TEN MILE PLANNING COMMISSION
AGENDA
November 9, 2017 - 5:30 p.m.

Buffalo Mountain Room, County Commons
0037 Peak One Dr., SCR 1005, Frisco, CO

Commission Dinner: 5:00pm

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF SUMMARY OF MOTIONS: September 14, 2017

IV. APPROVAL OF AGENDA: Additions, Deletions, Change of Order

V. CONSENT AGENDA: None

VI. PUBLIC HEARINGS: None

VII. WORK SESSION ITEMS:

PLN17-089 Copper Mountain Resort Major PUD Amendment (Housing)
Work session for a Major PUD Amendment to the Copper Mountain Resort PUD to add Deed-Restricted Housing as an allowed use to Parcel 30 to facilitate up to 80 units of housing in the northern portion of the Alpine Parking Lot (an approximately 2.5 acre site), as well as add outdoor vendors as an allowed use to Parcels 6, 12, and 24. Additional sections of the PUD to be amended include parking, open space, and other amendments to accomplish the foregoing; Township 6 South, Range 79 West, Sections 25 and 26; Range 78 West, Sections 29, 30, and 32

VII. DISCUSSION ITEMS:
- Suggested Revisions for Consideration in Next Master Plan Update
- Countywide Planning Commission issues
- Follow-up of previous BOCC meeting
- Planning Commission Issues

VIII. ADJOURNMENT

* Allowance for Certain Site Plans to Be Placed on the Consent Agenda: Site plan reviews consisting of three (3) to a maximum of 12 multi-family units for the total development parcel or project may be placed on a Planning Commission’s “consent agenda”, which allows for expeditious review and approval of these smaller projects. Site plans may only be placed on the consent agenda if the recommendation does not include any conditions. Single-family and duplex development that are required to have a site plan review by a Planning Commission due to a plat note, PUD requirement or other regulatory mechanism may also be placed on a Commission’s consent agenda. A Planning Commission member may pull such agenda item off the consent agenda to allow staff or the applicant to address issues or questions related to the site plan review criteria for decision prior to taking action.
TEN MILE PLANNING COMMISSION
SUMMARY OF MOTIONS
September 14, 2017

SITE VISIT TO A-LIFT PROJECT LOCATION
Commissioners Present: Mike Beerntsen, Tom Connolly, Robert Franken, Jeanette Gongloff, Steve Wahl
Staff Present: Don Reimer and Jessica Potter
Other: Graeme Bilenduke (Applicant)
Staff showed the Planning Commission the location of the different aspects of the proposal.

REGULAR MEETING
Commission Members Present: Mike Beerntsen, Tom Connolly, Robert Franken, Jeanette Gongloff, Lina Lesmes, Donna Skupien, Steve Wahl
Staff Present: Jessica Potter, Planner II; Don Reimer, Planner Director; Keely Ambrose, Assistant County Attorney
Donna Skupien, Chair, called the meeting of the Ten Mile Planning Commission to order at 5:32 p.m.
Approval of Summary of Motions: The Summary of Motions from the March 9, 2017 meeting was approved as presented.
Approved on a 3-0 vote since 4 of the 7 Commissioners were sitting at their first Commission meeting.
Announcements: None.
Work Session Item:
PLN17-058: Work session for a Major Amendment to the Copper Mountain Planned Unit Development (PUD) to accommodate a 50 room hotel with accessory uses, 8 townhomes, 15 condominiums, 3 single family homes, and an event barn on an approximately 8.5 acre parcel located in the A-Lift Neighborhood, A Portion of Lot 2B, Copper Mountain East Neighborhood Subdivision
Discussion:
Since this is a work session, there was no motion, findings, or conditions. Major points of discussion included:

Overall Impressions of the Development:
The Commission expressed confidence with the development team in place and acknowledged the unique aspects of the proposal. They expressed concerns about the single-family homes, and the duplexes to a lesser extent, being disjointed from the development as a whole. They also were concerned about the isolation of this development from the rest of the resort.

Amending the PUD:
In response to many of the public comments expressing concern with a proposal to amend the PUD, the Commission stated that the PUD is a living document, is modified from time to time, and they are not concerned with considering an application to amend the PUD, as long as it fits the purpose and intent and criteria for a PUD amendment.

Single-Family Homes:
The Planning Commission expressed concern with the disturbance of steep slopes, wetlands, and requested variances in order to develop the single-family homes as proposed.

Vitality of the PUD:
The Commission expressed concerns about rezoning a parcel when there are other approved (and vacant)
hotel sites at Center Village. The Commission stated that businesses at Center Village struggle and questioned the viability of this development so far from the resort center both for its success and lost opportunity to bring customers into Center Village.

Exclusivity:
The Commission expressed concern about the exclusivity and isolation of this development within the PUD. The applicant responded to this as well as Staff’s concern about the privatization of this area that hotel lobbies are essentially public spaces and stated on record that the A-Lift could/would never be privatized.

Connectivity within PUD:
The Planning Commission emphasized the need to see bike and pedestrian connections between this development and the rest of the PUD. The applicant acknowledged this need and reiterated that a final access design will impact the design of these connections and which are forthcoming.

Height and Visual Impact:
The majority of the Planning Commissioners expressed concerns about the height and visual impact of this development and emphasized the need to see more analysis of these impacts with the pending submittal. The Commission requested that the applicant show the height of a particular spruce tree near the tee box of hole 15 as a reference point for height.

Public Benefit:
The Commission stated that they currently do not see any public benefits associated with this proposal and that this is a concern.

PUBLIC COMMENT
The Chair told the public that while this is not a public hearing, out of respect to the members of the public who were still present, that the Commission would entertain public comment. Commissioner Skupien did state that they Commission had read all the public comments received via email. Three members of the public spoke, 2 were opposed and 1 was supportive of the development.

DISCUSSION ITEMS
Election of Vice-Chair:
Motion: Tom Connolly nominated Lina Lesmes for the position of Vice-Chair, Donna Skupien seconded the motion.
Approved 7-0

ADJOURNMENT
The meeting was adjourned at 8:38 p.m.

Respectfully submitted,

Jessica Potter
Planner II
STAFF REPORT
TO: Ten Mile Planning Commission
FROM: Jessica Potter, Planner II and Lindsay Hirsh, Senior Planner
FOR: Meeting of November 9, 2017
SUBJECT: Planning Case PLN17-089, Copper Mountain Resort Major PUD Amendment (Housing)
APPLICANT: Graeme Bilenduke, Copper Mountain Resort
OWNER: Powdr - Copper
REQUEST: Work session for a Major PUD Amendment to the Copper Mountain Resort PUD to add deed-restricted Housing as an allowed use to Parcel 30 to facilitate up to 80 units of deed-restricted housing in the northern portion of the Alpine Parking Lot (an approximately 2.5 acre site), as well as add outdoor vendors as an allowed use to Parcels 6, 12, and 24. Additional sections of the PUD to be amended include parking, open space, and other amendments to accomplish the foregoing

PROJECT DESCRIPTION
Location: Copper Mountain
Legal Description
PUD: Township 6 South, Range 79 West, Sections 25 and 26; Range 78 West, Sections 29, 30, and 32 of the 6th P.M.
North Alpine: Lot 2B, Copper Mountain East Neighborhood Subdivision
Existing Zoning: Copper Mountain Resort Planned Unit Development (“PUD”) Proposed Use: Deed-Restricted Housing on Parcel 30
Other Uses: Clarification of Outdoor Vendors on Parcels 6, 12, and 24
Site Area
PUD: 673.53 acres (includes 193.99 acres of on-mountain mining claims zoned Copper Mountain PUD and 26.30 acres comprising the North Parcels already deeded to the County but zoned Copper Mountain PUD)
North Alpine: Approximately 2.5 acres

Adjacent land uses (PUD):
East: SH 91/White River National Forest, zoned NR-2
West: White River National Forest, zoned NR-2
North: I-70/White River National Forest, zoned NR-2
South: White River National Forest, zoned NR-2

Adjacent Land Uses (North Alpine):
East: Hwy 91 / White River National Forest
West: Copper Point Townhomes
North: Copper Road
South: Alpine Parking Lot

Overview of Proposal:
Powdr-Copper, the resort owner, has requested a work session with the Ten Mile Planning Commission (Commission) and Board of County Commissioners (BOCC) for a Major Amendment to the Copper Mountain Planned Unit Development (PUD). The primary component of this request centers on zoning approval for the construction of up to 80 units of deed-restricted housing in the northern portion of the
Alpine Parking Lot. In order to facilitate this development, the applicant is proposing modifications to the Employee/Affordable Housing section of the PUD, including changes to housing, parking, and open space. Additionally, the Outdoor Vendors use is proposed for clarification to explicitly allow food trucks and food carts on PUD parcels 6, 12, and 24.

The major components of this request are summarized below:

- **Housing**
  - Addition of Employee Housing and Affordable Housing as an allowed use on Parcel 30 (Alpine Lot) and a preliminary design for a proposed North Alpine housing development
  - Extension of the delivery date for the remaining Employee and Affordable Housing units as required in the PUD by 5 years to December 23, 2023
  - Streamlining the Affordable Housing and Employee Housing section into one section in the PUD including modifications to bed credit allocation and AMI rental targets, among other changes
  - Allowing an increase in the number of beds at The Edge from 542 to up to 600

- **Parking**
  - Removal of certain parking triggers and the requirement to provide a minimum of 50% of the day skier parking on private land

- **Open Space**
  - Removal of the soccer field and replacement with the construction of a pocket park in the North Alpine development

- **Public Benefit**
  - Improvements to the Recpath crossing at Hwy 91 and the Vail Path spur of the Recpath at Copper Road

In addition to this work session, the resort operator recently completed work sessions with the Commission and Board for a separate Major PUD Amendment in order to facilitate the development of a hotel and associated commercial, residential, and resort support uses at the base of the Alpine Lift. A Class 5 submittal for a Major PUD Amendment for the A-Lift development is anticipated in the coming months.

**General Purpose and Intent of Work Sessions:**
Because work sessions provide informal opportunities for applicants to obtain input from the Planning Commission and the BOCC before a detailed application is submitted, the Regional Planning Commission Bylaws and the County’s Land Use and Development Code (“Code”) restrict their content to a general discussion of the proposal, potential issues and areas of concerns, and possible alternatives. Any comments or actions by the Commission/BOCC cannot be considered binding or represent any promises, warranties, guarantees, and/or approvals in any manner or form. In addition, the proponent must realize that the work session cannot be construed as a comprehensive review of the proposal under discussion and as such, additional issues and/or concerns may arise as part of the formal review process. While not a public hearing, Staff has prepared a notice to adjacent property owners, posted the property, and published a legal notice for the work session. These measures are taken so that although no approvals will be granted via the work session, adjacent property owners and citizens of the County have the opportunity to provide input to the Commission/BOCC at a very early stage in the development review process.

**Format of this Report:**
The applicant is using this work session as preparation for a Class 5 submittal for a Major PUD Amendment. The purpose and intent and criteria of approval for a Major PUD Amendment from the Code are copied below. This report does not delve into a detailed discussion of the individual criteria of
approval for this request since neither the proposed PUD revisions nor development plans are finalized. Rather, this report is organized by topic such as housing and the various components of housing that are being affected, a preliminary review of the development proposal itself taking into account issues such as access and height, and PUD-wide modifications including parking, open space, and outdoor vendors. Staff has included accompanying master plan discussion and analysis. Staff believes that this broader level discussion of the project is most appropriate in order to provide the applicant with the needed feedback from Staff, the Commission, and BOCC. The close of this report discusses overall compliance with the criteria of approval for a Major PUD Amendment. Staff suggests that consideration of the purpose and intent and criteria of approval for the upcoming application, copied below, will assist in providing feedback on the proposal to the applicant.

12202.01: Purpose and Intent of Major PUD Modification Zoning Amendments
To further the policies constituting the purpose and intent allowing for the initial establishment of a Planned Unit Development, as set forth in §12200.01 of this Code, the BOCC may allow a major PUD modification in order to promote the following goals and policies:

A. Ensure that development on the site reflects a logical land use pattern, in consideration of: compatibility with the site’s natural features, natural topography and terrain, the amount of environmental disturbance that would result, avoidance of areas subject to environmental hazards and development constraints to the extent practicable, and the availability of services and infrastructure.
B. Ensure that development on the site further promotes the public health, safety, integrity and general welfare, by means of addressing any increase or modifications to the demand upon existing infrastructure, including both cumulative and prospective impacts on public services and infrastructure, and furthering the overall public benefit realized by the proposed development in light of and to counterbalance such increased burdens and demands.
C. Ensure that any proposed PUD modification which results in an increase in density, rearrangement of land uses or other alterations to the PUD that significantly affect the land use plan of the PUD, provided an effective means to: allow for innovations in land use, preserve the natural features of an area to the extent practicable, and promotes the clustering of development and the preservation of open space, more effective land utilization and more cost effective and efficient extensions of infrastructure.
D. Ensure that any proposed PUD modification further promotes the purpose and intent allowing for the establishment a of Planned Unit Development, as set forth in §12200.01 of this Code, and consistency with the findings supporting the approval of the original PUD.

12202.05: Findings for Major PUD Modification Zoning Amendments
The Planning Commission may recommend approval of a major PUD modification, and the BOCC may approve a major PUD modification zoning amendment, only if the application meets all relevant County regulations and standards (unless unique provisions have been created per the provisions of this Code) and provided the Review Authority makes the following findings:

A. The modification is consistent with the efficient development and preservation of the entire PUD.
B. The modification does not affect, in a substantially adverse manner, either the enjoyment of land abutting upon or across a street from the PUD or the public interest.
C. The modification is not granted solely to confer a special benefit upon any person.
D. The proposed PUD modification is in general conformance with the goals, polices/actions and provisions of the Summit County Countywide Comprehensive Plan and any applicable basin or subbasin master plans.
E. The proposed PUD modification is consistent with the purpose and intent of the County’s Zoning Regulations.
F. The proposed PUD modification is consistent with the County’s Rezoning Policies.
G. The proposal is consistent with the policies constituting the purpose and intent allowing for the establishment of Planned Unit Development, as set forth in §12200.01 of this Code, as well as the policies supporting the purpose and intent of allowing a Major PUD Modification Zoning Amendment, per §12202.01 of this Code.

H. In light of the purpose and intent of PUD designations and modifications, the proposal furthers the public health, safety integrity and general welfare, as well as efficiency and economy in the use of land and its resources.

I. The applicant has provided final evidence of adequate water, sewer, access, utilities and other required infrastructure to serve present demands, and adequate access and infrastructure is also available to serve reasonably anticipated future demands.

J. The Review Authority has reviewed and approved the PUD text and any revised exhibits, and, for the BOCC’s review, the PUD is suitable for the Chairman’s signature and recordation.

**Housing**

**Housing Overview and Current Requirements**

The provision of Employee Housing has been a focal point of the PUD since its inception. In 2008, the PUD underwent a major amendment which, among other things, simplified the employee housing component as well as introduced Affordable Housing as an element of the overall housing requirement. Staff and the applicant performed a comprehensive analysis of all of the density and uses within the resort and generated an estimated number of required bed credits needed at the time of full build-out, based on the requirement to house 40% of the peak season full time equivalent (FTE) employees. The PUD as it currently exists is reflective of that effort.

The terms “Employee Housing” and “Affordable Housing” are defined in Chapter 1 of the PUD. Most simply, Affordable Housing refers to deed-restricted ownership or rental units, and Employee Housing refers to the seasonal rental to resort employees. A subset of Employee Housing is the dormitory style housing provided at The Edge, a converted Club Med building near the base of the American Flyer lift. A third category of housing, Integrated Housing, exists at the resort; these units are integrated within market rate developments at Copper and are deed-restricted for employees of the resort or businesses serving the resort, with certain exemptions. The current inventory of deed restricted housing at Copper includes the following:

- The Edge – dormitory style housing (50 single rooms/50 credits and 246 double rooms/492 credits, total of 542 credits)
- Integrated Housing (110 units/274 credits, allocated at 2 credits per bedroom)
- Copper Point Townhomes (15 two-bedroom ownership units/30 credits, allocated at 2 credits per unit)

With the 2008 PUD Amendment (effective September 23, 2008), Copper was required to fulfill all of the identified future employee housing obligations within a defined timetable, including:

1. The construction of 30 Affordable Housing units of various sizes – 60 bed credits by March 23, 2012 (15 of the 30 have been constructed to date)
2. The construction or attainment of 50 bed credits (25 units) by March 23, 2018

The deadline for the construction of the required housing has been extended twice as bulleted below:

- A 2011 PUD amendment extended the deadline for the Affordable Housing units by 2 years, requiring the units by March 23, 2015.
- A 2013 PUD amendment extended the deadline for all units to December 23, 2018; this is the current requirement in the PUD for the delivery of the housing obligation.
In 2016/17, the applicant completed the construction of the Copper Point Townhomes consisting of 15 2-bedroom Affordable Housing units on Parcel 29, which partially fulfilled a portion of the requirement to provide 30 Affordable Housing Units. The balance of the required housing and potential means of construction/attainment are listed below and discussed in additional detail in Section 2.6 and 2.7 of the PUD:

1. The construction of 15 Affordable Housing units (30 bed credits) by December 23, 2018 via the methods below
   - Primary Options
     a. Partnership with the County to construct housing within the Town of Frisco
     b. Develop the next phase of housing on Parcel 29, adjacent to Copper Point Townhomes. (The PUD discusses a unit mix of studio to three-bedroom units that should be provided.)
     c. Payment in Lieu of the construction of these units into an affordable housing fund
   - Secondary Options (for up to 20%, or 6, of the required units)
     d. Integrated into future developments at Copper
     e. Conversion of existing market rate units at the resort
     f. Purchase of market rate units outside of the resort with preference given to units located within the Town of Frisco

2. 50 Employee Housing bed credits for rental housing via the methods below
   - a. Build or purchase a stand-alone facility off-site, within the County
   - b. Build or purchase, per the buy down criteria, units within the Resort
   - c. Build additional bed credits on Parcel 29

Proposal to Extend the Delivery Date
In conjunction with a development proposal discussed in a subsequent section of this report, the applicant is proposing to extend the deadline for completion of the required bed credits to December 23, 2023. The requirement for the provision of housing has previously been extended twice, as noted above. The recession was the primary justification identified by the applicant for these extensions. The applicant suggested that since the requirements to construct housing were based on the employees generated at full build-out of the resort, and since no new development had occurred since the 2008 PUD, there was further justification to postpone the requirement for the delivery of additional housing. During and in the few years following the recession, the rental market in Summit County was still one where it was realistic for Copper employees to attain housing outside of the resort. Additionally, the County was in the process of purchasing Lake Hill, the 45-acre site adjacent to the Town of Frisco that is intended for workforce housing.

Staff Analysis:
The setting today is different. Not only is the resort up against a deadline that they are not realistically able to meet, but there is a rental crisis that has severely diminished the ability of Copper employees to find housing in the County. Additionally, while nothing has been approved, major development projects at the resort are in the planning process. The County did acquire the Lake Hill parcel in early 2016; however, the County is still working on providing infrastructure to the site and land is not yet available for development. This is relevant since constructing housing off-site, in partnership with the County is one of the methods listed in the PUD for the delivery of housing, and this option is not available, at least in relation to Lake Hill and the 2018 deadline.

Following the 2013 PUD update, a number of options for the delivery of housing were added as outlined above. Partnership with the County, conceivably at Lake Hill, was one option that has not yet come to fruition. Another option was payment in lieu. Beginning in September of 2014 (PLN14-084) Staff and the applicant began to investigate this option; however no agreement was reached. Earlier this year the
applicant investigated a partnership with the Town of Frisco that also did not prove feasible. The point being, is that while the applicant is requesting to extend the deadline yet again, they have been exploring alternatives.

The delivery requirements for housing to emerge from the 2008 PUD Amendment were both a public benefit associated with the rezoning request and requirement in the PUD. The 2008 Amendment granted the applicant the agreed-upon entitlements in regard to density transfer and permitted uses once the PUD was recorded; however, the public benefit associated with housing has not yet been fully realized.

The construction of Copper Point Townhomes is demonstrative of the ability of the applicant to construct housing on a site with the proper entitlements. Part of this application requests rezoning of Parcel 30 to add Employee and Affordable Housing as permitted uses. Contained within the applicant’s narrative is proposed phasing for this project. However, within the proposed amendments to the PUD there is no mention of phasing, simply a deadline of December 23, 2023 for all housing.

In light of the housing crisis, Staff strongly recommends a phasing plan that includes the delivery of a portion of required units before 2023 be incorporated into the request. The demonstrated need for housing is extreme. As the applicant has stated in the narrative (and further discussed in the following section of this report), the resort has experienced increased demand for employees requesting housing at The Edge, while overall employment at the resort has not increased. Additionally, two hotel projects are currently being contemplated — the owner and a private developer are preparing another Major PUD Amendment to accommodate a hotel, among other uses, at the base of the Alpine Lift, and the resort operator stated that they have a letter of intent from a developer to construct a hotel on Chapel Lot. These projects will generate employees; and even if these projects do not move forward, the rental housing market is increasingly more difficult to enter. Staff recommends that the applicant propose a realistic phased delivery of the units as part of their Class 5 submittal with accompanying PUD language. For instance, the text could read half of the required credits will be provided at the earliest of either December 23, 2019 or the CO of the next hotel to be constructed at the resort, whichever comes first.

The Edge
The Edge, located on PUD Parcel 10, was originally approved in 1979 as a Club Med. The previous owner, Intrawest, purchased the building in 2002 to house employees. At the time, due to occupancy standards requiring a minimum of 200 square feet per bed in the PUD, the Edge did not meet the criteria to count towards the required employee housing credits. As part of the 2008 major rewrite of the PUD, 542 bed credits were allotted to The Edge. The bed credit breakdown is as follows:

<table>
<thead>
<tr>
<th>Room Type</th>
<th>Rooms</th>
<th>Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Single Rooms</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>Double Rooms</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Double Rooms</td>
<td>215</td>
<td>430</td>
</tr>
<tr>
<td>Total RA Rooms</td>
<td>10</td>
<td>20</td>
</tr>
<tr>
<td>Couple Rooms</td>
<td>20</td>
<td>40</td>
</tr>
<tr>
<td>Apartments</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td><strong>Total Double Rooms/Credits</strong></td>
<td>246</td>
<td>492</td>
</tr>
<tr>
<td><strong>SUBTOTAL</strong></td>
<td>296</td>
<td>542</td>
</tr>
<tr>
<td>Non Employee Housing Rooms</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Office &amp; Storage Rooms</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>Short-term/Transient Lodging Rooms</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td><strong>Total Non Employee Housing Rooms</strong></td>
<td>23</td>
<td></td>
</tr>
<tr>
<td><strong>GRAND TOTAL</strong></td>
<td>319</td>
<td></td>
</tr>
</tbody>
</table>
The rooms in The Edge range in size from approximately 120 - 190 square feet; the common area is approximately 54,809 square feet. The 2008 PUD Amendment removed the minimum of 200 square feet of space per bed at The Edge based on the logic that it is a unique facility, and the common area, which includes lounge, televisions, computers, and kitchen facilities, among other amenities, compensated for the smaller room sizes. When combining the common area with the rooms, and dividing by 200 (the minimum requirement per bed) the result was intended to be a minimum of 200 square feet per bed. Recently, Staff has discovered that the original calculations were in error, resulting in approximately 190 square feet per bed; nevertheless, the intention of 200 square feet per bed is clear in the 2008 staff report.

**Request:**
The owner is requesting two modifications that Staff will highlight as it pertains to The Edge (full text is included as an appendix):

1. A maximum of 600 beds at The Edge, the additional beds would result from the conversion of singles to doubles and the conversion of office space into bedrooms
2. The removal of Table 4 from the PUD text

The applicant is not requesting more bed credits than the 542 currently allotted to the Edge, simply the ability to modify the existing inventory at the Edge to house more employees as demand necessitates.

