and facilities.
4. Wildlife management and habitat enhancement
5. Accessory Building and Uses

**Section 3.07.3 Development Standards.** Development within Planning Parcel F shall be constructed in accordance with the following standards:

- i. No specific standards are defined for this site.

**Section 3.07.4 Density and Land Use Classification.**

- i. There are no dwelling units allocated to this site.

**Section 3.08 Western Parcel, Planning Parcels G, H, I, J, K, L, M, & N, Cordillera Subdivision.**

**Section 3.08.1 Intent.** The intent of the Western Parcel is to create a balanced mixture of single-family, multiple family and attached residential units designed around an 18-hole championship

golf course. Large areas of open space have been strategically designed to preserve unique land features and important natural habitat.

**Section 3.09 Planning Parcel G, Cordillera Subdivision.**

**Section 3.09.1 Intent.** The intent of Parcel G is to create a neighborhood of clustered single-family or townhome residential units surrounded by open space and golf course.

**Section 3.09.2 Permitted Uses.** The following uses are permitted within Parcel G:

1. Single-family residential.
2. Duplex residential.
3. Townhouses.
4. Open space (including wildlife management and habitat enhancement).
5. Utility distribution lines and facilities.
6. Accessory Buildings and Uses.
7. Community safety, service and maintenance facilities.
8. Caretaker units.

**Section 3.09.3 Development Standards.** Development within Planning Parcel G shall be constructed in accordance with the following standards:

- i. Residential
  - a. Minimum lot area: 10,000 sq.ft.
  - b. Minimum lot width: 50 feet.
  - c. Minimum setback: Front 25 feet, Rear 15 feet, side 15 feet or as specifically identified on Final Plat.
  - d. Maximum average building height: 35 feet.
  - e. Maximum lot coverage: 50%.
  - f. Maximum irrigated lawn surface: 5,000 sq.ft. per unit.
  - g. No setbacks from building envelope lines are required.
- ii. Common Area
  - a. The identified common area is intended to serve as a neighborhood amenity site with a combination of natural features and developed features. Uses may include trails, landscaping, play areas, swimming pools, tennis courts and similar neighborhood amenities. In order to remain flexible to future design opportunities no specific development limitations shall be defined within the Guide. Specific designs and development limitations will be defined on the final plat for Planning Parcel G.

**Section 3.09.4 Density and Land Use Classification.**

- i. Land use and dwelling unit density are based on the following chart:

Dwelling Units Single Family Residential	11	
Caretaker Units Residential		Subject to the restrictions of Section 4.03

**Section 3.10 Western Parcel, Planning Parcel H, Cordillera Subdivision.**

**Section 3.10.1 Intent.** The intent of Planning Parcel H is to create a core of moderate density, smaller single-family lots adjacent to the Golf Clubhouse and Townhomes.

**Section 3.10.2 Permitted Uses.** The following uses are permitted within Planning Parcel H:

1. Single-family residential.
2. Open space (including parks, walkways, trails, wildlife management and habitat enhancement activities).
3. Streets and Roads.
4. Utility distribution lines and facilities.
5. Accessory Buildings and Uses.
6. Caretaker units on lots over 2 acre.

**Section 3.10.3 Development Standards.** Development within Planning Parcel H shall be constructed in accordance with the following standards:

- i. Residential
  - a. Minimum lot area: 10,000 sq.ft.
  - b. Minimum lot width: 40 feet.
  - c. Minimum setback: front 25 feet, rear 15 feet, side 15 feet (or as specifically identified on the Final Plat).
  - d. Special setback for Fenn Road - no residential dwelling shall be placed closer than 25 feet from the main internal access road right-of-way.
  - e. Maximum average building height: 35 feet.
  - f. Maximum lot coverage: 50%.
  - g. Maximum irrigated lawn surface: 5000 sq.ft. per unit.

**Section 3.10.4 Density and Land Use Classification.**

- i. Land use and dwelling unit density are based on the following chart:

Dwelling Units Single Family Residential	65
Caretaker Units Residential	Subject to the restrictions of <i>Section 4.03</i>

**Section 3.11 Western Parcel, Planning Parcel I, Cordillera Subdivision.**

**Section 3.11.1 Intent.** The intent of Planning Parcel I is to create an open space for recreational use.

**Section 3.11.2 Permitted Uses.** The following uses are permitted within Planning Parcel I:

1. Open space (including both improved landscaped and natural).
2. Trails
3. Roads and Streets.
4. Utility distribution lines and facilities.

5. Accessory Buildings and Uses.
6. Parks and Recreational use.

**Section 3.11.3 Development Standards.** Development within Planning Parcel I shall be constructed in accordance with the following standards:

- i. No specific standards are required.

**Section 3.11.4 Density and Land Use Classification.**

- i. There are no dwelling units allocated to this site.

**Section 3.12 Western Parcel, Planning Parcel J, Cordillera Subdivision.**

**Section 3.12.1 Intent.** The intent of Planning Parcel J is to create neighborhoods of single-family residences that draw upon the diverse natural character of the environment for identity. Individual development sites have been chosen for their suitability to accommodate development, and ability to minimize impacts. Development sites have avoided sensitive natural habitats. Large areas of open space preserve the existing natural character of the environment, as well as, provide protection for critical environmental components such as wildlife habitat and springs. The golf course serves as a major amenity focus for a portion of the Parcel, while the Equestrian Center provides a focus for those lots removed from the golf course.

**Section 3.12.2 Permitted Uses.** The following uses are permitted within Planning Parcel J:

1. Single-family residential.
2. Caretaker units.
3. Open space (including wildlife management and habitat enhancement activities).
4. Trails.
5. Equestrian Center and equestrian events. (See Supplemental Regulations for specific restrictions.)
6. Utility Distribution lines and Facilities.
7. Accessory Buildings and Uses.
8. Saddle up areas. (See Supplemental Regulations for Specific restrictions.)
9. Parks and Recreational uses.

**Section 3.12.3 Development Standards.** Development within Planning Parcel J shall be constructed in accordance with the following standards:

- i. Residential
  - a. Minimum lot area: 0.5 acre.
  - b. Minimum lot width: 75 feet.
  - c. Minimum setbacks: Structural placement within lot lines shall be defined by building envelopes specifically identified for each lot to minimize impacts.
  - d. Maximum building height: 35 feet.
  - e. Maximum lot coverage: regulated by building envelope.
  - f. Maximum irrigated lawn area: 5,000 sq.ft. per unit.

- ii. Equestrian Center
  - a. Minimum lot size: 5 acres.
  - b. Minimum lot width: none.
  - c. Minimum setback: none.
  - d. Maximum building height: 40 feet.
  - e. Maximum lot coverage: 30%.
  - f. Maximum number of horses: 40.
- iii. Open Space
  - a. Some forms of improvements may be consistent with the function of open space as they relate to recreation and wildlife management. No specific standards can be defined at this time.
- iv. Trails - Use Restrictions
  - a. Access to and the use of certain segments of hiking and skiing trails may be restricted during specific seasons for wildlife management purposes. These seasonal use restrictions are to be defined by the Cordillera Habitat Enhancement for Wildlife Committee and enforced by the Homeowners Association.

**Section 3.12.4 Density and Land Use Classification.**

- i. Land use and dwelling unit density are based on the following chart:

Dwelling Units Single Family Residential	68	
Caretaker Units Residential	Subject to the restrictions of Section 4.03	

**Section 3.13 Western Parcel, Planning Parcel K, Cordillera Subdivision.**

**Section 3.13.1 Intent.** The intent of Planning Parcel K is to provide single family clustered homes and/or Townhomes in the golf course area. This residential cluster will contribute to the creation of a core residential neighborhood adjacent to the golf course and Clubhouse. The cluster homes will combine with the Clubhouse and Planning Parcel H to create a focal point and physical activity center for the Western Parcel.

**Section 3.13.2 Permitted Uses.** The following uses are permitted within Planning Parcel K:

1. Single-family residential.
2. Multi-family residential.
3. Employee housing apartments.
4. Open space (both improved landscaping and natural).
5. Trails.
6. Accessory Buildings and Uses.
7. Utility distribution lines and facilities.
8. Parks and Recreational uses.
9. Caretaker Units.

**Section 3.13.3 Development Standards.** Development within Planning Parcel K shall be constructed in accordance with the following standards:

i. Residential

- a. Minimum lot area: 2000 sq.ft.
- b. Minimum lot width: 20 feet.
- c. Minimum setbacks: Front - none except where a garage fronts upon a street, then 20 feet for such garage. Side none, Rear - none, or as specifically platted.
- d. Maximum building height: 35 feet.
- e. Maximum irrigated lawn surface: 5,000 sq.ft. per unit.
- f. Minimum open space: at least one-third of each sub-parcel shall be devoted to open space including individual lawn area; common landscaped areas - natural open space or undisturbed land.

**Section 3.13.4 Density and Land Use Classification.**

i. Land use and dwelling unit density are based on the following chart:

Dwelling Units Single Family/Townhome Residential	90
Employee Units	Up to 23
Caretaker Units Residential	Subject to the restrictions of Section 4.03

**Section 3.14 Western Parcel, Planning Parcel L, Cordillera Subdivision.**

**Section 3.14.1 Intent.** Planning Parcel L is the 18-hole golf course. This golf course will establish the character of the man built improvements on the Western Parcel. The golf course will create the central amenity focus of the Western Parcel. The majority of the 18-hole course will be contained within the existing irrigated pasturelands of the Fenno Ranch.

**Section 3.14.2 Permitted Uses.** The following uses shall be permitted on Planning Parcel L:

1. Golf course construction and operation.
2. Clubhouse (including pro shop, restaurant, bar, members club, etc).
3. Golf training facilities.
4. Temporary club house.
5. Temporary sales office.
6. Maintenance facilities.
7. Water storage ponds.
8. Nordic center.
9. Trails.
10. Open space.
11. Accessory Buildings and Uses.
12. Utility distribution lines and facilities.
13. Special events.
14. Employee housing.
15. Tennis courts and swimming pool.
16. Parks and recreational uses.
17. Helipad, limited to one on the Western Parcel.

**Section 3.14.3 Development Standards.** The following development standards apply.

- i. Golf Course and facilities.
  - a. Minimum lot area: none.
  - b. Minimum lot width: none.
  - c. Minimum setbacks: none.
  - d. Maximum building height: 50 feet.
  - e. Maximum irrigated landscape area: 2 acres exclusive of golf course.
  - f. Trail use restrictions; access to and use of trails may be restricted on a seasonal basis for wildlife management purposes. Such restrictions shall be established by the Cordillera Habitat Enhancement for Wildlife Committee and enforced by the Homeowners Association.

**Section 3.14.4 Density and Land Use Classification.**

Employee Units	Up to 23
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**Section 3.15 Western Parcel, Planning Parcel M, Cordillera Subdivision.**

**Section 3.15.1 Intent.** The intent of Planning Parcel M is to place clusters of large lot development pods within the environments which are most suited for development thereby preserving large areas of sensitive habitats and minimizing impacts. Building envelopes have been individually chosen to minimize disturbance of the existing natural character of the land. The large areas of open space have been designed to preserve sensitive wildlife habitats, protect the character of the natural environment and help shape the character of the development pods. Central to this parcel is a proposed community center.

**Section 3.15.2 Permitted Uses.** The following uses shall be permitted on Planning Parcel M:

1. Single-family residential.
2. Open space (including wildlife management and habitat enhancement activities).
3. Trails.
4. Accessory Buildings and Uses.
5. Utility distribution lines and facilities.
6. Parks and recreational uses.
7. Caretaker units on lots over 2 acre.
8. Community Center.
9. Interfaith Chapel.

**Section 3.15.3 Development Standards.** Development within Planning Parcel M shall be constructed in accordance with the following standards:

- i. Residential
  - a. Minimum lot area: 0.33 acre.
  - b. Minimum lot width: 75 feet.
  - c. Minimum setbacks: Structural placement shall be restricted by building envelopes specifically identified for each lot to minimize impacts.
  - d. Special setback for the main internal access loop; No residential dwelling shall be placed closer than 25 feet from Fenno Road R.O.W.
  - e. Maximum building height: 35 feet.

- f. Maximum lot coverage: regulated by building envelope.
- g. Maximum irrigated lawn area: 5,000 sq.ft. per unit.
- ii. Community Center.
  - a. Minimum lot area: two acres
  - b. Minimum setback: front - 25 feet, rear - 25 feet, side - 20 feet, or as specifically identified on the final plat.
  - c. Maximum building height: 35 feet.
  - d. Maximum irrigated landscaping: 5 acres.
- iii. Open Space.
  - a. Some forms of improvements may be consistent with the function of open space as they relate to recreation and wildlife management. No specific standards can be defined at this time.
- iv. Trails - Use Restrictions.
  - a. Access to and use of certain segments of hiking and skiing trails may be restricted during specific seasons for wildlife management purposes. These seasonal use restrictions are to be defined by the Cordillera Habitat Enhancement for Wildlife Committee and enforced by the Homeowners Association.

**Section 3.15.4 Density and Land Use Classification.**

- i. Land use and dwelling unit density are based on the following chart:

Dwelling Units Single Family Residential	107	
Caretaker Units Residential		Subject to the restrictions of Section 4.03

**Section 3.16 Western Parcel, Planning Parcel N, Cordillera Subdivision.**

**Section 3.16.1 Intent.** The intent of Planning Parcel N is to provide a large lot residential cluster surrounded by open space. This Parcel will create a secluded neighborhood focused around a large common open space and community center. Large areas of open space surround this residential neighborhood and will provide protection for wildlife habitats and retain the character of the natural environment. The common open space within the center of the development cluster will remain predominately natural in character but will also accommodate neighborhood amenities.

**Section 3.16.2 Permitted Uses.** The following uses are permitted within Planning Parcel N:

1. Single-family residential.
2. Open space (including wildlife management and habitat enhancement).
3. Common area amenities to include a community center with a small historic looking “general store”, and a small historic looking “sales center”.
4. Utility distribution lines and facilities.
5. Parks and recreational uses.
6. Caretaker units on lots over 2 acre.
7. Accessory Buildings and Uses.

