

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF PITKIN COUNTY, COLORADO GRANTING APPROVAL OF
THE BIGHORN RIDGE SUBDIVISION**

DETAILED SUBMISSION

Resolution No. 94- 71

RECITALS

1. On October 26 and December 14 1993, and January 11 and January 25, 1994, the Board of County Commissioners (hereinafter "Board") considered the Detailed Submission for the Bighorn Ridge Subdivision (fka East Redstone Subdivision) at regularly scheduled public hearings. On January 25, 1994, the public hearing was closed; however public meetings were continued on February 8 and March 29, 1994.
 2. The parcel is located immediately east of and above the Redstone Subdivision and Redstone Boulevard, in Redstone; more specifically described in Exhibit "A".
 3. The applicant proposes to subdivide approximately 57 acres of land, zoned AF-1, into 4 lots which range in size from 4 to 8 acres.
 4. The Planning and Zoning Commission reviewed the application at a regularly scheduled meeting on August 17, 1993 and recommended approval to the Board, subject to conditions. However, the Commission requested direction from the Board as to whether forms of mitigation other than avoidance are acceptable to the County when residential development is proposed in rockfall hazard areas.
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5. In their review of the Land Use Code and the application, which proposed two lots (Lots 1 and 2) in rockfall hazard area, the Board concluded that Section 5-402.____ of the Land Use Code prohibits residential development in rockfall hazard areas. However, as the applicant was not advised of the prohibition at General Submission review of the Subdivision, the Board accepted mitigation of the hazard on Lot 1, where the hazard could not be totally avoided. The building envelope on Lot 2 was relocated to an area which is free of rockfall hazard. Both revised building envelopes are depicted on Exhibit "B," attached.

6. The proposed Subdivision was found by the Board to be generally consistent with the Pitkin County Land Use Code criteria for Detailed Submission.

NOW, THEREFORE BE IT RESOLVED by the Pitkin County Board of County Commissioners that it hereby grants approval of the Bighorn Ridge Subdivision Detailed Submission subject to the following conditions:

1. Covenants shall be revised to stipulate the following conditions of approval:
 - a. Dogs shall be prohibited. An exception shall be made for the existing dog owned by the Darnells on Lot 4, with the stipulation that upon the death of this dog, the dog prohibition shall effect all lots in the Subdivision, including Lot 4.
 - b. Rail fencing shall be limited to a maximum height of 48" and 3-rail or less, with at least 18" between two of the rails.
 - c. A house size limitation of 4,500 square feet of floor area shall apply to all lots. The floor area and height shall be calculated according to County regulations in effect at the time of building permit application.
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- d. Home occupations shall comply with County regulations.
 - e. Lighting shall comply with Pitkin County lighting standards in effect at the time of building permit application.
 - f. Residences shall contain no more than five bedrooms, based on the park dedication provided by the applicant.
 - g. No development, with the exception of access roads, utility installation and trails, shall occur outside of building envelopes designated on the site plan.
 - h. The keeping of horses or other livestock shall be prohibited.
2. As stipulated in covenants, rock-filled Gabion-type frames, or an engineered equivalent as approved by a structural engineer, shall be installed at the uphill walls of buildings on Lot 1 to mitigate rockfall and debris flow hazards. Frames shall be located within approved building envelopes designated on the Final Plat.
 3. Prior to building permit application, residential foundation designs shall be approved by a Colorado registered professional engineer. Foundations shall be designed to compensate for hydrocompactive soils, where necessary.
 4. At final Plat, the applicant shall delineate all easements on the Plat Exhibit, and record written easements for the 30 foot easement along Reservoir Road to the Redstone Water and Sanitation District, and for the trail easements dedicated to the Pitkin County Open Space and Trails Board along the Hill Road and to the north of Reservoir Road. The applicant shall identify a 50'- 100' wide trail corridor for the trail north of Reservoir Road at Final Plat with a note stipulating that an as-built trail alignment within a 10 foot easement shall be recorded by the County upon completion of construction of a trail. The corridor and final trail alignment shall be approved by the Division of Wildlife. Construction of this trail shall be completed within 10 years from the date of the recordation of the final plat, if it is to be constructed. Construction shall be at the option of the County Open Space Board and the Board of County Commissioners. Written easements for trails shall be specific with respect to construction and maintenance responsibilities.
 5. Revegetation of all areas disturbed by development shall occur within one year of construction. A subdivision improvements agreement shall be submitted by the applicant at Final Plat. The agreement shall, at a minimum, contain a cost estimate and financial assurance for revegetation of access road improvements and utility line extensions. The agreement shall stipulate that all lot owners shall revegetate areas disturbed by construction within one growing season. The agreement shall
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specify revegetation technique, plant materials and performance standards.