**Staff Analysis:**
The request proposes a departure from the logic that housing at The Edge should be based on a 200 square foot minimum per bed (including all common areas). This logic was used in order to approve the 542 beds and credits. In the narrative, the applicant states that while the rooms at The Edge are small, the amenities, including but not limited to discounted meals in the cafeteria, proximity to work, and low rents (approximately $327/month) compensate for size of the rooms. The applicant also discusses the housing crisis in Summit County and states that the percent occupancy at the Edge has risen despite the number of employees at Copper remaining constant. Additionally, there has been a waiting list at The Edge the past three seasons. It should also be noted that housing at The Edge is an option presented to employees who have not secured housing elsewhere.

The statements about the housing crisis and amenities at the Edge are real. However, it cannot be overlooked that the pressures at The Edge may have been avoided if the owner had constructed the beds credits in accordance with the timelines required in the PUD. Staff may be able to support this request but is concerned about the livability associated with the increase from 542 up to 600 beds related to potential overcrowding of the common area, specifically kitchen facilities, lack of privacy, and a lack of options for residents hoping to acquire single rooms. From a safety/egress perspective, both the Copper Mountain Fire Department and the Summit County Building Department do not have concerns with the proposal to add beds to rooms already functioning as residential rooms; however, both entities responded that they will need more details about the proposal to convert office to residential – one type of code occupancy to another – before being able to approve this conversion.

In anticipation of the forthcoming Class 5 submittal, Staff would like to review additional information about housing at The Edge prior to taking a definitive stance. For instance, there would be enhanced concerns about granting this request if residents already complain that the common areas are overcrowded. Staff requests the applicant provide calculations and employee surveys supporting the notion that livability would not be impacted negatively as a result of the additional occupancy. The data should include the size of the common area, the size of every room, use as a single or a double occupancy room, the square
footage of the office rooms being considered for conversion, and if they are being considered for single or double occupancy. Staff also requests that the applicant provide the breakdown of how many square feet of total space per person will exist at The Edge at maximum occupancy. Staff also notes that meeting the bare minimums per code does not necessarily equate to livability, for example building code egress requirements in dormitory housing mandates 50 square feet per person, however, a Department of Housing and Urban Development (HUD) study states that less than 165 square feet of space per person in dormitory housing could result in overcrowding.

The applicant will also need to address parking for the additional occupants. Currently 137 spaces are reserved for The Edge; this number should increase at least proportionally with the addition of more beds.

**North Alpine Development:**
A major component of this PUD Amendment is to rezone Parcel 30 to add Employee and Affordable Housing as permitted uses in order to accommodate up to 80 units of housing. The proposed development area in the northern portion of the Alpine parking lot is approximately 2.5 acres within the East Village Neighborhood. The permitted uses on the site include Day Use Parking, Active Recreation on the existing soccer field, vehicle and material storage, and special event RV / tent camping. While Employee and Affordable Housing is not currently a permitted use, the site is identified in the Copper Mountain Sub-Basin Plan as a potential affordable workforce housing site. The applicant has stated that their intent is to fill a niche in the existing housing stock with deed-restricted year-round rental and for-sale units creating a mixed income community in East Village that does not currently exist in Copper Mountain. Graphic exhibits of the proposal are included on the following pages.

![Figure 2: Vicinity Map and Project Site](image)
Figure 3: Copper Mountain Sub-basin Plan – Affordable Workforce Housing Map (potential sites shown in yellow)

Figure 4: Existing Conditions
The plans for North Alpine at this point are only schematic. The location was deemed appropriate for workforce housing during the Ten Mile Master Plan update in 2010. Infrastructure is available at this location and the applicant has provided will serve letters from the Copper Mountain Consolidated Metro District and Xcel Energy. There is access to transit, bike/pedestrian connections and the proximity to work for Copper employees is ideal. This report will delve into a site specific analysis of this proposal discussing these and other items such as parking, access, and height in additional detail; however, it will be a broader-level discussion since at this point the plans are only conceptual. There are also significant changes to Sections 2.6 and 2.7 of the PUD, Affordable and Employee Housing, which the applicant is proposing in conjunction with this rezoning request.

Affordable and Employee Housing:
As outlined in the introduction of the housing section of this report, the owner is required to provide both Affordable Housing and Employee Housing.

Affordable Housing – Unit Type and Occupancy
Affordable Housing was added to the PUD in 2008 as an allowed and required use. Affordable Housing units were originally intended as ownership units. Appendix 47 of the PUD discusses a mix of housing types to fulfill this obligation: 5-10% studios, 20-35% one bedrooms, 40-50% two bedrooms, 10-25% three bedrooms, and that the final mix would be determined in conjunction with the SCHA, County, and resort operator prior to development review.

Affordable Housing is defined in Chapter 1 as “any dwelling unit required by this PUD that is restricted in perpetuity to occupancy by individuals meeting the eligibility requirements and occupancy standards as set forth in this PUD Designation and the County Code.” It is also described in Section 2.7.A as “moderately priced housing to be occupied by Summit County residents.”
Affordable Housing – Sale Price or Rental Rate
For sale units can be sold between 80% and 140% AMI with an average of up to 110% AMI. In 2013, the PUD was updated to expressly allow for the rental of the Affordable Housing units at rates not to exceed 70% AMI. The 70% AMI cap for rental rates was agreed to by the resort as part of the public benefit component of the 2013 Major PUD Amendment. It was not made explicit at the time whether the “rental” of Affordable Housing units was to be by individual unit owners, by entities within the resort including the resort Owner/Operator, or some combination thereof. However, the clear intent of the 2008 PUD Amendment is that they be ownership units.

Affordable Housing – Credits and Spatial Requirements
The current PUD allocates 2 bed credits per Affordable Housing unit provided the unit meets the specific spatial requirements in Section 2.7.iii of the PUD:

Two (2.0) bed credits for each Affordable Housing unit provided either within or outside the Resort as allowed in Subsection 2.7 but only to the extent such unit contains at least 600 square feet of Living Space for a studio; at least 750 square feet for a one bedroom unit; at least 1,000 square feet of Living Space for a two bedroom unit; and 1,250 square feet of Living Space for a three bedroom unit.

Employee Housing – Unit Type, Occupancy, and Rental Rates
Employee Housing is defined in Chapter 1 via a reference to 2.6.C where it is defined as:

Encumbered by an Employee Housing Use Restriction, lease provision, recorded covenant, deed restriction, recorded condo declaration and/or map or other restriction approved by the Planning Department (an "Employee Use Restriction") restricting the use of such unit during the Peak Season to Employee Housing for persons employed by a business operating within either the Property or the Resort.

Specifically, the PUD requires that Employee Housing Units, at least during peak season, are rented to employees within the PUD boundaries. The PUD does not regulate rental rates for Employee Housing Units.

Employee Housing – Credits and Spatial Requirements
The current PUD allocates Employee Housing bed credits in 2.6.iv: “Two (2.0) bed credits for each off-site Employee Housing Unit to the extent such unit meets the spatial requirements of the Code (300 square feet per person)”. However, the current PUD does not specify spatial or other requirements for employee units within the resort.

Proposal – Spatial Requirements
The applicant, in consultation with Staff, is proposing to remove the square footage minimums for Affordable Housing units that currently require 600 square feet for a studio, 750 square feet for a one-bedroom, 1,000 square feet for a two-bedroom, and 1,250 square feet for a three-bedroom. The applicant is proposing to replace these minimums with those found in the Code of 300 square feet per person.

Staff Analysis – Spatial Requirements
Staff believes that the square footage minimums listed above may be excessive considering the cost of construction, the comparatively smaller size of many market rate units of the same type, and limitations of the available land. The applicant has proposed a 300 square foot per person minimum which is consistent with the regulations found in the Land Use Code.
Proposed Consolidation of Employee and Affordable Housing:
The applicant is proposing to consolidate the requirement to provide deed-restricted Affordable Housing and Employee Housing into one streamlined section. This section would permit all of the available methods of constructing/attaining Employee Housing that are permitted for Affordable Housing and vice versa, as well the addition of achieving this housing on Parcel 30. See the proposed PUD text for the full language. Methods of achieving the remaining bed credits are listed below, with added items in red:

1. Partner with the County or Towns to build affordable housing at a future development within the Town of Frisco to the extent feasible
2. Provide Employee or Affordable Housing within the PUD
3. Payment in Lieu
4. Integrated into future developments at the resort
5. Build, purchase, or convert existing properties in the resort with agreed upon quality standards as outlined in the ‘Buy Down Criteria’ (PUD Exhibit O)
6. Build, purchase, or convert existing properties outside the resort, within the County per the ‘Buy Down Criteria’ (PUD Exhibit O)

The applicant is also proposing to combine the two types of housing and simply be required to provide 80 bed credits. The applicant has proposed language concerning prioritization for purchase or rent of a unit in a new Section 2.6.H, copied below:

Priority to purchase or rent the units may be given to qualified buyers or Qualified Occupants in the following order: (i) first, for a period of 20 days after the Units are released to the market, to on-site Employees of the PUD employed in a job that averages a minimum of 30 hours per week during the ski season and continue to be employed at the Resort or within Summit County and a resident of Summit County the remaining portion of the year; (ii) second, to full-time employees of any business located outside the Resort within Summit County working at such business a minimum of 30 hours per week on an annual basis.

Staff Analysis – Consolidation of Means of Unit Attainment:
Staff supports this approach as it allows flexibility for the resort operator to secure housing for employees or qualified occupants when opportunities arise. It also provides clean up and consolidation of language in the PUD. Staff will want to ensure that unit quality is preserved if the means of attainment are consolidated and will further evaluate this request as this application progresses.

Staff Analysis – Distinction between Employee and Affordable Housing Units:
Staff would like the opportunity to work with the applicant to further clarify and fine-tune the language surrounding the proposed amendment prior to the Class 5 submittal. Considering the history of the Affordable Housing requirement at the resort – originally a for sale product, the allowance for rental added at a rate not to exceed 70% AMI (as a public benefit for the 2013 PUD Amendment) – Staff recommends the distinction between Affordable and Employee Housing not be lost, but clarified with this amendment.

Staff believes that an Employee Housing unit is generally a unit where a bedroom or unit is rented on a seasonal basis by the resort operator or business serving the resort to house PUD employees. An Affordable Housing Unit is a unit either purchased or rented for more than a winter season by qualified occupants. This distinction between Affordable and Employee Housing could allow for a third-party, such as the Copper Mountain Metro District or a business operator within the resort, to purchase an entire unit and then provide either seasonal (Employee Housing) or longer term rental housing (Affordable Housing) to their employees.
Staff recommends that the resort operator be permitted to construct or attain the remaining 30 credits of Affordable Housing via the options listed, however the intent of Affordable Housing – i.e. that the units of an assumed “ownership quality” are available for purchase at an average of up to 110% AMI or rented at a maximum of 70% AMI - should not be lost.

**Staff Analysis - Rental Housing Rates and Density:**
Affordable and Employee Housing as discussed in the PUD is exempt from the density requirements in the Code, meaning that workforce housing can be constructed without the need to utilize Transferable Development Rights (TDRs). In order to utilize this exemption from density, the PUD requires that Affordable Housing not exceed an average of 110% AMI for sales or 70% AMI for rental. Additionally, Employee Housing is exempt from this requirement because the occupancy is limited in the peak season only to persons working within the PUD.

As discussed, the applicant is proposing the following:
- Removal of the rental rate cap for the 15 Affordable Units of 70% AMI and replacement with an average of 110% AMI
- Removal of the limitation that Employee Housing Units are only offered to employees within the PUD and instead replacement with a priority offering for employees within the PUD and then to qualified occupants. The definition of “qualified occupant” is discussed in greater detail in a subsequent section of this report, but generally meaning someone who works 30 hours a week or more in Summit County

There are two significant concerns with this proposal. The first is that it is not consistent with the Code provisions concerning exemptions from density as discussed above. Past precedent has been that adding affordable housing in excess of 60% AMI rental rates would require density for each new unit. A similar proposal recently was approved with a major amendment to the Keystone PUD wherein TDRs were required in order to offset the increased rental rates of the project and the allowance for those units to house employees from outside of the boundaries of the PUD.

Staff would like to explore solutions with the applicant in order to encourage the development of workforce housing within the County. However, the primary and specified purpose of Affordable and Employee Housing at Copper is to house the Resort’s employees. There are allowances for housing Summit County workforce when Copper employees are not interested in the offerings, but the basis of the requirement is to house 40% of peak FTE at the Resort. This requirement is the very basis of the 2008 PUD amendment which removed the employee generation rate calculation and established the requirement that Copper must meet.

To be clear, the PUD does not require that the 15 Affordable units are rented. The PUD simply requires that if the units are rented, that rates not exceed 70% AMI. Currently, the Employee Housing Units as required in the PUD are exempt from density since they are required to be rented to PUD employees. The applicant is proposing that these units be made available to non-PUD employees with first priority to PUD-employees. Staff appreciates this approach as there is potential for a local working elsewhere in the County to find affordable housing at Copper. However, careful thought and consideration must be paid to find balance with the goal of providing housing while ensuring that the proposal meets the density provisions in the Code and intent of the PUD to first house PUD employees. For instance, if all units come available after the ski season, even if they are first offered to PUD employees per the applicant’s proposed language, they may not be filled by PUD employees and there could be an imbalance with PUD employees needing housing at North Alpine where none exists come November. In order to address the density and rental priority concerns, some possibilities include a rental rate cap for non-PUD employees,
seasonal modifications to the priority leasing, extinguishment of density in the PUD or Ten Mile Basin to offset these impacts, or a proposal to include more workforce housing above the 80 credits in exchange for flexibility on the rental rate for non-PUD employees.

**Bed Credits:**
Section 2.6 of the current PUD allocates bed credits in the following manner for various unit types, provided specific spatial requirements are met:

- 2 bed credits for each bedroom in an Integrated Housing Unit
- 2 bed credits for each Affordable Housing unit
- 2 bed credits for each off-site Employee Housing unit

Of note is that the current PUD does not allocate bed credits for on-site Employee Housing units, just off-site Employee Housing units. Staff believes the intent is to allocate credits at 2 credits per Employee Housing unit.

**Proposal:**
The applicant is proposing to modify the manner in which credits are allotted whereby 1.5 credits would be allotted per bedroom (currently 2 credits are allocated per unit), and also allocate 1.5 bed credits retroactively to each bedroom in Copper Point Townhomes.

**Staff Analysis:**
As discussed in the previous section of this report, the unit mix for both Employee and Affordable Housing is to be determined by the SCHA, the County, and resort operator at time of development review. Prior to thoroughly analyzing the PUD and appendices, Staff was concerned that the straight allocation of credits per unit as opposed to per bedroom could result in a scenario where the applicant constructs 40 studios (40 units at 2 credits per unit = 80 bed credits) to satisfy their obligation. Also, if the resort operator is to build 4-bedroom apartments, they should be appropriately rewarded for providing that additional housing variety. There are also concerns with the efficiency of requiring that the unit mix be determined at time of site plan review combined with the straight 2 credit per unit allotment. Staff believes that the final unit mix should be determined at time of site plan review with input from all entities; but this determination could proceed with more certainty if credits are allocated per bedroom.

Staff has run calculations on various scenarios and believes that 1 credit should be allocated per bedroom. If the applicant constructs a studio, they would receive 1 credit; if they construct a 4-bedroom unit they would receive 4 credits.

The applicant’s proposal for 1.5 credits per bedroom did not come out of a vacuum. It is a HUD standard applied when calculating affordability rates for families and was discussed as a possibility at a meeting between Staff and the applicant. After further research, Staff finds that it is not an appropriate calculation when applied to housing employees at a ski area. Furthermore, in their narrative, the applicant has stated that the proposed housing at North Alpine is intended for employees who want to stay past the winter season, but may not yet be ready to purchase a unit at Copper Point Townhomes. This demographic, generally speaking, will result in 1 person per bedroom. Using a HUD standard, typical to urban environments, to house ski area employees is not an appropriate metric.

The applicant’s proposal would result in a requirement that the resort provide less housing than is currently required. Scenarios are outlined below. Note that these are used for simplicity, Staff is aware that fractions of units/bedrooms could not be constructed. Furthermore, the PUD does require a unit mix determined by SCHA, County, and applicant, so the scenarios are unrealistic; however, the credits
would be a basis for the discussion, so the credit allotment does matter, and an illustration of both the applicant’s and staff’s proposal is provided.

Copper Point Townhomes and Obligation:
- Current Bed Credits Allotted to Copper Point Townhomes: 30
- Current Obligation: 80 Credits
- Applicant’s Proposal for Credits Retroactively Applied to Copper Point Townhomes: 45 Credits
- Applicant’s Proposal for Obligation: 65 Credits

Example Scenario where all 2-bedroom units are constructed:
- Current PUD: 40 units of housing, 80 bedrooms (2 credits per unit)
- Applicant’s Proposal: 21.6 units of housing, 43.3 bedrooms (1.5 credits per bedroom / 3 credits per unit)
- Staff’s Proposal: 40 units of housing, 80 bedrooms (1 credit per bedroom / 2 credits per unit)

Example Scenario where all 4-bedroom units are constructed:
- Current PUD: 40 units of housing, 160 bedrooms (2 credits per unit)
- Applicant’s Proposal: 10.8 units of housing, 43.3 bedrooms (1.5 credits per bedroom / 6 credits per unit)
- Staff’s Proposal: 20 units of housing, 80 bedrooms (1 credit per bedroom / 4 credits per unit)

As illustrated above, the applicant’s proposal results in less housing. Furthermore, they ask to apply their proposal of 1.5 credits per bedroom to Copper Point Townhomes and attempt to retroactively re-write the conclusions of the analysis from the 2008 major update without any supporting evidence. Staff would add that if this 1.5 credit per bedroom request applies retroactively to Copper Point Townhomes, then it should also apply retroactively to the Integrated Housing units where currently 2 credits are allotted to each bedroom within each unit. However, Staff would prefer not to engage in retroactive analysis and instead focus on the requirement as it exists.

As discussed throughout this report, Staff will support flexibility in many of the requests the applicant has put forth as those requests allow for flexibility in constructing housing. However, the request to allow 1.5 credits per bedroom, put simply, will require the resort to house less of their workforce. Furthermore it is not in conformance with Master Plans and cannot be supported by Staff. Staff does believe that 1 credit per bedroom would generally conform to Master Plan goals and PUD intent and looks forward to continuing this conversation with the applicant.

Qualified Occupant Definition
The applicant, in consultation with Staff, is proposing to add a new definition to the PUD of “Qualified Occupant”. The Summit Combined Housing Authority and County Housing Department use this definition and recommend it be incorporated in the PUD for consistency. The definition proposed in Chapter 1 of the PUD is copied below. The use of Qualified Occupant would help to define eligibility requirements for a deed-restricted housing unit in a priority system. For instance the proposal is one where housing is first offered to persons working within the PUD and then may be offered to Qualified Occupants.

“Qualified Occupant” shall mean any of the following:
A. A person aged 18 or older, along with his or her Dependents, if any, who at all times during ownership or occupancy of the Unit, earns his or her living from a business operating in and serving the County, by working in Summit County at such business an average of at least 30 hours per week on an annual basis.
B. For individuals claiming self-employment, their employment must be for at least 30 hours of work per week within Summit County on an annual basis for a legally formed business entity provided such entity is approved by the County in writing as having demonstrated that its principal place of business is located within Summit County, Colorado, and it provides a significant and primary percentage of its goods and/or services locally within Summit County to the residents, property owners or visitors located in Summit County, whether or not for profit. If a person is a work from home employee for a business, the person must work at least 30 hours per week on an annual basis and spend a significant percentage of his/her time providing goods and/or services locally in or to Summit County and its residents, whether or not for profit.

C. A person over 65 years of age shall remain a Qualified Occupant regardless of his or her working status, so long as he or she has owned and occupied that particular Unit for a time period of not less than seven (7) years and satisfied the requirements of subsection A or B above regarding employment in Summit County for at least 7 continuous years prior to retirement.

D. A Qualified Occupant who becomes disabled after commencing ownership or occupancy of a Unit such that he or she cannot work the required number of hours each week required by this Restriction shall remain a Qualified Occupant; provided that such person is permitted to occupy the Unit only for a maximum period of one (1) year following the commencement of said person’s disability, unless a longer period of occupancy is authorized by the County pursuant to the process set forth in Article 4 below.

E. The County or its designee shall have the discretion to determine any person’s eligibility as a Qualified Occupant under this section and may request such evidence as is necessary to make said determination.

Master Plan Conformance (Housing):
The following goals/policies and actions are applicable to the housing portion of this request. Staff is able to find that the majority of the proposal is in conformance with the applicable master plans. Staff is concerned that the proposal to abandon the 70% AMI rental cap as well as rent Employee Housing Units to non-PUD employees triggers density issues. Additionally, the proposal by the applicant to modify the bed credit allotment to 1.5 bed credits per bedroom is counter to the goals in the master plans since this would result in a requirement for less housing at the resort.

Copper Mountain Sub-Basin Plan (“CMSP”)
Employee Housing:

Goal M. Encourage the provision of a variety of housing types in different affordability ranges in the Copper Mountain Subbasin.

Policy/Action 1. Copper Mountain Resort should continue providing employee housing in accordance with the provisions of the PUD, with most of the housing being accommodated within the Copper Mountain Subbasin.

1.1 Employee housing is encouraged to be provided in the Village Center, East Village, and Ten Mile Neighborhoods, provided environmental constraints and other policies of this subbasin plan are appropriately addressed.

Policy/Action 2. Employee housing should be accommodated for in a variety of forms, including the following:

- Integrated within residential and lodging units in the subbasin.
- Developed as separate residential employee housing unit structures within the subbasin, provided that the development is consistent with design guidelines for
the subbasin and further provided that the employee housing location is regularly serviced by shuttle to other subbasin Neighborhoods.

- Outside the subbasin, provided that transportation service to and from Copper Mountain Resort is made available to employees.

The proposed amendment directly addresses this subbasin Goal and Policy and fills a need for year round rental and for sale units in the Resort, as long as the questions related to rental rate and bed credits are adequately addressed.

**Affordable Housing:**

**Goal N.** Maintain or improve affordable workforce housing opportunities in the Copper Mountain Subbasin.

**Policy/Action 1.** The sites or general locations (as identified on the Copper Mountain Subbasin Plan Affordable Workforce Housing Map) have been identified as potentially appropriate for affordable workforce housing (in addition to other possible identified land uses).

The Copper Mountain Subbasin Plan Affordable Workforce Housing Map identifies the Alpine Lot as a potential affordable workforce housing site. The proposed 80 bed credits with a potential mix of both rental and ownership is in conformance with this Goal and Policy.

**Ten Mile Master Plan (“TMMP”)**

**Affordable Workforce Housing**

**Goal D.** Increase the supply of local resident housing in the Ten Mile Basin through promoting or facilitating opportunities, strategies and proposals that guide, plan for and provide affordable workforce housing.

**Countywide Comprehensive Plan (“CWCP”)**

**Housing Element:**

**Vision:** Provide for the diverse housing needs of all residents, workers, and guests in the County.

**Goal B.** Maintain and ensure an adequate and diverse supply of local resident and affordable workforce housing in the County.

**Land Use Element**

**Goal C.** Maintain the current level of density in Summit County.

**Policy/Action 1.** Rezonings, PUDs, or PUD modifications that would result in higher residential densities or increased intensity of uses (e.g., increased vehicle trips, increased square footage) compared to that allowed by existing zoning is not allowed in the County, except as allowed by the Development Code and when one of the following is proposed:

1.1 Transferable Development Rights (TDRs) are used to move density to the site proposed for rezoning.

1.2 The higher density is allocated to deed-restricted affordable workforce housing units.
North Alpine Site Design
As mentioned, the plans for the North Alpine site at this point are only schematic. The proposed development area is approximately 2.5 acres on Parcel 30 within the East Village Neighborhood. While Affordable and Employee Housing are not currently a permitted uses, the site is identified in the Copper Mountain Sub-Basin Plan as a potential affordable workforce housing site. Staff does believe this to be an appropriate site for the housing as described in the applicant’s narrative. Utilities are available and in close proximity, bicycle and pedestrian connections and access to transit and employment for those working within the PUD are ideal. There is a demonstrated need for deed-restricted housing that this project will address.