8. Employee Unit.

**Section 3.16.3 Development Standards.** Development within Planning Parcel N shall be constructed in accordance with the following standards:

i. Residential

- a. Minimum lot area: 0.5 acre.
- b. Minimum lot width: 100 feet.
- c. Minimum setback: Structural placement shall be restricted by building envelopes specifically identified for each lot to minimize impacts.
- d. Maximum building height: 35 feet.
- e. Maximum lot coverage: regulated by building envelope.
- f. Maximum irrigated lawn area: 5,000 sq.ft. per unit.

ii. Community Center

- (1) Minimum lot area: two acres.
- (2) Minimum setback: front - 25 feet, rear - 25 feet, side - 20 feet. Or as specifically identified on the final plat.
- (3) Maximum building height: 35 feet.
- (4) Maximum irrigated landscaping: 5 acres.
- (5) General store area only shall not exceed 1,200 square feet of habitable floor area.
- (6) Sales Center shall not exceed 3,000 square feet of habitable floor area.

iii. Common area

- a. The amenity uses of the common area will be a combination of natural features and developed features. In order to remain flexible to future design opportunities no specific development limitations shall be defined. Specific designs and development limitations will be defined as part of the final plat for Planning Parcel N.

iv. Open Space

- a. Some forms of improvements may be consistent with the function of open space as they relate to recreation and wildlife management. No specific standards can be defined at this time.

**Section 3.16.4 Density and Land Use Classification.**

i. Land use and dwelling unit density are based on the following chart:

Dwelling Units	Single Family Residential	67
Employee Unit		1
Caretaker Units	Residential	Subject to the restrictions of <i>Section 4.03</i>

**Section 3.17 Southern Parcel, Planning Parcel O, Cordillera Subdivision.**

**Section 3.17.1 Intent.** Planning Parcel O, further subdivided in Planning Parcels O, O-1, O-2, O-3, and O-4 has been carefully planned in two phases, Phase I (Planning Parcel O-1) and Phase II

(Planning Parcels O, O-2, O-3, and O-4), with individual building sites on Planning Parcels O-1, O-2, O-3, and O-4 only, selected to help mitigate visual impacts as viewed from the Lake Creek Valley development area. A Preliminary Subdivision Plan for Phase I was approved on July 27, 1998.

**Section 3.17.2 Permitted Uses.** The following uses are permitted in Planning Parcels O, O-1, O-2, O-3, and O-4 subject to the restrictions in **Section 3.17.3, Development Standards** below:

1. Single family residential.
2. Community parks, recreation both indoor and outdoor.
3. Special events.
4. Trails.
5. Open space and wildlife habitat.
6. Utility lines and facilities.
7. Community safety, service and maintenance facilities.
8. Accessory Buildings and Uses.
9. ISDS on lots of two (2) acres or greater provided that:
  - (a) A suitable leach field site and alternative site are identified for each use on each lot; and
  - (b) All ISDS shall be professionally engineered.
10. Caretaker's Units only in Planning Parcels O-2, O-3, and O-4.

**Section 3.17.3 Development Standards.** Development within Planning Parcels O, O-1, O-2, O-3, and O-4 shall be constructed in accordance with the following standards:

- i. Planning Parcel O: Open Space.
  - a. All areas within Planning Parcel O shall be dedicated and preserved as open space.
  - b. Some forms of improvements may be consistent with the function of open space as they relate to recreation and wildlife management. These may include:
    - (1) Fenced equestrian areas, provided no fencing may be placed in wildlife movement corridors.
    - (2) Parks, picnic facilities, and viewing decks.
    - (3) Hiking and skiing shelters or refuges.
    - (4) Stock sheds or ranch-type accessory buildings.
    - (5) Toilet facilities.
    - (6) Recreational trails and paths.
    - (7) Utility lines and facilities, water facilities.
    - (8) Maintenance of existing roads.
- ii. Planning Parcel O-1: Residential.
  - a. Minimum lot area: 0.5 acre.
  - b. Minimum lot width: 50 feet.
  - c. Minimum setback: no setback in building envelope.
  - d. Maximum lot coverage: 50%.
  - e. Maximum irrigated lawn area: 5,000 sq.ft. per unit.

- f. Maximum building height: 35 feet. Building height may be further restricted based on potential visibility from the Lake Creek Valley. All structures are limited in height by a plane defined by the view angle from identified points in the Lake Creek area. No portion of the structure including roof, chimney, or vent stacks, etc., may extend above the identified limit. Each building site is subject to review by Eagle County and the Cordillera Design Review Board for conformance.
- iii. Planning Parcel O-2: Residential.
  - a. Minimum lot area: 0.5 acre.
  - b. Minimum lot width: 50 feet.
  - c. Minimum setback: no setback in building envelope.
  - d. Maximum lot coverage: 50%.
  - e. Maximum irrigated lawn area: 5,000 sq.ft. per unit.
  - f. Maximum building height: 35 feet. Building height may be further restricted based on potential visibility from the Lake Creek Valley. All structures are limited in height by a plane defined by the view angle from identified points in the Lake Creek area. No portion of a structure including roof, chimney, or vent stacks, etc., may extend above the identified limit. Each building site is subject to review by Eagle County and the Cordillera Design Review Board for conformance.
  - g. A single lot may have a single caretaker unit provided the maximum number of caretaker units permitted for Planning Parcel O-2 is not exceeded.
- iv. Planning Parcel O-3: Residential.
  - a. Minimum lot area: 0.5 acre.
  - b. Minimum lot width: 50 feet.
  - c. Minimum setback: no setback in building envelope.
  - d. Maximum lot coverage: 50%.
  - e. Maximum irrigated lawn area: 5,000 sq.ft. per unit.
  - f. Maximum building height: 35 feet. Building height may be further restricted based on potential visibility from the Lake Creek Valley. All structures are limited in height by a plane defined by the view angle from identified points in the Lake Creek area. No portion of a structure including roof, chimney, or vent stacks, etc., may extend above the identified limit. Each building site is subject to review by Eagle County and the Cordillera Design Review Board for conformance.
  - g. A single lot may have a single caretaker unit provided the maximum number of caretaker units permitted for Planning Parcel O-3 is not exceeded.
- v. Planning Parcel O-4: Residential.
  - a. Minimum lot area: 0.5 acre.
  - b. Minimum lot width: 50 feet.
  - c. Minimum setback: no setback in building envelope.
  - d. Maximum lot coverage: 50%.
  - e. Maximum irrigated lawn area: 5,000 sq.ft. per unit.

- f. Maximum building height: 35 feet. Building height may be further restricted based on potential visibility from the Lake Creek Valley. All structures are limited in height by a plane defined by the view angle from identified points in the Lake Creek area. No portion of a structure including roof, chimney, or vent stacks, etc., may extend above the identified limit. Each building site is subject to review by Eagle County and the Cordillera Design Review Board for conformance.
- g. A single lot may have a single caretaker unit provided the maximum number of caretaker units permitted for Planning Parcel O-4 is not exceeded.

vi. Lake Creek portion restrictions.

- a. All portions of Planning Parcels O-1, O-2, O-3, and O-4 lying within the physiographic or geographic area of the Valley of Lake Creek, as defined by the top of the ridge, are restricted in use as follows:
  - (1) Low impact recreation limited to recreational trails of an acceptable design for cross country skiing, equestrian, hiking and mountain biking; but no motorized vehicles shall be permitted except for original construction or maintenance purposes.
  - (2) Vegetation enhancement.
  - (3) Weed control.
  - (4) Wildlife habitat enhancement.
  - (5) Shelter and limited toilet facilities related to recreational trail use.
  - (6) Parks, including recreation fields, playgrounds, picnic areas and other similar uses.
  - (7) Buried utility lines and attendant service roads.
  - (8) The existing ranch roads may be retained generally in their present state, and used only for maintenance, but not for general access purposes. No other roads, except for utility service roads, may be built.
- b. No ridgeline development, nor residential dwelling units may be constructed in the Lake Creek Valley.
- c. No structures in the Lake Creek Valley may be visible from the Lake Creek development corridor, as defined by the specific viewing points described in the Cordillera Phase II Preliminary Plan.
- d. Prior to construction of any structures or trails in the Lake Creek Valley, a Special Review Use must be approved by the Director of the Community Development Department of Eagle County who shall ensure compliance with visual impact guidelines.

vii. Mitigation Guidelines. Any development activities or disturbances of existing environment must occur under the following guidelines:

- a. Final Plats for lands within the Southern Parcel shall include the designation of building height limitations in response to visibility analysis.
- b. Site development and construction shall minimize impact upon the existing natural landforms and drainage patterns.
- c. Vegetation at the edge of the development shelf will not be permanently disturbed except where necessary to mitigate visual impact.

- d. The overall building forms and massing should respond to natural landforms and massing of the site.
- e. Walls, fences and other screening elements shall be allowed.
- f. The exterior colors of buildings, walls and horizontal pavement surfaces should take into account the natural colors found on the site in the soils, rocks and vegetation.

viii. Wildlife Habitat Enhancement.

- a. Wildlife corridors will be established in certain critical areas based on the locations generally described on the map presented to the Board at its February 11, 1992 public hearing on the Zone District Amendment for the Southern Parcel.
- b. All open space areas defined in *Section 3.17.3.i* shall be dedicated, preserved, and managed as a Protected Wildlife Habitat Area.
- c. There shall be no manipulation of vegetation within designated Wildlife Movement Corridors or Protected Wildlife Habitat Area except as required as part of a valid winter range enhancement program, as authorized to reduce wildfire potential, as part of a community trail system, or as may be required to revegetate areas disturbed by the construction of permitted structures and facilities under *Section 3.17.3.i.b.*

**Section 3.17.4 Density and Land Use Classification.**

i. Land use and dwelling unit density are based on the following chart:

**Phase I:**

Planning Parcel O-1:

Dwelling Units	Single Family Residential	12
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**Phase II:**

Planning Parcel O:

Dwelling Units	Single Family Residential	0
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Planning Parcel O-2:

Dwelling Units	Single Family Residential	1
Caretaker Units	Residential	1

Planning Parcel O-3:

Dwelling Units	Single Family Residential	1
Caretaker Units	Residential	1

Planning Parcel O-4:

Dwelling Units	Single Family Residential	2
Caretaker Units	Residential	2

**Section 3.18 Bearden Parcel, Planning Parcel P, Cordillera Subdivision.**

**Section 3.18.1 Intent.** The intent of Planning Parcel P is to provide large lot residential homesites surrounding open space. This Parcel will create a secluded neighborhood focused around a large common open and recreational space. This residential neighborhood will surround large areas of open space and will provide protection for wildlife habitats and retain the character of the natural environment. The common open space within the center of the development will remain. Additionally, the old homestead along Squaw Creek is intended to be used for recreation activities utilizing the historical setting.

**Section 3.18.2 Permitted Uses.** The following uses are permitted in Planning Parcel P:

1. Single family residential.
2. Single Family Cluster.
3. Caretaker units on lots over 2 acre.
4. Community parks, recreation both indoor and outdoor including daily equestrian use and fishing.
5. Trails.
6. Open space and wildlife habitat.
7. Utility lines and facilities.
8. Community safety, service and maintenance facilities.
9. Accessory Buildings and Uses.
10. Museum/Historical Restorations of existing structures.
11. Special events.

**Section 3.18.3 Development Standards.** Development within Planning Parcel Q shall be constructed in accordance with the following standards:

- i. Residential - Single Family.
  - a. Minimum lot area: 0.5 acre.
  - b. Minimum lot width: 50 feet.
  - c. Minimum setback: no setback in building envelope.
  - d. Maximum lot coverage: 50%.
  - e. Maximum irrigated lawn area: 5,000 sq.ft. per unit.
  - f. Maximum building height: 35 feet.
  - g. Maximum building envelope area shall not exceed 20,000 square feet for each envelope.
- ii. Residential - Single Family Cluster.
  - a. Minimum lot area: 10,000 sq.ft.
  - b. Minimum lot width: 40 feet.
  - c. Minimum setbacks: Front 25 feet, Rear 15 feet, Side 15 feet (or as specifically identified by the boundaries of the building envelope on the Final Plat).
  - d. Maximum building height: 35 feet.

- e. Maximum lot coverage: 50%.
- f. Maximum irrigated lawn surface: 5,000 sq.ft. per unit.

- iii. Open Space
  - a. Some forms of improvements may be consistent with the function of open space as they relate to recreation and wildlife management.

**Section 3.18.4 Density and Land Use Classification.**

- i. Land use and dwelling unit density are based on the following chart:

Dwelling Units	Single Family Residential	65
Caretaker Units	Residential	Subject to the restrictions of Section 4.03

**Section 3.19 Mountain Tract, The Territories, Planning Parcel Q, Cordillera Subdivision.**

**Section 3.19.1 Intent.** The intent of Planning Parcels Q, Q1 and Q2 is to provide 35 acre minimum homestead sized lots surrounding and incorporating large areas of open space. Each homestead is to be laid out with a 4 acre maximum building envelope that will cluster the individual building and structures of the residential components. The remaining acres are to be kept primarily as open space with minimum disturbance for the creation of roadways, trials, wells, utility structures, historical protection of old cabins and wetland enhancements. Although not a part of The Territories (Planning Parcel Q), Planning Parcels Q1 and Q2 are subject to the same terms and conditions as The Territories at Cordillera Development Control Guide, as recorded in book 736 at page 931 in the Office of the Clerk and Recorder for Eagle County, Colorado, and The Territories at Cordillera Wildlife Mitigation Agreement, as recorded in book 736 at page 930 in the same Office, as may be amended from time to time.

**Section 3.19.2 Permitted Uses.** The permitted uses of Planning Parcels Q, Q1 and Q2 shall be subject to The Territories at Cordillera Development Control Guide, as recorded in book 736 at page 931 in the Office of the Clerk and Recorder for Eagle County, Colorado. Additionally the following uses are permitted:

1. One employee unit up to 1,200 square feet of habitable area.
2. Sub-station building (to house vehicles belonging to the Metropolitan District or Homeowners Association) in Planning Parcel Q only.
3. Open space (including wildlife management and habitat enhancement activities).
4. Trails.
5. Accessory Buildings and Uses.
6. Utility distribution lines and facilities.
7. Parks and recreational uses.

**Section 3.19.3 Development Standards.** Development within Planning Parcels Q, Q1 and Q2 shall be constructed in accordance with the development standards described in The Territories at Cordillera Development Control Guide, as recorded in book 736 at page 931 in the Office of the Clerk and Recorder for Eagle County, Colorado and shall be subject to the terms and conditions of The Territories at Cordillera Wildlife Mitigation Agreement, as recorded in

book 736 at page 930 in the Office of the Clerk and Recorder for Eagle County, Colorado. Additionally, the following development standards shall apply:

- i. Employee Dwelling Unit (May be constructed as part of Sub-station or as a separate structure).
  - a. Minimum lot area: 2 acres.
  - b. Minimum lot width: 25 feet.
  - c. Minimum setbacks: none.
  - d. Maximum building height: 35 feet.
  - e. Maximum habitable square footage: 1,200 square feet.
  - f. Maximum lot coverage: regulated by building envelope.
  - g. Maximum irrigated lawn area: 5,000 sq.ft. per unit.
- ii. Sub-station (May be constructed as part of Employee dwelling unit or as a separate structure).
  - a. Minimum lot area: 2 acres.
  - b. Minimum lot width: 25 feet.
  - c. Minimum setbacks: none.
  - d. Maximum building height: 35 feet.
  - e. Maximum lot coverage: regulated by building envelope.
- iii. Open Space.
  - a. Some forms of improvements may be consistent with the function of open space as they relate to recreation and wildlife management.
- iv. Trails - Use Restrictions.
  - a. Access to and use of certain segments of hiking and skiing trails may be restricted during specific seasons for wildlife management purposes. These seasonal use restriction are to be defined by the Cordillera Habitat Enhancement for Wildlife Committee and enforced by the Homeowners Association.