6. The proposed park dedication area (containing 12,000 square feet) shall be staked in the field with a representative of the Open Space Board prior to Final Plat. The plat shall reflect the staked parcel. The land shall be dedicated concurrent with recording of all final plat documents. Park land dedication shall be completed by the developer prior to issuance of any building or excavation permits.
7. At Final Plat, the applicant shall submit a road plan for the addition of a pulloff on the upper portion of Firehouse Road. In addition, road plans for one turnaround on the Reservoir Road shall be submitted for review by the County Engineer and the Carbondale & Rural Fire Protection District Chief. The turnaround shall be maintained year-round. Dimensions of the turnaround shall be 20 feet by 50 feet, or as modified by the County Engineer or Fire Chief. The Fire Chief shall be contacted by the applicant during construction of the turnaround so that a Redstone Fire truck may be brought to the site for testing and modifications made to the turnaround, as necessary. Road profiles for the improved turn on the Reservoir Road shall also be reviewed and approved by the County Engineer and the Carbondale Fire District at Final Plat.
8. At Final Plat the applicant shall provide documentation that each of the two fire hydrants proposed to provide fire flow for the subdivision will provide a flow of 500 gallons per minute for 2 hours, as required pursuant to Section 5-205.1(e)(4) of the Land Use Code. In the event that fire flow does not comply with Land Use Code requirements, the Board may modify the requirement, or require interior sprinklering of residences as an alternative to fire hydrants.
9. Setback variances for Lots 1 and 2 shall be physically noted on the Final Plat.
10. The applicant shall submit a Final Subdivision Plat for review by the Planning Office and County Engineer for approval by the Board of County Commissioners, prior to submission of any building permits. The Final Plat shall reflect the building envelope locations delineated on the Detailed Submission Site Plan, attached as Exhibit "B." The following 1041 Hazard Review Warning and disclaimer shall be placed on the Plat:

"The provisions of these regulations do not in any way assure or imply that areas outside of designated hazards will be free from hazards, or that approved mitigation measures will guarantee the

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safety of the property."

11. Prior to issuance of an excavation or building permit, the applicant/lotowner shall obtain an access permit from the County Engineer. The lotowners shall be responsible for repair of road damage to County Roads, including Redstone Boulevard, Firehouse and Reservoir Roads, due to construction. As part of the access permit application, the lotowner shall submit an assessment of the roads prior to commencement of construction activities. As part of the access permit application, a plan for emergency services shall be submitted to address access to lot 2 in the event that it is cut off from services by debris flow. The access permit shall also address the treatment of the ends of culverts to accommodate steep profiles and presumed high velocities of flow.
12. Prior to issuance of a building permit, homes on each lot shall be subject to review by the Redstone Historic Preservation Commission.
13. The subdivision shall comply with all County air quality regulations in effect at the time of issuance of an excavation permit.
14. All material representations made by the applicant in the application and in public meetings shall be adhered to and considered conditions of approval, unless otherwise amended by other conditions.


APPROVED by the Board at its regular meeting on March 29, 1994.

BOARD OF COUNTY COMMISSIONERS
OF PITKIN COUNTY, COLORADO

By Robert W. Child
Robert W. Child, Chairman
Date 5/24/94

ATTEST:
Jeanette Jones
Jeanette Jones,
Deputy County Clerk

APPROVED AS TO FORM:



Timothy E. Whitsitt,
County Attorney

APPROVED AS TO CONTENT:



Suzanne KonChan,
County Planning Director



EXHIBIT "A"

PARCEL 1:

A parcel of land located in the SE1/4 SE1/4 of Section 17, Township 10 South, Range 88 West of the 6th P.M. Pitkin County, Colorado, more fully described as follows:

Beginning at the Southeast Corner of said Section 17; thence N 89°32'57" W along the South line of said Section 17 1035.31 feet to the East line of "Addition to a portion of Redstone Subdivision"; thence along said East line the following courses and distances:

- N 42°26'24" E 18.85 feet;
- N 25°20'39" E 200.10 feet;
- N 25°27'58" E 150.09 feet;
- N 30°10'43" E 100.68 feet;
- N 01°15'05" E 79.90 feet;
- N 35°10'42" E 126.22 feet;
- N 19°37'12" E 50.17 feet;
- N 15°48'20" E 101.11 feet;
- N 21°41'50" E 50.05 feet;
- N 25°43'45" E 100.03 feet;
- N 38°14'11" E 51.52 feet;
- N 30°39'13" E 130.77 feet;
- N 09°18'58" E 50.00 feet;
- N 27°22'54" E 50.21 feet;
- N 25°09'03" E 98.82 feet to the Northeast corner of said "Addition"; thence N 57°26'30" W along the North line of said "Addition" and the North line of Redstone Subdivision 144.41 feet to the East line of a County Road;
- thence N 38°23'10" E along said East line 39.10 feet to a fence;
- thence along said fence the following courses and distances:

 - S 57°15'24" E 56.58 feet;
 - N 84°01'22" E 69.32 feet;
 - N 77°13'17" E 93.92 feet;
 - N 85°03'34" E 112.29 feet;
 - S 89°28'22" E 245.89 feet to a point on the East line of said Section 17;

- thence along said East line S 00°02'09" E 1339.14 feet to the point of beginning.

PARCEL 2:

A parcel of land located in the NE1/4 NE1/4 of Section 20, Township 10 South, Range 88 West of the 6th P.M. Pitkin County, Colorado, more fully described as follows:

Beginning at the NE corner of said Section 20; thence S 01°05' W along the East line of said Section 20 1312.58 feet to the Southeast corner of said NE1/4 NE1/4;
- thence N 89°33'35" W along the South line of said NE1/4 NE1/4 1182.51 feet to the East line of Redstone Subdivision;
- thence along said East line the following courses and distances:

- N 05°37'10" W 48.48 feet;
- N 16°59'27" E 189.62 feet;
- N 75°45'12" W 212.03 feet;
- N 20°50'53" E 298.81 feet;

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S 78°23'37" E 171.66 feet;
N 17°25'59" E 128.40 feet;
N 71°31'58" W 182.10 feet;
N 09°35'26" E 82.72 feet;
N 26°59' E 166.00 feet to the Southeast corner of "Addition to a
Portion of Redstone Subdivision;
thence along the East line of said "Addition" the following courses and
distances:
N 03°19'05" W 253.07 feet;
N 42°26'24" E 166.17 feet to the North line of said NE1/4 NE1/4;
thence S 89°32'57" E along the North line 1035.31 feet to the point of
beginning.

Together with that property as set forth in Supplemental Order and
Decree recorded September 3, 1976 in Book 316 at Page 216 as Parcel 2.

Excepting from Both Parcel 1 & 2 and and all part of the Redstone
Subdivision and Addition to Redstone Subdivision.

And further excepting therefrom that property described in Book 291 at
Page 92.

And further excepting therefrom that property described as Parcel 1 of
the Supplemental Order and Decree recorded September 3, 1976 in Book
316 at Page 216.

THE INTENT OF THIS DESCRIPTION IS TO CONVEY ALL PROPERTY AS CONVEYED TO
C.D. REISNER BY L.R. MACDONALD IN DEED RECORDED FEBRUARY 15, 1945 IN
BOOK 166 AT PAGE 315 AND AS CORRECTED BY DEED RECORDED APRIL 30, 1945
IN BOOK 171 AT PAGE 33 PITKIN COUNTY, COLORADO RECORDS.