The applicant is aware that additional details of the site plan and buildings are needed to fully evaluate the impacts of the proposed PUD Amendment, however they also request that adding the housing as a potential use be approved now so plans can be pursued. The applicant is voluntarily proposing that if the PUD Amendment is approved, any application for site plan review at North Alpine would be processed as a Class 5 submittal, meaning that it will go to the BOCC as well as the Planning Commission. Staff is supportive of this request; however, the Major PUD Amendment should add site plan criteria into the PUD in order to address the fact that the BOCC has significantly less discretion at the site plan stage than at the PUD stage. If the site plan application does not provide for appropriate resident amenities, for example, or have precise definitions or parameters regarding rental rates, occupancy requirements, and compliance and monitoring of such, there would be difficulties in securing these commitments at the site plan stage.

Vehicular Access and Circulation:
The plan at this point is only conceptual, but Staff has some initial concerns regarding the layout with respect to accessing the proposed site and potential conflicts with Day Skier Parking and transit circulation. The Engineering Department had similar internal and external access and circulation concerns along with emergency access requirements. The applicant has been made aware of these issues and Staff will further evaluate the project once a more detailed proposal is submitted.

Figure 6: Proposed Access and Circulation
**Height and Visual Impact:**
The applicant has provided renderings of the proposal (Attachment C) showing six 55-foot high buildings. The height limit on Parcel 30 is currently 35 feet. There is a footnote that applies to Parcel 35 (North Ten Mile, the site of the existing Conoco) that permits structures up to 35 feet high however allows Employee Housing buildings to be up to 55 feet high. Staff requests more detail before definitively taking a stance on the proposed height limit, but based on renderings provided and minimal impacts on adjacent uses, Staff will likely be able to support the height limit as proposed, related only to Affordable and Employee Housing.

The buildings will be visible from various vantage points throughout the resort; however, based on the renderings, Staff is not overly concerned about impacts to neighbors or specific view corridors. Section 3.5 of the PUD lists key view sheds within the resort to be maintained and this proposal will not impact these identified view corridors. There is a large landscaped berm to the north of the site, and the applicant shows a smaller berm to the south of the site. The site is identified on the Visually Important Lands Map within the Ten Mile Master Plan as an area of highest visual importance. While it is identified as highly visually important, the current site is a developed dirt parking lot, not pristine mountainside. Regardless, when designing the buildings, the applicant should pay attention to this designation, the proximity to Hwy 91, which is identified as a scenic byway, as well as Section 3.3.B of the PUD which requires that buildings over 4 stories in height reduce their visual impact by stepping back the higher floors.

**Bike / Pedestrian and Transit Connections:**
This project is ideally suited for bike/pedestrian and transit connectivity. Details of these connections, provided by the applicant, are shown below.

![Figure 7: Routes to Employment Centers at Copper](image-url)
Details of the project including unit mix, floor plans, and elevations are not yet available, however as the project develops Staff would like the design to incorporate the following considerations, which could be incorporated into the PUD text.

- Mitigation of potential visual impacts from Highway 91 (Scenic Byway) and other developments at the resort
- Design related mitigation measures to address noise related to proximity to transit, Highway 91 and Alpine Day Skier parking.
- Circulation to address potential conflicts with Day Skier traffic and transit operations.
- Pedestrian connectivity of the proposed park, Recpath and housing development.
- Building articulation to break up the scale and mass of the proposed structures.
- Designs that meet the storage needs of the residents.
- Parking analysis that justifies the needed parking for the unit types.
- Diversified floor plans that take into consideration square footage requirements, a mix of unit type, meaning rental and ownership, as well as unit mix meaning potentially studios to 4-bedroom units in order to meet the various requirements in PUD

Master Plan Compliance (North Alpine Site Design)

Ten Mile Master Plan ("TMMP")
Design and Visual Resources
Goal F. Preserve the Basin’s scenic beauty, backdrops, prominent ridgelines and mountain vistas through identification, protection, and sensitive design of development in visually important lands.

Policy/Action 1. Protect and preserve the visual quality of the Basin and minimize the visual impacts associated with the development of land for residential and other uses.
• New development proposed within lands identified on the Visually Important Lands Map should be evaluated for conformity with the policies in the Design and Visual Resources Element of the Countywide Comprehensive Plan.

Policy/Action 2.  The Ten Mile Basin Visually Important Lands Map shall be used to help evaluate:
• Visual assessments of individual properties.
• The visual impacts associated with identified TDR Sending and Receiving areas.
• Development plans that make use of sensitive design/clustered/rural land use subdivision-type techniques.


The Ten Mile Master Plan Visually Important Lands Map does identify the subject site as an area of “Highest Visible Importance” (Areas 30 + Points). As stated above staff has some concerns regarding the proposed height of 55 feet and the potential visual impacts to the entrance to the Resort as well as impacts to Highway 91 (Scenic Byway).

Countywide Comprehensive Plan (“CWCP”)

Design and Visual Element:
Goal B.  Ensure that new development is designed in a visually sensitive manner, complementing the surrounding natural environment.

Policy/Action 1.  New development should be subject to design standards and prescriptions for the mitigation of visual impacts to protect and preserve the rural landscapes.

As stated above, based on the proposed increase in allowed height for the parcel from 35 feet to 55 feet, Staff has some initial concerns regarding how the proposed structures can be adequately screened/buffered from Highway 91 and the entrance to the Resort. Light pollution from the structures and proposed parking areas/park will need careful design consideration to address this concern.

Parking and Access:
Chapter 4 of the PUD discusses parking requirements concerning both site specific development standards and PUD-wide including existing and future day skier and employee parking.

In order to discuss the applicant’s proposal it is first necessary to note that all current and proposed parking numbers at Copper are based on engineered drawings, taking the standard size of a parking space and drive aisle and physically showing how many vehicles can be accommodated within each lot. This is the baseline used when discussing parking at Copper. In reality, parking may differ since spaces are not striped and directed parking can often accommodate a greater number of vehicles. Conversely, the human element of directed parking may not properly maximize the spaces available or cannot account for the rogue driver who parks where they want. Thus, engineered numbers are used to discuss parking at Copper.

As depicted below, the proposed development site is the northern portion of the Alpine Parking Lot, located adjacent to the primary entry road into Copper Mountain Resort, Copper Road, off Highway 91. The site is an unpaved parking lot with parking spaces for The Edge residents, Janet’s Cabin and Day Use employees / visitors. The site is bounded by roads on three sides, Copper Road, Ten Mile Circle and Highway 91. To the north, the site is bordered by OS-S and OS-T, dedicated open space parcels containing the Copper Community Trail and landscaped berms. The south end of the site is bordered by the Alpine Parking Lot. The existing bus route and Copper Road intersection were recently realigned with the
construction of the Copper Point Townhomes (15 for sale units) on the west side of the site. The existing transit center building is located at the southwest corner of the site. There is an underutilized soccer field in the Alpine Lot near the southern border of the site used for parking in winter when the ground is frozen (approximately 3 months a year).

Figure 9: Conceptual Development Plan Showing Existing Alpine Parking Lot and Soccer Field

Site-Specific Parking Analysis
Parking Requirement in relation to North Alpine Proposal
Per the Copper Mountain PUD, parking for Integrated / Affordable Housing is required to correspond to the unit type proposed; for instance parking for multi-family is required at a rate of 1 space per unit, and parking for a duplex is required at 2 spaces per unit. The parking requirement for Employee Housing Units is to be determined at time of site plan review.

Figure 10: Excerpted Sections from PUD Table 9: Residential Parking Requirements

<table>
<thead>
<tr>
<th>Unit Type</th>
<th>Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family detached</td>
<td>2 per unit</td>
</tr>
<tr>
<td>Duplex</td>
<td>2 per unit</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>1 per unit</td>
</tr>
<tr>
<td>Integrated and/or Affordable Employee Housing Unit</td>
<td>Shall comply with the requirement for the type of residential unit as listed in this table (i.e. multi-family = 1 space/unit; duplex = 2 spaces/unit)</td>
</tr>
</tbody>
</table>
The same parking standard will be applied to the proposed housing on the North Alpine Lot. However it is Staff’s understanding that the applicant is proposing to remove the requirement that parking for Employee Housing be determined at time of site plan review and instead use the Integrated/Affordable Housing standard of 1 space per unit. Staff believes that 1 space per unit may not be adequate if, for instance, a large portion of this development consists of 3 or 4-bedroom units. Staff recommends the applicant explore options such as 2 spaces per unit or 1 space per bedroom. Staff also suggests the applicant explore assigned tandem spaces in order to accommodate parking most effectively on the site. Additionally, based on observation of the 15 affordable housing units to the east of the subject site, Staff believes that the parking requirement should be further evaluated because 1 space per unit may not be sufficient with this type of use.

Figure 11: Proposed Parking (Note: the 25 spaces at the south of the site are shown as Day Skier Parking)

As the drawing above illustrates, the North Alpine Housing site is preliminarily proposing two access points. The main access will be the existing entrance off Copper Road with secondary accesses through the Alpine Lot. These access points will be open only to residents or users of Janet’s Cabin. To ensure adequate access is maintained for the Alpine Lot, another access point is proposed at the north of the parking lot onto the existing shuttle access road.
Alpine Lot
Before delving into the impacts of the proposal on parking at the Alpine Lot, it is noted that the lot currently can accommodate 1,728 spaces not the 1,754 spaces as depicted in PUD Table 10. The 26 space discrepancy is a result of the construction of Copper Point Townhomes and modification to the shuttle road.

Currently the Alpine Lot, in the project area of the proposed North Alpine development contains the following:
- 137 spaces to accommodate residents at The Edge
- 8 spaces to accommodate Janet’s Cabin
- 143 Day Use Parking Spaces
- (288 total spaces)

The conceptual site plan shows the following:
- 95 spaces for residents of North Alpine
- 8 spaces to accommodate Janet’s Cabin
- 25 spaces for Day Use Parking (note: the applicant has shown a plan for the relocation of the Transit Center which will accommodate 55 more Day Use spaces; however, the relocation is not part of this application)

The proposal will result in:
- The required construction of Center Lot East which will accommodate the 137 spaces reserved for residents of The Edge (Staff notes that if the portion of the application to increase The Edge bed credits from 542 to 600 is approved, this increase will also need to be addressed with an increase in parking needs for these additional residents of the Edge)
- The loss of 118 Day Use parking spaces at Alpine Lot

As part of this request, the applicant is proposing to remove the soccer field. While parking on the soccer field is already included in the totals for the Alpine Lot, it can only be parked when the ground is frozen. The removal of the soccer field will functionally allow for more parking in the Alpine Lot in early and late ski season.

The graphic below shows the parking for the North Alpine site, together with the additional 55 Day Skier parking spaces that could be accommodated if the Transit Center is relocated.
Per the plans from the 2008 PUD, 51 additional spaces could be accommodated on the Center Lot East Parcel, a portion of which could accommodate parking needed for the proposal to add beds at The Edge. It should be noted that with the development of Center Lot East, pedestrian amenities to accommodate safe passage to the Center Village should be included with this development.

Staff acknowledges that the proposed design is very conceptual in nature, however based on a cursory reviewed, staff has the following concerns from a parking and circulation perspective. Staff has also included the applicant’s responses to the initial parking and circulation concerns.

- The application indicates a parking requirement of one parking space per unit. Staff has some initial concerns on the potential for this development to be under-parked. Staff has heard that parking at Copper Point Townhomes is deficient. Parking should potentially be based on the number of bedrooms per unit. A parking study will be required to further look at this issue and how it will impact overall parking needs for the entire PUD. The applicant has indicated that the PUD states that 1 space per unit is the current parking requirement for Multi-family, Affordable and Integrated Housing. The applicant has also indicated that they are willing to look at this issue in greater detail with the formal submittal.
• The proposal shows uncovered surface parking. Staff acknowledges that this is an affordable housing project, however given our climate; staff would encourage the applicant to consider covered parking. In response to this concern, the applicant indicated that it is an affordable and employee housing project and cannot commit to any more than surface parking at this time.

• The circulation pattern in the conceptual design needs to be more thoroughly considered in regards to parking, ingress, egress, day skier parking, and shuttles/buses. More specifically, the proposed units located on the east side of the project have a long way to navigate to get out of the project site and depending on the time of day will have to contend with skier traffic and potential conflicts with the resort’s transit system. The applicant has stated that this design is conceptual however they will explore variations in layout and circulation with the formal submittal.

Parking PUD-Wide:
Parking at Copper Mountain was redefined during the 2008 PUD Amendment. It resulted in a minimum that the Resort can never drop below, but instituted a trigger system to ensure that as properties are developed, parking increases. The 4,284 spaces is the minimum in the PUD only because at the time of the PUD Amendment, that was the existing parking inventory at the resort. It is not reflective of any parking demand study or reflective of the need of the resort at incremental or even full build-out, it was simply the parking at the time of the 2008 PUD Amendment. The PUD includes Table 10 that lists all the parking lots within the boundaries of the PUD as well those locations outside of the PUD boundaries that are used for Day Use parking. Per Table 10, the minimum amount of Day Use and associated triggers for parking were established. Because several existing parking lots are contemplated for future development, “triggers” were developed as part of Exhibit P that identify when specific parking improvements would be made in the resort over time. Table 10 of the PUD, including the applicant’s proposed language in red, is copied below.

![Figure 13: PUD Table 10: Existing and Proposed Day Use Parking](image-url)
<table>
<thead>
<tr>
<th>LOCATION BY OWNERSHIP</th>
<th>EXISTING</th>
<th>PROPOSED</th>
<th>SURFACE MATERIAL</th>
<th>IMPLEMENTATION MECHANISM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maintenance Lot</td>
<td>61</td>
<td>106</td>
<td>Unpaved</td>
<td>Existing</td>
</tr>
<tr>
<td>Center Lots</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Center Lot West</td>
<td>0</td>
<td>200</td>
<td>Unpaved</td>
<td>Development of Parcel 18, Chapel Lot</td>
</tr>
<tr>
<td>Center Lot East (12)</td>
<td>0</td>
<td>0</td>
<td>Unpaved</td>
<td>137 spaces for employees living at The Edge - Development of Parcel 12, Copper Commons and/or Parcel 18, Chapel Lot, and/or North Alpine Housing</td>
</tr>
<tr>
<td>Wheeler Lot (6)</td>
<td>29</td>
<td>29</td>
<td>Paved</td>
<td>Existing</td>
</tr>
<tr>
<td>Triple Treat East</td>
<td>0</td>
<td>313</td>
<td>Unpaved</td>
<td>Phase 1 (150 spaces) Development of Parcel 12, Copper Commons and/or Chapel Lot; Phase 2 (154 Spaces) Development of Parcel 32 (A-Lift) 313 spaces to be developed as needed to maintain 4,284 Day Use Parking spaces.</td>
</tr>
<tr>
<td>North Ten Mile</td>
<td>52</td>
<td>0</td>
<td>Unpaved</td>
<td>Construction of possible future snow melt facility or Employee Housing</td>
</tr>
<tr>
<td>Copper Circle</td>
<td>53</td>
<td>0</td>
<td>Paved</td>
<td>To be removed with development of Copper Commons</td>
</tr>
<tr>
<td><strong>Subtotal Private Land (9)</strong></td>
<td>2,804</td>
<td>2,775</td>
<td><strong>2,880, 2,811</strong></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Public Land</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>North Ten Mile (3)(13)</td>
<td>360</td>
<td>360</td>
<td>Unpaved</td>
<td>Existing, or on as need basis</td>
</tr>
<tr>
<td>Far East Lot (2)</td>
<td>1,386</td>
<td>2,360</td>
<td>Unpaved</td>
<td>Existing, or on as needed basis</td>
</tr>
<tr>
<td><strong>Subtotal Public Land</strong></td>
<td>1,746</td>
<td>2,720</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>4,542</td>
<td>4,521</td>
<td><strong>8,800, 8,531</strong></td>
<td></td>
</tr>
</tbody>
</table>

Per Table 10 and Exhibit P of the PUD, Center Lot East was to be built to accommodate the 137 spaces for employees living at The Edge, to be triggered with the development of Parcel 12, Copper Commons and/or Parcel 18, Chapel Lot. The applicant is also proposing to add the development of North Alpine to trigger the construction of Center Lot East.

As a clarification, Staff recommends that the removal of parking on Chapel Lot and its replacement on Center Lot West be clarified to ensure that the term “incrementally” is clear with respect to constructing, at a minimum, the same number of spaces being removed from Chapel Lot before beginning construction.

**Parking Ratio Requirement**
As part of the 2008 PUD amendment, the BOCC required that a minimum of 50% of day skier parking be provided on private property. As a result, the existing PUD includes a requirement to always maintain more parking on private land than public land. The applicant is proposing that this requirement be removed from the PUD. The BOCC had concerns regarding utilizing “public” land, (i.e. Far East Lot/Corn Lot) to accommodate more than half of the needs of the resort and placing a potential larger and more frequent impact on the traffic on Highway 91.
This issue was an important one at the time and the proposed deletion of this requirement may be a concern. Staff would like the Planning Commission’s input on this large scale policy/PUD requirement. Regarding future parking needs, Appendix 13 from the 2008 PUD Amendment evaluated parking and forecast future needs into 2015 (the report was done in 2008). The report’s conclusion is that the resort...
would need between 5,187 and 5,492 parking spaces. Staff believes it would be prudent to do a similar type of parking forecast analysis as part of this PUD Amendment. Currently, the Far East/Corn Lot can accommodate 1,386 spaces, however per the USFS approved Special Use Permit, the property can accommodate up to 2,720 spaces.

Removal of Planned Triple Treat Lot
It should be noted that while the Triple Treat parking lot currently has a capacity of 157 spaces, it was anticipated that when the A-Lift Neighborhood was developed (as well as a trigger from the development of Chapel Lot or Copper Commons) a new Triple Treat lot would be constructed to accommodate 313 spaces. The applicant is proposing to effectively remove the requirement of constructing the new Triple Treat parking lot. Staff believes this to be the intention since the proposed language changes the trigger to construct the parking from the “development of A-Lift and Copper Commons/Chapel Lot” to “maintaining a minimum of 4,284 spaces.” Again, 4,284 is not a number that Staff views as significant when discussing the minimum parking at the resort today and into the future, it was simply the number of parking spaces that existed when the 2008 PUD Amendment was approved. Staff suggests the applicant clearly state their intention with regards to Triple Treat. Additionally, in order to compensate for the removal of Triple Treat, the applicant may need to consider full expansion of the Alpine Parking Lot.

Staff Analysis - Parking
This application is proposing some significant changes to parking at the resort. Staff acknowledges that in order to develop and provide housing to the workforce, some Day Skier parking will be lost. The applicant is proposing to remove the requirement that 50% of the Day Skier parking be accommodated at the resort, and remove the requirement to construct the Triple Treat Lot. With the Class 5 submittal, the applicant should clearly state their intention with regards to Triple Treat. Additionally, in order to compensate for the removal of Triple Treat, the applicant may need to consider full expansion of the Alpine Parking Lot.

Master Plan Conformance
Staff has included the following Master Plan Goal/Policies for the Planning Commission’s consideration as they relate to parking and the proposed PUD Amendment

Goal K. Assure adequate parking is provided in the Copper Mountain Sub-basin to meet the demands of Copper Mountain Resort over time.

Policy/Action 1. Accommodate new parking facilities in the sub-basin consistent with the Land Use Plan in a manner that meets increasing parking demands and maintains visual attractiveness, while promoting alternatives to constructing new parking facilities.
Policy/Action 2. Alternative strategies that reduce parking demand and that successfully accommodate resident and visitor transportation needs should be encouraged.
Policy/Action 3. Continue to review the information contained in the Copper Mountain annual parking report in order to assure that adequate parking is always available to meet the needs of the resort.
Policy/Action 1. Design and locate parking lots to maintain compatibility with the neighborhood and to protect the visual character of the area.
Policy/Action 2. Where surface parking is used, parking should be designed to incorporate landscaping and other features that minimize visual impacts.
Policy/Action 3. Avoid locating open parking immediately adjacent to buildings when the parking isolates buildings and provides barriers to pedestrian circulation.
Policy/Action 4. Avoid large, unbroken, expansive parking areas by encouraging landscape islands.
Policy/Action 5. Utilize landscaping and natural buffers to break up parking areas and provide
screening and separation of parking from buildings and roads.

Outdoor Vendors:
Outdoor Vendors are proposed as an allowed use on Parcels 6 (West Village), 12 (Copper Commons/Conference Center in Center Village), and 24 (Sky Chutes). The definition of outdoor vendor proposed in Chapter 1 of the PUD as “A person engaging in the sale of goods of services from an open stand, push cart, vehicle or an outdoor site but not from a permanent building.” This definition is consistent with the definition in Chapter 15 of the Summit County Land Use and Development Code. Outdoor Vending, described as Mobile Food Vending, was approved via PLN16-119 as a Temporary Use Permit for the 2016-17 winter season on Parcels 6 and 24. The purpose of this use is to supplement Copper Food and Beverage offerings at the resort where either there is are no facilities as in the case of Parcel 24, or there is opportunity to supplement existing offerings with a food truck or cart.

Staff believes that this use is harmonious and compatible with the existing uses on these parcels. Each outdoor vendor location will be reviewed through the Class 2 site plan review process.

Master Plan Conformance:
Countywide Comprehensive Plan
Goal A. Sustain and create opportunities conducive to growth in tourism and recreation.
Policy/Action 1. Promote tourism and recreation as a major industry
Policy/Action 2. Encourage and support the use of a wide-range of community and resort facilities that make up the tourism industry infrastructure.

Copper Mountain Sub-Basin Plan
Goal B. Provide for commercial uses in a manner that is visually attractive, provides interest to pedestrians, promotes economic viability and is consistent with or improves the character of the subbasin and the overall needs for growth in the subbasin.
Policy/Action 2. New commercial retail and service uses should be located in a manner that provides convenient pedestrian access and creates pedestrian activity and interest. Special attention should be given to creating attractive commercial uses at the pedestrian level.

Soccer Field:
As discussed in the project narrative, the subject proposal would result in the displacement or removal of the existing soccer field. As some of the Planning Commissioners recall, the history of the subject field is somewhat long and convoluted. A brief history of the Play Field starts with the golf course sale that occurred on May 16, 1985. The contract to sell the golf course from the CM Metropolitan District to Copper Mountain, Inc. stated that upon the sale of the Easement Property and termination of the public’s right to use a multi-purpose recreational field, CMI agrees to provide, at no additional expense to CMI, a temporary substitute recreational field until a permanent site is available, provided that there will be no additional expense to CMI, it has agreed to execute other easement deeds to property suitable for a permanent recreational field, parks and open space when such sites are available. Subsequently, the play field was moved from the location adjacent to the tennis courts (now gone) to a location known as Wheeler Field. This location was on what is now the Wheeler Parking Lot. For several years the play field was located there, adjacent to the Greens Condominiums. This field was used quite a bit as it was located adjacent to where people lived and at the base of B-Lift and the beginning of the golf course. When Copper Springs Lodge (1998) was built on the then parking lot, the need for parking
became necessary for Snowflake, Foxpine Inn and Copper Springs Lodge. Wheeler Field play field was then relocated to the current location in the Alpine Parking Lot. Much discussion occurred regarding whether parking should be allowed on this field. Summit County endorsed using the lot for parking during winter months. In the years that followed, the current play field was utilized by the Summit Soccer League, however use of the field ceased by this league and is currently underutilized. The applicant has proposed that removal of the Soccer Field will be compensated with the proposed park/playground at the North Alpine housing development. It should be noted that the soccer field has been considered a public amenity, however it has never been considered part of the Public Open Space calculations and as such the proposed park should be considered an public amenity, but not count towards public open space.