The properties in the Territories, Planning Parcels Q and Q1 are exempt from installing fire suppression systems.

#### **Section 3.19.4 Density and Land Use Classification.**

- i. Planning Parcel Q: Land use and dwelling unit density are based on the following chart:

Dwelling Units:	Single family Residential	17
Caretaker Units:		17
Employee Units:		1
- ii. Planning Parcel Q1: Land use and dwelling unit density are based on the following chart:

Dwelling Units:	Single Family Residential	1
Caretaker Units:		1
- iii. Planning Parcel Q2: Land use and dwelling unit density are based on the following chart:

Dwelling Units:	Single Family Residential	1
Caretaker Units:		1

**Section 3.20 Mountain Tract, Planning Parcel R, Cordillera Subdivision.**

**Section 3.20.1 Intent.** The intent of Planning Parcel R is to place a small cluster of large lots out of the areas of wildlife concerns. Building envelopes have been individually chosen to minimize disturbance of the existing natural character of the land.

**Section 3.20.2 Permitted Uses.** The following uses shall be permitted in Planning Parcel R:

1. Single-family residential.
2. Open space (including wildlife management and habitat enhancement activities).
3. Trails.
4. Accessory Buildings and Uses.
5. Utility distribution lines and facilities.
6. Parks and recreational uses.

**Section 3.20.3 Development Standards.** Development within Planning Parcel R shall be constructed in accordance with the following standards, and shall be subject to the terms and conditions of The Mountain Tract Wildlife Mitigation and Enhancement Plan, as recorded at Reception Number 697723 in the Office of the Clerk and Recorder for Eagle County, Colorado (and as may be amended from time to time):

- i. Residential
  - a. Minimum lot area: 35 acres.
  - b. Minimum lot width: 75 feet.
  - c. Minimum setbacks: Structural placement shall be restricted by building envelopes specifically identified for each lot to minimize impacts. Building envelopes must contain all structures and vegetative disturbance, including that required for wildfire protection and mitigation except as otherwise approved by the Colorado Division of Wildlife and the Cordillera Design Review Board, but excluding ISDS, driveways, and utilities. Grading required outside the building envelope for foundation construction will be revegetated with native materials; however, in no case shall any residential construction grading disturbance be allowed within a wildlife corridor.
    - (1) Maximum building envelope size: Lot 1: 22,500 square feet.  
Lot 2: 43,560 square feet.  
Building envelopes shall not encroach into designated wildlife movement corridors as defined in the Preliminary Plan for the Mountain Tract.
    - (2) Total footprint of all structures shall not exceed 10,000 square feet.
    - (3) Neither lot nor building envelope perimeters shall be fenced, nor shall any fencing be allowed in designated Wildlife Movement Corridors. Privacy fencing and fertilized and/or irrigated landscaping shall be fully contained within the building envelope and restricted to a 5,000 square foot area adjacent to the residence.
  - d. Maximum building height: 35 feet.
  - e. Maximum lot coverage: regulated by building envelope.
- ii. Open Space.

- a. Some forms of improvements may be consistent with the function of open space as they relate to recreation and wildlife management.
- b. There shall be no manipulation of vegetation within designated Wildlife Movement Corridors, as defined in the Preliminary Plan except as required as part of a valid winter range enhancement program, as authorized to reduce wildfire potential, as might be associated with stock pond enhancement, or as part of a community trail system, or as may be required to revegetate areas disturbed by the construction of roads and related utilities.

- iii. Trails - Use Restrictions.
  - a. Access to and use of certain segments of hiking and skiing trails may be restricted during specific seasons for wildlife management purposes. These seasonal use restriction are to be defined by the Cordillera Habitat Enhancement for Wildlife Committee and enforced by the Homeowners Association.
  - b. Other seasonal use restrictions are defined by The Mountain Tract Wildlife Mitigation and Enhancement Plan and the Cordillera Habitat Enhancement for Wildlife Committee and are enforced by the Homeowners Association.

**Section 3.20.4 Density and Land Use Classification.**

- i. Land use and dwelling unit density are based on the following chart:

Dwelling Units	Single Family Residential	2
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**Section 3.21 Mountain Tract, Planning Parcel S, Cordillera Subdivision.**

**Section 3.21.1 Intent.** The intent of Planning Parcel S is to create a small neighborhood of sixteen homesites located along the treeline of the parcel and thereby concentrate any development away from ridgelines and sensitive wildlife areas.

**Section 3.21.2 Permitted Uses.** The following uses shall be permitted on Planning Parcel S:

1. Single-family residential.
2. Open space (including wildlife management and habitat enhancement activities).
3. Trails.
4. Accessory Buildings and Uses.
5. Utility distribution lines and facilities.
6. Parks and recreational uses.
7. Recreational hut or other similar type of structure.

**Section 3.21.3 Development Standards.** Development within Planning Parcel S shall be constructed in accordance with the following standards and shall be subject to the terms and conditions of The Mountain Tract Wildlife Mitigation and Enhancement Plan, as recorded at Reception Number 697723 in the Office of the Clerk and Recorder for Eagle County, Colorado (and as may be amended from time to time)

- i. Residential.
  - a. Minimum lot area: 2 acres.

- b. Minimum lot width: 75 feet.
- c. Minimum setbacks: Structural placement shall be restricted by building envelopes specifically identified for each lot to minimize impacts. Building envelopes must contain all structures and vegetative disturbance, including that required for wildfire protection and mitigation except as otherwise approved by the Colorado Division of Wildlife and the Cordillera Design Review Board, but excluding ISDS, driveways, and utilities. Grading required outside the building envelope for foundation construction will be revegetated with native materials; however, in no case shall any residential construction grading disturbance be allowed within a wildlife corridor.
- d. Maximum building envelope size: 22,500 square feet. Building envelopes shall not encroach into designated wildlife movement corridors as defined in the Preliminary Plan for the Mountain Tract.
- e. Total footprint of all structures shall not exceed 10,000 square feet.
- f. Neither lot nor building envelope perimeters shall be fenced, nor shall any fencing be allowed in designated Wildlife Movement Corridors. Privacy fencing and fertilized and/or irrigated landscaping shall be fully contained within the building envelope and restricted to a 5,000 square foot area adjacent to the residence.
- g. Maximum building height: 35 feet.
- h. Maximum lot coverage: regulated by building envelope.

ii. Open Space.

- a. Some forms of improvements may be consistent with the function of open space as they relate to recreation and wildlife management.
- b. Except as provided for Planning Parcel W, there shall be no manipulation of vegetation within designated Wildlife Movement Corridors as defined in the Preliminary Plan except as required as part of a valid winter range enhancement program, as authorized to reduce wildfire potential, as might be associated with stock pond enhancement, as part of a community trail system, or as may be required to revegetate areas disturbed by the construction of roads and related utilities.

iii. Trails - Use Restrictions.

- a. Access to and use of certain segments of hiking and skiing trails may be restricted during specific seasons for wildlife management purposes. These seasonal use restriction are to be defined by the Cordillera Habitat Enhancement for Wildlife Committee and enforced by the Homeowners Association.
- b. Other seasonal use restrictions are to be defined by The Mountain Tract Wildlife Mitigation and Enhancement Plan and the Cordillera Habitat Enhancement for Wildlife Committee and are enforced by the Homeowners Association. Seasonal use restrictions may vary from lot to lot within this Planning Parcel.

**Section 3.21.4 Density and Land Use Classification.**

i. Land use and dwelling unit density are based on the following chart:

Dwelling Units	Single Family Residential	16
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## **Section 3.22 Mountain Tract, Planning Parcel T, Cordillera Subdivision.**

**Section 3.22.1 Intent.** The intent of Planning Parcel T is to create several small neighborhoods that shall cluster homes in areas along treelines and away from ridgelines and sensitive wildlife areas.

**Section 3.22.2 Permitted Uses.** The following uses shall be permitted on Planning Parcel T:

1. Single-family residential.
2. Open space (including wildlife management and habitat enhancement activities).
3. Trails.
4. Accessory Buildings and Uses.
5. Utility and irrigation distribution lines and facilities.
6. Parks and recreational uses.
7. Recreational hut or other similar type of structure.

**Section 3.22.3 Development Standards.** Development within Planning Parcel T shall be constructed in accordance with the following standards and shall be subject to the terms and conditions of The Mountain Tract Wildlife Mitigation and Enhancement Plan, as recorded at Reception Number 697723 in the Office of the Clerk and Recorder for Eagle County, Colorado (and as may be amended from time to time):

- i. Residential
  - a. Minimum lot area: 2 acres.
  - b. Minimum lot width: 75 feet.
  - c. Minimum setbacks: Structural placement shall be restricted by building envelopes specifically identified for each lot to minimize impacts. Building envelopes must contain all structures and vegetative disturbance, including that required for wildfire protection and mitigation except as otherwise approved by the Colorado Division of Wildlife and the Cordillera Design Review Board, but excluding ISDS, driveways, and utilities. Grading required outside the building envelope for foundation construction will be revegetated with native materials; however, in no case shall any residential construction grading disturbance be allowed within a wildlife corridor.
    - (1) Maximum building envelope size: 22,500 square feet. Building envelopes shall not encroach into designated wildlife movement corridors as defined in the Preliminary Plan for the Mountain Tract.
    - (2) Total footprint of all structures shall not exceed 10,000 square feet.
    - (3) Neither lot nor building envelope perimeters shall be fenced, nor shall any fencing be allowed in designated Wildlife Movement Corridors. Privacy fencing and fertilized and/or irrigated landscaping shall be fully contained within the building envelope and restricted to a 5,000 square foot area adjacent to the residence.
  - d. Maximum building height: 35 feet.
  - e. Maximum lot coverage: regulated by building envelope.
- ii. Open Space.

- a. Some forms of improvements may be consistent with the function of open space as they relate to recreation and wildlife management.
- b. Except as provided for Planning Parcel W, there shall be no manipulation of vegetation within designated Wildlife Movement Corridors as defined in the Preliminary Plan except as required as part of a valid winter range enhancement program, as authorized to reduce wildfire potential, as might be associated with stock pond enhancement, as part of a community trail system, or as may be required to revegetate areas disturbed by the construction of roads and related utility easements.

- iii. Trails - Use Restrictions.
  - a. Access to and use of certain segments of hiking and skiing trails may be restricted during specific seasons for wildlife management purposes.
  - b. Other seasonal use restrictions are to be defined by The Mountain Tract Wildlife Mitigation and Enhancement Plan and the Cordillera Habitat Enhancement for Wildlife Committee and are enforced by the Homeowners Association. Seasonal use restrictions may vary from lot to lot within this Planning Parcel.

**Section 3.22.4 Density and Land Use Classification.**

- i. Land use and dwelling unit density are based on the following chart:

Dwelling Units	Single Family Residential	44
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**Section 3.23 Mountain Tract, Planning Parcel U, Cordillera Subdivision.**

**Section 3.23.1 Intent.** The intent of Planning Parcel U is to concentrate most of the densities on the Mountain Tract in this parcel. There shall be one small cluster of homes near the entrance to the parcel which shall act as a gateway to the large single family homesite and large tracts of open space. The development pod was placed outside of sensitive wildlife areas, away from ridgelines, and arranged to create more open space.

**Section 3.23.2 Permitted Uses.** The following uses shall be permitted on Planning Parcel U:

1. Single-family residential.
2. Open space (including wildlife management and habitat enhancement activities).
3. Trails.
4. Accessory Buildings and Uses.
5. Utility and irrigation distribution lines and facilities.
6. Parks and recreational uses.
7. Recreational hut or other similar type of structure.

**Section 3.23.3 Development Standards.** Development within Planning Parcel U shall be constructed in accordance with the following standards and shall be subject to the terms and conditions of The Mountain Tract Wildlife Mitigation and Enhancement Plan, as recorded at Reception Number 697723 in the Office of the Clerk and Recorder for Eagle County, Colorado (and as may be amended from time to time):

- i. Residential.
  - a. Minimum lot area: 2 acres.
  - b. Minimum lot width: 75 feet.
  - c. Minimum setbacks: Structural placement shall be restricted by building envelopes specifically identified for each lot to minimize impacts. Building envelopes must contain all structures and vegetative disturbance, including that required for wildfire protection and mitigation except as otherwise approved by the Colorado Division of Wildlife and the Cordillera Design Review Board, but excluding ISDS, driveways, and utilities. Grading required outside the building envelope for foundation construction will be revegetated with native materials; however, in no case shall any residential construction grading disturbance be allowed within a wildlife corridor.
    - (1) Maximum building envelope size: 22,500 square feet. Building envelopes shall not encroach into designated wildlife movement corridors as defined in the Preliminary Plan for the Mountain Tract.
    - (2) Total footprint of all structures shall not exceed 10,000 square feet.
    - (3) Neither lot nor building envelope perimeters shall be fenced, nor shall any fencing be allowed in designated Wildlife Movement Corridors. Privacy fencing and fertilized and/or irrigated landscaping shall be fully contained within the building envelope and restricted to a 5,000 square foot area adjacent to the residence.
  - d. Maximum building height: 35 feet.
  - e. Maximum lot coverage: regulated by building envelope.
- ii. Open Space.
  - a. Some forms of improvements may be consistent with the function of open space as they relate to recreation and wildlife management.
  - b. Except as provided for Planning Parcel W, there shall be no manipulation of vegetation within designated Wildlife Movement Corridors as defined in the Preliminary Plan except as required as part of a valid winter range enhancement program, as authorized to reduce wildfire potential, as might be associated with stock pond enhancement, as part of a community trail system, or as may be required to revegetate areas disturbed by the construction of roads and related utility easements.
- iii. Trails - Use Restrictions.
  - a. Access to and use of certain segments of hiking and skiing trails may be restricted during specific seasons for wildlife management purposes. These seasonal use restriction are to be defined by the Cordillera Habitat Enhancement for Wildlife Committee and enforced by the Homeowners Association.
  - b. Other seasonal use restrictions are to be defined by The Mountain Tract Wildlife Mitigation and Enhancement Plan and the Cordillera Habitat Enhancement for Wildlife Committee and are enforced by the Homeowners Association. Seasonal use restrictions may vary from lot to lot within this Planning Parcel.

