

CATHEDRAL PINES
PUD DEVELOPMENT GUIDELINES

GENERAL DEVELOPMENT PLAN

EL PASO COUNTY, COLORADO

December 5, 2004

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I. BACKGROUND

A. THE PROPERTY

The Cathedral Pines subdivision (the "Property") is located in El Paso County, Colorado, west of Holmes Road and north of the Black Forest Regional Park within portions of Sections 1 and 2, T12S, R66W, of the 6th PM. The Property contains approximately 806.0 acres of undeveloped land. The Property is currently zoned RR-3 Rural Residential 5.0 acre.

B. SITE ANALYSIS

The Property is ponderosa pine forest.

The site slopes east to west with ridges on the northerly and southerly boundary of the project.

Water will be provided by individual on site wells operated under a State approve water augmentation plan. Waste water will be treated by individual on site septic systems.

Three permanent vehicular accesses to the site are planned via Holmes Road, Winslow Drive, and an extension of Milam Road.

II. STATEMENT OF PURPOSE AND INTENT

The Cathedral Pines subdivision is a planned, residential community consisting of a maximum of 161 residential units with lots averaging 3.4 acres in size. Streets will be designed to carry the traffic load based on the number of homes developed on each street. Milam Road and Holmes Road are intended to carry the traffic generated by the 161 residential units. The Cathedral Pines subdivision's development standards are intended to further the goals of El Paso County and this planned community. These standards are written to ensure a unified quality development, through creativity in design, sensitivity to the characteristics of the site and compatibility of land uses.

The following principles will be used in guiding development towards a planned community which can respond to market conditions:

- Encourage flexibility in site design with respect to building spacing, heights and density of buildings, open space and off-street parking;

- Allow a variety of creative solutions to permit design that may not be possible through the strict application of traditional zoning and subdivision regulations;
- Encourage innovations in land use that result in the availability of attractive development opportunities;
- Maximize the unique physical features of the Property to strengthen the feeling of a treed mountain community;
- Create development patterns and project designs that furthers the goals and policies of El Paso County;
- Provide appropriate transitions between external and internal land uses while encouraging an overall community focus.
- Provide wildlife habitat.
- Reduce Wildfire hazards.
- Control noxious weeds.

III. AUTHORITY

These standards are adopted pursuant to the Planned Unit Development Act of 1972, C.R.S. 24-67-101, et. seq., and the El Paso County Land Development Code, and shall apply to all property contained in the approved Cathedral Pines Planned Unit Development. The regulations and requirements shall become the governing standards for review, approval and modification of all development activities occurring on the Property. The subdivision and zoning regulations for El Paso County shall apply where the provisions of this document or the Development Plan do not address a specific subject.

IV. LAND USE SUMMARY

The maximum total residential units which may be constructed within the Property shall not exceed 161 units unless the Planned Unit Development is amended in accordance with applicable El Paso County rules and regulations.

V. DEVELOPMENT GUIDELINES

Five design elements are addressed in these guidelines. Discussion of each begins with a statement and description of the design objective, followed by the specific design guidelines. The five elements are as follows:

- A. Site organization / lot siting
- B. Building height, setbacks, and minimum lot size
- C. Streets
- D. Storm drainage and erosion control
- E. Fire mitigation, forest management, and noxious weed control

The design guidelines are meant to be flexible: however, certain guidelines are absolute while others are discretionary. The El Paso County Planning Department reserves the right to implement and require compliance with the discretionary guidelines as deemed necessary, consistent with the intent of the applicable sections and provisions of Section 16 of the El Paso County Land Development Code.

A. SITE ORGANIZATION / LOT SITING

Development Objective:

Elements of the plan for the Cathedral Pines PUD, including housing, utilities, streets and drainage, are designed and arranged to produce an efficient, cohesive, functionally organized development.