Recruitment – Master Plan Conformance
Goal T. Promote and where appropriate preserve open space areas within the Copper Mountain Sub-basin to enhance the area’s environmental, aesthetic and recreational qualities.

Policy/Action 2. Land uses in open space areas identified on the Sub-basin Plan Land Use Map are generally restricted to open space and recreational activities. Two types of open space and recreational land uses are identified:
- Open space and active recreation uses (e.g., golf course, ski area, tennis courts, soccer fields).
- Open space and passive recreation uses (e.g., river corridor, trails, wetlands, critical habitat areas, hiking, nordic skiing, horseback riding)

Policy/Action 3. Developed recreational uses and facilities should not be located in areas designated for open space and dispersed recreational uses.

Policy/Action 4. Where practicable, meadows and open landscape areas within development areas should be preserved by integrating them into the sub-basin’s open space system.

Open space will be provided within the proposed community to replace the soccer field with more usable amenities. Potential recreational uses include a playground and multi-purpose green space to create public spaces that are functional, practical and user friendly.

PUD Compliance:
There have been three items mentioned in recent staff reports discussing PUD compliance, with the following updates.

1. Lease with CDOT: The applicant is required to update a lease with CDOT for the use of parking on the North Ten Mile Lot as of October 31, 2017. As of the writing of this staff report, the applicant has not yet provided a fully executed copy of this lease. The applicant has provided correspondence between Copper-Powdr and CDOT indicating that this lease will be signed by CDOT, as well as a partially executed copy of the lease, but it is not yet completed.

2. Milling of the stripe on Copper Road: The PUD requires that the applicant mill the stripe that separates vehicular traffic from bicyclists on the Recpath along Copper Road. Staff will support a modification of this text to read “milling, or re-painting of the stripe and stencil/re-stencil of a bicycle symbol on an annual basis”.

3. Housing: The applicant is required to provide 80 bed credits consisting of both Affordable and Employee Housing by December 23, 2018. This application will propose to modify this requirement.

Public Benefit:
The applicant is proposing improvements to the Recpath at the crossing at Hwy 91 and at the Vail Pass Spur of the Recpath. The applicant coordinated a meeting with county Staff including Planning, Road and
Bridge, and Open Space and Trails. Staff is in support of the concept of these improvements. Final details will need to be evaluated further and CDOT must approve the improvements at Hwy 91. The conceptual plans are depicted below:

Figure 14: Proposed Recpath Improvement at Hwy 91

![Figure 14: Proposed Recpath Improvement at Hwy 91](image)

Figure 15: Proposed Recpath Improvement at Vail Pass Spur

![Figure 15: Proposed Recpath Improvement at Vail Pass Spur](image)
Master Plan Compliance
Recreation and Trails Element:
Goal A. Develop and manage recreational facilities to meet the growing needs of County residents.
Policy/Action 2. To the extent practicable, additional developed recreational facilities should be constructed to meet the growing recreational needs of County residents.

Criteria of Approval for a Major PUD Modification
As discussed in the introduction to this report, it is not Staff’s intent to provide detailed analysis on the criteria of approval for a Major PUD Amendment since this application is for a work session which is a conceptual level review. Staff has addressed the various elements of the proposed development and evaluated them using the PUD, the Land Use Code, and Master Plans.

In general, Staff is supportive of this application and acknowledges the quality of Copper Point Townhomes and the ability of the applicant to provide housing when a site exists with the proper entitlements. There are some concerns, listed below, that Staff would like to work on with the applicant prior to their Class 5 submittal to ensure that all of the criteria for a Major PUD Modification are met.

STAFF RECOMMENDATION
This item is scheduled as a work session. It is not a formal development application. As such, nothing expressed by the Commission, the BOCC, or the Planning Department can be considered to provide any guarantees, warranties, approvals, or be binding in any manner. The purpose of a work session is to provide a project proponent with an informal opportunity to discuss potential issues and concerns of a general nature with the Commission/BOCC before a formal development application is submitted.

Staff provides the following suggestions to the applicant in consideration of a formal application.

1. In conjunction with the request to extend the deadline for the delivery of housing, propose phasing of new workforce housing prior to 2023.
2. Work with Staff so that the distinction between the Affordable and Employee Units is not lost with this amendment, but clarified. The requirement for ownership units (that may be rented at 70% AMI) cannot be lost with this amendment.
3. Staff supports many of the requests for flexibility by the applicant for the construction and attainment of workforce housing; however, Staff will not support any proposal that reduces the requirement for housing, specifically the request for 1.5 credits per bedroom across the board for all new housing types.
4. Provide calculations and employee surveys from residents at The Edge in order to demonstrate that livability at The Edge will not be substantially impacted by this proposal.
5. Provide off-sets or additional clarification to the proposed occupancy and rental cap language to account for the density concerns raised by Staff.
6. Since parking triggers are proposed to be modified it is recommended that a parking study be submitted with the Class 5 application as justification for the proposal.
7. Further detail concerning access and circulation to the North Alpine housing site will be required with the Class 5 submittal.
8. Staff is supportive of the concept to provide less detailed information at rezoning and more detail at time of site plan review; however, more detail than what has currently been provided will be necessary for the Class 5 submittal. There is concern about delaying too much detail until site plan review since less discretion is permitted at the site plan stage; details should be incorporated into the PUD to minimize this concern.
ATTACHMENTS
Attachment A: History of the PUD
Attachment B: Applicant's narrative
Attachment C: Renderings
Attachment D: Proposed PUD Text

cc: Graeme Bilenduke, Copper Mountain Resort
Copper Mountain PUD Background:
A summary of the adoption and subsequent amendments to the Copper Mountain PUD are listed below.

1971  Zoning Amendment approved at Copper Mountain Resort for 6,000 beds and 170,000 square feet of commercial space. At this time, there was no PUD “designation” or document covering the zoning and land use requirements accompanying that approval.

1986 Copper Mountain PUD application resulted in adopting the first written PUD designation for the Copper Mountain Resort. The PUD included the following:
- Changed the allowed density from 6,000 beds to 1,873,050 ft\(^2\) of residential space (not including the existing square footage at Club Med).
- Established a Conversion factor of 3.35 beds per multi-family unit, which was the average number of existing beds per unit within the PUD in 1985.
- Permitted 170,000 ft\(^2\) of commercial space.

1990 Copper Mountain PUD review converted 1,873,050 ft\(^2\) of residential space back to 6,000 beds and converted the beds into equivalent units so as to have a common density accounting system throughout the County. The original conversion factor (1986) of 3.35 beds equating to one room was used to derive a total of 1,791 equivalent units (6,000 beds/3.35 average beds per unit = 1,791 equivalent units).

1993 Copper Mountain rezoned three parcels of land acquired from the USFS in the Homestake Land Exchange to incorporate them into the PUD.
- This congressionally approved land exchanged consisted of the West Trade (West Neighborhood), Middle Trade, and East Trade (A-Lift Lift) Parcels.
- The A-Lift neighborhood was zoned for 69 equivalent units and 5,000 square feet of commercial space.

1999 Copper Mountain received approval of a PUD modification (Planning Case #98-124) to:
- Add 141 equivalent units to the existing approved 2,010 equivalent units to increase the residential EU count to 2,151 equivalent units.
- Add 78,159 ft\(^2\) of commercial to the existing approved 175,000 ft\(^2\) to increase the commercial square footage to 253,159 ft\(^2\).
- Establish a maximum Cafeteria space footage limitation of 50,500 ft\(^2\) (cafeteria square footage had not been regulated in the past).
- Amend various policies of the PUD.
- Redesign the West Neighborhood (now called the Lewis Ranch), including addition of design standards for that Neighborhood.
- Add new development standards and parking requirements.

2000 Copper Mountain received approval of a minor PUD modification (Planning Case #00-031) to change the implementation trigger for highway improvements, to account for density transfers between the Village Center, East Village, and North Ten Mile Neighborhoods, and to establish a timeline for Intrawest to provide the required 60% seasonal employee housing.

2001 Copper Mountain received approval of a minor PUD modification (Planning Case #00-256) to allow for lot frontages of less than 50 feet in width, to include an updated accounting of density transfers approved to date, and to adjust for previously unaccounted for commercial density in the Club Med building.

2001 Copper Mountain Resort Development/Intrawest submitted a major PUD application (Planning Case #01-165) but that application was ultimately denied by the BOCC in July of 2004.
2006 Copper Mountain submitted and received approval of a minor PUD amendment (Planning Case #06-030) to modify the setback requirements within the West Neighborhood to correct situations where the platted building envelopes were in conflict with the PUD setback requirements for that specific neighborhood.

2006 Copper Mountain, Inc/Intrawest submitted a work session application to consider a Major Amendment to the Copper Mountain PUD including but not limited to:

- Relocation of 703 existing approved residential equivalent units (“EUs”) within the West Neighborhood and the Village Center Neighborhood.
- Addition of an additional 613 EUs to the PUD.
- Provide for utilization of Transferable Development Rights (TDRs) to offset residential density increases.
- Changes to Employee Housing requirements.
- Relocation, reduction and expansion of on-site parking lots.
- Relocation and stream restoration of West Ten Mile Creek, relocation, reconfiguration and reconstruction of the golf course ponds, and enhancement to the existing wetlands within the resort boundaries.
- Reduction of open space areas within the resort boundaries.

2007/2008 Copper Mountain, Inc/Intrawest submitted a work session application (2007) and subsequently a major PUD amendment application (2008) that was approved by the BOCC in August of that year and included the following (Planning Case #08-028):

- Transferred 420 EUs from the West Neighborhood, the Village Center Neighborhood and the East Village Neighborhood to the Village Center Neighborhood, East Village Neighborhood and the A-Lift Neighborhood, eliminated 42,528 ft$^2$ of commercial density, and reallocated the remaining 72,166 ft$^2$ of commercial density to areas with high pedestrian activity.
- Introduced a new Hotel/Condo use to Village Center Development Parcels B, H and N.
- Prohibited parking on Copper Road, increased the minimum required day use parking spaces from 2,666 to 4,284, established a new minimum of 5,699 day use parking spaces at build-out, and altered the existing surface improvements within the County’s public rights-of-way to allow for a separated bike path along Copper Road while improving skier drop-off and mass transit service.
- Increased the amount of public open space within the PUD from 27.7 acres to 57.63 acres primarily through the dedication of the North Parcels which consisted of 26.3 acres.
- Permitted disturbance within approximately 1.54 acres of existing wetlands and wetland setback areas, while providing wetland and wetland setback mitigation at a minimum ratio of 2:1 and 1:1 respectively.
- Permitted resource enhancements including stream restoration within three (3) reaches of West Ten Mile Creek, reconfiguration of the golf course ponds and wetlands, and enhancement to the existing wetlands.
- Amended employee housing requirements and added an affordable housing element.
- Included various public benefits to be provided by the applicant in support of the 2008 Major PUD Modification.
- Incorporated approximately 194 acres of mining claims located within the ski area permit boundary zoned BC into the Copper Mountain PUD designation.

2009 Copper Mountain/Powdr LLC applied for and received approval of a minor PUD Amendment to (Planning Case #09-108):

- Modify the triggers for various open space parcels.
- Modify the trigger dates and wetland mitigation areas to address the failed Masters wetland mitigation.
- Extend by one year the date for elimination of peak season parking on Copper Road.
- Allow future minor revisions wetland mitigation to be reviewed as a Class 2 review.

2010 Powdr LLC/Copper Mountain applied for, and the BOCC approved, a minor PUD Amendment (Planning Case #10-076) that:
- Changed the trigger date for the East Lake Lodge affordable housing development from 42 months from the Effective Date to 66 months from the Effective Date of the 2008 Copper Mountain Resort Major PUD Modification (5½ years or June 23, 2014).

2011 Powdr LLC/Copper Mountain applied for, and the BOCC approved, a minor PUD Amendment (Planning Case #11-103) to:
- Modify the specific development trigger dates established for Open Space Parcels OS 7, OS 13, and OS 14.
- Allow for short-term/transient lodging in The Edge during the non-peak season or until December 15th; and,
- Modify PUD Designation and Technical Appendix 26 regarding the golf course operations and management.

2012 The BOCC approved (Planning Case #12-065) an amendment to Table 2 Equivalent Unit Table, Chapter 2 of the Copper Mountain PUD Designation to note that in the West Village Neighborhood, one single family residence of less than 5,000 ft² only accounts for 2 EUs instead of the current 2.5 EUs and in the West Village Neighborhood, one single family residence of 5,000 ft² or more would count as 2.5 EUs; The Lewis Ranch at Copper, a Re-subdivision of Lots 1 and 2, Copper Mountain West Neighborhood Subdivision.

2013 On July 23, 2013 the BOCC approved a major amendment to the Copper Mountain PUD. Aside from the minor PUD Amendments in 2015 and 2017, this is the PUD that is currently in effect. This approval affected the following four elements (Planning Case #13-036).
- Density Transfers, Land Use Changes, and Building Height Adjustments
- Employee and Affordable Housing
- Parking, Roads, and Transportation
- Trails, Open Space, and Recreation

2015 On June 23, 2015 the BOCC approved an amendment to the Copper Mountain PUD (Planning Case #15-024) to allow RV/tent camping for charity events hosted by Copper Mountain Resort as well as technical revisions to the maps and various land use prescriptions in the PUD Designation to accurately reflect existing conditions within the PUD.

2017 On July 25, 2017 the BOCC approved an amendment to the PUD (Planning Case #17-057) to add metro district domestic wells and pumping equipment to parcel OS-R.
2017 Copper Mountain
North Alpine Lot
Major PUD Amendment

Class 3 : Updated November 1, 2017
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List of Amended PUD Exhibits
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2. Exhibit B1: PUD Plan-Village
3. Exhibit C: Key Public Spaces
4. Exhibit D: Parking Plan
5. Exhibit E: Transportation Plan
6. Exhibit F: Open Space Plan
7. Exhibit G: Trails Plan
8. Exhibit I: Recreation Plan
9. Exhibit J: Snow Storage / Removal Plan
Project Narrative

Copper Mountain desires to create a spectrum of housing at the resort through the development of Affordable and Employee Housing at the North Alpine Parking Lot (Parcel 30, reference Exhibit 1). Copper Mountain recently completed fifteen deed restricted ownership homes at Copper Point Townhomes, have 110 affordable Integrated Units (ownership units) throughout the resort and 296 seasonal employee rental units at The Edge. Adding Affordable and Employee Housing at North Alpine fills a need for year-round rental or for-sale homes and creates a mechanism for employees to move from The Edge, to year-round housing at North Alpine towards a future home purchase.

The addition of housing to the North Alpine Lot will effectively create a mixed income community in East Village, building an authentic neighborhood within walking distance to work and resort amenities. An opportunity for resort employees to progress from rental to ownership at Copper Mountain currently does not exist. The proposed housing typologies will create a place for employees to reside year-round and to transition from The Edge as they move up in their jobs. The proposed inclusion of Employee or Affordable Housing on Parcel 30 will provide Copper Mountain flexibility to add needed housing within the PUD.

The creation of housing at the North Alpine site requires an amendment to the PUD, specifically to define and allow for Affordable and Employee Housing at Parcel 30. Additional sections of the PUD, including parking and open space, are also updated to ensure that resort PUD requirements are met while accommodating housing at the North Alpine site. Changes proposed in these sections are included with the PUD redline and discussed in more detail below. This request is for a Class 3 Work Session, with an opportunity to meet with the BOCC to discuss the vision and proposed PUD amendments.

PUD Amendment Overview
The overall goal for the proposed PUD Amendment is to provide required bed credits and much needed housing to the Copper Mountain and the Tenmile Basin, adjust day use parking to accommodate housing, streamline the Employee Housing section of the PUD and provide a community benefit of improved public park and bicycle lane connectivity at Highway 91 and Copper Road. A complete list of proposed amendments is attached to the PUD redline. The revisions include Chapters 1-5 related to land use, building and site design, open space and parking.

Existing Conditions
Site
The proposed development site is the northern portion of the Alpine Parking Lot, located adjacent to the primary entry road into Copper Mountain Resort, Copper Road, off Highway 91. The site is an unpaved, dirt parking lot with parking spaces for The Edge residents, Janet’s Cabin and some Day Use employees / visitors. All parking lost with the proposed housing is intended to be replaced or accounted for elsewhere as discussed in the following narrative. The site is bounded by roads on three sides, Copper Road, Ten Mile Circle and Highway 91. To the north, the site is bordered by OS-S and OS-T, dedicated open space parcels containing the Copper Community Trail and landscaped berms. The south end of the site is bordered by the Alpine Parking Lot. The existing northern access / summer bus route to the Alpine Lot and Copper Road intersection were recently
realigned with the construction of the Copper Point Townhomes on the west side of the site. See Exhibit 16, Bus Circulation and Resident Access Diagram. The existing transit center building is located at the southwest corner of the site. There is an underutilized soccer field in the Alpine Lot to the southern border of the site used for parking in winter when the ground is frozen (approximately 3 months a year). See Exhibit 2, Existing Conditions.

Transportation
The North Alpine Lot is currently served by the Summit Stage Bus via the Copper Mountain Entrance Stop. The North Alpine Lot is also well served by Copper Mountain’s internal bus system, with buses running throughout the year connecting the site to East Village, Center Village and West Village. The Ten Mile Canyon Rec Path crosses Highway 91 and enters Copper Mountain Resort through the Copper Community Trail located in OS-S and OS-T, and transitions to the shuttle road on the south side of Copper Road and is a striped bike lane on the north side of Copper Road westbound. Copper participated in the completion of the Ten Mile Rec Path on the east side of Highway 91 which connects Leadville, Frisco and Vail. A new trail was constructed with the Copper Point Townhomes to the southwest of the site. This trail links this neighborhood to East Village, and is available for access all year round. See Exhibits 3 and 4 which indicate pedestrian and transit connectivity.

Landscape / Screening
The North Alpine parking lot is screened from adjacent roads by existing landscaped berms to the east and north. Additional berms are proposed within the proposed North Alpine neighborhood to screen the adjacent parking lot from the future residences. The proposed and existing berms will also be a buffer from the noise of Copper Road, Highway 91 and buses. The well-established trees which will remain at the perimeter of the site will also serve as a visual screen for the proposed residences. When designing the access to the proposed site, visibility and sight triangles will need to be considered and may require slight alterations to the existing berms for safety purposes.

Development Area
The proposed development area is approximately 2.5 acres on Parcel 30 within the East Village Neighborhood. The Parcel 30 site is currently permitted for the following uses: Day Use Parking, Active Recreation on the existing soccer field, vehicle and material storage and special event RV / tent camping. While Affordable and Employee Housing is not currently a permitted use, the Alpine Parking Lot is identified in the Copper Mountain Sub-Basin Plan as a potential affordable workforce housing site.

Employee Housing: Background
In 2008 Copper Mountain and the County established a specific quantity of bed credits to account for all development rights approved within the existing PUD. This included bed credits associated with The Edge, Integrated Housing Units and Employee Housing Units/Affordable Housing Units. Table 1 shows the bed credit quantity established with the 2008 PUD amendment, the quantity of credits completed to date and remaining bed credits to be satisfied.

<table>
<thead>
<tr>
<th>Housing Type</th>
<th>Bed Credit Quantity</th>
<th>Completed</th>
<th>Remaining PUD Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Edge</td>
<td>542</td>
<td>542</td>
<td>0</td>
</tr>
<tr>
<td>Integrated Housing</td>
<td>274</td>
<td>274</td>
<td>0</td>
</tr>
<tr>
<td>Employee Housing</td>
<td>50</td>
<td>0</td>
<td>50</td>
</tr>
<tr>
<td>Affordable Housing</td>
<td>60</td>
<td>30*</td>
<td>30</td>
</tr>
<tr>
<td>Total</td>
<td>926</td>
<td>861</td>
<td>80</td>
</tr>
</tbody>
</table>

* Potential to increase Copper Point’s credits from 30 to 45, however a reduction in the overall quantity of credits proposed to be provided is not requested to be reduced. We are proposing to complete 80 credits.
The 2008 PUD amendment contemplated a ten-year timeframe to complete the additional Employee Housing and a three and a half year timeframe to complete additional Affordable Housing. Due to the recession, limited development has occurred at Copper. Up until this past spring, when plans were delayed, Copper Mountain had intentions of partnering with the County on the development of the Lake Hill Neighborhood. Copper Mountain understands the imminent need to deliver housing during this crisis and has intentions to move ahead with a new housing community within their PUD. While Copper remains open to future partnerships with the County and Town(s) to provide housing, adding the North Alpine site as a potential location to develop Affordable and Employee Housing within the PUD provides Copper the flexibility to add needed housing and satisfy required bed credits in a more expedient timeframe.

**Equivalent Units**
Copper Mountain has a maximum number of Equivalent Units (EUs) they are allowed within the PUD, which apply to Hotel/Lodge, Hotel/Condo, Lock-off Units and Residential dwelling units. This density limitation does not apply to Employee Housing, Affordable Housing Units, accessory apartments, caretaker’s quarters or sleeping quarters for ambulance or fire station personnel as they all equal zero EUs.

**Spectrum of Housing**
Copper Mountain currently maintains a variety of employee and affordable unit types within the resort. The Edge is dormitory style employee housing, providing low-cost rental opportunities for many entry level seasonal employees at the resort. Integrated Housing Units are existing, deed-restricted ownership units that are located throughout the resort within a variety of residential and mixed-use buildings. Copper Point is the most recent deed restricted ownership community at Copper Mountain, which created 15 for-sale units at the resort. There is a gap in the inventory that this PUD amendment proposes to fill, which includes a long-term rental project at North Alpine. The existing affordable and employee housing inventory at Copper is described below in Table 2.

<table>
<thead>
<tr>
<th>Housing Type</th>
<th>Ownership Units</th>
<th>Year-Round Rental Units</th>
<th>Seasonal Dormitory Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Edge</td>
<td>0</td>
<td>0*</td>
<td>296</td>
</tr>
<tr>
<td>Integrated Housing Units</td>
<td>110</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Copper Point</td>
<td>15</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>125</strong></td>
<td><strong>0</strong></td>
<td><strong>296</strong></td>
</tr>
</tbody>
</table>

* The Edge does allow for some year-round rental units, but the primary use is during Peak Season for seasonal employees. The creation of Employee and Affordable Housing would allow the year-round residents of The Edge to move into full-time rentals elsewhere and give Copper Mountain the capability to reserve The Edge for seasonal employees.

Similar to the recent needs outlined in the 2016 Housing Demand Update, year-round rental units are in high demand and in short supply. The Tenmile Basin indicated a need for up to 560 units, 360 of which are year-round rentals. This proposal could help to alleviate a portion of that need though Employee and Affordable Housing development at the North Alpine lot.
Employee Housing – Proposed PUD Changes

Affordable and Employee Housing
The PUD Amendment seeks to streamline delivery of the remaining bed credits required to be built by Copper. The Employee and Affordable Housing Sections, as developed in 2008, identify separate delivery and requirements for bed credits, locations and eligibility (see Table 3 for a comparison of the housing types in the existing PUD). There are several goals for this streamlined delivery of 80 bed credits:

1. Allow for development of year-round housing at Copper Mountain.
   Employee Housing (50 bed credits) is defined with a “peak season” occupancy restriction in the existing PUD. While this restriction may be appropriate for some of the existing Employee Housing at Copper, i.e. The Edge, Copper Mountain seeks to provide housing within the resort area that can be occupied year round.

2. Provide a spectrum of housing at Copper Mountain.
   The 2016 Housing Demand Update identifies a very high need for long term rental units offered for a variety of incomes within the Tenmile Basin. Based on the need from the Summit County 2016 Housing Demand Update and the lack of available long term rentals at Copper Mountain (shown in Table 2), the emphasis for proposed housing is on providing rental units to the year-round employees of Copper Mountain. While the existing PUD lists both for-sale and for-rent as options for delivery of Affordable Housing, some concern has been expressed regarding the intent to provide additional ownership units. Based on the sales of Copper Point Townhomes, the need for for-sale units within the PUD is minimal. Eleven of the townhomes sold to Copper employees and the remaining four were made available to the greater Summit County workforce. Copper is willing to discuss offering a portion of the potential units at North Alpine as ownership/for-sale and looks forward to continued discussions on this topic. Maintaining flexibility to offer either rental or for-sale units is important to Copper Mountain.