#### **Section 3.23.4 Density and Land Use Classification.**

i. Land use and dwelling unit density are based on the following chart:

Dwelling Units	Single Family Residential	59
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**Section 3.24 Mountain Tract, Planning Parcel U-1, Cordillera Subdivision.**

**Section 3.24.1 Intent.** The intent of Planning Parcel U-1 is to clearly delineate and provide independent guidelines / standards for one small cluster of single-family homes located in the northwesterly tip of Planning Parcel U. This single-family residential development “pod” is placed outside of critical and sensitive wildlife corridors and habitat enhancement areas and away from ridgelines.

**Section 3.24.2 Permitted Uses.** The following uses shall be permitted on Planning Parcel U-1:

1. Single-family residential.
2. Open space (including wildlife management and habitat enhancement activities).
3. Trails.
4. Accessory buildings and Uses.
5. Utility and irrigation distribution lines and facilities.
6. Parks and recreational uses.

**Section 3.24.3 Development Standards.** Development within Planning Parcel U-1 shall be constructed in accordance with the following standards and shall be subject to the terms and conditions of The Mountain Tract Wildlife Mitigation and Enhancement Plan, as recorded at Reception Number 697723 in the Office of the Clerk and Recorder for Eagle County, Colorado, and any amendments thereto, as they may apply to Planning Parcel U-1:

i. Residential.

- a. Minimum lot area: 0.50 acres.
- b. Minimum lot width: 25 feet.
- c. Minimum setbacks: Structural placement shall be restricted by building envelopes specifically identified for each lot to minimize impacts. Building envelopes must contain all structures and vegetative disturbance, including that required for wildfire protection and mitigation except as otherwise approved by the Colorado Division of Wildlife and the Cordillera Design Review Board, but excluding driveways, and utilities. Grading required outside the building envelope for foundation construction will be revegetated with native materials; however, in no case shall any residential construction grading disturbance be allowed within a wildlife corridor.
  - (1) Maximum building envelope size: 22,000 square feet. Building envelopes shall not encroach into designated wildlife movement corridors as defined in the Preliminary Plan for The Mountain Tract.
  - (2) Total footprint of all structures shall not exceed 5,000 square feet.
  - (3) Neither lot nor building envelope perimeters shall be fenced, nor shall any fencing be allowed in designated Wildlife Movement Corridors. Privacy fencing and fertilized and/or irrigated landscaping shall be fully contained

- within the building envelope and restricted to a 5,000 square foot area adjacent to the residence.
- d. Maximum building height: 35 feet.
- e. Maximum lot coverage: regulated by building envelope.
- ii. Open Space.
  - a. Some forms of improvements may be consistent with the function of open space as they relate to recreation and wildlife management.
  - b. Except as provided for Planning Parcel W, there shall be no manipulation of vegetation within designated Wildlife Movement Corridors as defined in the Preliminary Plan except as required as part of a valid winter range enhancement program, as authorized to reduce wildfire potential, as part of a community trail system, or as may be required to revegetate areas disturbed by the construction of roads and related utility easements.
- iii. Trails – Use Restrictions
  - a. Access to and use of certain segments of hiking and skiing trails may be restricted during specific seasons for wildlife management purposes. These seasonal use restrictions are to be defined by the Cordillera Habitat Enhancement for Wildlife Committee and enforced by the Homeowners Association.
  - b. Other seasonal use restrictions are to be defined by The Mountain Tract Wildlife Mitigation and Enhancement Plan and the Cordillera Habitat Enhancement for Wildlife Committee and are enforced by the Homeowners Association. Seasonal use restrictions may vary from lot to lot within this Planning Parcel.

**Section 3.24.4 Density and Land Use Classification.**

- i. Land use and dwelling unit density are based on the following chart:

Dwelling Units	Single Family Residential	40
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**Section 3.25 Mountain Tract, Planning Parcel V, Cordillera Subdivision.**

**Section 3.25.1 Intent.** The intent of Planning Parcel V is to create a large single family lot on a topographical bench adjacent to the Bearden Parcel. The development pod was placed outside of sensitive wildlife areas, away from ridgelines, and arranged to create more open space. The lot is to be laid out with a 4 acre maximum building envelope that will cluster the individual building and structures. The remaining acres are to be kept primarily as open space.

**Section 3.25.2 Permitted Uses.** The following uses shall be permitted on Planning Parcel V:

1. Single-family residential.
2. Open space (including wildlife management and habitat enhancement activities).
3. Trails.
4. Accessory Buildings and Uses.
5. Utility distribution lines and facilities.
6. Parks and recreational uses.
7. Recreational hut or other similar type of structure.

8. One caretaker unit with up to 1,800 square feet of habitable area.

**Section 3.25.3 Development Standards.** Development within Planning Parcel V shall be constructed in accordance with the following standards and shall be subject to the terms and conditions of The Mountain Tract Wildlife Mitigation and Enhancement Plan, as recorded at Reception Number 697723 in the Office of the Clerk and Recorder for Eagle County, Colorado (and as may be amended from time to time):

- i. Residential
  - a. Minimum lot area: 35 acres.
  - b. Minimum lot width: 75 feet.
  - c. Minimum setbacks: Structural placement shall be restricted by a building envelope specifically identified for the lot to minimize impacts. The building envelope must contain all structures and vegetative disturbance, including that required for wildfire protection and mitigation except as otherwise approved by the Colorado Division of Wildlife and the Cordillera Design Review Board, but excluding ISDS, driveways, and utilities. Grading required outside the building envelope for foundation construction will be revegetated with native materials; however, in no case shall any residential construction grading disturbance be allowed within a wildlife corridor.
    - (1) Maximum building envelope size: 174,240 square feet. Building envelopes shall not encroach into designated wildlife movement corridors as defined in the Preliminary Plan for the Mountain Tract.
    - (2) Neither lot nor building envelope perimeter shall be fenced, nor shall any fencing be allowed in designated Wildlife Movement Corridors. Privacy fencing and fertilized and/or irrigated landscaping shall be fully contained within the building envelope and restricted to a 5,000 square foot area adjacent to the residence.
  - d. Maximum building height: 35 feet.
  - e. Maximum lot coverage: regulated by building envelope.
- ii. Open Space.
  - a. Some forms of improvements may be consistent with the function of open space as they relate to recreation and wildlife management.
  - b. There shall be no manipulation of vegetation within designated Wildlife Movement Corridors as defined in the Preliminary Plan except as required as part of a valid winter range enhancement program, as authorized to reduce wildfire potential, as might be associated with stock pond enhancement, as part of a community trail system, or as may be required to revegetate areas disturbed by the construction of roads and related utility easements.
- iii. Trails - Use Restrictions.
  - a. Access to and use of certain segments of hiking and skiing trails may be restricted during specific seasons for wildlife management purposes.
  - b. Other seasonal use restrictions are to be defined by The Mountain Tract Wildlife Mitigation and Enhancement Plan and the Cordillera Habitat Enhancement for Wildlife Committee and are enforced by the Homeowners Association.

iv. Horses – Use Restrictions.

a. Horses are permitted and subject to the same terms and use restrictions as listed in The Territories at Cordillera Development Guide, Section 1.07. viii. Horses, as Recorded at Book 736 and Page 931 in the office of the Eagle County Clerk and Recorder and as amended from time to time.

**Section 3.25.4 Density and Land Use Classification.**

i. Land use and dwelling unit density are based on the following chart:

Dwelling Units	Single Family Residential	1
	Caretaker Unit	1

**Section 3.26 Mountain Tract, Planning Parcel W, Cordillera Subdivision.**

**Section 3.26.1 Intent.** The intent of Planning Parcel W is to create a planning parcel, which depicts the boundaries of the golf course development and related facilities. Parts of Planning Parcel W may function as an overlay to parts of Planning Parcels S, T, and U within the Mountain Tract; and is subject to seasonal and other use restrictions as set forth in The Mountain Tract Wildlife Mitigation and Enhancement Plan and its Amendment, specific to the golf course recorded at Reception No. 704765 in the Office of the Clerk and Recorder for Eagle County, Colorado.

**Section 3.26.2 Permitted Uses.** The following uses shall be permitted on Planning Parcel W:

1. Open Space (including wildlife management and habitat enhancement activities).
2. Trails.
3. Accessory Building and Uses.
4. Utility and irrigation distribution lines, facilities (including pumphouses), and water storage.
5. Golf Course construction and operation.
6. 2 Golf Course comfort stations.
7. Golf Course “Halfway House”.
8. Golf Course Clubhouse Facility to include Clubhouse, Pro Shop, Cart Barn.
9. Golf Course Maintenance Facility.
10. Golf Course Range Building.
11. Employee housing.

**Section 3.26.3 Development Standards.** Development within Planning Parcel W shall be constructed in accordance with the following standards and shall be subject to the terms and conditions of The Mountain Tract Wildlife Mitigation and Enhancement Plan, as recorded at Reception Number 697723 in the Office of the Clerk and Recorder for Eagle County, Colorado and its Amendment specific to the golf course recorded at Reception No. 704765 in the Office of the Clerk and Recorder for Eagle County, Colorado.

i. Open Space

a. Some forms of improvements may be consistent with the function of open space as they relate to recreation and wildlife management.

ii. Clubhouse Facility: The Clubhouse Facility is not intended to be a full-service restaurant facility similar to the Timber Hearth or Chaparral. It is intended to mimic an old ranch homestead with the Clubhouse representing the ranch home, the Pro Shop representing the bunkhouse and the Cart Barn representing the ranch barn. The Clubhouse is expected to serve the member / guest during the golf season. During other times of the year the facility is planned to be used as a community building for special events (e.g., weddings, private gatherings, retreats, etc.).

- a. Clubhouse: Maximum habitable square footage: 8,000 square feet to include:
  - (1) Locker rooms.
  - (2) Restrooms.
  - (3) Kitchen.
  - (4) Food and beverage area limited to 30 seats
  - (5) Member / Guest lounge.
  - (6) Employee offices and employee locker room.
- b. Pro Shop: Maximum habitable square footage: 2,800 square feet to include:
  - (1) Retail space / storage.
  - (2) Restrooms.
  - (3) Employee offices.
- c. Cart Barn
  - (1) Maximum non-habitable square footage: 3,200 square feet to include:
    - (a) Cart storage.
    - (b) Staging area.
  - (2) Maximum habitable square footage: 600 square feet
    - (a) Employee offices and employee locker room.
- d. Parking
  - (1) Minimum number of parking spaces: 70
  - (2) Maximum number of parking spaces: 90 unless otherwise required by Eagle County
- e. Maximum building height: 35 feet
- f. Maximum lot size: 10 acres
  - (1) Location: The Clubhouse Facility, including the clubhouse, pro shop and cart barn shall be located in Planning Parcel U adjacent to the Green on Hole Number 18.

iii. Maintenance Facility: The maintenance facility is expected to be very similar in design to that of the maintenance facility at the Cordillera Valley Club, and will include either a dormitory-styled structure or two two-bedroom units located above the facility's office for employee housing.

- a. Maximum habitable square footage: 4,500 square feet to include:
  - (1) Employee locker rooms
  - (2) Storage
  - (3) Restrooms
  - (4) Employee Offices
  - (5) Employee Housing to include:
    - (a) Up to 5 bedrooms.
    - (b) Living / Dining area.
    - (c) Kitchen.

- (d) Bathrooms.
- b. Maximum non-habitable square footage: 5,000 square feet to include:
  - (1) Mechanics room (heated).
  - (2) Equipment storage.
- c. Enclosed facilities to include:
  - (1) Fuel storage.
  - (2) Fertilizer storage.
  - (3) Seed mix storage.
  - (4) Hand equipment storage.
- d. Parking
  - (1) Minimum number of parking spaces: 15
  - (2) Maximum number of parking spaces: 30 unless otherwise required by Eagle County
- e. Maximum building height: 35 feet
- f. Maximum lot size: 10 acres
  - (1) Landscape Area: Maximum irrigated lawn area: 5,000 square feet.
  - (2) Location: The Maintenance Facility shall be located in Planning Parcel W adjacent to Settlers Park and Settlers Woods (Filing No. 26 and Filing No. 27) on the south side with access served by Summit Trail.

iv. Halfway House: The Halfway House is an open air structure with a wood framed roof. It will have a bathroom facility on one side and a grill on the other and is rectangular in shape. In the middle will be a picnic table or two. The purpose of the structure is to provide food and beverage refreshments at the turning point, and will be in operation only during golf play.

- a. Maximum structure footprint: 40 feet by 50 feet, to include:
  - (1) Restrooms.
  - (2) Cooking grill and open kitchen.
  - (3) Open-air seating.
- b. Location: In Planning Parcel W adjacent to the Green on Hole number 9 at the base of Webb Peak.

v. Range Building: The Range Building houses the sweep machine (approximately the size of a golf cart) that retrieves golf balls from the driving range.

- a. Maximum structure footprint: 24 feet by 40 feet to include:
  - (1) Restrooms.
  - (2) Equipment Storage.
- b. Location: In Planning Parcel W adjacent to the Driving Range Tee Boxes next to the proposed pond.

vi. Comfort Stations (2)

- a. Maximum structure footprint: 15 feet by 20 feet to include:
  - (1) Restrooms.
  - (2) Rain shelter.
- b. Location: Both shall be in Planning Parcel W, one (1) near the green on Hole 4 or 5; one (1) near the green on Hole 13 or 14.

- vii. Pumphouse(s) for Golf Course Irrigation Only: One non-habitable pumphouse is planned for the golf course; however, a smaller non-habitable booster pump building may be required elsewhere on the course.
  - a. Maximum structure footprint: 30 feet by 50 feet
  - b. Location: The main pumphouse shall be located in Planning Parcel W adjacent to the pond. The location of the booster pump, if any, is open.
- viii. Trails - Use Restrictions
  - 1. Access to and use of certain segments of hiking and skiing trails may be restricted during specific seasons for wildlife management purposes.
  - 2. Other seasonal use restrictions are defined by The Mountain Tract Wildlife Mitigation and Enhancement Plan and its Amendment specific to the golf course recorded at Reception No. 704765 in the Office of the Clerk and Recorder for Eagle County, Colorado, and the Cordillera Habitat Enhancement for Wildlife Committee and are enforced by the Homeowners Association.