Development Guidelines:

1. Buildings, streets, and open space areas shall be situated to maximize the amount and quality of views and natural light.
2. The natural features of the site have been identified and incorporated into the development plan. The plan utilizes the flood plains, drainage structures, slopes and existing vegetation to their best advantage, and further enhances these elements to create a quality environment in which to live.
3. Subject to the considerations and requirements of the Wildfire Hazards Mitigation Plan and Appendix A - Creating Fire Safe Zones, buildings should be located on lots in such a way to minimize damage to existing vegetation. The lots shall be maintained in the natural state as nearly as possible, except that a reasonably sized lawn and/or garden, not to exceed 1,500 square feet may be planted around the house.
4. No pre-construction land disturbances will be allowed beyond public facilities until a plot plan is approved by the El Paso County Planning Department.
5. In those lots where high ground water and / or shallow bedrock exist, siting of the septic system shall occur prior to the dwelling unit siting to ensure that a suitable location for a septic system is available.

B. PERMITTED USES, BUILDING HEIGHT, SETBACK, MINIMUM LOT SIZE

Development Objective:

Promote a variety of building heights and setbacks related to the individual lots and market demands to present a stylized lot development appearance within the overall community.

Development Guidelines:

1. Permitted principal uses, accessory uses and uses subject to special review shall be those uses as defined in the RR-2 (Rural Residential) Zone District of the El Paso County Land Development Code. Private stables and the keeping of horses is expressly not allowed on lots less than 35 acres in size. Private stables and the keeping of horses is expressly allowed on lots 35 acres or greater in size.
2. Factors considered for establishing building setbacks include building type, height, architectural configuration, indoor / outdoor relationship, building orientation, open space areas, retention of natural features and existing vegetation and other amenities, and landscape treatment.
3. Varied front setbacks and landscaping will be encouraged in order to provide visual relief and variety throughout the street scape. Building setbacks may be adjusted during the Plot Plan (described in Section VI) process for the development of individual lots to reflect more site specific needs that have been determined at that time due to the more specific site planning work that will be completed.
4. The following residential building setbacks shall serve as a guideline to minimum setbacks for the development. Buildings and structures should generally be placed or erected at least twenty five (25) feet from any lot line fronting a standard roadway. Buildings and structures should generally be placed or erected at least twenty five (25) feet from any side lot line and thirty five (25) feet from any rear lot line. Variances from the suggested setback guidelines must be approved by both the Cathedral Pines Architectural Control Committee and the El Paso County Planning Department in accordance with Section VI Plot Plan Approval. Setbacks shall be measured perpendicularly from property line to the foundation line for any building.
5. Garages or other accessory buildings will not be erected to dominate the street-scape. Further, accessory buildings should not be located closer to a road than the main buildings.
6. Maximum building heights for the development shall not be greater than thirty five (35) feet.
7. The minimum residential lot sizes are as follows: 2.50 acres

8. The Cathedral Pines subdivision contains numerous Tracts within the various Filings intended to provide for park, open space, landscape features, right-of-way reservations and Cathedral Pines Metropolitan District uses. Exhibit "B" details the various tracts, tract areas, allowable uses, tract ownership and maintenance responsibilities.

C. STREETS

Development Objective:

Establish a street hierarchy system that responds to specific development and traffic movement needs of this development

Development Guidelines:

1. Promote street design that is compatible with neighborhood and community needs.
2. Design street pavement widths in response to specific criteria such as building type, traffic volume, normal vehicle size using the street, density, topography, drainage system, parking requirements, and market preference.
3. All roadways shall be paved. However, specific road improvements shall be designed in response to specific criteria such as traffic generation, type of drainage facility and utility placement, pursuant to the El Paso County Subdivision Criteria Manual, Drainage Criteria Manual, and specific approved waivers to the El Paso County Subdivision Criteria Manual.
4. The long range image of the development is impacted by the character of the entry and primary roads. Landscaped plantings along each side of the primary roads are intended to enhance the entry aspects of the development. Minimal clearing of existing trees is planned. Any landscaping within any publicly owned right of way shall be subject to approval by both Cathedral Pines Architectural Review Committee and the El Paso County Department of Transportation. Any landscaping within any Home Owners Association owned right of way shall be subject to approval by the Cathedral Pines Architectural Review Committee in accordance with the adopted Rules and Regulations of the Association.

The following guidelines will be used to set minimum street standards for the development:

Internal Community Roads - Except as illustrated on the approved PUD Development Plan, all internal community roads and road right of ways will be public and owned and maintained by El Paso County.

