

PIASA RANCH PUD

Development Plan and Guide

Developer:  
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Date: August 2005

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## CHAPTER I

### I-A General Provisions

1. Authority – The authority of this Development Plan and Guide is Part II, Section 16, (Planned unit Development) of the Elbert County Zoning Regulation. The authority for Section 16 of the Elbert County Zoning Resolution is the Colorado Planned Unit Development Act of 1972, as amended.
2. Adoption – The adoption of this Development Plan and Guide shall evidence the findings and decision of the Elbert County, Colorado, Board of County Commissioners that this Development Plan and Guide for "Piasa Ranch PUD" is authorized by the provisions of Part II, Section 16 of the Elbert County Zoning Resolution and that such Part II, Section 16 in this Development Plan and Guide comply with the Colorado Planned Unit Development Act of 1972, as amended.
3. Relationship to County Regulations – The provisions of this Development Plan and Guide shall prevail and govern the development of "Piasa Ranch PUD", provided, however, that where the provisions of this Development Plan and Guide do not address a particular subject, the relevant provisions of the Elbert County Zoning Resolution or any other applicable resolution of regulation of Elbert County shall be applicable.
4. Enforcement – The provisions of this Development Plan and Guide relating to the use of land shall run in favor of Elbert County residents, occupants, and owners of the land within "Piasa Ranch PUD" without any limitation of any power or authority granted by law.
5. Subdivision Plat – A subdivision plat showing all proposed lots, common area improvements, setback requirements and easements shall be submitted and approved by the Board of Elbert County Commissioners, in conjunction with this Development Plan and Guide. Any setbacks not established on the plat shall revert to the setbacks established by Elbert County Zoning and Subdivision regulations.

PROPERTY DESCRIPTION:

Lots 1 through 4, Piasa Ranch

County of Elbert  
State of Colorado

I-B Preamble – Statement of Intent and Commitments

- A. It is the intent of the Elbert County, Colorado, Board of County Commissioners to promote the zoning of the property by clarifying appropriate use and location restrictions to protect the adjoining land owners and the residents of the area while maintaining the flexibility required to meet the uses of the commercial parcels and the single-family lots by the lot owners and their invitees. For purposes of this development guide, invitees shall mean family members, friends and guests of residential single-family lot owners, including the owners of any commercial property. Nothing in this provision should be construed to prohibit a residential single-family lot owner from leasing his entire residential property and the use of his residential property to another person. Such person shall assume the rights and status of the residential single-family lot owner and shall be bound by the restrictions on use of the property and common areas to the same extent as the residential single-family lot owner.
- B. The Elbert County, Colorado, Board of County Commissioners recognize the rural atmosphere and land uses of adjoining properties and commit to restrict the uses of the premises through covenants in a manner that will not detract from the esthetics of property values.
- C. Toxic or hazard waste – discharge of toxic or hazardous waste, as defined by EPA or OSHA, into any on-site sewage disposal system is prohibited. Such waste, if generated, shall be disposed of in accordance to accepted EPA and/or OSHA standards.

D. County Certification

This Planned Development has been reviewed and found to be complete and in accordance with governing Elbert County Regulations.

(Signature) [Signature]  
Board of County Commissioners, Chairman

10-19-06  
Date

STATE OF COLORADO )

COUNTY OF ELBERT )

I hereby certify that this Development Plan and Guide was filed in my office on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ o'clock a.m./p.m., and was recorded per Reception No. \_\_\_\_\_.

\_\_\_\_\_  
County Clerk and Recorder

## CHAPTER II

### A. INTENT

For the purposes of this development guide, the Development is divided into two distinct types of lots based upon permitted uses.

1. Commercial Lots
2. Residential Single-Family Lot



## COMMERCIAL LOT

### A. INTENT

For the purposes of this Development Guide, the PUD allows for Commercial types of permitted uses by right, which are described in section E of this Guide.

### B. AREA AND YARD SETBACK REQUIREMENTS-FOR PRINCIPAL AND ACCESSORY USES.

1. Minimum lot width 100 feet.
2. Minimum front yard setback and minimum yard setback for land abutting a street shall be 40 feet from road right of way.
3. Minimum side and rear yard setbacks. Adjoining uses allowed in B or C: in accordance with the Uniform Building Code.
4. Adjoining uses allowed in LI or GI, 50 feet.
5. Adjoining uses allowed in Residential or Agricultural, 75 feet.
6. Maximum building height, 60 feet.

### C. FENCES, HEDGES AND WALLS

1. fences hedges and walls shall be permitted in this district and do not have to comply with the minimum setbacks of the zone district.
2. Fences, hedges and walls shall not exceed (8) eight feet in height.
3. Outdoor storage shall be concealed by a solid fence, wall or chain link fence with slats at least (6) six feet in height.