**Section 3.26.4 Density and Land Use Classification.**

- i. Land use and dwelling unit density are based on the following chart:

Land Use:	Golf Course and related structures; employee housing
Dwelling Units:	Housing for up to 8 employees

**Section 4      Supplementary Regulations.** The Supplementary Regulations contained herein are applicable to all Filings and Planning Parcels within the Cordillera Subdivision unless otherwise specified.

**Section 4.01   Purpose.** The purpose of this section "Supplementary Regulations," is to present special provisions which apply to specific uses which will govern their operation and management in so far as they affect land use.

**Section 4.02   Equestrian Facilities.** There are two areas approved for equestrian facilities. One within Planning Parcel E (Chaveno) and one within Planning Parcel J of the Western Parcel. These two equestrian facilities are designed to serve slightly different functions.

- i. The Chaveno equestrian facility is the primary focus of this residential neighborhood. This equestrian facility is planned to be a professionally managed and operated facility.
  - a. This facility has been designed to accommodate a maximum of 28 horses. Within the large common pasture area will be a stable with individual paddocks. Horses will be boarded within the stables and turned out into the pasture area for exercise. The common pasture is not intended to provide grazing. Horses will not be boarded on individual lots. However, lot owners will be permitted to provide facilities for the temporary containment and care of horses. These temporary care facilities are called "saddle-up" areas and are limited to 1,000 sq.ft. of corral space. They may contain additional accessory buildings for the care and protection of the horse. These saddle-up areas may not be located within any designated wildlife movement corridors. The intent of the saddle-up area is

to allow the owner easy and convenient access to the horse for a day's ride. The horse will be brought up from the stables by the equestrian staff to the individual's saddle-up area upon request. Once the owners' ride is over, the horse will be returned to the common stables for care. Horses will be prohibited from spending more than 3 consecutive days within an individual's saddle-up area.

- ii. These operational restrictions are intended to minimize environmental damage to individual lots typically caused by horses and to ensure compatibility of equestrian and residential uses.
- iii. Parcel J Equestrian Facility, as with the Chaveno equestrian facility, will be professionally managed and operated. Any property owner within Cordillera may board their horse at this facility. It has been designed to accommodate a maximum of 40 horses. The stables and individual paddocks will be contained within the common pasture area. The pasture area is designed for exercise, training, and events. Saddle up areas consistent with the above Chaveno restrictions shall be permitted in Planning Parcel J.
- iv. Equestrian Trails. Separate equestrian trails are not currently planned. Trails around both equestrian facilities have been designed to primarily accommodate horse use. Varying length loops, originating and returning to the equestrian facility will be provided. Certain areas adjacent to the equestrian facilities have been identified as seasonally sensitive wildlife habitat. As a result they will be closed to equestrian use during certain periods. These periods are typically in the winter and early spring months when demand for equestrian use is expected to be minimal.

**Section 4.03 Caretaker Unit Restrictions**. The total number of permitted caretaker units are:

Ranch Parcel and Bearden Parcel	16
Mountain Tract	20
Chaveno Parcel	6
Southern Parcel	4

- i. All lots described in Exhibit G are permitted Caretaker Units subject to the following Restrictions:
  - a. Caretaker Units within the Ranch Parcel, Bearden Parcel and Chaveno Parcel are subject to the following restrictions:
    - (1) Permitted only on lots greater than one half acre in size.
    - (2) Maximum floor area cannot exceed 25% of the total building floor area.
    - (3) Caretaker unit must be an integral part of the primary dwelling.
    - (4) Caretaker units are only permitted on lots approved in writing by the Cordillera Design Review Board.
    - (5) Caretaker units may not be sold separately from the main dwelling.
  - b. Caretaker Units within the Southern Parcel are subject to the following restrictions:

- (1) Permitted only on lots in Planning Parcels O-2, O-3, and O-4.
- (2) Maximum floor area cannot exceed 1,500 square feet of livable floor area.
- (3) Caretaker unit must be located within the building envelope but may be a separate structure.
- (4) Caretaker units may not be sold separately from the main dwelling.

c. Caretaker Units within The Mountain Tract are subject to the following restrictions:

- (1) Permitted only on lots in Planning Parcel Q, Q1, Q2 and V.
- (2) Maximum floor area cannot exceed 1,800 square feet of livable floor area.
- (3) Caretaker unit must be located within the building envelope but may be a separate structure.
- (4) Caretaker units may not be sold separately from the main dwelling.

**Section 4.04** Project Density. A density summary is set forth on Exhibit F attached hereto. Density shifts among the various Planning Parcels are permitted as Density Transfers, provided that the overall maximum permitted densities for the project are not exceeded.

**Section 4.05** Visual Mitigation.

- i. Northern Parcel.
  - a. Careful consideration has been given to the location and design of proposed development on the Northern Parcel due to the visual criteria imposed by the Board of County Commissioners. The intent has been to restrict development to the unseen portions of the Northern Parcel from I-70, and to minimize development activities, which will be visible.
  - b. Any development activities or disturbances of existing environment must occur under the following guidelines:
    - (1) Site development and construction shall minimize impact upon the existing natural landforms and drainage patterns.
    - (2) Vegetation at the edge of the development shelf will not be permanently disturbed except where necessary to mitigate visual impact.
    - (3) The overall building forms and massing should respond to natural landforms and massing of the site.
    - (4) Walls, fences and other screening elements shall be allowed.
    - (5) The exterior colors of buildings should take into account the natural colors found on the site in the soils, rocks and vegetation.
    - (6) The plant material adjacent to the shelf lip should utilize vegetation indigenous to the Rocky Mountain alpine and subalpine zones such as

Aspen, Douglas Fir, Spruce, Scrub Oak, Serviceberry, Chokecherry, Sage, etc.

ii. Village Center

- a. The Village Center has been designed with a goal to minimize Visual Impact for the I-70 corridor. The proposed Village Center development occurs below the existing Lodge. However, unlike the Northern Parcel, it is anticipated that some structures may be visible from I-70. The following guidelines will help to ensure that Visual Impacts are minimized.
  - (1) Site development and construction shall minimize impact upon the existing natural landforms and drainage patterns.
  - (2) The overall building forms and massing should respond to natural landforms and massing of the site.
  - (3) Walls, fences, and other screening elements shall be located within the building envelope.
  - (4) The exterior colors of buildings, walls, and horizontal pavement surfaces should take into account the natural colors found on the site in the soils, rocks, and vegetation.
  - (5) The plant materials outside of the building envelopes should utilize vegetation indigenous to the Rocky Mountain alpine and subalpine zones such as Aspen, Douglas Fir, Spruce, Scrub Oak, Serviceberry, Chokecherry, Sage, etc.
  - (6) Exterior lighting shall be used for purposes of identification and illumination in areas of pedestrian circulation and vehicular traffic. Light sources shall be concealed and unobtrusive.

iii. Western Parcel

- a. The Western Parcel is not visible outside of the Squaw Creek Basin and development activities on this parcel will not impact outside viewers. Development will be visible from the interior of the project and will be a concern for the internal integrity and appeal of the project. Development activities in these areas will be made compatible with the surrounding environments with the implementation of the following guidelines:
  - (1) Site development and construction shall minimize impact upon the existing natural landforms and drainage patterns.
  - (2) The overall building forms and massing should respond to natural landforms and massing of the site.

- (3) Walls, fences, and other screening elements shall be located within the building envelope.
- (4) The exterior colors of buildings, walls, and horizontal pavement surfaces should take into account the natural colors found on the site in the soils, rocks, and vegetation.
- (5) The plant materials outside of the building envelopes should utilize vegetation indigenous to the Rocky Mountain alpine and subalpine zones such as Aspen, Douglas Fir, Spruce, Scrub Oak, Serviceberry, Chokecherry, Sage, etc.
- (6) Exterior lighting shall be used for purposes of identification and illumination in areas of pedestrian circulation and vehicular traffic. Light sources shall be concealed and unobtrusive.

**Section 4.06 Home Occupations.**

- i. Permitted home occupations:
  - a. Offices, provided that they are an integral part of the residential structure and that adequate parking spaces are placed on the lot.
  - b. Retail sales of "one of a kind" products, such as artwork, quilts or furniture which are produced on the property.
  - c. No more than one employee, excluding resident owners is permitted.
  - d. All accessory buildings and accessory uses must be approved by the Cordillera Design Review Board. Accessory buildings and uses shall meet the definition as defined by the Eagle County Land Use Regulations.
  - e. Bed and Breakfast Home Occupation is specifically prohibited.
- ii. Home occupations within Planning Parcels Q (Territories), Q1 and Q2 are subject to the terms and conditions of the Territories at Cordillera Development Control Guide, August 1, 1997, as recorded in book 736 at page 931 in the Office of the Clerk and Recorder for Eagle County, Colorado.

**Section 4.07 Interim Uses - Phasing.**

- i. Intent: Upon approval of the Preliminary Plan the existing R zoning will be replaced with the uses specifically defined in the P.U.D. guide. The P.U.D. guide will authorize a variety of uses for future development phases. However, these ultimate uses may not occur for several years. During the initial course of development and throughout the phasing of the development, large areas of the project will remain undeveloped. As an interim use for these areas, which have not been developed into their ultimate developed use, activities and uses which are consistent with past agricultural activities, future

wildlife management activities, recreation, and preparation for approved development will be permitted. These uses are specifically defined below:

- a. Agricultural including ranch, garden, greenhouse, nursery, orchard, wood lot, fishery, and customary accessory uses including buildings for shelter or enclosure of animals or property primarily employed in any of the above uses.
- b. Forestry limited to extraction, felling and trimming trees, and removal of wood materials including primary wood processing.
- c. Sales of raw agricultural products.
- d. Reservoirs and dams engineered to contain 10-acre feet of water or less.
- e. Water diversion structures, ditches, and line structures engineered to convey 15 cubic feet or less of water per second.
- f. Green belt.
- g. Park.
- h. Wildlife management and habitat enhancement.
- i. Recreation.
- j. Utility facilities and lines.
- k. Roads.

ii. Termination of Interim Uses: The defined Interim Uses shall be terminated within 60 days of the date a final plat is recorded with the Eagle County Recorder for the platted parcel. The uses shall then be limited to those ultimate uses defined in the P.U.D. guide for that parcel.

**Section 4.08 Final Plat.** Final plats of homesites within the Cordillera Phase I approval shall include either a separate map of building envelopes, or the envelopes may be platted with the final plat. All final plats of homesites in other parts of Cordillera shall include the platting of building envelopes.

**Section 4.09 Maximum Irrigated Area.** Where there is a conflict between this Guide and the Cordillera Decreed Augmentation Plan regarding water usage for residential irrigation, the more restrictive controls shall govern the development of irrigated areas within Cordillera.

**Section 4.10 Employee Housing Requirement.** As of the date of this Guide any and all of Eagle County's employee housing requirements as they apply to Cordillera have been satisfied. Nothing in this Guide, including, without limitation, any Density Transfer or conversion of any Lodge Unit to a residential use shall be deemed to be an expansion of the Cordillera PUD or any densities contemplated therein requiring additional employee housing beyond that which has

already been satisfied. Further, nothing in this Guide shall be construed to impose any additional employee housing requirements.

**Section 4.11 Ridgeline Ordinance.** Based upon that certain Detailed Visual Analysis For the Proposed Addition to the Lodge at Cordillera, dated March 5, 2008, prepared by J&K, Inc. under J&K Project #TV07014, the 19 Lodge Units that remain to be constructed on the Lodge Parcel have been determined by Eagle County to be exempt from the requirements of the Ridgeline Protection Section (Section 4-450) of the Eagle County Land Use Regulations. This exemption shall continue to apply, but be limited to, the 19 remaining Lodge Units on the Lodge Parcel.