COUNTY OF PITKIN,
STATE OF COLORADO

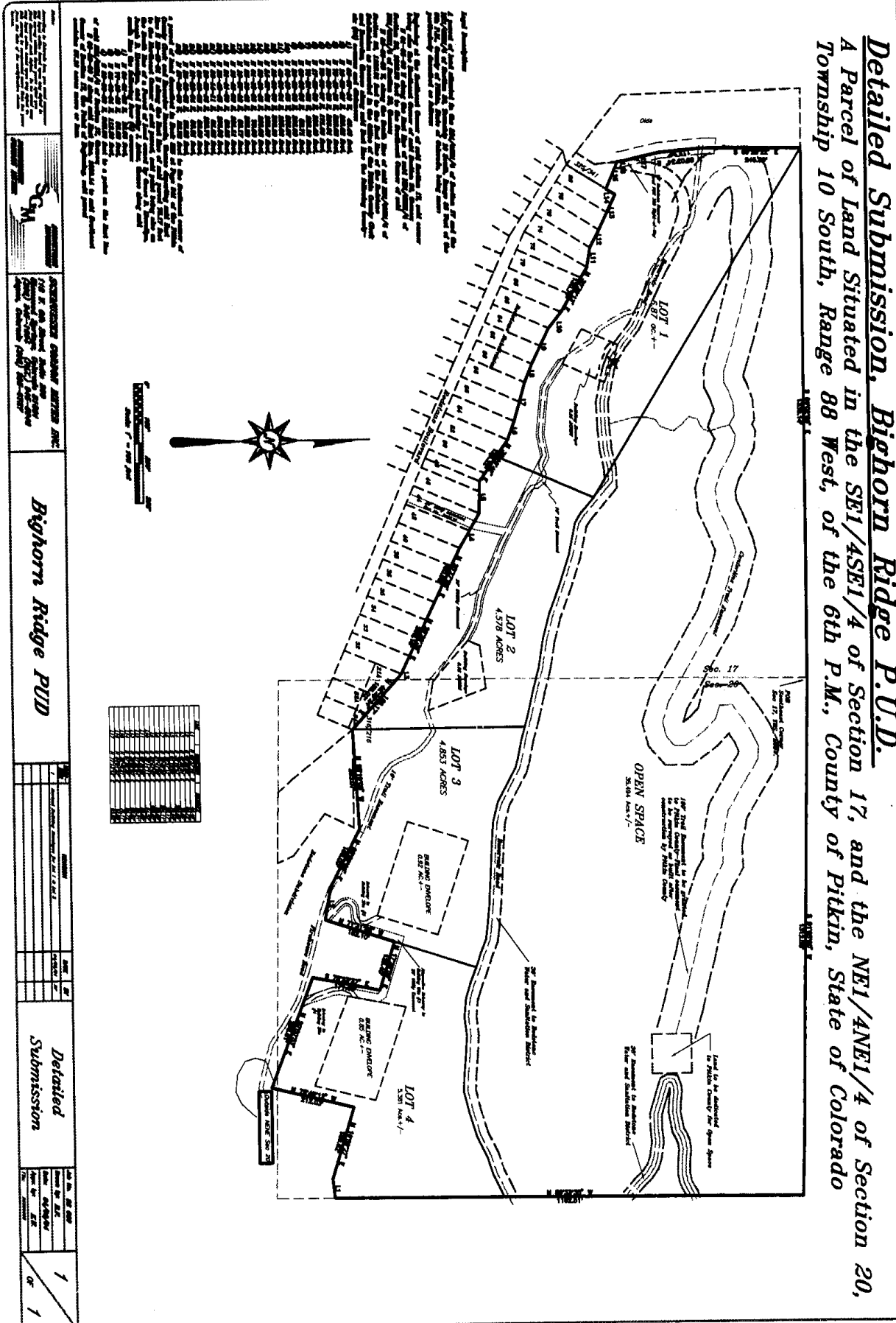
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Criteria for

Detailed Submission, Bighorn Ridge P.U.D.
 A Parcel of Land Situated in the SE1/4SE1/4 of Section 17, and the NE1/4NE1/4 of Section 20,
 Township 10 South, Range 88 West, of the 6th P.M., County of Pitkin, State of Colorado

EXHIBIT "B"



BIGHORN RIDGE P.U.D. 17715 N. BIGHORN RIDGE DRIVE DENVER, COLORADO 80242			ENGINEERED CONSULTANTS, INC. 150 E. ANNE ARBOR AVENUE DENVER, COLORADO 80202	Bighorn Ridge PUD		<table border="1"> <tr> <td>DATE</td> <td>BY</td> <td>REVISION</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	DATE	BY	REVISION									
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