D. STORM DRAINAGE AND EROSION CONTROL

Development Objective:

Accommodate historic storm drainage flows by utilizing the existing natural drainage systems, where practical, in accordance with the El Paso County Drainage Criteria Manual.

Development Guidelines:

1. Provide for storm water management by utilizing the existing ecosystems that exist throughout the community. Except for drainage and erosion control facilities approved by the El Paso County Department of Transportation, no disturbance of property located within 100-year flood plains shall be allowed unless approved by the Cathedral Pines Architectural Review Committee, Flood Plain Administrator and the El Paso County Planning Department.
2. Limit concentration of storm water runoff and point discharges by limiting the use of channeling and underground structures and piping. Sheet flow over landscape areas will be utilized whenever possible. Sheet drainage and swales are preferred over hard/concrete structures.
3. Preservation of existing vegetation or introduction of natural materials to reduce runoff velocities and encourage percolation of storm water is encouraged. The overall intent is to:
 - Maximize the use of natural drainage systems;
 - Reduce costly conventional systems and associated point discharges;
 - Maximize water retention and water table recharge;
 - Minimize possible adverse impacts downstream.
4. Use accepted erosion control techniques during construction to reduce adverse impacts downstream.
5. Along roadways and drives, drainage swales will be provided only where needed or required to interrupt flows from uphill sources. Additional slope and drainage easements will be provided when necessary.
6. Water surface areas being created on the property are intended to mature over time and take on a natural look, rather than necessarily being maintained with manicured edges.
7. Drainage structures and facilities which will be maintained by El Paso County upon acceptance shall only be those which are identified within the approved Final Drainage Plan and Report. All other structures and facilities will be the responsibility of the individual lot owner or the Cathedral Pines Home Owners Association as the case may be.

8. All cut and fill slopes within residential development areas exceeding a 3 to 1 slope ratio shall be protected with an appropriate slope protection mitigation technique.

E. WILDFIRE MITIGATION

Development Objective:

The developer of the Cathedral Pines subdivision is responsible for planning and developing the lots in a manner consistent with contemporary wildfire hazard mitigation techniques and contemporary forest management techniques, utilizing accepted Colorado State Forest Service techniques. The home builder is responsible for designing and constructing homes which are sensitive to the environmental hazards existing within their specific sites. The homeowners and the home owners association are ultimately responsible for the maintenance of their homes, home sites, in a manner consistent with the adopted wild fire hazards mitigation plan, and the Black Forest Fire District.

See Exhibit "A" Wildfire Hazards Mitigation Plan for additional wildfire mitigation requirements.

VI. PLOT PLAN APPROVALS

The El Paso County Land Development Code requires a plot plan approval for each lot within a PUD zone before a building permit may be applied for. To expedite this procedure, and to reduce unnecessary work for the El Paso County Planning Department, the following plot plan approval procedure is hereby established.

A. Each lot shall require a plot plan on a minimum size of 24" x 36" drawing at a scale adequate to provide the required information clearly, which at a minimum must include the following information:

1. The location, height, and dimensions of each existing and proposed building or structure in the development area and the uses to be contained therein.
2. The proper building setbacks and building area with reference to property lines, highways or street rights of way and easements.
3. The location and surfaces of all parking areas, drive aisles and internal roads, and the exact number of parking spaces.
4. The location of watercourses and other natural and historic features.
5. Existing and proposed contours at a 2' contour level.
6. The location of all existing and proposed recreation and open spaces.