EXHIBIT A  
THE  
DIVIDE  

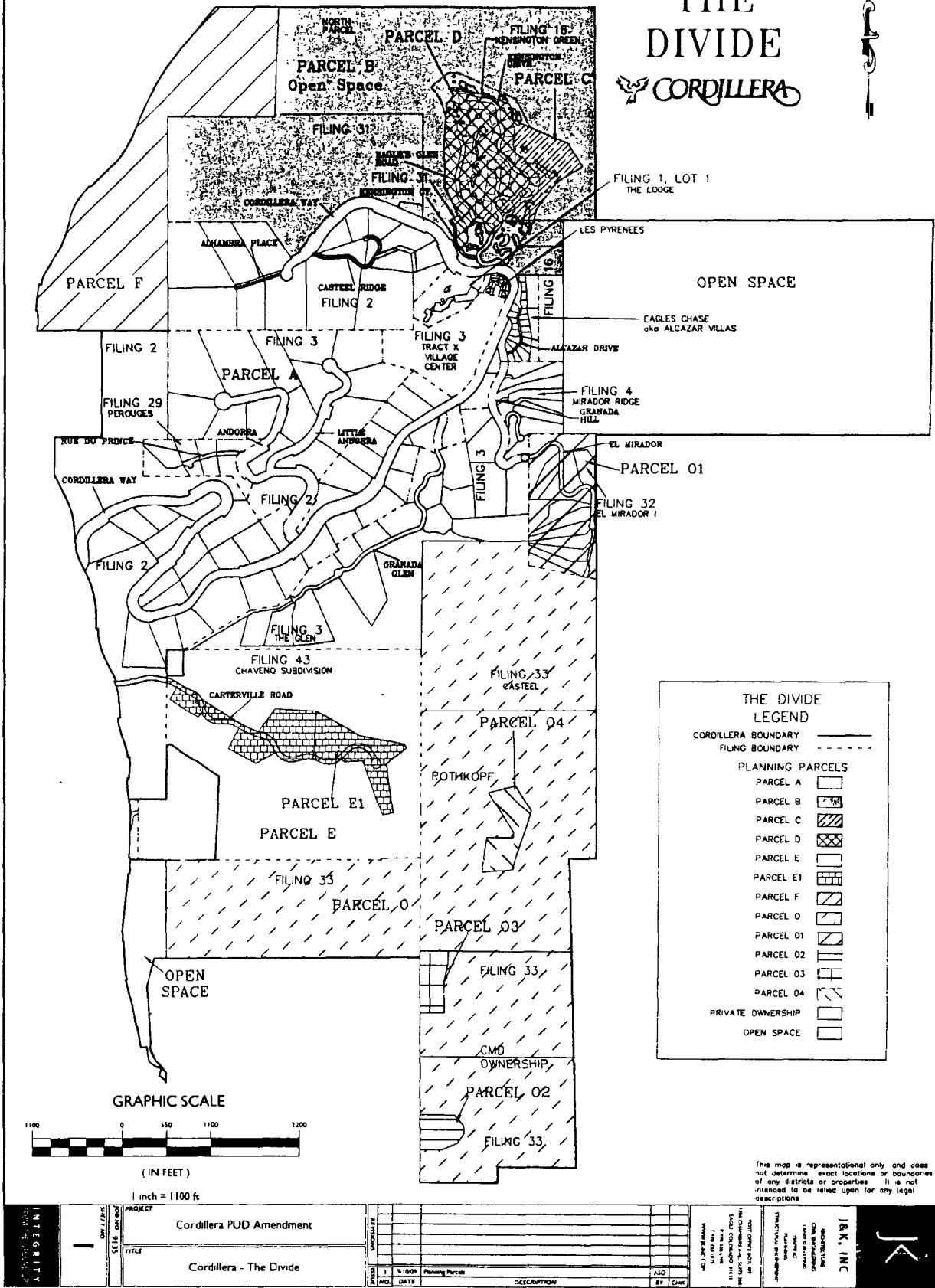
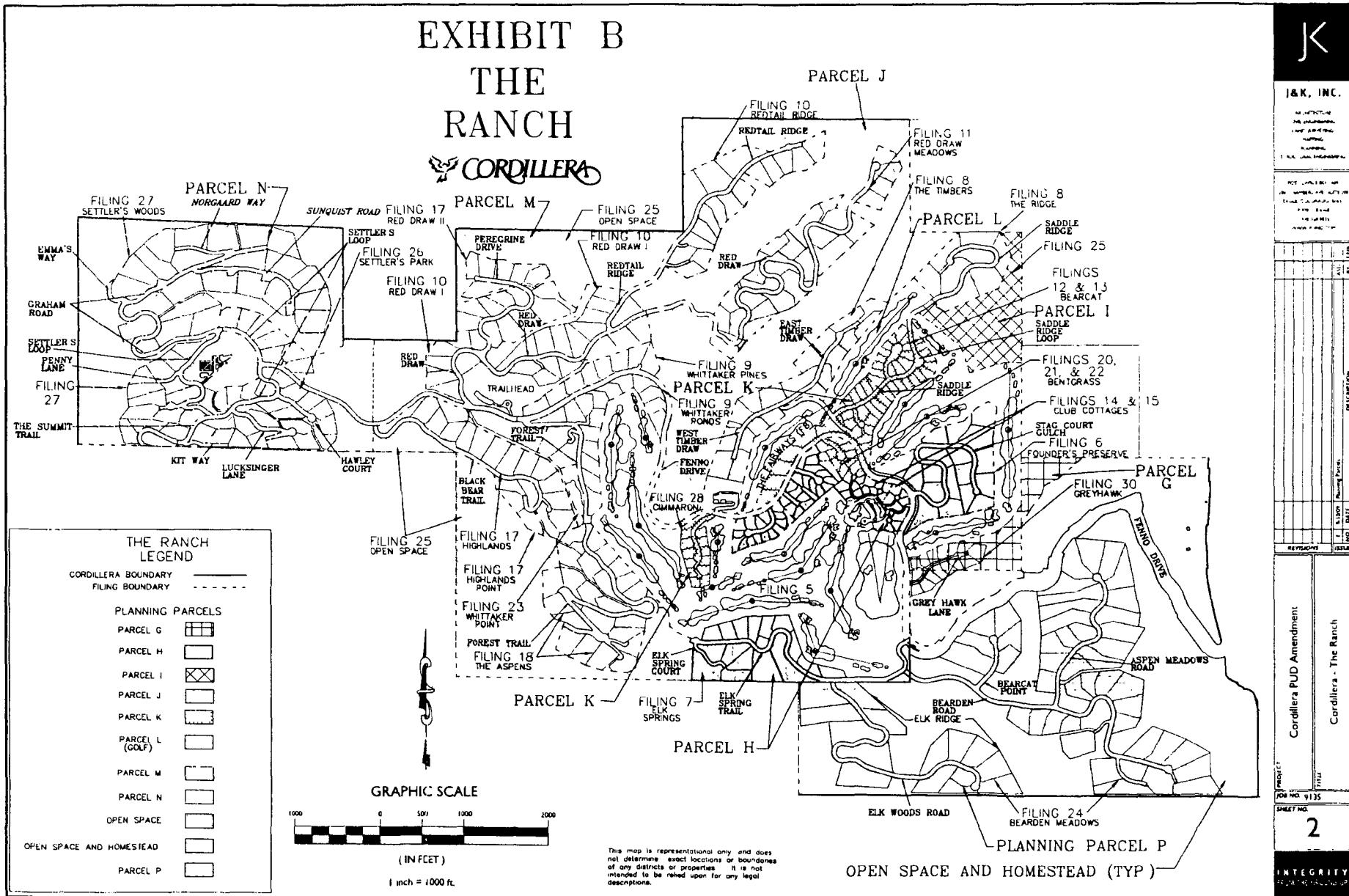



EXHIBIT B  
THE  
RANCH  
 CORDILLERA



## EXHIBIT C

# THE SUMMIT CORDILLERA

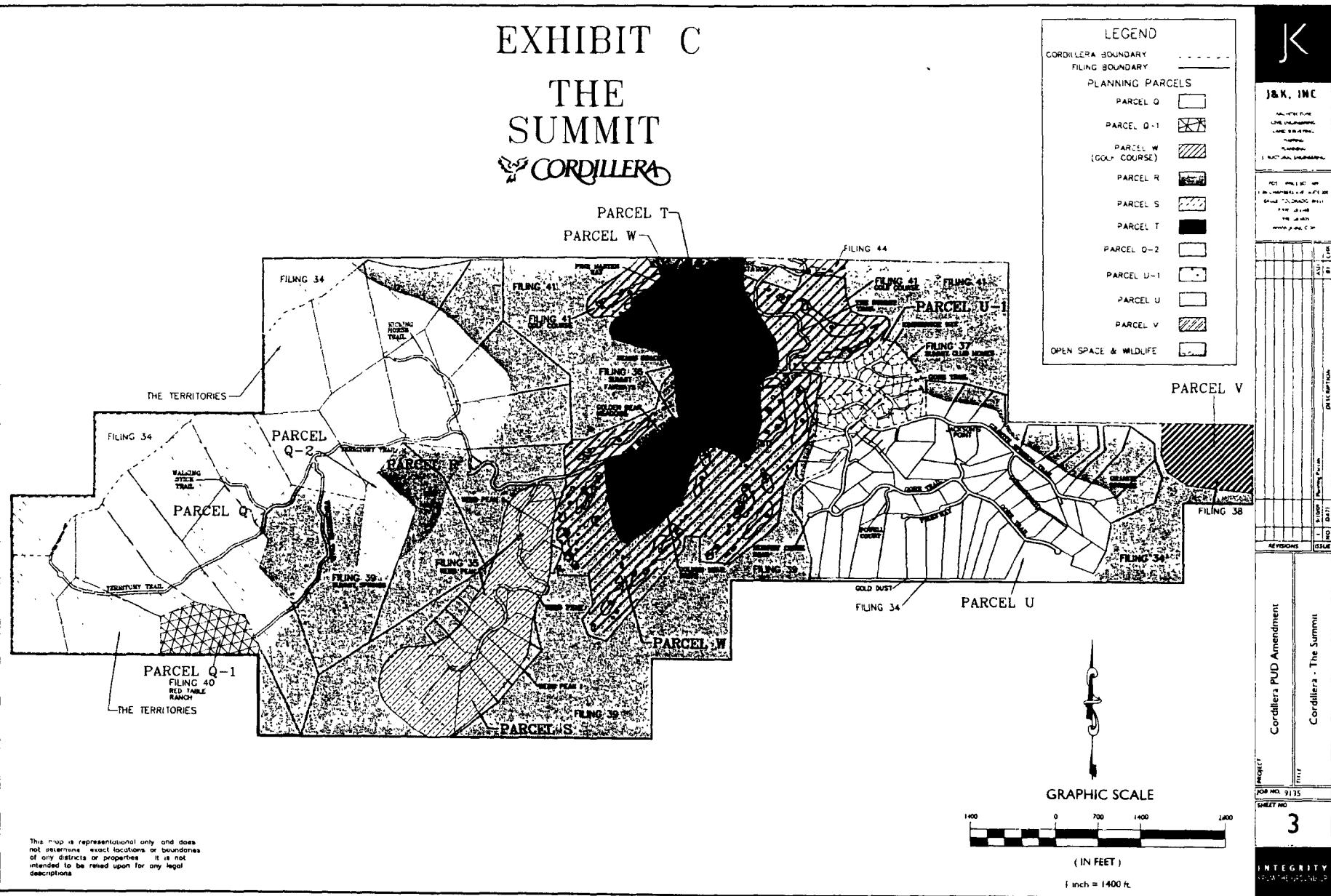
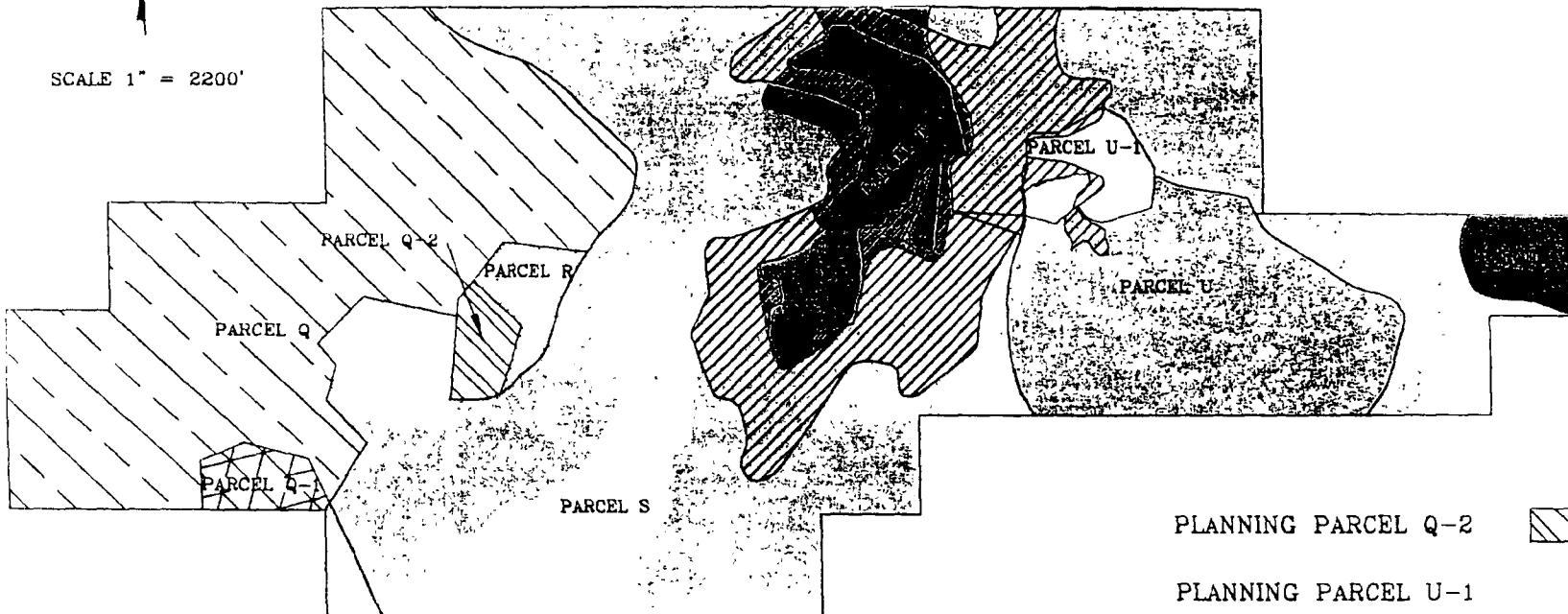


EXHIBIT D  
PLANNING PARCEL MAP  
THE MOUNTAIN TRACT  
@ CORDILLERA

SCALE 1" = 2200'



PLANNING PARCEL Q



PLANNING PARCEL R



PLANNING PARCEL U



PLANNING PARCEL Q-1



PLANNING PARCEL S



PLANNING PARCEL V



PLANNING PARCEL W

(GOLF COURSE)



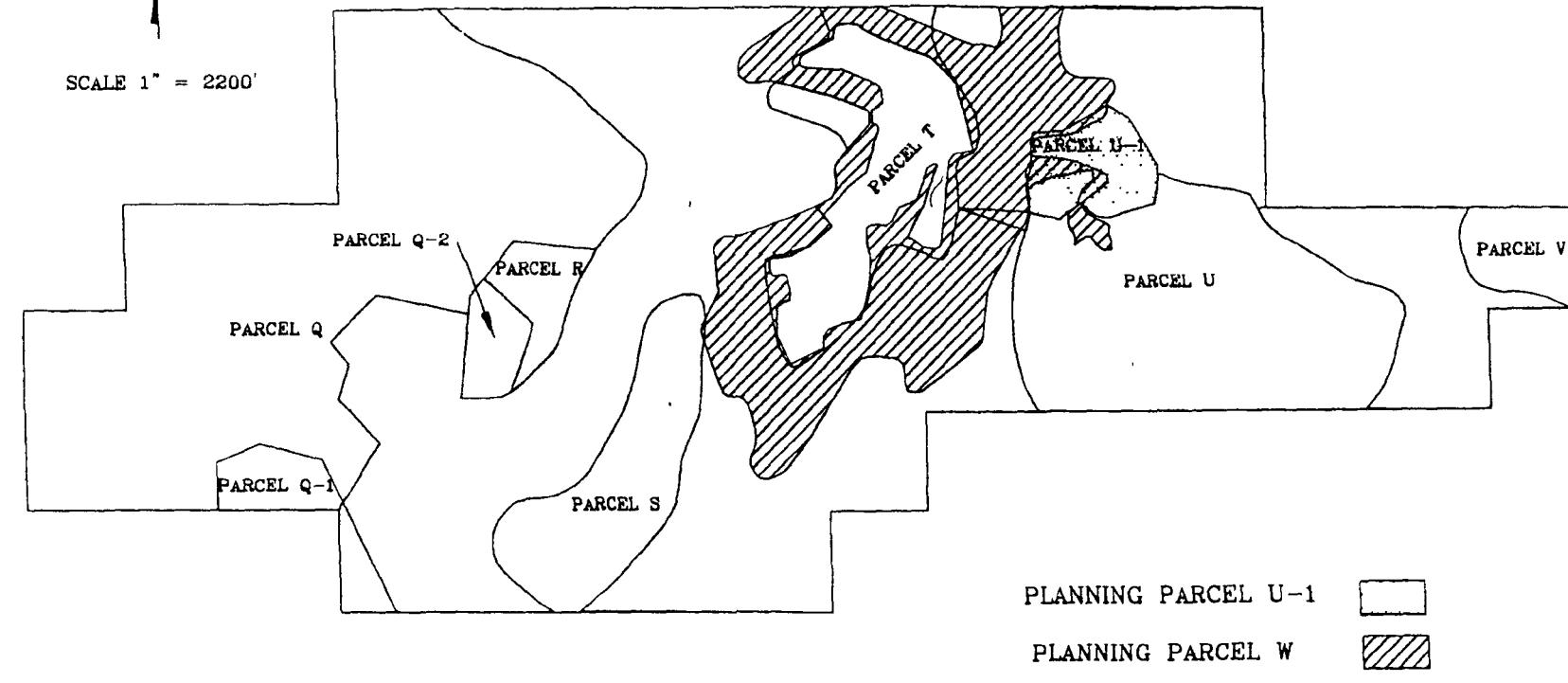
PLANNING PARCEL T



OPEN SPACE & WILDLIFE

EXHIBIT E  
PLANNING PARCEL MAP

PLANNING PARCEL W  
THE MOUNTAIN TRACT AT CORDILLERA  
MOUNTAIN TRACT GOLF COURSE



JOHNSON, KUNZEL AND ASSOCIATES, INC.  
DATE: May, 1999  
DRAWN BY: CR/AD  
JOB #: EA00005  
JOB NAME: P:\ED0005\JWC\PLANPARCEL  
REVISED ON APRIL 19, 2000  
SECOND REV. ON AUGUST 21, 2000