3. Allow Qualified Occupants to rent or own at Copper Mountain.
Copper Mountain has added a new definition to the PUD, Qualified Occupant, to match the County and Summit Combined Housing Authority definition, allowing for consistency. The goal of this PUD amendment is the request to add up to 80 housing units for Qualified Occupants to the North Alpine Lot, reference Exhibit 5.

**Bed Credits**

The 2008 PUD update included the bed credits required for the ultimate build-out of the resort. The remaining bed credits are outlined in Table 1 and include 50 bed credits for Employee Housing and 30 bed credits for Affordable Housing. Based on the goals identified above, Copper Mountain wishes to deliver the remaining bed credits in a streamlined manner as “Affordable Housing”. Table 3 shows the differences in bed credits for delivery of Employee and Affordable Housing.

Employee Housing bed credits are calculated with different methodologies depending on location, from 2 bed credits per bedroom to 2 bed credits per unit (see also existing Affordable Housing Appendix 47). Affordable Housing bed credits are calculated at 2 credits per unit, however the County expects a variety of housing types to be delivered (the existing PUD identifies studios, one bedrooms and two bedroom units as optional housing types, all calculated at 2 credits per unit). Copper Mountain is requesting to change the credit structure on the Affordable Housing to 1.5 credits per bedroom rather than use the existing calculation of 2 credits per unit. This request is proposed based on the following methodology:

1. This is proposed as the new credit rate to streamline the existing calculations. This credit rate is created as an average of the current credit structure for Affordable and Employee Housing.
2. Copper Mountain also requests to retroactively apply this calculation to the Copper Point townhomes, but not decrease the balance of credits due.
3. The change in bed credits to 1.5 per bedroom will incentivize Copper Mountain to construct a spectrum of housing types with a range of bedroom configurations.

Some concern has been expressed over this approach to developing workforce housing at Copper Mountain. Another option could be to leave the PUD definitions, calculations, requirements, bed credits, etc. as-is and simply allow for development at the North Alpine site which is a recommended housing site in the Tenmile Basin Master Plan.

<table>
<thead>
<tr>
<th>PUD Definition / Category</th>
<th>Affordable Housing</th>
<th>Employee Housing</th>
<th>Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Rental / Ownership</strong></td>
<td>For rent or for sale</td>
<td>For rent only</td>
<td>For rent or for sale</td>
</tr>
<tr>
<td><strong>Occupancy Restriction</strong></td>
<td>Occupancy restriction is based on employment, AMI and Priority Leasing</td>
<td>Restricted to Peak Season</td>
<td>Qualified Occupant</td>
</tr>
<tr>
<td><strong>Priority Sales / Leasing</strong></td>
<td>Priority leasing structure with multiple tiers adding up to 180 days</td>
<td>No priority leasing, only available to PUD employee with limited access to units outside of Peak Season</td>
<td>10 days Copper Mountain, 10 PUD employee, then offered to County-wide employee</td>
</tr>
<tr>
<td><strong>Unit Type</strong></td>
<td>Ranges from studios to 3 bedrooms</td>
<td>Not defined</td>
<td>Variety</td>
</tr>
</tbody>
</table>
### Table 3 – Comparison Table for Affordable, Employee and Proposed PUD Housing Changes (continued...)

<table>
<thead>
<tr>
<th>PUD Definition / Category</th>
<th>Affordable Housing</th>
<th>Employee Housing</th>
<th>Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Size Constraints</strong></td>
<td>Studio – 600 sf</td>
<td>Not defined</td>
<td>Variety</td>
</tr>
<tr>
<td></td>
<td>One Bedroom – 750 sf</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Two Bedroom – 1,000 sf</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Three Bedroom – 1,250 sf</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Credits</strong></td>
<td>2 credits / unit</td>
<td>1 credit / bed (The Edge), or 2 credit per bedroom (future development)</td>
<td>No change Employee Housing 1.5 credits / bedroom for Affordable Housing</td>
</tr>
<tr>
<td><strong>Income Restrictions</strong></td>
<td>Conflicting information exists, with an average of up to 110% AMI for sale or for rent in 2.7 D(i) and 70% AMI average rental rate in 2.7 D(vii) 110% AMI average for ownership units</td>
<td>Not defined</td>
<td>To be determined in covenant / development agreement</td>
</tr>
</tbody>
</table>

As illustrated in Table 3, there are gaps and inconsistencies in the existing definitions for Affordable and Employee Housing.

The goal for the proposed “Qualified Occupant” definition is to combine the required outstanding bed credits into a category that is more flexible, realistic and in line with market demand. The creation of this new definition allows the existing housing to continue to follow its previously defined parameters, while achieving the goals to create a spectrum of housing options at Copper Mountain.

**Timeframe**

The timeframe developed in 2008 was based on the build out of all Equivalent Units occurring within ten years of the PUD amendment, and that many of the Employee Housing bed credits may be integrated or developed off-site (i.e. Lake Hill). However, to date no market development has been pursued, but Copper Mountain has completed 15 Affordable Housing units at East Lake / Copper Point Townhomes. This PUD amendment requests that the timeframe be extended to 2023 from 2018 to complete the remaining 80 bed credits. While the timeframe is proposed to be extended, this proposal allows Copper to provide development of bed credits at the proposed North Alpine site, satisfying Copper Mountain’s required bed credits.

**Prospective Schedule**

Copper Mountain is proposing to build bed credits at the North Alpine site and is also requesting an extension on the timeframe for delivery due to the amount of time required to complete the PUD Amendment, plan, design and construct the neighborhood. Table 3 depicts a conceptual schedule to complete 80 bed credits.
## Table 4 – Conceptual Schedule

<table>
<thead>
<tr>
<th>Task</th>
<th>Duration</th>
<th>Completion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class 3 – Work Session Submittal</td>
<td>5 months</td>
<td>December 2017</td>
</tr>
<tr>
<td>Class 5 – Major PUD Modification</td>
<td>6 months</td>
<td>June 2018</td>
</tr>
<tr>
<td>Class 4 – Site Plan Review and requested additional BOCC Review</td>
<td>4 months</td>
<td>October 2018</td>
</tr>
<tr>
<td>Construction Documentation</td>
<td>6 months</td>
<td>April 2019</td>
</tr>
<tr>
<td>Building Permit Submittal</td>
<td>2 months</td>
<td>June 2019</td>
</tr>
<tr>
<td>Phase 1 Construction</td>
<td>18 months</td>
<td>Fall 2019 / Spring 2020</td>
</tr>
<tr>
<td>Phase 2 Construction</td>
<td>18 months</td>
<td>Fall 2021 / Spring 2023</td>
</tr>
</tbody>
</table>

**Potential Delivery**

Spring 2023

The prospective schedule is based upon rough averages for completion time of each task and does not account for potential lags. The ideal delivery of the 80 credits will be sooner than 2023, however, the timeframe outlined may be more realistic.

### Equivalent Units

This PUD amendment proposes to add the new definition, Qualified Occupant. Based on the existing PUD policy of zero EUs for housing provided for the local workforce, this PUD Amendment proposes to extend the zero EUs policy to Qualified Occupants.

### The Edge

As a part of the PUD Amendment a maximum occupancy is proposed for The Edge. Over the course of many years Copper Mountain has tracked full time and seasonal employment numbers as well as requests from
employees who need housing. Copper’s employment numbers have remained steady over the years with an average of a 94% occupancy rate at The Edge during Peak Season for the past three years.

The percent of occupancy at The Edge has risen from the 2013/2014 season while the average number of employees has stayed the same. There has been a wait list to get into The Edge for the past three seasons. The proposed increase in allowable maximum occupancy will help Copper’s employees that need housing find it, as well as to reduce the number of roommate matching challenges. Several years during the recession there was a vacancy rate at The Edge, however, more recent years have indicated that many employees are having challenges finding housing.

The challenge to provide housing options to the existing employee base is faced County-wide, and is caused by low inventory and nearly 0% vacancy rate in available rental housing. Because the needs for The Edge have fluctuated over time, the proposal seeks to include a maximum occupancy to determine the number of employees that can be housed at the facility. The maximum occupancy for this facility combined with the proposal to create additional year-round workforce housing at North Alpine will provide Copper Mountain employees with more options, an important component for employee quality of life. As part of this proposed change to the PUD, Copper has also included a reporting mechanism to ensure that the County is aware of occupancy in The Edge each year.

Copper’s commitment to quality of life for their employees is evident in recent surveys by Edge residents. Since taking ownership of the building in 2011, Copper Mountain has invested over $3 million in capital improvements to the interior and exterior of the building, including recent $1.5 million dollar improvements to exteriors and to expand the kitchen facilities for residents. The Edge offers many benefits to its residents including being within walking distance to work, on site cafeteria offering low-cost meals, in house advisory and human resources staff, security and walking distance to skiing and riding (why we’re here!!). These are all qualities that are separate from cost of living, which in 2017/2018 will be a monthly rate of $327 per individual.

Outdoor Vendors
In 2016, Copper Mountain received a one year conditional use permit for Outdoor Vendors. Copper is requesting to include provisions for allowing these uses permanently, building upon the success of the previous year’s Outdoor Vendor program. Copper Mountain has limited services in some areas of the PUD, and additional food service options will help Copper meet the needs of all guests. This request specifically applies to Parcel 6 (West Village), Parcel 12 (Copper Circle) and Parcel 24 (Sky Chutes). Another added benefit of the Outdoor Vendor program is the ability to offer grab and go options to guests not looking for a sit down meal. This creates flexibility throughout the summer and winter seasons. There is currently sufficient unbuilt commercial within each parcel proposed to permit Outdoor Vendors, reference Table 5. As additional development or redevelopment occurs within these parcels, the quantity of commercial space and how it is utilized will be re-evaluated.

<table>
<thead>
<tr>
<th>Parcel</th>
<th>Estimated Unbuilt Commercial SF</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parcel 6</td>
<td>5,651 SF</td>
</tr>
<tr>
<td>Parcel 12</td>
<td>17,000 SF</td>
</tr>
<tr>
<td>Parcel 24</td>
<td>5,000 SF</td>
</tr>
</tbody>
</table>

Parking – Background
Parking at Copper Mountain was redefined during the 2008 PUD Amendment to provide a system for ensuring that a minimum number of Day Use Parking spaces (4,284 spaces) are provided at the resort. Because several existing parking lots are contemplated for future development, “triggers” were developed as part of Exhibit P that identify when specific parking improvements would be made in the resort over time.
Far East Lot
Since the 2008 PUD approval, Copper Mountain has also expanded its parking reserves on adjacent Forest Service Land, called the Far East Lot, through a Special Use Permit EA. To date 1,386 spaces have been developed with phase 1 and 2, with potential for up to 2,360 spaces in total. The next phase at Far East will include up to 995 spaces. The Far East Lot includes a bus / transit stop along with parking, snow storage and landscape buffers.

Alpine Lot
The Alpine Lot is the largest Day Use parking reserve within Copper Mountain. The Alpine Lot is approximately 20 acres, and at full build out was determined to include 2,141 engineered Day Use spaces, 137 spaces for residents of The Edge and 8 spaces for Janet’s Cabin. With the construction of the Copper Point Townhomes and the new access road, 26 spaces were removed from the northern portion of the Alpine Lot. The existing build out total is proposed to be updated with this PUD Amendment as shown in Chapter 4 to account for the highest potential parking loss that could occur with the development of the North Alpine Housing. The location for the proposed housing in the North Alpine Lot would disturb parking spaces that are currently utilized by residents of The Edge, Janet’s Cabin and Day Use. Exhibit 6 attached shows the existing parking areas that are affected by potential housing at the North Alpine Lot.

The transit center is located at the north end of the Alpine Lot. In the future, Copper may rebuild a new transit center in a more central location within the Alpine Lot. The building could include restrooms, centralized bus terminals, resort support uses and information for resort guests.

Soccer Field
Within the Alpine lot is an existing turf soccer field, reference Exhibit 7. While the parking spaces that are located on the soccer field are counted toward the existing Day Use parking numbers, this area constrains parking operations because it is only available during the months when it is frozen (typically 3 months per year in December, January and February). Adding to the constraints are the grade change between the soccer field and adjacent parking area, which creates inefficiencies in parking in the lot.

Parking – Proposed
Alpine Lot and North Alpine Site
Per the Copper Mountain PUD, parking for Affordable and Employee housing is required at a rate of 1 space per unit. The required parking for residents is conceptually accommodated in the North Alpine neighborhood with approximately 95 spaces and an additional 8 spaces for Janet’s Cabin. Some Day Use Parking is also replaced with the development of the North Alpine site. Reference Exhibits 6 and 8.

Copper Mountain is proposing that with this PUD amendment, the construction of Center Lot East become a trigger for the development of the North Alpine Lot. The Edge parking removed from the North Alpine Lot will be relocated to Center Lot East. Center Lot East was and is planned to accommodate 137 employee parking spaces. Janet’s Cabin 8 spaces will continue to be located in the North Alpine Lot.

It is important to note that although parking spaces associated with the soccer field are included in the existing 1,754 Day Use parking spaces in the Alpine Lot, these spaces are only able to be utilized 3 months per year. The removal of the soccer field allows approximately 222 spaces to be parked in year-round. Although a significant portion of Day Use spaces are conceptually reconstructed as shown on Exhibit 8, the Chapter 4 PUD redline reflects the maximum potential loss of Day Use spaces at the North Alpine lot. This maximum loss number is...
used to ensure the proposed future build out parking meets the requirements of the PUD. Per the Comfortable Carrying Capacity calculation and Day-Skier Model from Technical Appendix 13 completed in 2008, Copper Mountain is within the range of the 2015 requirement for Day Use Parking spaces (5,187-5,492 spaces) at buildout, even with the potential elimination of the Triple Treat East Lot. The total Day Use Parking spaces is 5,218 at buildout as proposed in the PUD Amendment, within range of SE Group’s findings.

Copper Mountain Resort conducts in depth reporting to understand the capacity of all parking lots at various stages throughout the ski season. This data illustrates that at present, Copper Mountain is providing satisfactory Day Use parking, as the Far East Lot was parked for only 30 days of the 2016-2017 ski season.

Parking Ratios
The 2008 PUD included a requirement to always maintain more parking on private land than public land. This clause is proposed to be removed as it is not relevant to current parking use.

Open Space – Background
Trails
Copper Mountain is located along the County Rec Path that is heavily used and connects Summit, Lake and Eagle Counties. Upon entering Copper, the Rec Path crosses Highway 91 on the south side of the intersection into the Copper Community Trail. The Community Trail connects at a north/south crossing on Copper Road to access the westbound bike lane approximately 1/8th of a mile from the entrance to Copper. The westbound bike lane does not currently exist for the first 1/8th of a mile of Copper Road.

Public Open Space
While not identified as an Open Space Parcel in Chapter 5, the soccer field is indicated as a use in Parcel 30 and shown on the Recreation Map in Chapter 5. The soccer field is underutilized, with no use in the past 5 years other than during special event camping. The existing conditions are described in the parking narrative above.

Open Space – Proposed
Trails
Based on the site visit with County staff on 7/19/17, Copper is proposing to stripe and sign the north and south side of Copper Road, westbound and eastbound to Highway 91 and add an improved median with a pedestrian refuge and striped crosswalk on Copper Road. Additional enhancements include bike lane striping changes at Copper Road / Beeler Place where the Rec Path enters and leaves the Copper Mountain westbound to Vail Pass. This will create dedicated East and West bicycle lanes on Copper Road throughout the resort. Reference Exhibits 10 and 11.

Open Space and Recreation
With the removal of the soccer field, this PUD Amendment proposes to replace active recreation at the soccer field within the North Alpine development, adjacent to OS-S, OS-T and the existing community trail for public access. The proposed open space conceptually consists of a multi-purpose green and playground. The park is conceptually located adjacent to the Community Trail, a convenient location for residents of Copper as well as guests utilizing the trail system.

Proposed Development Site
Land Use
The proposed land uses changes are the removal of the soccer field in Parcel 30 and the addition of Affordable and Employee Housing to the Parcel 30 permitted uses. The majority of Parcel 30 will remain unchanged and continue to be used as Day Use parking as listed in the PUD. No additional land use changes are required for this proposal.
Compliance with Summit County Design Criteria / Design Standards

Dumpster Enclosure
The proposed North Alpine Housing will provide its own, on-site trash and recycling collection. This will be located in a centralized location and sized/operated to sufficiently serve up to 80 units. The receptacles will be located within an enclosure to screen from view and protect from wildlife.

Drainage Improvements
The proposed plan will meet the criteria of Section 8152: Drainage Design Criteria and use the standards for improvements as detailed. See Exhibit 9 for conceptual grading and drainage.

Architectural Design & Building Scale
The design of the buildings will provide unique architectural interest and be compatible with the adjacent Copper Point Townhomes. Per Chapter 3, Table 6. Building Heights, Parcel 30 is allowed a height of 35', however, Employee housing is allowed a height of 55'. The PUD Amendment requests to maintain the flexibility allowed by the 55' maximum height limit while including considerations from subsection 3.3B for architectural standards of buildings exceeding 4 stories in height. The proposed neighborhood will respect the importance of viewsed protection and has completed massing studies to show the minimal impact the architecture will have, reference Exhibits 12-15.

Unit Typology / Size
The proposed unit types will be developed as the North Alpine neighborhood progresses, ensuring the proposed typology is a new type of inventory and not currently available within the Copper Mountain PUD. The proposed units type could be a variety of micro-units, studios and one and two bedroom units.

Lighting Regulations
Lighting will be provided for resident safety in parking lots, walkways and around buildings as necessary. All proposed light fixtures will be full cut off fixtures and rated for dark sky compliance.

Open Space Area
The proposed conceptual plan provides an overall increase to the year-round, available open space. By removing the soccer field to add more year-round, efficient parking, there is opportunity to create meaningful open space within the North Alpine Housing Neighborhood. This space will be available to residents and visitors throughout the seasons and will have buffers / berms to create separation from parking. The buildings are proposed to be clustered around a central, community open space, adjacent to existing open space tract OS-S and OS-T to create a larger, contiguous open space area.

Outdoor Storage Areas & Yards
The existing permitted uses for Parcel 30 include staging and vehicle and material storage. While this remains a proposed use for the parcel, the North Alpine Housing site will no longer be used for outdoor storage. Bering is proposed around the housing to create a landscape buffer between the future housing and adjacent large parking area.

Recreational Vehicle Storage Yards
No recreational vehicle storage is proposed on the North Alpine Housing site.

Setbacks
No revisions are requested to the existing PUD or the Code for the East Village Neighborhood parking and building setbacks. All proposed parking and building setbacks meet setback requirements per the PUD and the Code.
### Table 6 – Building Setbacks (per Copper PUD)

<table>
<thead>
<tr>
<th>Setback From:</th>
<th>East Village Neighborhood</th>
</tr>
</thead>
<tbody>
<tr>
<td>Side Property Line</td>
<td>N/A</td>
</tr>
<tr>
<td>Rear Property Line</td>
<td>N/A</td>
</tr>
<tr>
<td>USFS Property Line</td>
<td>10’</td>
</tr>
<tr>
<td>Wetland Boundary</td>
<td>25’</td>
</tr>
<tr>
<td>Public Access Trail Easements</td>
<td>10’</td>
</tr>
<tr>
<td>Roads</td>
<td></td>
</tr>
<tr>
<td>Local Access Roads</td>
<td>10’</td>
</tr>
<tr>
<td>Copper Road ROW</td>
<td>25’</td>
</tr>
<tr>
<td>SH-91 ROW</td>
<td>50’</td>
</tr>
<tr>
<td>Ski Lifts</td>
<td>20’</td>
</tr>
<tr>
<td>Shared Driveways</td>
<td>NA</td>
</tr>
</tbody>
</table>

### Table 7 – Parking Setbacks (per Summit County Code Section 3505.13)

<table>
<thead>
<tr>
<th>Setback From:</th>
<th>Open Parking Lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front and Street Side Property Line</td>
<td>10’</td>
</tr>
<tr>
<td>Side and Rear Property Line</td>
<td>5’</td>
</tr>
<tr>
<td>Property Line Abutting ROW or Highway</td>
<td>20’</td>
</tr>
</tbody>
</table>

### Site Area & Coverage
The total pervious surface of the site is approximately 45%, meeting the PUD requirement for 65% minimum impervious surface for residential development.

### Street, Driveway & Parking Areas
All proposed access roads and parking will comply with Chapter 5 of the Land Use Code. The North Alpine Housing site is preliminarily proposing two access points. The main access will be the existing entrance off Copper Road and the secondary access is an existing connection to the Alpine Lot. Both of these access points will be open only to residents or users of Janet’s Cabin. To ensure adequate access is maintained at the Alpine Lot, another access point is proposed at the North of the parking lot, see Exhibit 16 Bus Circulation and Resident Access. There are a total of 95 parking spaces proposed within the North Alpine Housing site. There will be one space provided per unit, guest spaces and 8 Janet’s Cabin Spaces, reference Exhibit 8. All proposed access is preliminary and pending further study by a civil engineer and to be determined during the Site Plan application process.

### Walls & Fences
Currently, no walls or fences are proposed with this conceptual plan. If walls or fences become included, they will comply with the regulations in Section 3505.17 of the Code.

### Garages
Currently, no garages are proposed with this conceptual plan. If garages become included, they will comply with the regulations in Section 3505.18 of The Code.

### Snow Storage
Adequate snow storage for the North Alpine Housing site will
be provided on-site, in the open space areas provided adjacent to the parking lots. The conceptual open space will accommodate 25% of the paved areas associated with the North Alpine housing site, and meet all design standards for storage locations, shedding and drainage as required by Section 3505.19 of the Code.

Solar Access & Orientation
The proposed buildings will not shade any existing neighborhoods, and will also be located in an area of full sun. The buildings and parking will be oriented for maximum solar gain and landscaping will be designed to ensure there are no interferences.

Outbuildings
No outbuildings are proposed in the conceptual plan.

Landscape
The conceptual plan proposes to maintain the existing landscape buffers that currently screen the parking lot from I-70, HWY 91 and Copper Road. The proposed plan includes additional landscaped berms to screen and provide physical separation from the adjacent Alpine Lot. The berms will be provided in accordance with the PUD standards for landscape buffering within Chapter 3 Section 3.4 Building and Parking Setback Standards. Additional landscape will be provided to enhance the architecture of the community and frame open spaces. All landscape and berms will be evaluated during the Site Plan process to ensure there is no obstruction of visibility for vehicles.

Utilities / Services:
Copper Mountain has a will serve letter from CMCMD stating adequate facilities or extensions of services are available for water and sewer. An additional letter from Xcel Energy has been provided stating availability of services to the site.

Community Benefits

Affordable Workforce Housing
Copper Mountain Resort is following through with their promise in the PUD to create a solid community of employees that live and work at Copper. Should there be more apartments available than needed within the PUD, housing will become available to the Tenmile Basin workforce, then the County workforce.
Pedestrian and Bicycle Connectivity and Safety
The proposed bike lane striping and crosswalks will enhance connectivity and safety for Rec Path users.

Enhanced Resort Gateway
The proposed removal of the soccer field within the Alpine Lot will allow Copper Mountain to more efficiently cluster day-use parking within the Alpine Lot. The reallocation of parking within the Alpine Lot and at Center Lot East will free up space within the North Alpine allowing for the creation of a local’s community, enhancing the entrance into the resort.

Additional Contributions
Since the PUD was approved in 2008 Copper Mountain has committed millions of dollars in improvements within Copper and in the County as a whole. See Table 8 for a comprehensive list of public benefits.