### D. GENERAL REQUIREMENTS

1. Parking Requirements: Part II, Section 20, Off Street Parking Requirements of the Elbert County Zoning Regulations recorded in Book 626 at Page 989 shall apply.
2. Sign Requirements: Part II, Section 19, Sign Regulations, of the Elbert County Zoning Regulations recorded in Book 626 at Page 989 shall apply.
3. Landscape Requirements: The lot shall be landscaped in accordance with an approved landscaping plan. The areas landscaped shall be inclusive of, but not limited to, the front yard, parking areas and other required areas. This plan shall be made part of the site plan submittal for building permits.
4. Water and Sewer Requirements: Water shall be provided by a central water system. Wastewater shall be provided by individual treatment systems with leach fields, approved by Elbert County Health Department and the State of Colorado Health Department.



E. USES PERMITTED BY RIGHT:

1. All uses permitted by right in the current C-Commercial Zoning District as described in the Elbert County Zoning Regulations.

## RESIDENTIAL SINGLE FAMILY LOTS

### A. INTENTS

Lot 4 is designated on the plat as a residential single-family lot.

### B. USES PERMITTED BY RIGHT

The primary use of the residential single-family lot shall be for residential purposes.

### C. RESTRICTIONS/REGULATIONS

Water shall be provided by individual well.

Wastewater shall be provided by the existing individual septic system.

### D. SETBACKS

Front: 100' Right of Way Easement

Side: 100' Principal Use

50' Accessory

Rear: 30' Principal and Accessory

All other restrictions, regulations, setbacks and requirements for the single family lot shall be the same as in the current Elbert County Zoning Regulations for property zoned AR.

5. Impact fees: The impact fees to be collected by the County For this particular parcel shall be collected prior to any building permit being issued by Elbert County. These fees shall be calculated on a square foot basis at whatever fee is being charged by Elbert County for like development at the time of issuance of the permit. No building permits will be allowed to be issued for this lot until this fee has been paid in full.
6. Allowable Square Footage: The allowable square footage for Any improvements to this site shall be determined by the amount of water available underlying Lots 1, 2 and 3, which has been determined to be 8.33 acre feet per year for 300 years. The Combined maximum allowable square footage for Lots 1, 2 and 3 shall be 20,825 improved square feet. Additional Square footage can be attained if additional water can be allocated to lot 1, or if Elbert County adopts a water supply policy for commercial land use applications that is less than .4 acre feet per year for each 1000 feet of improvements or if a central supply would become available that would allow additional square feet..

## WEED MANAGEMENT PLAN

This weed management plan is made this      day of      2005 by Maurice and Brenda Cope (herein called Owner).

- A. Owner is the record owner of the property described on exhibit A , Elbert County, Colorado.
- B. The Owner wishes to establish a Weed Management Plan for the property described above. The intent of this document is to control noxious weeds and the possible spread thereof.

### CONDITIONS

- 1. In order to control the presentation or spread of noxious weeds, the property shall be inspected annually by the Owner. Elbert County also has the right to inspect the property for noxious weeds. If at any time the presence of a noxious weed infestation is evident, the Owner shall, at their expense, establish and implement a plan to eradicate the infestation. This plan can include but is not limited to control by mechanical (mowing), biological, or chemical methods.
- 2. As a part of the annual inspection, a weed map, shall be updated as to the presence of any noxious weed infestations. A record of control methods shall be kept and updated in conjunction with the map updating. It is suggested that individual tract owners contact the local NRCS office for assistance in identifying, mapping the location of and completing and implementing a control plan for any noxious weed infestations.
- 3. Any ground disturbed by building or the movement of topsoil shall be reseeded. Reseeding of disturbed soil should be done in a timely manner, season and weather permitting. Excavating, grading and other soil disturbing operations should be planned for reclamation in the spring or fall whenever possible. Successful seeding between May 15<sup>th</sup> and October 15<sup>th</sup> is unlikely and at best will result in severe competition by annual weeds and likely seedling loss due to lack of moisture.
- 4. Topsoil from excavating shall be stockpiled if not immediately placed for revegetation. Stockpiles shall be kept weed free.
- 5. All disturbed areas shall be topsoiled prior to reseeding if the topsoil has been previously removed.
- 6. Each individual tract owner should contact the CSU County Extension Office for assistance in establishing and implementing a reseeding plan for disturbed areas.

7. All disturbed areas shall be kept mowed until reseeding can be accomplished, and a successful stand has been established.
8. Each individual tract owner shall contact the CSU County Extension Office for assistance in establishing an annual budget for weed management. A minimum of \$500.00 should be budgeted for initial reseeding of disturbed areas.
9. Any cost associated with weed management shall be the sole responsibility of each individual tract owner.

#### SITE EVALUATION

The property described above was evaluated for the presence of noxious weeds on July 15, 2005, at that time there was no evidence of noxious weeds on the site.

#### RESEEDING PLAN

Any disturbed areas, road/driveway sides and ditches shall follow a re-seeding plan prepared by the local NRCS office, similar to the plan attached.