## CORDILLERA PLANNING PARCELS

FILING NUMBER	FILING NAME	PLANNING PARCEL	SECTION	EXHIBIT
Filing 1	The Lodge	Planning Parcel A	The Divide	A
Filing 2	Alcazar Villas Phase 1	Planning Parcel A	The Divide	A
	Alcazar Villas Phase 2	Planning Parcel A	The Divide	A
	Alcazar Villas Phase 3	Planning Parcel A	The Divide	A
	Les Pyrenes	Planning Parcel A	The Divide	A
Filing 3	Andorra	Planning Parcel A	The Divide	A
	Granada Glen	Planning Parcel A	The Divide	A
	Village Center/Tract X	Planning Parcel A	The Divide	A
Filing 4	Mirador Ridge	Planning Parcel A	The Divide	B
Filing 5	Golf Course	Planning Parcel L	The Ranch	B
Filing 6	Founder's Preserve	Planning Parcel H	The Ranch	B
Filing 7	Elk Springs	Planning Parcel H	The Ranch	B
Filing 8	The Timbers	Planning Parcel J	The Ranch	B
	The Fairways	Planning Parcel K	The Ranch	B
	The Ridge	Planning Parcel J	The Ranch	B
Filing 9	Whittaker Ponds	Planning Parcel M	The Ranch	B
	Whittaker Pines	Planning Parcel M	The Ranch	B
Filing 10	Red Draw I	Planning Parcel M	The Ranch	B
	Redtail Ridge	Planning Parcel J	The Ranch	B

Filing 11	Red Draw Meadows	Planning Parcel J	The Ranch	B
Filing 12 & 13	Bearcat	Planning Parcel K	The Ranch	B
Filing 14	Club Cottages Ph 1	Planning Parcel H	The Ranch	B
Filing 15	Club Cottages Ph 2	Planning Parcel H	The Ranch	B
Filing 16	Kensington Green	Planning Parcel B Planning Parcel C Planning Parcel D	The Divide The Divide The Divide	A A A
Filing 16		Planning Parcel A Planning Parcel B	The Divide The Divide	A A
Filing 17	Red Draw II Highlands Highlands Point	Planning Parcel M Planning Parcel M Planning Parcel M	The Ranch The Ranch The Ranch	B B B
Filing 18	The Aspens	Planning Parcel M	The Ranch	B
Filing 20, 21 & 22	Bentgrass	Planning Parcel K	The Ranch	B
Filing 23	Whittaker Point	Planning Parcel M	The Ranch	B
Filing 24	Bearden Meadows	Planning Parcel P Open Space and Homestead	The Ranch The Ranch	B B
Filing 25		Open Space Parcel I	The Ranch The Ranch	B B
Filing 26	Settler's Park	Planning Parcel N Open Space	The Ranch The Ranch	B B

Filing 27	Settler's Woods	Planning Parcel N	The Ranch	B
Filing 28	Cimarron	Planning Parcel K	The Ranch	B
Filing 29	Perouges	Planning Parcel A	The Divide	A
Filing 30	Greyhawk	Planning Parcel G	The Ranch	B
Filing 31		Planning Parcel B	The Divide	A
		Planning Parcel D	The Divide	A
Filing 32	El Mirador 1	Planning Parcel 01	The Divide	A
Filing 33	Casteel (South) Parcel	Planning Parcel 0	The Divide	A
		Planning parcel 02	The Divide	A
		Planning Parcel 03	The Divide	A
		Planning Parcel 04	The Divide	A
Filing 34		Planning Parcel W	The Summit	C
		Planning Parcel U	The Summit	C
		Open Space and Wildlife	The Summit	C
		Planning Parcel Q	The Summit	C
Filing 35	Webb Peak	Planning Parcel S	The Summit	C
		Open Space and Wildlife	The Summit	C
Filing 36	Summit Fairway	Planning Parcel T	The Summit	C
		Planning Parcel W	The Summit	C
Filing 37	Summit Club Homes	Parcel U-1	The Summit	C
		Planning Parcel W	The Summit	C

Filing 38		Parcel V	The Summit	C
Filing 39	Summit Springs	Open Space and Wildlife	The Summit	C
		Planning Parcel U	The Summit	C
		Planning Parcel Q-2	The Summit	C
		Planning Parcel R	The Summit	C
Filing 40	Red Table Ranch	Planning Parcel Q-1	The Summit	C
Filing 41	Summit Golf Course	Planning Parcel W	The Summit	C
		Planning Parcel T	The Summit	C
		Open Space and Wildlife	The Summit	C
		Planning Parcel U-1	The Summit	C
Filing 43	Chavano	Planning Parcel E1	The Divide	A
		Planning parcel E	The Divide	A
Filing 44		Planning Parcel W	The Summit	C
		Open Space and Wildlife	The Summit	C
The Territories		Planning Parcel Q	The Summit	C
		Open Space and Wildlife	The Summit	C

## EXHIBIT G – CARETAKER ALLOCATION

PLANNING PARCEL	LOT(S)	FILING	RECORDING INFORMATION	PERMITTED USE	NEIGHBORHOOD	ASSIGNED CARETAKER UNITS
E1	TBD	43	TBD	SEE PUD GUIDE FOR LIST OF PERMITTED USES	CHAVENO	1
E1	TBD	43	TBD		CHAVENO	1
E1	TBD	43	TBD		CHAVENO	1
E1	TBD	43	TBD		CHAVENO	1
E1	TBD	43	TBD		CHAVENO	1
E1	TBD	43	TBD		CHAVENO	1
O2	1	33	799105	SF/CARETAKER	SOUTH PARCEL	1
O3	2	33	799105	SF/CARETAKER	SOUTH PARCEL	1
O4	TBD	TBD	TBD	SF/CARETAKER	SOUTH PARCEL	1
O4	TBD	TBD	TBD	SF/CARETAKER	SOUTH PARCEL	1
H	1	7	737188	SF/CARETAKER	ELK SPRINGS	1
H	11	7	B607/P438	SF/CARETAKER	ELK SPRINGS	1
H	14	7	B607/P439	SF/CARETAKER	ELK SPRINGS	1
H	NOT ASSIGNED <sup>1</sup>		B607/P439	SF/CARETAKER	ELK SPRINGS	1
M	1	23	589898	SF/CARETAKER	WHITTAKER	1
M	2	23	589898	SF/CARETAKER	POINT	1
P	1	24	607244	SF/CARETAKER	BEARDEN	1
P	2	24	607244	SF/CARETAKER	BEARDEN	1
P	2	24	607244	SF/CARETAKER	BEARDEN	1
P	4	24	607244	SF/CARETAKER	BEARDEN	1
P	17	24	607244	SF/CARETAKER	BEARDEN	1
P	19	24	607244	SF/CARETAKER	BEARDEN	1
P	21	24	607244	SF/CARETAKER	BEARDEN	1
P	27	24	607244	SF/CARETAKER	BEARDEN	1
P	32	24	607244	SF/CARETAKER	BEARDEN	1
P	NOT ASSIGNED <sup>2</sup>	24	607244	SF/CARETAKER	BEARDEN	1
Q	1	TERRITORIES	710048	SF/CARETAKER	TERRITORIES	1
Q	2	TERRITORIES	710048	SF/CARETAKER	TERRITORIES	1
Q	3	TERRITORIES	710048	SF/CARETAKER	TERRITORIES	1
Q	4	TERRITORIES	710048	SF/CARETAKER	TERRITORIES	1
Q	5	TERRITORIES	710048	SF/CARETAKER	TERRITORIES	1
Q	6	TERRITORIES	710048	SF/CARETAKER	TERRITORIES	1
Q	7	TERRITORIES	710048	SF/CARETAKER	TERRITORIES	1
Q	8	TERRITORIES	710048	SF/CARETAKER	TERRITORIES	1
Q	9	TERRITORIES	710048	SF/CARETAKER	TERRITORIES	1
Q	10	TERRITORIES	710048	SF/CARETAKER	TERRITORIES	1
Q	11	TERRITORIES	710048	SF/CARETAKER	TERRITORIES	1
Q	12	TERRITORIES	710048	SF/CARETAKER	TERRITORIES	1
Q	13	TERRITORIES	710048	SF/CARETAKER	TERRITORIES	1
Q	14	TERRITORIES	710048	SF/CARETAKER	TERRITORIES	1
Q	15	TERRITORIES	710048	SF/CARETAKER	TERRITORIES	1
Q	16	TERRITORIES	710048	SF/CARETAKER	TERRITORIES	1
Q	19	TERRITORIES	710048	SF/CARETAKER	TERRITORIES	1
Q1	1	40	710045	SF/CARETAKER	RED TABLE RANCH	1
Q2	3	39	744649	SF/CARETAKER	WEBB PEAK RANCH	1
V	1	38	746470	SF/CARETAKER	ELK SPRINGS RANCH	1
<b>TOTAL</b>						46



**854897**

Page: 78 of 78  
10/24/2003 10:26A

Teak J Simonton Eagle, CO

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R 0.00

D 0.00

<sup>1</sup> Building Permit Application Requires Authorization From Cordillera For Caretaker Approval

<sup>2</sup> The caretaker unit originally assigned to Lot 13, Filing 24 was removed by Amended Final Plat in which the permitted use was modified from Primary/Secondary to Single Family. An additional caretaker unit is permitted in Planning Parcel P subject to authorization and assignment by Cordillera.

## Exhibit 4

# OTTEN JOHNSON

ROBINSON NEFF + RAGONETTI

November 11, 2009

AMANDA L. SMITH  
303 575 7523  
ASMITH@OTTENJOHNSON.COM

Bob Narraci  
Planning Manager  
Eagle County  
500 Broadway  
Eagle, CO 81631

Re: Cordillera PUD Amendment Application

Dear Bob:

On behalf of our client, Behringer Harvard Cordillera, LLC (the "Applicant"), we are submitting an application (the "Application") to amend the existing Cordillera Subdivision Tenth Amended and Restated Planned Unit Development Control Document, dated as of September 23, 2003 (the "Existing PUD"), as set forth in the proposed Cordillera Subdivision Eleventh Amended and Restated Planned Unit Development Control Document (the "Amendment"). As you requested, the Application includes a clean copy of the Amendment, as well as a blacklined copy of the Amendment, marked to show changes against the Existing PUD.

As discussed in connection with the County's preliminary review of the Amendment and the Applicant's pre-application meeting held on November 10, 2009, the Amendment is intended to address certain "clean-up" items in the Existing PUD. The Amendment does not introduce new or additional density or uses to the Existing PUD, or otherwise substantively change the Existing PUD. Rather, the proposed changes include corrections to typographical errors, replacement of inaccurate Guide Maps, updates to reflect the current status of development approvals for the Lodge Parcel and the Village Center Parcel, and clarification of the treatment of the Lodge Parcel and the Village Center Parcel as a single planning parcel.

The Amendment clarifies the concept contained in the Existing PUD that density shifts are permissible among the various planning parcels, so long as the actual maximum densities for the project are not exceeded. More specifically, the Amendment clarifies that density is transferable between the Lodge Parcel and the Village Center Parcel, and that the permitted uses are the same for the Lodge Parcel and Village Center Parcel, effectively treating these adjacent areas as a single planning parcel. This treatment reflects existing development and the contemplated completion of the Lodge at Cordillera.

The Application is in conformance with the sections cited below of Article 5 of the County's Land Use Regulations (the "Code"). The following subsections are numbered as set forth in the Code:

Bob Narraci  
November 11, 2009  
Page 2

1. Section 5-240.F.3.e. (Standards for a Sketch and Preliminary Plan for PUD):

(1) **Unified ownership or control.** Reviewed and confirmed in connection with approval of the Existing PUD. An updated Title Commitment and a Resolution of Consent of the Cordillera Homeowners' Association are included in the Application package.

(2) **Uses.** Reviewed and confirmed in connection with approval of the Existing PUD; no change in the Amendment.

(3) **Dimensional Limitations.** Reviewed and confirmed in connection with approval of the Existing PUD; no change in the Amendment.

(4) **Off-Street Parking and Loading.** Reviewed and confirmed in connection with approval of the Existing PUD; no change in the Amendment.

(5) **Landscaping.** Reviewed and confirmed in connection with approval of the Existing PUD; no change in the Amendment.

(6) **Signs.** Reviewed and confirmed in connection with approval of the Existing PUD; no change in the Amendment.

(7) **Adequate Facilities.** Reviewed and confirmed in connection with approval of the Existing PUD; no change in the Amendment.

(8) **Improvements.** Reviewed and confirmed in connection with approval of the Existing PUD; no change in the Amendment.

(9) **Compatibility with Surrounding Land Uses.** Reviewed and confirmed in connection with approval of the Existing PUD; no change in the Amendment.

(10) **Consistency with Comprehensive Plan.** Reviewed and confirmed in connection with approval of the Existing PUD; no change in the Amendment.

(11) **Phasing.** Reviewed and confirmed in connection with approval of the Existing PUD; no change in the Amendment.

(12) **Common Recreation and Open Space.** Reviewed and confirmed in connection with approval of the Existing PUD; no change in the Amendment.