Table 8 - Copper Contributions & Public Benefits

Other Contributions Completed to Date:

» $ 50,000 County / Affordable Workforce Housing
» $ 75,000 Fire Department
» $ 25,000 Chapel Historic Building Endowment
» $ 250,000 Fremont Bike Path Extension
» 15 units affordable townhomes constructed / delivered
» $3 million improvements to the Edge
» RETA in place on all new development will provide funds to community improvements

Additional Since 2008 PUD Commitments:

» Copper began providing employee housing before it was required in the form of down payment assistance and sales facilitation of 110 Integrated Units
» Deeded the 26.3 acre North Parcels to Summit County
» Rezoned on-mountain mining claims within USFS Permit
» Deeded 1.72 acres to CMCMD for new office/fire/ambulance/emergency
» Donated $50,000 for Ten Mile Rec Path EA
» Union Creek and a portion of Far East Parking Lots Completed
» Conveyed water rights to CMCMD
» Removed parking from Copper Road
» Established RETA
» Community Care Clinic: Ongoing support and involvement
» Wetlands Restoration – 5 sites $425,000
» Executed trails and maintenance agreements
» Dedicated easements to several trails and open space parcels
» Created Rec Path signage master plan through resort
**Master Plan Compliance Statement:**

The proposed project intends to comply with the overall vision of the Copper Mountain Sub-basin Plan, Ten Mile Master Plan and Countywide Comprehensive Plan. The following narrative outlines the relevant goals and their corresponding design attributes and considerations. The proposed North Alpine housing will be a continuance of the local’s community created by the Copper Point Townhomes. The proposed units will provide options for employees as well as opportunities to move up within the community as they go from seasonal to year-round community members. The applicant is confident that they are in direct compliance with all of the applicable goals and policies as referenced below.

**Copper Sub-Basin Compliance:**

**Land Use**

**Goal A:** Ensure that new development and redevelopment is compatible with the character of the neighborhood in which it is located and cumulative impacts of the proposed development are evaluated.

- **Policy/Action 1.** Development in the Village Center and East Village Neighborhoods shall be subject to the compatibility standards as outlined in policies/actions 2-4 below.
- **Policy/Action 2.** A density analysis of surrounding properties shall be reviewed as part of a development review application, which seeks to increase the allowed density in a given neighborhood.

The proposed development is consistent with the character and function of the surrounding developed properties as it will also be Affordable and Employee housing. The density may be a slight increase from the existing Copper Point Townhomes, however, the user groups will be similar and the architecture will be designed to complement the scale and form creating visual continuity between the developments. The proposed use for the North Alpine Lot to become housing rather than parking will complement the newly completed Copper Point Townhomes and create a cohesive neighborhood.

**Neighborhood Land Use**

**Goal B.** Provide for commercial uses in a manner that is visually attractive, provides interest to pedestrians, promotes economic viability and is consistent with or improves the character of the sub-basin and the overall needs for growth in the sub-basin.

- **Policy/Action 2.** New commercial retail and service uses should be located in a manner that provides convenient pedestrian access and creates pedestrian activity and interest. Special attention should be given to creating attractive commercial uses at the pedestrian level.

The proposed inclusion of Outdoor Vendors at under-served parcels within the resort will allow Copper Mountain to meet the needs of guests without increasing the total permanent development area. All Outdoor Vendors will be located to ensure convenient pedestrian access and scale and that all public safety, fire access and fire lanes remain unobstructed.

**Goal D.** A concentration of commercial and residential growth should occur in the Village Center Neighborhood as a means to create a viable core area and to limit sprawl caused by commercial and residential growth in other areas in the sub-basin.

The proposed Employee and Affordable housing in the North Alpine Lot is intentionally located outside of the main resort center to allow for opportunities to create economic development at the core of the resort. By locating the proposed housing adjacent to existing affordable housing, the Copper Mountain Transit Center,
Community Trail and Summit Stage bus stop, the North Alpine development is well-linked to the core area of Copper Mountain and greater Summit County.

East Village Neighborhood

**Goal E.** Land uses in the East Village Neighborhood should be consistent with maintaining the area’s open character and creating an attractive entrance to Copper Mountain.

- **Policy/Action 3:** Development in the Neighborhood should be consistent with preserving or enhancing the visual character as viewed from State Highway 91 and adhering to the goals, objectives and recommended actions of the Top of the Rockies Scenic and Historic Byway Corridor Management Plan.

The proposed neighborhood will incorporate open space and maintain/enhance existing landscape buffers and berms between the site and Copper Road and Highway 91. The existing berms will be modified as needed to ensure vehicular visibility. The conceptual site plan will maintain all existing views of the Sky Chutes and Ten Mile Range. Community open space will be provided for the residents and guests utilizing the community trail. Reference Exhibits 12-15.

Parking

**Goal K.** Assure adequate parking is provided in the Copper Mountain Sub-basin to meet the demands of Copper Mountain Resort over time.

- **Policy/Action 1.** Accommodate new parking facilities in the sub-basin consistent with the Land Use Plan in a manner that meets increasing parking demands and maintains visual attractiveness, while promoting alternatives to constructing new parking facilities.
- **Policy/Action 2.** Alternative strategies that reduce parking demand and that successfully accommodate resident and visitor transportation needs should be encouraged.
- **Policy/Action 3.** Continue to review the information contained in the Copper Mountain annual parking report in order to assure that adequate parking is always available to meet the needs of the resort.
- The annual parking report has documented that there were only 30 days where guests parked at Far East Lot. This data shows that Copper Mountain has adequate parking available.

Parking to be affected by the North Alpine Housing development will be replaced as possible within the Alpine Lot and Center Lot East—reference parking Exhibits 6 and 8. The removal of the soccer field within the parking lot creates an opportunity to park the Alpine Lot more efficiently with minimal disturbance. The conversion of the soccer field in the Alpine Lot to parking will allow residents and visitors to continue to park in a familiar location, adjacent to the transportation center. There is enough space in the Alpine Lot and Center Lot East to accommodate the majority of displaced parking.

**Goal L.** Improve parking, mass transit, and vehicular circulation throughout the Copper Mountain Sub-basin.

- **Policy/Action 1.** Copper Mountain Resort should continue to provide for the transport of guests and the residents between the parking areas in the sub-basin and in between the neighborhoods within the sub-basin, and support increased mass transit use and other methods of transporting people to and within the sub-basin.
- **Policy/Action 2.** Manage and enhance transportation systems in the sub-basin in such a manner that emergency access and public safety are adequately provided.

Locating Employee and Affordable housing within a community served by transit and multi-modal systems improves the overall circulation network at Copper Mountain, allowing Copper employees to live near their work.
and limit automobile use. The North Alpine neighborhood has close access to the Summit Stage and Copper Bus system, along with County Rec Path, Community Trail and other trails within the resort. Additional proposed enhancements include striping and crosswalks for the existing bike lane on the north and south sides of Copper Road / Highway 91 as well as striping in West Village at Copper Road / Beeler Place.

Copper Mountain desires to continue to promote the use of public transportation by providing excellent shuttle service throughout the resort to reduce parking demand. The linkage of the Summit Stage to Copper Mountain, and shuttle service throughout the resort reduces the need for day visitors to drive to Copper Mountain. This can help alleviate traffic congestion on the I-70 corridor, and promote usage of the County’s multi-modal systems.

**Employee Housing**

*Goal M. Encourage the provision of a variety of housing types in different affordability ranges in the Copper Mountain Sub-basin.*

- Policy/Action 1. Copper Mountain Resort should continue providing employee housing in accordance with the provisions of the PUD, with most of the housing being accommodated within the Copper Mountain Sub-basin.
- Policy/Action 2. Employee housing should be accommodated for in a variety of forms, including the following:
  - Developed as separate residential employee housing unit structures within the sub-basin, provided that the development is consistent with design guidelines for the sub-basin and further provided that the employee housing location is regularly serviced by shuttle to other sub-basin Neighborhoods.

The creation of the North Alpine neighborhood will provide a housing typology at Copper Mountain that does not currently exist, filling a gap and ensuring there is a range of affordability available within the PUD. The proposed development is within the East Village Neighborhood. Following the development of the Copper Point Townhomes, the North Alpine development will create an extension of housing to act as a stepping stone, giving residents and employees opportunities to progress through home types within the Copper PUD.

**Affordable Workforce Housing**

*Goal N. Maintain or improve affordable workforce housing opportunities in the Copper Mountain Sub-basin.*

The proposed development is for Qualified Occupants and is located on a site identified as a potential affordable workforce housing site.

**Scenic Byway**

*Goal P. Protect key viewpoints, view corridors and visually important lands within the Copper Mountain Sub-basin.*

- Policy/Action 1. Ensure that future development within the sub-basin is designed in a manner that enhances and protects the area’s surrounding natural environment.
- Policy/Action 2. Design guidelines consistent with those identified in this subsection addressing Visual Design and Built Environment shall be included in any PUDs or major amendments to PUDs in the sub-basin.
- Policy/Action 3. Retain views of the Tenmile Range, Copper Mountain and the hillside north of I-70 to the maximum extent practicable. These public open spaces should be identified as part of the visual analysis described below.

The proposed buildings will be compatible with the architecture of the Copper Point Townhomes and will ensure the key view corridors are maintained. The massing of the buildings, whether as multiple separate, smaller buildings or as a couple larger buildings will be broken up to minimize visual impacts.
**Goal Q.** Establish a quality and character of architecture, site development and landscape design that is appropriate to the Copper Mountain Sub-basin.

- **Policy/Action 1.** Innovative design and diversity in architectural elements should be encouraged to avoid creating monotonous style while still promoting a sense of place and community.
- **Policy/Action 2.** Building mass and architectural style should complement and provide a connection to, rather than compete with or ignore, the natural setting.
- **Policy/Action 3.** Locate and design development to fit the land and to minimize visual impacts. Avoid excessive cuts and fills by stepping buildings down sloping sites and use retaining walls to minimize cut and fill slopes.
- **Policy/Action 4.** Wherever practicable, buildings should be located and oriented to provide maximum sunlight and minimize exposure to harsh climatic conditions such as cold winter winds and snow drifting.

The site’s existing condition is graded with minimal slope for parking. This is an advantage as the site will require minimal disturbance. The buildings will be oriented on site to take advantage of view corridors and solar gain. All of these policies will be incorporated into the design and architecture of the housing development for review at site plan.

**Building Mass and Design**

These policies will be incorporated into the design and architecture of the housing development for review at site plan.

**Parking**

- **Policy/Action 1.** Design and locate parking lots to maintain compatibility with the neighborhood and to protect the visual character of the area.
- **Policy/Action 2.** Where surface parking is used, parking should be designed to incorporate landscaping and other features that minimize visual impacts.
- **Policy/Action 3.** Avoid locating open parking immediately adjacent to buildings when the parking isolates buildings and provides barriers to pedestrian circulation.
- **Policy/Action 4.** Avoid large, unbroken, expansive parking areas by encouraging landscape islands.
- **Policy/Action 5.** Utilize landscaping and natural buffers to break up parking areas and provide screening and separation of parking from buildings and roads.

Existing berms on Copper Road and Highway 91 will be maintained and enhanced as necessary to screen the parking lots. The proposed parking will be located in areas that are currently used as parking. Reference Exhibit 8. The proposed parking will include more landscape than is currently existing in the North Alpine Lot. The conceptual site plan also proposes new, additional berm locations to provide screening from Ten Mile Circle and the Alpine Lot. The community is designed with parking at the perimeter to create an internal, vehicle-free zone. The goal of this design is to promote safe pedestrian circulation and to provide an unbroken expanse of community open space.

**Landscape Materials**

These policies will be incorporated into the design and architecture of the housing development for review at site plan.

**Open Space / Natural Setting**

These policies will be incorporated into the design and architecture of the housing development for review at site plan.
Signage and Lighting

- **Policy/Action 1.** Design signage, graphics, and lighting in a consistent style compatible with a mountain resort community.

These policies will be incorporated into the design and architecture of the housing development for review at site plan.

Guidelines for Improving Appearance of Existing Uses

**Goal S.** Encourage the improvement of the appearance of existing buildings and facilities within the Copper Mountain Sub-basin.

- **Policy/Action 1.** Encourage all property owners to improve the appearance of buildings and facilities that they have direct ownership and control of (e.g., skier services buildings, maintenance buildings, increased landscaping by parking lots, screening or inside storage of materials and vehicles currently stored outside
- **Policy/Action 2.** Improve the existing appearance of the East Village, A-Lift, and Ten Mile Neighborhoods by:
  - Outside storage and vehicles should be moved within storage buildings or should be heavily landscaped and screened.
  - Temporary buildings eventually should be replaced with permanent buildings.

The proposed community will be screened from Hwy 91, I-70 and Copper Road through the use of landscaped berms and enhancements to existing berms. The new community and associated screening will provide a greater obstruction of view to the Alpine Parking Lot and provide a noise buffer for the residents.

Open Space and Recreation

**Goal T.** Promote and where appropriate preserve open space areas within the Copper Mountain Sub-basin to enhance the area’s environmental, aesthetic and recreational qualities.

- **Policy/Action 2.** Land uses in open space areas identified on the Sub-basin Plan Land Use Map are generally restricted to open space and recreational activities. Two types of open space and recreational land uses are identified:
  - Open space and active recreation uses (e.g., golf course, ski area, tennis courts, soccer fields).
  - Open space and passive recreation uses (e.g., river corridor, trails, wetlands, critical habitat areas, hiking, nordic skiing, horseback riding)
- **Policy/Action 3.** Developed recreational uses and facilities should not be located in areas designated for open space and dispersed recreational uses.
  - 3.1 Visually important lands should be preserved as open space whenever practicable.
- **Policy/Action 4.** Where practicable, meadows and open landscape areas within development areas should be preserved by integrating them into the sub-basin’s open space system.

Open space will be provided within the proposed community to replace the soccer field with more usable amenities. Potential recreational uses include a playground and multi-purpose green space to create public spaces that are functional, practical and user friendly.

Linked Open Space and Trails Network

**Goal U.** Promote the development of a linked open space and trails network in the Copper Mountain Sub-basin.

- **Policy/Action 1.** Open space areas should be tied together with a trail system, where practicable, to create a linked open space system throughout the sub-basin.
- **Policy/Action 2.** At a minimum, pocket parks should be included within the East Village and Village Center Neighborhoods and should be connected to the overall open space system.
Park space is proposed within the neighborhood and linked to the community trail so that it is accessible to visitors and residents alike. This facilitates the goal to create a system of linked open spaces joining together the neighborhoods in the PUD.

Recreation and Trails

**Goal V.** Provide for a wide range of recreational activities within the Copper Mountain Sub-basin.  
*Copper Mountain Sub-basin Plan 26 January 14, 2010*

- **Policy/Action 1.** Active recreational uses and facilities are important components of the area’s overall open space and recreational system and should be provided in adequate amounts to meet the recreational needs of the subbasin’s residents and visitors.
- **Policy/Action 2.** The recreation areas and facilities shown on the Copper Mountain Resort PUD Recreation Plan shall be preserved and maintained as important resort amenities and shall not be changed or eliminated unless such areas and/or facilities are replaced with other similar areas and/or facilities.

The conceptual plan proposes the provision of a community open space and public park adjacent to the community trail. The majority of the provided open space will be adjacent to the community trail and accessible also to visitors of Copper Mountain. The existing soccer field is proposed to be removed to accommodate greater parking efficiencies in the Alpine Lot. The soccer field currently is underused and the proposed conceptual plan includes a new multi-purpose green space and playground to replace the active recreation component.

Trails, Trailheads and Pedestrian Paths

**Goal W.** Promote the development of a trail and pedestrian system that addresses the needs of multiple trail users in the Copper Mountain Sub-basin.

- **Policy/Action 2.** As development within the sub-basin occurs, maintain or improve trailhead parking and access to trails such as the Wheeler Lakes/Gore Range and the Wheeler/Colorado/Continental Divide trailheads (refer to Significant Summer and Winter Routes Map).

The Community Trail is proposed to be improved in multiple locations to improve user safety and visibility. Trailhead parking for Janet’s Cabin will be maintained in the North Alpine site.

Economic and Community Sustainability

**Goal X:** Foster economic vitality, a sense of community, and heightened cultural and civic consciousness.

- **Policy/Action 1.** Stimulate activities or actions to involve existing resident, property owners, Resort Operator, The Village Company, and other stakeholders in building a stronger sense of community and engagement. For example, this could be accomplished through initiating discussions in future amendments to the Sub-basin Plan, major amendments to the Copper Mountain Resort PUD, affordable workforce housing projects, encouraging more opportunities for permanent residency.

The action of creating a new housing typologies at Copper Mountain Resort to be affordable and available to the workforce will work to foster the community and civic consciousness of people within the PUD. By creating a continuance of housing primarily for the employees of the PUD, a more sustainable community is created. The proposed home style will allow residents of The Edge to remain at Copper as they become year-round members of the community.
Ten Mile Master Plan Compliance

Land Use:

**Goal A.** Reflect a respect for the natural environment of the Basin in land use decisions, with an emphasis on focusing urban growth in identified areas so that the undeveloped mountain character of the Basin’s rural areas is preserved.

The proposed North Alpine Housing is located in an Urban Area and currently permitted to be used primarily for parking and vehicle and material storage. This development will not impact any undeveloped or rural areas as it is an existing parking lot. The Copper Mountain Sub-basin Affordable Workforce Housing Map – Location of Potential Sites identifies the Alpine Parking Lot as a Potential Affordable Workforce Housing Site.

**Goal B.** Coordinate Basin land use issues so that planning between different jurisdictions is consistent. The proposed land use is consistent with the Ten Mile Master Plan, Countywide Comprehensive Plan and Copper Sub-basin Plan.

The parcels proposed to allow Outdoor Vendors currently have a surplus of permitted commercial square footage, therefore are compliant with the goal to focus growth in urban areas identified for commercial uses.

**Goal C.** Protect and enhance the Basin’s wetlands, water, wildlife, air, and land resources by maintaining a healthy ecosystem and sustaining the quality of life for community residents.

The proposed development is in an existing Urban Area which has been previously disturbed, and will create no disruption to the ecosystem.

**Goal D.** Increase the supply of local resident housing in the Ten Mile Basin through promoting or facilitating opportunities, strategies and proposals that guide, plan for and provide affordable workforce housing.

The proposed North Alpine Housing will provide deed restricted rental or ownership housing to Copper Mountain in a location identified by the Ten Mile Master Plan Affordable Workforce Housing Map – Location of Potential Sites. The proposed housing will increase the supply of local resident housing and add a new typology of housing that does not currently exist in the PUD.

**Goal E.** Ensure water and sewer infrastructure is planned, funded, and built to support existing or new development.

The existing utility capacity has been verified to support the proposed development.

**Goal F.** Preserve the Basin’s scenic beauty, backdrops, prominent ridge lines and mountain vistas through identification, protection, and sensitive design of development in visually important lands.

There are many scenic views in the East Village Neighborhood, and the proposed housing development takes into consideration the protection of key vistas. Reference Exhibits 12-15.

**Goal G.** Preserve and protect the open space values and backcountry character of the Basin, and minimize the negative impacts on open space values associated with developments.

The proposed project will not impact any open space or create impacts to open space as it is adjacent to parking
and roadways.

**Goal H. Maintain and preserve public access to trails in the Basin.**

The existing community trail adjacent to the site will be maintained and the Recpath will be enhanced with striping and crosswalks.

**Countywide Comprehensive Plan Compliance:**

**Land Use Element**

**Goal A. Focus development within existing urban areas.**

- **Policy/Action 2.** Future urban development should be focused within existing urban areas.
- **Policy/Action 4.** Urban areas should have densities high enough to support the provision of urban services and facilities in a cost-efficient manner and to promote a pedestrian-friendly environment.
- **Policy/Action 5.** Encourage infill, redevelopment and adaptive reuse in urban areas.

The proposed project is located within an existing urban area. The proposed density is based upon filling the need for affordable and employee housing, creating a sense of community and shaping the buildings around public open space. The site that was selected for the development of affordable and employee housing is a reuse of an existing parking lot, with demonstrated ability to replace displaced parking, reference Exhibits 6 and 8.

**Goal C. Maintain the current level of density in Summit County.**

- **Policy/Action 1.** Rezonings, PUDs, or PUD modifications that would result in higher residential densities or increased intensity of uses (e.g., increased vehicle trips, increased square footage) compared to that allowed by existing zoning is not allowed in the County, except as allowed by the Development Code and when one of the following is proposed:
  - 1.2 The higher density is allocated to deed restricted affordable workforce housing units.

The proposed housing development is to be for Qualified Occupants, which, per the new definition in the PUD, is deed restricted affordable workforce housing units and does not count towards density. There will be no increase in vehicle trips from the North Alpine Lot as the site was previously parking for 288 cars. Neighborhood traffic will be directly linked to Copper Road and the existing traffic light, providing safe vehicular access to Hwy 91.

**Goal D. Guide the appropriate development of land through the County’s master plans and development regulations.**

The proposed North Alpine development is in conformance with the County’s master plans and supportive analysis is provided with this application.

**Goal F. Coordinate land use issues so that planning between different jurisdictions and agencies is consistent.**

The proposed North Alpine development is in conformance with the County’s master plans and supportive analysis is provided with this application.

**Environmental Element**

**Goal A.** Protect and preserve environmentally sensitive areas.
This site is an existing disturbed area, therefore, there will not be any development within wetlands, habitat areas or waterway.

**Goal K. Mitigate the adverse impacts of noise and light.**

- **Policy/Action 1.** Encourage site design that uses landscaping and natural buffers to absorb excess noise.
- **Policy/Action 2.** Coordinate with CDOT to provide for effective screening and sound barriers between major highways and adjacent residential areas, using materials and design that blend with the natural landscape.
- **Policy/Action 4.** Outdoor lighting should be subdued and have minimal off-site impacts.

The proposed development does not anticipate any adverse impacts of noise or light. All outdoor lighting used will be rated for dark sky compliance. Noise abatement buffers are currently in place and will be enhanced as necessary to bolster buffering.

**Conservation Element**

**Goal L. Promote alternatives that reduce resource consumption in Summit County.**

- **Policy/Action 1.** Summit County should be a leader in the promotion of energy and resource conservation, by incorporating the use of resource saving techniques in as many aspects of its daily governmental operations as possible, including the following examples:
  - 1.5 Support of enhanced public transit options.
  - 1.6 The continued promotion and development of pedestrian and bicycle paths as an alternative to motorized travel.

The proposed housing will be located to take advantage of multi-modal transportation opportunities. The site is located adjacent bus stops for both the Copper Mountain Shuttle, Summit Stage and pedestrian trails, reference Exhibits 3 and 4. Additionally, Copper Mountain will continue to promote the use of public transportation for day use visitors by providing convenient shuttle service throughout the resort.

**Transportation Element**

**Goal B. Promote and develop mass transit programs that are consistent with community values and the rural mountain character.**

- **Policy/Action 1.** Work to increase effectiveness of transit service for residents, employees, and visitors.
- **Policy/Action 2.** Allow for the location of transit centers in appropriate locations to serve various forms of mass transit.

The North Alpine neighborhood is located adjacent to a Summit Stage stop as well as the Copper Bus system, linking future residents to locations throughout Copper Mountain and the County. The bus system and schedule are also designed to create quick, reliable connections throughout the resort for day use visitors.

**Goal D. Ensure that new roads and roadway improvements maintain safe and efficient traffic flow and maintain neighborhood character.**

- **Policy/Action 7.** Encourage connectivity between adjoining neighborhoods and community facilities and services by connecting local and collector streets, where appropriate, and minimizing the use of cul-de-sacs.

The primary access for the neighborhood will be from Copper Road at the North Alpine entrance.

The proposed access points into the new neighborhood will maintain existing traffic patterns while creating separation from bus and visitor traffic. The primary access point will be from Copper Road and the secondary access will be from the Alpine Lot. There is also an emergency egress proposed from the Alpine Lot and Copper Road to maintain two points of access for skier parking.
**Goal E.** Aggressively promote alternatives to automobile usage.