7. The location of all existing and proposed landscaping.
8. The location of all permanent accesses from publicly dedicated or private streets and roads.
9. A vicinity map to locate the development in relation to the community.
10. Location of all proposed uses, structures, and other natural or man-made features and relationship of uses, structures and features to internal and adjoining uses, structures, features, and landscaping.
11. Compliance with the Wildfire Mitigation requirements contained in Section E above. This compliance shall include a brief vegetative management plan prepared by a qualified resource management professional. The vegetative management plan shall address wildfire hazard mitigation, general forest health (tree density and presence of forest insect or disease problems) and the presence of any noxious weeds.
12. Location of all utility service lines including; water, wastewater, electric, natural gas, and telephone.
13. One set of building elevations and interior floor plans.
14. Approval by the Cathedral Pines Architectural Control Committee.
15. The El Paso County Planning Department may require additional information in the event that development guideline elements of this document are not adequately addressed.
 - A. Upon receiving a complete plot plan submittal conforming with these requirements, the El Paso County Planning Department shall process the request within ten (10) working days. Approval will be provided by the El Paso County Planning Department's authorization for the purposes of obtaining a building permit. The El Paso County Planning Department may attach conditions of approval to ensure compliance with these Guidelines, the Development Plan and all other applicable federal, state, or local regulations.
 - B. Any request for variances or waivers of any requirement of the PUD zone of the Development Plan will require the written approval of the Director of the El Paso County Planning Department subject to the El Paso County Land Development Code.
 - C. If the Plot Plan is not approved by the Planning Director, the decision may be appealed to the El Paso County Board of Adjustment. The procedures for such appeal shall be the procedure set forth in Section 4.B of the El Paso County Land Development Code, entitled Petitions for Variance of Physical Requirements (Board of Adjustment), Submittal Requirements and Section 34, Board of Adjustment. The appeal must be fully detailed in writing and shall be submitted to the Planning Department within thirty (30) days of the

Director's final action. Said appeal shall be limited to the record before the Planning Director in making his decision to disapprove. The burden of proof for said appeal rests with the petitioner.

14. Because of existing slopes and soil types, all building foundations shall be designed by a registered professional engineer.

15. Because of existing slopes and soils types, all septic systems shall be designed by a registered professional engineer.

16. Because of existing slope and soils types, a grading and drainage plan, prepared by a registered professional engineer shall be provided with all plot plan approval requests. Prior to the El Paso County Planning Department's authorization for a certificate of occupancy, a registered professional engineer shall certify that the property has been developed in accordance with the grading and erosion control plan.

APPENDIX "A"

CATHEDRAL PINES SUBDIVISION WILDFIRE HAZARDS MITIGATION PLAN

PROJECT DESCRIPTION

The project developers are currently making application to the El Paso County Planning Department for a PUD Development Plan and a Preliminary Plan approval of the proposed Cathedral Pines Subdivision, located in northern El Paso County, Colorado.

The proposed subdivision is located within portions section 1 and portions of section 2, T12S, R66W, of the 6th PM, bounded on the east by Holmes Road and on the south by the Black Forest Regional Park. The property consists of approximately 806.0 acres and is presently zoned RR-3. The property is located within and will be serviced by the Black Forest Fire Protection District. Water will be provided by individual on site wells.

The applicant is requesting approval to allow for the future development of 161 single family residential lots on the 806.0 acres at a minimum lot size of 2.5 acres. All roads will be asphalt surfaced, constructed to El Paso County standards and criteria, and owned and maintained by El Paso County.

The Impact Identification Report included within this submittal identified a severe wildfire hazard potential within the 806.0 acres. This wildfire hazard potential requires special precautions and mitigation techniques which go beyond the project's inclusion within an established fire protection district. The following mitigation plan is based, in part, on the publication "*PROTECTING YOUR HOME FROM WILDFIRE, a guide for Home Builders, Buyers, and Owners*" prepared by the Colorado Springs Fire Department and the Colorado Springs Park and Recreation Department.

RELATIONSHIP TO OTHER PLANS AND DOCUMENTS

The intent of this mitigation plan is to summarize the wildfire mitigation components involved in the development of the Cathedral Pines Subdivision. Implementation of the specific plan components are further detailed and defined in numerous other plans and documents including; Preliminary Plan, Preliminary Roadway Profiles, the draft PUD Development Guide, and the draft Declaration of Covenants and Restrictions. In addition, the developer will incorporate the Colorado State University Cooperative Extension publications *Creating Wildfire Defensible Zones* and *Fire-Resistant Landscaping* into the PUD Development Guide and the property's Covenants and restrictions.