(13) **Natural Resource Protection.** Reviewed and confirmed in connection with approval of the Existing PUD; no change in the Amendment.

2. Section 5-240.F.3.m. (Amendment to Preliminary Plan for PUD)

(1) **Modification.** The changes contemplated in the Amendment are consistent with, and will further, the intent of the Existing PUD. By adding clarity to ambiguities in the Existing PUD, summarizing the current status of development approvals and actual improvements, and incorporating updated Exhibits, the Amendment will allow for the development contemplated in the Existing PUD to be executed more efficiently.

(2) **Adjacent Properties.** The Amendment will not have any effect on adjacent properties because it does not change the overall uses or densities currently contemplated in the Existing PUD.

(3) **Benefit.** The Amendment will not confer a special benefit upon any particular person. To the contrary, it will benefit the entire Cordillera PUD and surrounding areas, as it will make the development contemplated by the Existing PUD more efficient.

(4) **Standards.** As indicated above, the standards outlined in Section 5-240.F.3.e. were satisfied in connection with approval of the Existing PUD. The Amendment does not change the Existing PUD in a manner that triggers a new analysis of these standards. The Application includes a blackline of the Amendment, clearly marked to show changes against the Existing PUD.

(5) **Notification.** The Applicant has delivered to the County pre-addressed, stamped envelopes for every property owner in the PUD (including all adjacent property owners). The Application also contains a list of adjacent property owners, based upon the County's most recent records.

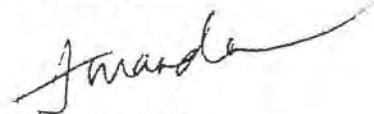
3. Section 5-280.B.3.e. (Standards for a Sketch and Preliminary Plan for Subdivision, if applicable pursuant to Section 5-240.F.1.d.):

N/A. Section 5-240.F.1.d. states that where a PUD also constitutes a subdivision, applicants are required to meet the requirements of Section 5-280 (Subdivision). In this case, because the Amendment does not include or affect a subdivision, the Application does not include a sketch plan or preliminary plan. Therefore, the requirements of Section 5-280.B.3.e. are not applicable to the Application.

As you will see in the Owner Resolution included in the Application package, the Applicant has authorized this firm, together with Harry Rosenthal of the Pharos Group, to act as the Applicant's agent in connection with the Application. We appreciate all of your efforts during the pre-application process and we look forward to working with you to finalize the Amendment. Thank you.

Bob Narracci  
November 11, 2009  
Page 4

Very truly yours,



Amanda L. Smith  
for the Firm

ALS/cc

Enclosures

927308 1

cc: Via email w/o encl.:  
Robert Morris, Esq.  
Harry Rosenthal  
J. Todd Reeder  
Tom Ragonetti

## Exhibit 5

**Bob Narracci <bob.narracci@eaglecounty.us>****Re: Meeting**

1 message

**Bob Narracci <bob.narracci@eaglecounty.us>**  
To: Dominic Mauriello <dominic@mpgvail.com>

Mon, May 2, 2016 at 5:14 PM

Dominic:

I don't know anyone to tell that would actually care anyway. Worry not!

Bob

On Mon, May 2, 2016 at 5:05 PM, Dominic Mauriello <dominic@mpgvail.com> wrote:  
close but no cigar.

Keep on the down low please.

**Dominic F. Mauriello, AICP****Mauriello Planning Group, LLC**

PO Box 4777

2205 Eagle Ranch Road

Eagle, Colorado 81631

970-376-3318 cell

[www.mpgvail.com](http://www.mpgvail.com)

On May 2, 2016, at 5:01 PM, Bob Narracci &lt;bob.narracci@eaglecounty.us&gt; wrote:

I'm anticipating that the interpretation is going to pertain to the Lodge and Spa / Village Center parcels and what exactly is a Lodge Unit? How many are left, etc.? This is stuff that Ragonnett's firm 'cleaned up' several years ago.

On Mon, May 2, 2016 at 4:58 PM, Dominic Mauriello <dominic@mpgvail.com> wrote:  
Booger factory**Dominic F. Mauriello, AICP****Mauriello Planning Group, LLC**

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On May 2, 2016, at 4:53 PM, Bob Narracci <bob.narracci@eaglecounty.us> wrote:

Is it a strip club?

On Mon, May 2, 2016 at 4:17 PM, Dominic Mauriello <dominic@mpgvail.com> wrote:  
Hi Bryan and Bob:

Tom Ragonetti and I would like to schedule some time to meet with you on an interpretation of a provision in the Cordillera PUD. We would like to keep the matter extremely confidential thus the vagueness of this meeting while contract discussions are occurring.

Would you be available to meet some time on May 11 (Tom's schedule was very limited) between the hours of 10:00 am and 2:00 pm? We would only need an hour or so.

Please let me know.

Thanks,

**Dominic F. Mauriello, AICP**

**Mauriello Planning Group, LLC**

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Eagle, Colorado 81631

970-376-3318 cell

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*Robert Narracci, AICP  
Managing Director of Community Development  
500 Broadway  
PO Box 179  
Eagle, Colorado 81631*

*Phone: (970) 328-8750  
Fax: (970) 328-7185*

*Robert Narracci, AICP  
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*Phone: (970) 328-8750  
Fax: (970) 328-7185*

## Exhibit 6



Bob Narracci &lt;bob.narracci@eaglecounty.us&gt;

## Lodge at Cordillera

1 message

**Dominic Mauriello** <dominic@mpgvall.com>  
To: Bob Narracci <Bob.Narracci@eaglecounty.us>

Thu, May 26, 2016 at 8:58 AM

Hello Bob:

Per our meeting today I wanted to follow up with you as a verification of our understanding of the Cordillera Subdivision Eleventh Amended and Restated Planned Unit Development Control Document, dated December 21, 2009 which is Attachment "A" to Resolution No. 2010-001 recorded at reception number 201000508.

On page 13 of the above referenced document continues the list of permitted uses allowed on the Lodge Parcel which includes # 14 that states:

"Medical Offices/Facilities, limited to clinic and outpatient facilities for non-critical care, including, without limitation, for outpatient plastic surgery and other cosmetic procedures."

The proposed use of the Lodge Parcel and lodge building itself is a clinic including inpatient, non-critical care, for treatment of a variety of conditions including, but not limited to, eating disorders, alcoholism, chemical dependency, and behavioral health conditions with a focus on health and fitness including fitness facilities, yoga, nutrition, and recreation.

In our meeting today it was verified that we were reading the use correctly in that the PUD allows "clinics" which can be inpatient medical facilities on the Lodge Parcel and the adjacent Village Parcel (Tract X) as described above.

If you could verify this understanding in a letter that would be appreciated.

Thanks,

**Dominic F. Mauriello, AICP**

**Mauriello Planning Group, LLC**

PO Box 4777

2205 Eagle Ranch Road

Eagle, Colorado 81631

970-376-3318 cell

[www.mpgvail.com](http://www.mpgvail.com)

## Exhibit 7



Bob Narracci <bob.narracci@eaglecounty.us>

## DRAFT Cordillera Zoning Interpretation Letter

1 message

Bob Narracci <bob.narracci@eaglecounty.us>

Fri, May 27, 2016 at 3:56 PM

To: Bryan Treu <Bryan.Treu@eaglecounty.us>, Tom Ragonetti <tjr@ojmr.com>, Dominic Mauriello <dominic@mpgvail.com>

All:

Dominic suggested, and I concur, that it would be a good idea to have Bryan and Tom give the attached draft a once-over edit before finalizing.

Thank you  
Bob

*Robert Narracci, AICP  
Managing Director of Community Development  
500 Broadway  
PO Box 179  
Eagle, Colorado 81631*

*Phone: (970) 328-8750  
Fax: (970) 328-7185*

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**Cordillera Zoning Interpretation.docx**  
53K

## Exhibit 8



Bob Narracci &lt;bob.narracci@eaglecounty.us&gt;

## Re: DRAFT Cordillera Zoning Interpretation Letter

1 message

Ragonetti, Thomas J. <tjr@ottenjohnson.com>  
To: Bob Narracci <bob.narracci@eaglecounty.us>  
Cc: Bryan Treu <Bryan.Treu@eaglecounty.us>, Dominic Mauriello <dominic@mpgvail.com>

Fri, May 27, 2016 at 4:45 PM

This looks fine to me. Nice job, Bob.

Have a great weekend.

Sent from my iPad

Thomas J. Ragonetti  
Attorney at Law

[[http://www.ottenjohnson.com/Templates/media/images/OJ\\_Signature\\_Logo.jpg](http://www.ottenjohnson.com/Templates/media/images/OJ_Signature_Logo.jpg)]<<http://www.ottenjohnson.com/>>

Otten Johnson Robinson Neff + Ragonetti PC  
Suite 1600 | 950 17th Street | Denver, Colorado 80202  
DIRECT 303.575.7509 | MAIN 303.825.8400 | FAX 303.825.6525  
tjr@ottenjohnson.com | My Profile<<http://www.ottenjohnson.com/people/attorneys/Ragonetti-Thomas>> |  
vCard<<http://www.ottenjohnson.com/Utilities/vCard.ashx?NodeGuid=8cf17165-c14f-4e54-b0fd-983d670d2c78>>

This email message, any chain of emails of which this message is a part, any attachments, and any metadata contained therein are for the sole use of the intended recipients and may contain information that is confidential and subject to the attorney-client privilege. Any unauthorized review, use, disclosure or distribution is prohibited. Please do not read, copy, or disseminate this email message/email chain, any attachments or any metadata contained therein unless you are the intended recipient. If you have received this email/email chain in error, please call us (collect) at 303 825 8400 and ask to speak with the message sender. Also, we would appreciate your forwarding the message/email chain back to us and deleting it from your system. Thank you.

On May 27, 2016, at 3:57 PM, Bob Narracci <bob.narracci@eaglecounty.us<mailto:bob.narracci@eaglecounty.us>> wrote:

All:

Dominic suggested, and I concur, that it would be a good idea to have Bryan and Tom give the attached draft a once-over edit before finalizing.

Thank you  
Bob

—  
Robert Narracci, AICP  
Managing Director of Community Development  
500 Broadway  
PO Box 179  
Eagle, Colorado 81631

Phone: (970) 328-8750  
Fax: (970) 328-7185  
<Cordillera Zoning Interpretation.docx>

**Bob Narracci <bob.narracci@eaglecounty.us>****Lodge at Cordillera**

1 message

**Dominic Mauriello <dominic@mpgvail.com>**  
To: Bob Narracci <Bob.Narracci@eaglecounty.us>

Tue, May 31, 2016 at 9:03 AM

Hi Bob:

We are fine with the letter on our end.

**Dominic F. Mauriello, AICP****Mauriello Planning Group, LLC**

PO Box 4777

2205 Eagle Ranch Road

Eagle, Colorado 81631

970-376-3318 cell

[www.mpgvail.com](http://www.mpgvail.com)

## Exhibit 9



Brent McFall &lt;brent.mcfall@eaglecounty.us&gt;

**Re: Cordillera**

1 message

Brent McFall <brent.mcfall@eaglecounty.us>  
To: Bob Narracci <bob.narracci@eaglecounty.us>

Thu, Jun 9, 2016 at 8:39 AM

I have, and will continue to do so.

Thanks

On Thu, Jun 9, 2016 at 8:38 AM, Bob Narracci <bob.narracci@eaglecounty.us> wrote:

A copy is attached. Please help the Board to understand that this interpretation was not made in a vacuum and was informed by two of the most respected Attorneys in the State and Country; Bryan and Tom.

Thank you  
Bob

On Thu, Jun 9, 2016 at 8:33 AM, Brent McFall <brent.mcfall@eaglecounty.us> wrote:

Bob Did you send a letter to Ragonetti (or someone) giving your interpretation of the Cordillera PUD with respect to the addiction treatment facility? Would you please send a copy to me? I plan to distribute it to BoCC.  
thanks

—  
Brent McFall  
Eagle County Manager  
brent.mcfall@eaglecounty.us  
970-328-8604

—  
**Robert Narracci, AICP**  
**Managing Director of Community Development**  
**500 Broadway**  
**PO Box 179**  
**Eagle, Colorado 81631**

**Phone:** (970) 328-8750  
**Fax:** (970) 328-7185

—  
Brent McFall  
Eagle County Manager  
brent.mcfall@eaglecounty.us  
970-328-8604

## Exhibit 10

July 7, 2016

Via email to bryan.treu@eaglecounty.us

Eagle County Board of County Commissioners  
Attn: Bryan Treu, County Attorney  
500 Broadway  
P.O. Box 850  
Eagle, Colorado 81631

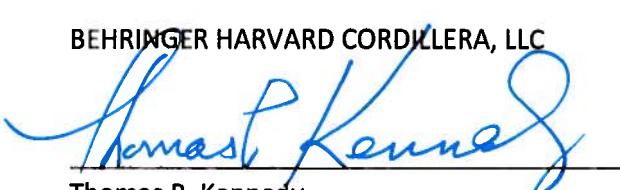
RE: *Landowner Approval Authorizing Concerted Care Group ("CCG") Discussions Resulting In Director's Interpretation that the Proposed Use of the Lodge and Village Center Parcels Represent a Use-By-Right in the Cordillera PUD*

Dear Mr. Treu:

We are the owner of the Lodge and Village Center Parcels (the "Parcels") within the Cordillera PUD. As you are aware, the Cordillera Property Owners Association and the Cordillera Metropolitan District ("Appellants"), recently filed an appeal (the "Appeal") of Bob Narracci's interpretation that the proposed use of the Parcels represents a use by right. The Appeal asserts, among other things, that Mr. Narracci erred in considering CCG's request for interpretation. In support of this position, Appellants argue that CCG is not a landowner or citizen in the unincorporated county, or any person that has submitted a development application.

Behringer Harvard Cordillera, LLC has standing as a property owner in unincorporated Eagle county to have CCG and its representatives and consultants act as our agents. CCG's various inquiries of and discussions with the County have, at all times and from the beginning, been made on our behalf and with our approval. Behringer Harvard fully endorses and supports CCG's discussions with the County, and appreciates the County's attention on this important matter.

BEHRINGER HARVARD CORDILLERA, LLC

  
Thomas P. Kennedy  
President

cc: Concerted Care Group (via email)  
Tom Ragonetti, Esq. (via email)  
Mauriello Planning Group (via email)

15601 Dallas Parkway, Suite 600  
Addison, Texas 75001-6026  
[www.behringerharvard.com](http://www.behringerharvard.com)  
Main: 866.655.3600 (toll-free)  
Fax: 866.655.3610 (toll-free)