- **Policy/Action 1.** Encourage and support higher density, mixed use pedestrian oriented development projects in appropriate urban areas within walking distance of public transit, when consistent with basin master plans.
- **Policy/Action 2.** Require that new subdivisions and multi-family residential site plans include pedestrian access to on-site transit stops or connections to adjacent transit stops and, where applicable, adjacent commercial areas.
  - 2.1 Ensure that new developments are designed to encourage pedestrian use and that obstacles to pedestrian passage are not created.
  - 2.2 As maintenance, utility work, and reconstruction/redevelopment projects are initiated, pedestrian paths should be constructed where feasible to provide for pedestrian needs.

The proposed housing site is situated ideally for promotion of multi-modal transportation. The Summit Stage and Copper Bus system stops are located near each other to allow both residents and day use visitors to transition between transit systems. The relocated transit center will be within a quarter mile (five minute) walk of the North Alpine housing and Summit Stage bus stop, reference Exhibit 8. There is also direct access to the Copper Community Trail which connects residents and day use visitors to other Copper Mountain neighborhoods to the west and Frisco to the East. This Housing development is in close proximity to the Summit Stage reference Exhibit 3.

**Housing Element**

**Goal A.** Summit County will have a mix of housing that supports visitors, second homeowners, and current and future local residents as their housing needs and conditions change over time.

The proposed housing is to support primarily employees of the Copper Mountain PUD and secondarily members of the greater Summit County workforce.

**Goal B.** Maintain and ensure an adequate and diverse supply of local resident and affordable workforce housing in the County:

- **Policy/Action 1.** Continue to allow deed restricted affordable housing units, created in conjunction with an upzoning, to be exempted from the need to transfer in development rights.
- **Policy/Action 4.** Closely monitor the trends and needs for seasonal/employee housing and ensure their needs continue to be met.
- **Policy/Action 14.** Strongly encourage well designed, energy efficient housing units that will minimize operational energy consumption and maintenance costs of affordable workforce housing over time.
- **Policy/Action 15.** Design employee and affordable housing that is compatible with the surrounding neighborhood, complements community character and is of good quality.
- **Policy/Action 16.** To the extent reasonable, affordable housing should be integrated into free market housing and not segregated from it.
- **Policy/Action 17.** Affordable workforce housing developments should provide diversity, including:
  - A range of housing prices for local residents (using the affordability mix set forth in the affordable workforce housing regulations in the Development Code).
  - A diverse mix of building types to create variety in architecture and diversity among residents (i.e. a mixture of detached single-family homes, duplexes, townhouses, etc.).

Copper Mountain Resort is providing a new housing typology not currently available within the PUD. This will add to the inventory available and also provide options for the workforce. The type of housing proposed is based on the Summit County Needs Assessment and 2016 Housing Demand Update. Copper Mountain has also monitored the trends and needs of their employees through occupancy studies and satisfaction surveys. The proposed North Alpine neighborhood will include a new type of housing, diversifying what is available to local residents. This, along with the Copper Point Townhomes, will create options for the workforce in the Copper PUD. The housing is not intended to be segregated from free market housing, and is located within the East
Village Neighborhood with market rate homes. The design of the homes will be compatible with surrounding architecture.

**Private Sector Development of Local Resident Housing  Regulatory Requirements and Incentives**

- **Policy/Action 19.** Provide more local resident housing through a combination of regulatory requirements, incentives, and other strategies/programs/measures that are in the community’s interest to increase the supply of affordable housing.
- **Policy/Action 21.** Encourage the provision of deed restricted affordable housing units in negotiations for discretionary land use decisions, such as PUDs.
- **Policy/Action 22.** Revise development standards, procedures or fee structures that are unnecessary inhibitors to the free market development of local resident housing.
- **Policy/Action 23.** Enable or facilitate the development of affordable workforce housing through incentives that are in the community’s interest, such as: land donation or deeply discounted land sales, supplying or subsidizing utility taps or fees and other infrastructure requirements, expedited development review, review fee waivers or funding assistance.

The proposed development is to consist of up to 80 Affordable and Employee housing units in a site that has been identified by the County as an appropriate site for affordable housing.

**Community and Public Facilities Element**

**Goal A.** Ensure infrastructure is planned, funded, and built to support new development.

Copper Mountain Resort will work with the Copper Mountain Metro District, CDOT and Summit County to ensure adequate infrastructure is available to support the proposed development.

**Goal C:** Promote the practice of the Three Rs: Reduce, Reuse, and Recycling, among County residents to lessen waste going to the landfill and for other environmental benefits.

The North Alpine Neighborhood will provide central trash and recycling enclosures for the neighborhood to help facilitate the three “R’s” for the North Alpine Housing site.

**Goal D:** Development of community facilities and the extension of services should be carefully planned and coordinated with the Towns, special districts, and appropriate agencies.

Any required community facilities or extensions of services will be carefully planned with the Copper Mountain Metro District. Copper Mountain has received a will serve letter from CMCMD.

**Design and Visual Resources Element**

**Goal A.** Visually important lands should be preserved and the rural mountain landscapes of the County should be maintained.

- **Policy/Action 1.** Basin master plans should identify and prioritize visually important lands. The following criteria should be used when identifying these lands:
  - Lands that provide visual separation between communities.
  - Lands that are visually prominent (e.g., hillsides, open meadows) as viewed from key public places (e.g., major arterials and highways, parks and public open space areas).

The proposed site is not currently a visually prominent land as it is a parking lot.

**Goal B.** Ensure that new development is designed in a visually sensitive manner, complementing the
surrounding natural environment.

The proposed Affordable and Employee housing will be designed based on the guidelines written in the Copper Mountain PUD. Prominent views will be protected, reference Exhibits 12-15. The site design will take into account the policies of this goal to ensure building materials and architecture, landscape and utilities are constructed in a way that will blend into the natural landscape.

**Goal F. Accelerate the adoption of green building practices, technologies, policies and standards in residential and commercial development.**

Green building practices will be incorporated as possible while following Summit County’s sustainability code.

**Open Space Element**

**Goal A.** Preserve and protect the County’s open space and minimize the negative impacts on open space associated with development.

- **Policy/Action 3.** Create and maintain open space buffers around each of the County’s urban areas to create a distinct separation between urban areas, to preserve community identity, and to prevent urban sprawl.
- **3.1** Provide open space areas within urban areas, where feasible. A more developed recreational focus and less pristine setting may be appropriate in urban areas.
- **Policy/Action 4.** Designate a portion of land in new developments for open space purposes, when critical open space is documented.

The proposed neighborhood conceptual plan includes approximately .4 acres of open space. There are also open space buffers at the extents of the neighborhood to provide for landscape, berms and visual / noise buffering.

**Recreation and Trails Element**

**Goal B.** Maintain, preserve, and where appropriate, enhance trail management through providing for character, design, access, parking guidelines and protection of environmentally sensitive areas.

Policy/Action 2. Maintain the character of existing trails and trailheads using the following guidelines:

- **2.1** Promote trail design and construction standards, which preserve buffers between trails and developed areas, protect the natural terrain, provide for natural vegetative screening, and have minimal environmental impact.
- **2.2** Locate buildings and other improvements in a manner that retains the character of the trails and avoids road and driveway crossings (e.g., utilizing setbacks from roads and buildings).

The existing Community Trail adjacent to the site will remain in its existing location. A buffer to the trail is proposed as well as public open space and potentially a playground. This will enhance the character of the existing trail in this location. Other segments of the Copper Recpath will be enhanced for added user safety, reference Exhibit 10 and 11.

**Economic Sustainability Element**

**Goal B.** Diversify and update the County’s economic base to increase resilience to changing external conditions.

Providing affordable housing for the employees within the Copper PUD will be a benefit to Copper Mountain Resort and the businesses within the PUD to ensure that businesses will continue to have the capacity to operate and expand.
NOTE: PLANS ARE CONCEPTUAL AND FOR ILLUSTRATIVE PURPOSES ONLY. ALL CALCULATIONS AND PLANS ARE SUBJECT TO CHANGE.
LOOKING SOUTH FROM EAST BOUND I-70 EXIT

LOOKING NORTH FROM GOLF COURSE

Note: Plans are conceptual and for illustrative purposes only. All calculations and plans are subject to change.
LOOKING NORTH FROM APLINE PARKING LOT

LOOKING NORTH-EAST FROM GOLF COURSE

NOTE: PLANS ARE CONCEPTUAL AND FOR ILLUSTRATIVE PURPOSES ONLY. ALL CALCULATIONS AND PLANS ARE SUBJECT TO CHANGE.
1.0 Introduction

1.1 PURPOSE

This Copper Mountain Planned Unit Development Designation (this "PUD Designation") originally approved on the 18th of October, 1971 and revised on the 10th day of November, 1986, on the 22nd day of February 1993, on the 9th day of August 1999, on the 27th day of March, 2000, on the 25th day of June 2001, on the 23rd day of May 2006, on the 12th day of August 2008, on the 8th day of December 2009, on the 14th day of September 2010, on the 6th day of December 2011 and on the 11th day of December 2012, on the 23rd day of July 2013, on the 23rd day of July 2015 and on the 25th day of July 2017 by the Board of County Commissioners (the "County Commissioners") of Summit County, Colorado (the "County"), is hereby revised on this 23rd day of July 2013. This PUD Designation is for certain real property located in the County as described in the attached Exhibits K and L, hereinafter referred to as the "Property.”

This PUD Designation establishes the land uses and density that shall be permitted within the Property, a general development plan, and development standards and conditions that must be adhered to by property owners within the Property, and by Powdr – Copper Mountain LLC, a Delaware limited liability company, and its successors and assigns, ("Owner "). Refer to the Conceptual Development Plan (Exhibit A) attached hereto as a graphic illustration of the general development plan. This PUD Designation also specifies improvements, which must be made, and conditions, which must be fulfilled in conjunction with the development of the Property. The intent of this PUD is for Owner to remain responsible for all improvements, dedications, conditions, and public benefits contained herein. In the event that the Owner contracts with, assigns to, or otherwise agrees that a third party will deliver or provide all or some portion of an improvement, dedication, condition, or public benefit, such contract, assignment, or agreement shall not supersede or take the place of Owner’s obligation as set forth in this PUD. Where this PUD Designation does not address a specific development standard or requirement, the Summit County Land Use and Development Code (the “Code”) shall apply. Where the PUD Designation addresses a specific development standard or requirement, the provisions of this PUD Designation shall apply and supersede the provisions of the Code.

1.2 DEFINITIONS

“Active Recreation Uses” shall mean recreational activities, usually of a more formal nature and performed with other persons, often requiring equipment and built facilities, and taking place at prescribed places, sites or fields, including facilities and improvements related thereto such as lift structures and terminals, and allowing transport and maintenance vehicles related to these uses. Examples include recreation associated with play fields, tennis courts, golf courses, hiking, climbing walls, ice climbing facilities, Gravity Snow Sports, athletic clubs, stables, athletic fields, picnic areas, facilities and improvements related to trails, mountain biking, tubing, ice skating, snow play, go-carts, snow mobiles, snow-cat tours, arcades, miniature golf, lake activities, zip lines, and gravity attractions, adventure parks, Frisbee golf, zorbing, tennis, bungee jumping, multi-purpose recreation and sports training facilities. The point of sale area square footage for the above activities shall be counted as commercial density.
“Actual Unit” shall mean all housing types including but not limited to single-family residences, condominiums, duplexes, townhomes, lodging rooms, Hotel/Condo units, Hotel/Lodge units, Short-Term/Transient Lodging units, Employee Housing Units and Affordable Housing Units.

“Additional Property” shall mean any property that may be subject to this PUD Designation that was not previously subject to this PUD Designation and is further ascribed in Subsection 9.4.

“Affective Property Owner” shall mean any owner of fee title to any real property within the Property on the condition that the owner’s real property would be directly affected by an amendment to this PUD Designation.

“Affordable Housing” shall mean any dwelling unit required by this PUD that is restricted in perpetuity to occupancy by individuals meeting the eligibility requirements and occupancy standards as set forth in this PUD Designation and the County Code.

“BMPs” shall mean a variety of nonstructural and structural Best Management Practices that will be incorporated into the development plans for the Property. BMPs are further defined and detailed in Subsection 6.5.

“BOCC” shall mean the Summit County Board of County Commissioners.

“Building Projection” shall mean any portion of a building that projects beyond the exterior walls, including bay windows, roof drip lines, decks and patios.

“Cafeterias” shall mean commercial self-service dining facilities open to the general public that are used in connection with the operation of a destination resort and that are owned and operated by the holder of the USFS Ski Area Term Special Use Permit of the Copper Mountain Ski Area including, without limitation, all storage and food preparation areas related thereto.

“CDOT” shall mean the Colorado Department of Transportation.

“Charity Event” shall mean an athletic activity related event run by a non-profit/501(c)(3) organization benefiting a charitable cause such as the Courage Classic and The Children’s Hospital Foundation.

“CPW” shall mean Colorado Parks and Wildlife.

“CMCMD” shall mean the Copper Mountain Consolidated Metropolitan District.

“CMPACCDRC” shall mean the Copper Design Review Committee Mountain Planning and Architectural Control Committee.

“Code” shall mean the Summit County Land Use and Development Code.

“Colorado Trail Connection” is the portion of the Colorado Trail that is located within the Property and as further described in Subsection 5.2.B.

“Commercial” shall mean space where merchandise, products or services are purchased by the general public, including, without limitation, space used as retail sales establishments, restaurants, bars and lounges, farmer’s markets, flea markets, rental shops, for-profit day care, public lockers, ticket windows, professional
of offices, season pass offices, and real estate sales offices, excluding space that is a Community Facility, Resort Support Facility, Lodging Services, Cafeteria, Conference Facility or free to use recreational facility.

“Community Facilities” shall mean facilities such as cultural or educational institutions, churches, schools, District facilities, municipal facilities, or other uses necessary or desirable for the day-to-day operation of a community including, without limitation, emergency service facilities, medical clinics, not-for-profit day care facilities, post office, and libraries, and administrative offices related to the foregoing.

“Conference Facilities” shall mean the facilities used for professional or private meetings or gatherings. These facilities shall be limited to banquet halls, conference rooms, exhibit halls, meeting rooms, boardrooms, and other spaces used for conference services, and administrative offices related to the foregoing.

“Condominium” or “Condo” shall mean a form of ownership of real estate in which exclusive title is given to space within a project such as a residence or office along with an undivided interest in the project's common elements.

“Copper Community Trail” shall mean a trail or trails within the resort that are not included in the County Recpath system.

“Corps” shall mean the United States Army Corp of Engineers.

“County” shall mean Summit County, Colorado and/or Summit County governmental agencies.

“County Commissioners” shall mean the Board of County Commissioners of Summit County, Colorado.

“Day Use Parking” shall mean surface or structured public parking facilities available to Employees working within the Property or day visitors to the Property (including, without limitation, skiers, customers, other users of facilities and businesses within the Property and buildings related to the foregoing (i.e. pay booths and restrooms)).

“Developer” shall mean any person, firm, partnership, joint venture, association or corporation participating as owner, promoter, agent or real estate professional in the planning, platting, development, promotion, sale or lease of a development project.

“Development Parcels” shall mean each area described generally as a lettered parcel or as an open space parcel within the Neighborhoods on Exhibit B-1 attached hereto.

“Development Review” shall mean the planning process by which approvals are sought for projects, including but not limited to site plans, subdivisions, conditional use permits and temporary use permits.

“District” shall mean Copper Mountain Consolidated Metropolitan District.

“Dormitory Style Employee Housing” shall mean a dormitory style building that includes common area living space and facilities outside of the personal sleeping/living areas intended primarily for occupancy by Employees.
“Easement Dedication” shall mean an Open Space, trail or Recpath public access easement acceptable to and granted to the County to ensure (i) protection of the Open Space, trail and Recpath character; and (ii) public access, subject to the provisions of this PUD.

“Effective Date” shall have the meaning ascribed to such term in Subsection 9.8.

“Employee” shall mean a person who is employed by the Owner or a third party business within the Property and/or supporting resort operations.

“Employee Housing Requirement” shall mean the number of bed credits the Owner shall provide. Refer to Subsection 2.6.C for the details of this requirement.

“Employee Housing Unit” shall mean a unit occupied by an Employee and is restricted in a manner described in Subsection 2.6.A.

“Employee Housing Use Restriction” shall mean a restriction placed on an Employee Housing Unit that limits the use of such unit in a manner described in Subsection 2.6.A.

“Equestrian Operation Facilities” shall mean barns, stables, paddocks, and support facilities including point of sale Commercial buildings used in the operation of equestrian activities.

“Equivalent Units” shall mean a number or ratio used to covert unit counts and square footages for different types of land uses. This number or ratio is derived from a method intended to proportionally assess the impacts associated with different types of development and uses. Equivalent Units shall be calculated in accordance with Table 2 set forth in Subsection 2.2.

“Gravity Snow Sports” shall mean downhill winter sports such as skiing (downhill, Nordic, telemark), snowboard, snowbike, and the facilities related to these sport activities.

“Hotel/Condo” shall mean a Condominium facility offering transient lodging accommodations to the general public. The Hotel/Condo property shall provide services typical of the America Automotive Association (AAA) ratings for the hotel property including, but not limited to (a) in-building check-in/check-out services; (b) use of a centralized reservations system; (c) daily housekeeping; and (d) other services typical of a hotel such as restaurants, meeting rooms and recreation facilities. A minimum of 50% of the hotel rooms in the hotel property must be under 520 SF, and shall not have full kitchens but may have a small kitchen. A small kitchen consists of any or all of the following: a) a small sink; b) an under counter refrigerator; c) a cabinet area not exceeding (10) ten cubic feet; d) a counter area not exceeding ten (10) square feet; e) a microwave; f) a two burner cook top; and g) a dishwasher is permitted within such hotel rooms. Rooms that are 520 square feet or larger, and/or containing a full kitchen, shall be designated as a residential unit and counted as one full multi-family equivalent unit. Rooms under 520 square feet shall count as 1/3 of an equivalent unit as expressed on Table 2.

“Hotel/Lodge” shall mean a facility held in common ownership offering transient lodging accommodations to the general public, and may provide additional services such as restaurants, in-building check-in/check-out services, meeting rooms and recreation facilities. Such facilities are generally smaller rooms, and shall not have kitchens. A wet bar or kitchenette as defined by the Code is a permitted use within such units.

“Housing Needs Assessment” shall mean an independent study provided by a specialist that the County and the Owner agree is qualified to provide information on the current Affordable
Housing supply and demand of the Ten Mile Basin and/or all of Summit County as well as predicting future Affordable Housing supply and demand.

“Integrated Employee Housing Unit” shall mean an Employee Housing Unit contained in a building that also contains one or more other dwelling units that are not Employee Housing Units.

“Key Public Spaces” shall mean the locations identified in the PUD that have significant visual corridors of the Ten Mile Range, the Gore Range and Copper Mountain requiring protection from potential intrusion by development to preserve those views. Refer to Subsection 3.5.

“Lake Easement” shall mean that certain Lake and Recreational Easement, dated April 19, 1999, between Owner and the County, recorded in the official records of the County at Reception No. 593087, as the same may be amended from time to time.

“Land Use” shall mean uses permitted on a Development Parcel or Open Space parcel as defined in Table 1 of this PUD.

“Living Space” is defined as floor area per the Summit County Land Use and Development Code.

“Lock-off Unit” shall mean the portion of a multi-family dwelling unit that is capable of being separated from the remainder of such unit by a door lockable from both sides, if and only if: (i) such portion of the unit is accessible independent of the remainder of such unit and contains one or more bathrooms, but does not contain a kitchen, and (ii) such remainder of the unit is accessible independent of the portion of such unit described in clause (i) above, and contains one or more bathrooms and a kitchen.

“Lodging Services” shall mean space used by the service personnel within the individual lodging facilities such as front desk area, bell staff, valet, housekeeping, central reservations, call centers, Property Management, security and administrative offices and storage related to the forgoing.

“Mixed-Use Building” shall mean a building that contains dwelling units and one or more of the following: (a) Commercial space; (b) Community Facilities; (c) Conference Facilities; (d) Cafeteria space; (e) Resort Support Facilities and/or (f) recreational facilities.

“Neighborhood” shall mean the West Village Neighborhood, Village Center Neighborhood, East Village Neighborhood, Middle Parcel, A-Lift Neighborhood, North Ten Mile Neighborhood and North Properties, as appropriate, which areas are generally described on Exhibit B-1.

“Non-Peak Season” shall mean the period from May 1st through October 31st of each year.

“NWCCOG” shall mean the Northwest Colorado Council of Governments.

“Open Space” shall mean land that is without Commercial or residential uses, and that is permanently designated or otherwise reserved for Public Open Space or Private Open Space uses. Open space areas may include environmentally sensitive areas, trails, parks, meadows, and forested areas as well as active and passive recreation uses and facilities. Open space areas
may have utilities (drainage, electric, phone, gas, etc.), access roads and on-snow travel routes for Resort Operations vehicles and utility service vehicles located on or through such areas so long as: (a) the open character of the site is generally maintained; (b) such utilities, access roads and on-snow travel routes are necessary to serve the development in the Property and no other utility, road or access route avoiding the open space area is reasonable, practicable and cost efficient; and c) other applicable provisions of this PUD are met.

“Outdoor Vendors” A person engaging in the sale of goods or services from an open stand, push cart, vehicle or an outdoor site but not from a permanent building.

“Owner” shall mean Powdr – Copper Mountain LLC, a Delaware limited liability company, and its successors and assigns.

“Owner’s Representative” shall mean a person, firm, partnership, joint venture, association or corporation approved in writing by the Owner to represent the Owner in the planning, platting, development, promotion, sale or lease of a development project, or in the completion of PUD commitments.

“Passive Recreation Uses” shall mean recreational activities not considered active; do not require significant permanent physical improvements or facilities and are considered to be of minor impact to adjoining uses. Uses may include but are not limited to hiking, biking (including County Recpath), Nordic skiing, horseback riding, picnicking, and nature/interpretation and viewing, and facilities and improvements related thereto.

“Peak Season” shall mean the period from November 1 through April 30th of each year.

“Permitted Applicant” shall be pursuant to County Code.

“Planning Commission” shall mean the Ten Mile Planning Commission.

“Planning Department” shall mean the Summit County Planning Department.

“Platting” shall have the meaning ascribed to such term in Subsection 9.9.

“Private Open Space” shall mean Open Space per the definition of this PUD that is owned and maintained by the Owner or their representative that is intended for the use and enjoyment of resort guests. Access to Private Open Space may be controlled by the Owner and activities within Private Open Space may be fee based. Use of Private Open Space shall be consistent with the uses allowed pursuant to Table 1 of the PUD Designation.

“Property” shall mean all the real property within the PUD as described in Exhibits K and L attached hereto.

“Property Management” shall mean space used by the staff associated with the management/maintenance of individual Homeowner Associations, homeowner relations and the administrative offices and storage related to the forgoing.

“Public Open Space” shall mean Open Space per the definition of this PUD that is owned by the Owner and either is dedicated to the public by plat or subject to an easement or other agreement designed to protect natural areas and may allow open access to the public. Dedications specific to each Public Open Space parcel shall specify public accessibility and maintenance responsibility for that parcel and facilities contained within.
“PUD” or “PUD Designation” shall mean this Copper Mountain Planned Unit Development Designation.

“Qualified Occupant” shall mean any of the following:

A. A person aged 18 or older, along with his or her Dependents, if any, who at all times during ownership or occupancy of the Unit, earns his or her living from a business operating in and serving the County, by working in Summit County at such business an average of at least 30 hours per week on an annual basis.

B. For individuals claiming self-employment, their employment must be for at least 30 hours of work per week within Summit County on an annual basis for a legally formed business entity provided such entity is approved by the County in writing as having demonstrated that its principal place of business is located within Summit County, Colorado, and it provides a significant and primary percentage of its goods and/or services locally within Summit County to the residents, property owners or visitors located in Summit County, whether or not for profit. If a person is working from home employee for a business, the person must work at least 30 hours per week on an annual basis and spend a significant percentage of his/her time providing goods and/or services locally in or to Summit County and its residents, whether or not for profit.