WILDFIRE HAZARD MITIGATION RESPONSIBILITIES

For the subdivision's wildfire hazard mitigation plan to be effective, a partnership with specific responsibilities must be implemented between the land developer, the home builder, and the homeowner. The development company is responsible for planning and developing the land in a manner consistent with contemporary wildfire hazard mitigation techniques. The home builder is responsible for designing and constructing homes which are sensitive to the environmental hazards existing within their specific sites. The homeowners are ultimately responsible for the maintenance of their homes and home sites in a manner consistent with the adopted wildfire hazards mitigation plan.

DEVELOPER'S RESPONSIBILITIES

1. The 806.0 acre ponderosa pine forest includes a wide variety of forest management conditions. The understory within this area consists of native grasses with minimal amounts of shrubs or brush. The developer and the Homeowner's Association will work with a professional forester and the State Forest Service to insure the proper maintenance and health of the forest.
2. The property is located within and serviced by the Black Forest Fire District. The nearest District fire station is located approximately three miles from the proposed subdivision at the corner of Shoup Road and Black Forest Road.
3. A land plan has been developed to provide fuel breaks via proposed 60 foot and 120 foot ROW roadways and cleared utility easements. See Preliminary Plan submitted under separate cover.
4. A vehicular circulation network has been designed to provide safe and efficient emergency vehicle access to, from, and through all areas of the property. See Preliminary Plan submitted under separate cover.
5. The developer will enact and enforce development covenants and restrictions requiring home builders and homeowners to implement the policies set forth in the Wildfire Hazards Mitigation Plan.
6. Using the existing wildfire management resources of the State Forest Service and the Black Forest Fire Protection District, the developer and the project's professional forester will implement a program of design and maintenance guidelines intended to educate the project's home builders and homeowners as to specific wildfire hazard mitigation techniques.
7. The developer will establish a Homeowner's Association which will advocate neighborhood involvement in the wildfire mitigation plan and assure the maintenance of the covenants, restrictions, and guidelines once they have been implemented.
8. The developer will install fire protection cisterns per the requirements and specifications of the Black Forest Fire Protection District.

HOME BUILDER'S RESPONSIBILITIES (via property covenants and restrictions)

1. All roofing material shall be noncombustible or fire resistive class A, B, or C rated.
2. Exterior wall materials such as stucco, rock, and brick shall be encouraged.
3. All undereave vents shall be located near the roof line rather than near the wall. All eaves shall be boxed and minimum overhangs shall be encouraged.

4. All windows and patio doors shall be made of tempered safety glass or double pane glass. Exterior fire-resistive shutters and interior fire resistant drapes or blinds shall be encouraged.
5. Masonry patios and/or one hour fire rated decks shall be encouraged to create a setback safety zone.
6. Builders will be encouraged to minimize the number and size of windows and doors on the side of the house that would most likely be exposed to fire.

HOMEOWNER'S RESPONSIBILITIES (via property covenants and restrictions)

1. All homes shall have a 30 foot safety zone or primary fuel break in all directions. All brush within 10 feet of the house shall be removed and replaced with an irrigated greenbelt (including grasses, shrubs, and/or flowers) or noncombustible materials such as rock or gravel.
2. All large trees within the 30 foot safety zone shall be thinned to eliminate overlapping crowns. Trees within two tree heights of the house shall be pruned of all dead limbs. Prune live branches to 10 feet from at least half of the trees within the 30 foot safety zone. Trim all branches which extend over or under the eaves of the roof.
3. Homeowners shall be required to maintain the 30 foot safety zone by removing all fuels from beneath large trees. Keep grasses trimmed to 2 inches and well watered. Keep roofs and roof gutters clean of pine needles and leaves. Stack firewood uphill and at least 10 feet from structures. Remove dead limbs, leaves, and grass clippings from all areas.
4. All driveways shall be readily identifiable and maintained unobstructed at all times.
5. All house addresses shall be clearly visible from the street.
6. All chimneys shall be equipped with a mesh spark arrester and inspected and cleaned on a regular basis.
7. On site burning of trash, leaves, and weeds shall be prohibited.
8. Fireworks of any kind shall be prohibited.
9. All motor vehicles shall be parked on noncombustible surfaces.
10. All homes shall be equipped with smoke detectors and a minimum of one 2.5 pound fire extinguisher maintained in accordance with the manufacture's recommendations.