C. A person over 65 years of age shall remain a Qualified Occupant regardless of his or her working status, so long as he or she has owned and occupied that particular Unit for a time period of not less than seven (7) years and satisfied the requirements of subsection A or B above regarding employment in Summit County for at least 7 continuous years prior to retirement.

D. A Qualified Occupant who becomes disabled after commencing ownership or occupancy of a Unit such that he or she cannot work the required number of hours each week required by this Restriction shall remain a Qualified Occupant; provided that such person is permitted to occupy the Unit only for a maximum period of one (1) year following the commencement of said person's disability, unless a longer period of occupancy is authorized by the County pursuant to the process set forth in Article 4 below.

E. The County or its designee shall have the discretion to determine any person's eligibility as a Qualified Occupant under this section and may request such evidence as is necessary to make said determination.

“Resort” shall mean the area generally known as the Copper Mountain Resort located in Summit County, Colorado.

“Recpath” shall mean the County maintained multi-use, non-motorized recreation trail.

“Resort Special Events” shall mean any organized event utilizing a Summit County Road, Property or Property Interest or private property that, for the protection of the public health, safety and welfare and/or convenience, potentially requires changing, restricting or adapting the public's normal use of such road, property or property interest. Special events specifically include, but are not limited to, ski/snowboard races and demonstrations, bicycle races or rides, foot races or walks, philanthropic events, motorized vehicle events, festivals and music programs, traveling circuses, special holiday events and programs, athletic events, conference related events, community celebrations and other similar events.

Revised 10-13-17
“Resort Operations” shall mean the persons and entities that operate and maintain the resort properties and Resort Support Facilities.

“Resort Support Facilities” shall mean the buildings or spaces that are provided or occupied by services or operational facilities, which are used in connection with the operation of a destination resort, excluding Cafeterias. Examples of such facilities include maintenance facilities, utility facilities, storage facilities, transportation facilities, lift terminals, ski school facilities (limited to areas for staff, equipment and guest warming), non-commercial laundry facilities, Lodging Services, public restrooms, Employee Housing support facilities, Employee cafeterias, and administrative offices related to any of the foregoing.

“SCHA” shall mean the Summit Combined Housing Authority.

“SH 91” shall mean State Highway 91.

“Short-Term Parking” shall mean parking signed and limited during the Peak Season to a maximum of 1 hour between 8AM and 5PM and to be monitored as necessary by Copper Mountain Resort. Such parking shall not count towards compliance with the Resort’s Day Use Parking requirements.

“Short-Term/Transient Lodging” shall mean low average daily rate (“ADR”) lodging within The EDGE building for use by Employees of the Owner who are visiting the Resort, but work and reside at locations other than the Resort, friends and family members of current Resort Employees, small groups such as band camps or high-altitude training camps, and for emergency shelter such as when the highways are closed due to inclement weather, with exceptions as defined in Section 2.6, wherein the payment for the use of the low-yield transient lodging rooms is set at a maximum rate that only covers the costs associated with daily housekeeping and maintenance of The EDGE facility.

“Special Event” shall mean any short duration event that expects to use county services (i.e., emergency / ambulance services or law enforcement) or expects to impact any county right-of-way, and has 50 or more participants at any one. Examples of special events are community fairs, bicycle or Nordic ski races, and art festivals.

“Subbasin Plan” shall mean the Copper Mountain Subbasin Plan as adopted by the Ten Mile Planning Commission.

“SWQC” shall mean the Summit Water Quality Committee.

“Technical Appendix” shall mean the support documentation submitted as part of the 2008 and 2013 PUD Amendment and updated from time to time by mutual agreement between Owner and County that includes the reports, letters, diagrams and agreements referenced in or pertaining to the PUD Designation.

“USFS” shall mean the United States Forest Service.

“Village at Copper” and “VAC” shall mean The Village at Copper Association, Inc.
2.0 Land Use and Density

2.1 PERMITTED/CONDITIONAL/ACCESSORY AND TEMPORARY USES AND DENSITY

A. There shall be no more than 2,151 Equivalent Units, 203,931 square feet of Commercial space and 51,000 square feet of Cafeteria space permitted within the Property. Residential dwelling units (other than Employee Housing Units), Hotel/Lodge, Hotel/Condo, Lock-off Units, Commercial space and Cafeteria space are the only land uses within the Property to which density limitations are applied; provided, however, that on certain Development Parcels, a maximum number of Employee Housing and Affordable Housing Units has been established as set forth in Table 1 below.

B. Table 1 below identifies the land uses permitted within each Development Parcel and the maximum number of Equivalent Units, Commercial square feet and Cafeteria square feet permitted within each Development Parcel, subject to adjustment pursuant to Subsection 2.3 below (regarding Density Transfers) and Subsection 2.4 below (regarding Redevelopment of Existing Properties).

Table 1. Permitted Uses and Densities

<table>
<thead>
<tr>
<th>Neighborhood/Parcel</th>
<th>Parcel Description</th>
<th>Permitted Uses</th>
<th>Equiv. Units (EUs)</th>
<th>Comm. SF</th>
<th>Cafe. SF</th>
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<tr>
<td>WEST VILLAGE NEIGHBORHOOD</td>
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<td></td>
<td></td>
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<td>Parcel 1</td>
<td>Lewis Ranch</td>
<td>Single-family dwelling units.</td>
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<td>0</td>
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<td>Parcel 2</td>
<td>Lewis Ranch</td>
<td>Single-family dwelling units, duplexes, Resort Support Facilities, Active Recreation Uses limited to alpine and Nordic skiing, snowboarding, hiking, tubing, ice skating, snow play and similar activities and facilities related thereto, and non-residential outdoor storage associated with ski operations</td>
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<td>Lewis Ranch Utilities</td>
<td>Water tanks, pump stations, sewer lift stations, and other necessary utilities for the West Neighborhood</td>
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<td>Parcel 4</td>
<td>Lewis Ranch</td>
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<td>0</td>
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<tr>
<td>Parcel 5</td>
<td>Lewis Ranch</td>
<td>Single-family dwelling units and duplexes,</td>
<td>32.5</td>
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<tr>
<td>Private Open Space Parcel A</td>
<td></td>
<td>Open Space and Passive Recreation Uses limited to winter use only Nordic trails as shown in Exhibit H, and access to serve Development Parcels 1, 3 and 4 in the West Neighborhood and uses permitted thereon pursuant to the terms of the Lewis Ranch Subdivision Plat, Reception #685418</td>
<td>0</td>
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<tr>
<td>Private Open Space Parcel B</td>
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<td>Open Space, Passive Recreation and Active Recreation Uses limited to skiing, hiking and mountain biking, Resort Support Facilities limited to water storage tanks, equestrian trails, snow making facilities, snow cat staging and maintenance related to the foregoing</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Neighborhood/Parcel</td>
<td>Parcel Description</td>
<td>Permitted Uses</td>
<td>Equiv. Units (EUs)</td>
<td>Comm. SF</td>
<td>Cafe. SF</td>
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<td>VILLAGE CENTER NEIGHBORHOOD</td>
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<td>Parcel 6</td>
<td>Union Creek Base Area</td>
<td>Multi-family dwelling units, duplexes, Hotel/Condo, Hotel/Lodge, Short-Term Parking, Employee Housing Units, Affordable Housing, Cafeteria, Commercial, Outdoor Vendors, Equestrian Operation Facilities (with Conditional Use Permit), Resort Support Facilities, snow cat staging and maintenance related to the foregoing and Active Recreation Uses</td>
<td>79</td>
<td>9,000</td>
<td>19,000</td>
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<td>Parcel 8</td>
<td>The Cache, Union Creek Townhomes West, Union Creek Townhomes, The Cirque</td>
<td>Multi-family dwelling units, Employee Housing Units, Affordable Housing, Resort Support Facilities, and Active Recreation Uses</td>
<td>91</td>
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<td>Parcel 9</td>
<td>Telemark Lodge, Beeler Place Townhomes</td>
<td>Multi-family dwelling units, Hotel/Lodge, Commercial, Integrated Employee Housing Units, Affordable Housing, Resort Support Facilities, Conference Facilities, Community Facilities, and Active Recreation Uses</td>
<td>70</td>
<td>0</td>
<td>0</td>
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<td>Parcel 10</td>
<td>The EDGE</td>
<td>Resort Support Facilities, Dormitory Style Employee Housing, Short-Term/Transient Lodging, Employee Cafeteria, Employee store, and charity event tent camping</td>
<td>0</td>
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<tr>
<td>Parcel 11</td>
<td>The Lodge at Copper</td>
<td>Multi-family dwelling units, Hotel/Lodge, Integrated Employee Housing Units, Affordable Housing, Resort Support Facilities, Conference Facilities, Community Facilities, Active Recreation Uses</td>
<td>30</td>
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<td>Parcel 12</td>
<td>Copper Commons/Conference Center</td>
<td>Multi-family dwelling units, Hotel/Lodge, Hotel/Condo, Integrated Employee Housing Units, Affordable Housing, Resort Support Facilities, Conference Facilities, Community Facilities, Commercial, Outdoor Vendors, Active Recreation Uses, Day Use Parking and Short-Term Parking</td>
<td>120</td>
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<td>Parcel 13</td>
<td>Beeler Transportation Center</td>
<td>Short-Term Parking, Resort Support Facilities and Commercial</td>
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<td>Parcel 14</td>
<td>Passage Point</td>
<td>Multi-family dwelling units, Integrated Employee Housing Units, Affordable Housing, Commercial, Resort Support Facilities, Community Facilities, and Active Recreation Uses</td>
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<td>Neighborhood/Parcel</td>
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<tr>
<td>Parcel 15</td>
<td>Copper One, Tucker Mountain Lodge, The Mill Club, Taylor's Crossing</td>
<td>Multi-family dwelling units, Integrated Employee Housing Units, Affordable Housing, Commercial, Resort Support Facilities, Cafeteria, Conference Facilities, Community Facilities, and Active Recreation Uses</td>
<td>230</td>
<td>45,000</td>
<td>17,770</td>
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<tr>
<td>Parcel 16</td>
<td>Village Square, Mountain Plaza, Copper Junction, Spruce Lodge, Copper Mountain Inn, Ten Mile Haus, Timber Creek, Summit House</td>
<td>Multi-family dwelling units, Hotel/Lodge, Integrated Employee Housing Units, Affordable Housing, Commercial, Resort Support Facilities, Conference Facilities, Community Facilities and Active Recreation Uses</td>
<td>295.67</td>
<td>33,000</td>
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<td>Parcel 17</td>
<td>Snowbridge Square, West Lake Lodge, Bridge End</td>
<td>Multi-family dwelling units, Hotel/Lodge, Integrated Employee Housing Units, Affordable Housing, Commercial, Resort Support Facilities, Conference Facilities, Community Facilities, Active Recreation Uses and Short-Term Parking</td>
<td>77.33</td>
<td>22,232</td>
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<td>Parcel 18</td>
<td>Chapel Lot</td>
<td>Multi-family dwelling units, Hotel/Lodge, Hotel/Condo, duplexes, Integrated Employee Housing Units, Affordable Housing, Commercial, Resort Support Facilities, Conference Facilities, Community Facilities, Active Recreation Uses, Day Use Parking and Short-Term Parking</td>
<td>239</td>
<td>28,149</td>
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<td>Parcel 19</td>
<td>Chapel</td>
<td>Community Facilities, one Integrated Employee Housing Unit or Affordable Housing unit (to be used as a residence for the Chapel caretaker), Active Recreation Uses, and charity event tent camping</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Parcel 20</td>
<td>B-Lot Parking Structure</td>
<td>Day Use Parking, Short-Term Parking and Commercial</td>
<td>0</td>
<td>50</td>
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<tr>
<td>Parcel 21</td>
<td>Lodging check-in, Fire Station, Woodward, Athletic Club</td>
<td>Commercial, Resort Support Facilities, Active Recreation Uses, Community Facilities, Athletic Club, Day Use Parking, Employee Housing Units, The Edge parking and telephone facility building</td>
<td>0</td>
<td>1,500</td>
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<tr>
<td>Parcel 22</td>
<td>Creekside North</td>
<td>Multi-family dwelling units, duplexes, Employee Housing Units, Affordable Housing and Resort Support Facilities, and Metro District domestic wells and associated pump station equipment</td>
<td>70</td>
<td>0</td>
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<tr>
<td>Parcel 23</td>
<td>Copper Valley, Togwotee</td>
<td>Multi-family dwelling units, Hotel/Lodge, Integrated Employee Housing Units, Resort Support Facilities, Conference Facilities, and Community Facilities</td>
<td>42.33</td>
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<tr>
<td>Neighborhood/Parcel</td>
<td>Parcel Description</td>
<td>Permitted Uses</td>
<td>Eqv. Units (EUs)</td>
<td>Comm. SF</td>
<td>Cafe. SF</td>
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<tr>
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<tr>
<td>Parcel 24</td>
<td>Sky Chutes, Creekside South, Pitchfork Base Area</td>
<td>Multi-family dwelling units, Hotel/Lodge, Hotel/Condo, duplexes, Affordable Housing, Employee Housing Units (provided that not more than 40 Employee Housing Units shall be permitted), Commercial, Outdoor Vendors, Resort Support Facilities, Conference Facilities, off-site parking for Parcel 23 (Copper Valley), and Active Recreation</td>
<td>52 EU with a maximum of 48 Actual Units at Sky Chutes (South of Copper Valley)</td>
<td>5,000</td>
<td>0</td>
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<tr>
<td>Private Open Space Parcel D</td>
<td>Stables Park</td>
<td>Open Space, Passive Recreation and Active Recreation Uses limited to Gravity Snow Sports, Recpath and Resort Support Facilities</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Public Open Space Parcels E, east &amp; west</td>
<td>West Ten Mile Creek Easement</td>
<td>Open Space and Passive Recreation Uses</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Private Open Space Parcel F</td>
<td>I-70 Hillside</td>
<td>Open Space, Passive Recreation and Active Recreation Uses limited to the Recpath with retaining walls associated and improvements on adjoining parcels</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Public Open Space Parcel G</td>
<td>West Ten Mile Creek Easement</td>
<td>Open Space, Passive Recreation and Active Recreation limited to the Copper Community Trail and Zip line, and those associated facilities, and resort snowmaking water diversion improvements</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Public Open Space Parcel H</td>
<td>West Lake Park</td>
<td>Open Space, Passive Recreation and Active Recreation Uses and with respect to those portions of this Open Space Parcel that are burdened by the Lake Easement, all Resort Support and Recreational Facilities permitted thereon pursuant to the terms of the Lake Easement</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Private Open Space Parcel I</td>
<td>Burning Stones Park</td>
<td>Open Space, Passive Recreation and Active Recreation Uses and Resort Support Facilities, snow cat staging and maintenance related to the foregoing and a seasonal pavilion from May 15 to October 15</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Public Open Space Parcel J</td>
<td>Parking Structure Park</td>
<td>Open Space and Passive Recreation Uses</td>
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<tr>
<td>Private Open Space Parcel K</td>
<td>Chapel Park</td>
<td>Open Space, Passive Recreation and Active Recreation Uses, and charity event tent camping</td>
<td>0</td>
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<tr>
<td>Public Open Space Parcel L</td>
<td>Togwotee Park</td>
<td>Open Space and Passive Recreation Uses</td>
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<tr>
<td>Public Open Space Parcel M</td>
<td>Timber Creek Park</td>
<td>Open Space, Passive Recreation and Active Recreation Uses limited to Gravity Snow Sports, mountain biking and associated slope grooming</td>
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Revised 10-13-17
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<tr>
<th>Neighborhood Parcel</th>
<th>Parcel Description</th>
<th>Permitted Uses</th>
<th>Equiv. Units (EUs)</th>
<th>Comm. SF</th>
<th>Cafe. SF</th>
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<tbody>
<tr>
<td>Village Center Neighborhood Subtotal</td>
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<td>1,529.33</td>
<td>169,231</td>
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<td><strong>EAST VILLAGE NEIGHBORHOOD</strong></td>
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<tr>
<td>Parcel 25</td>
<td>Copper Springs</td>
<td>Multi-family dwelling units, Hotel/Lodge, Integrated Employee Housing Units, Affordable Housing and Conference Facilities</td>
<td>107</td>
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<td>Parcel 26</td>
<td>Summit House East, Peregrine, Anaconda, Wheeler House, Elk Run, Fox Pine, Snowflake, Copper Station, Village Point, The Greens</td>
<td>Multi-family dwelling units, Hotel/Lodge, Integrated Employee Housing Units, Affordable Housing, Commercial, Resort Support Facilities, Cafeteria, Conference Facilities, Community Facilities, Active Recreation Uses, Open Space and Day Use Parking, and Metro District domestic wells and associated pump station equipment</td>
<td>253.67</td>
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<td>Parcel 27</td>
<td>The Legends, The Woods</td>
<td>Multi-family dwelling units and duplexes</td>
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<td>Parcel 28</td>
<td>The Masters</td>
<td>Single-family dwelling units, accessory apartments, caretaker units and non-residential outdoor storage</td>
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<tr>
<td>Parcel 29</td>
<td>East Lake Housing</td>
<td>Affordable Housing, Employee Housing Units, single-family dwelling units, multi-family dwelling units, Hotel/Lodge, Hotel/Condo, historic buildings park and Equestrian Operation Facilities(with Conditional Use Permit)</td>
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<td>Parcel 30</td>
<td>Alpine Parking Lot</td>
<td>Resort Support Facilities, Day Use Parking, Active Recreation Uses, Non-Peak Season staging, vehicle and material storage, and charity event RV and tent camping</td>
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<tr>
<td>Parcel 31</td>
<td>Maintenance Yard and Maintenance Lot</td>
<td>Resort Support Facilities, Community Facilities, Day Use Parking and Employee Housing Units, Affordable Housing, Employee Housing, staging, vehicle and material storage</td>
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<tr>
<td>Private Open Space Parcel N</td>
<td>Golf Course</td>
<td>Open Space, Passive and Active Recreation Uses, Resort Support Facilities, one existing monument sign and one Resort directory facility</td>
<td>0</td>
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<tr>
<td>Public Open Space Parcel O</td>
<td>West Ten Mile Creek Easement</td>
<td>Open Space, Passive Recreation and Active Recreation limited to the Copper Community Trail, golf, and those associated facilities, and Metro District domestic wells and associated pump station equipment</td>
<td>0</td>
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<tr>
<td>Private Open Space Parcel P</td>
<td>Golf Course</td>
<td>Open Space, Passive and Active Recreation Uses, Resort Support Facilities</td>
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<tr>
<td>Public Open Space Parcel Q</td>
<td>Copper Community Trail</td>
<td>Open Space, Passive Recreation and Active Recreation limited to the Copper Community Trail</td>
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<tr>
<td>Neighborhood/Parcel</td>
<td>Parcel Description</td>
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<tr>
<td>Public Open Space Parcel R</td>
<td>Farley Park</td>
<td>Open Space, Passive Recreation and Active Recreation, and Metro District domestic wells and associated pumping equipment</td>
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<td>Public Open Space Parcel S</td>
<td>Copper Community Trail</td>
<td>Open Space, Passive Recreation and Active Recreation limited to the Copper Community Trail</td>
<td>0</td>
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<tr>
<td>Public Open Space Parcel T</td>
<td>Copper Community Trail</td>
<td>Open Space, Passive Recreation and Active Recreation limited to the Copper Community Trail</td>
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<td>Private Open Space Parcel U</td>
<td>Golf Course</td>
<td>Open Space, Passive Recreation and Active Recreation Uses, Resort Support Facilities and a commercial equestrian trail system</td>
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<td>Private Open Space Parcel V</td>
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East Village Neighborhood Subtotal 465.67 27,000 14,230

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<th>MIDDLE PARCEL</th>
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Middle Parcel Subtotal 0 0 0

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<td>Private Open Space Parcel X</td>
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A-Lift Neighborhood Subtotal 30 2,700 0
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<td>NORTH TEN MILE NEIGHBORHOOD</td>
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<tr>
<td>Parcel 35</td>
<td>North Ten Mile Development Parcel</td>
<td>Commercial including convenience store and gas station with one monument sign, non-commercial auto impound lot, Equestrian Operation Facilities (with Conditional Use Permit), Day Use Parking, Resort Support Facilities, staging and material storage, snowmelt facilities, Community Facilities, CMCMD facilities, and Employee Housing Units</td>
<td>0</td>
<td>5,000</td>
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<td>Public Open Space Parcel Y</td>
<td>Ten Mile Creek Easement</td>
<td>Open Space, Passive Recreation and Active Recreation Uses limited to the County Recpath</td>
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<td>Public Open Space Parcel Z</td>
<td>Ten Mile Creek Easement</td>
<td>Open Space, Passive Recreation and Active Recreation Uses limited to the County Recpath</td>
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<td><strong>North Ten Mile Neighborhood Subtotal</strong></td>
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<td>NORTH PROPERTIES</td>
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<td>Public Open Space Parcel AA</td>
<td>North Properties</td>
<td>Open Space and Passive Recreation Uses</td>
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<td>Public Open Space Parcel BB</td>
<td>North Properties</td>
<td>Open Space and Passive Recreation Uses</td>
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<td><strong>North Properties Subtotal</strong></td>
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<tr>
<td>1</td>
<td>Good Semeritian (Copper Owned)</td>
<td>Active Recreation Uses limited to alpine and Nordic skiing, snowboarding and similar activities and facilities related thereto</td>
<td>0</td>
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<tr>
<td>2</td>
<td>Olie Lind Timber (Copper Owned)</td>
<td>Active Recreation Uses limited to alpine and Nordic skiing, snowboarding and similar activities and facilities related thereto</td>
<td>0</td>
<td></td>
<td></td>
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<tr>
<td>3</td>
<td>Lillie G. and Lillie G. No. 2 (Copper Owned)</td>
<td>Active Recreation Uses limited to alpine and Nordic skiing, snowboarding and similar activities and facilities related thereto</td>
<td>0</td>
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<tr>
<td>4</td>
<td>Lillie G. and Lillie G. No. 2 (Copper Owned)</td>
<td>Active Recreation Uses limited to alpine and Nordic skiing, snowboarding and similar activities and facilities related thereto</td>
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<tr>
<td>5</td>
<td>Hattie H</td>
<td>Active Recreation Uses limited to alpine and Nordic skiing, snowboarding and similar activities and facilities related thereto</td>
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<td>6</td>
<td>Mona, Excellanza, Luk No. 2, F.D.W., Silver Cloud, Reconstruction, Little Silver, Bessie, Little Willie, C and S, Molly G</td>
<td>Active Recreation Uses limited to alpine and Nordic skiing, snowboarding and similar activities and facilities related thereto</td>
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<td>7</td>
<td>Storm King</td>
<td>Active Recreation Uses limited to alpine and Nordic skiing, snowboarding and similar activities and facilities related thereto</td>
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<td>8</td>
<td>Spread Eagle, WestfaHalia, Yellow Mask</td>
<td>Active Recreation Uses limited to alpine and Nordic skiing, snowboarding and similar activities and facilities related thereto</td>
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<td>9</td>
<td>Bee Hive, Sirius</td>
<td>Active Recreation Uses limited to alpine and Nordic skiing, snowboarding and similar activities and facilities related thereto</td>
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<td>10</td>
<td>New York</td>
<td>Active Recreation Uses limited to alpine and Nordic skiing, snowboarding and similar activities and facilities related thereto</td>
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</tbody>
</table>

**Ski Mountain Properties Subtotal:**

|                  | 0 | 0 | 0 |

**TOTAL PUD:**

|                  | 2,151 | 203,931 | 51,000 |

Notes to Table 1:

a. Where there is a conflict between the land uses outlined in Table 1 and the other sections of this PUD Designation, the provisions of Table 1 shall prevail.

b. Temporary real estate sales offices are permitted within the Property if approved as a temporary use in accordance with the Code and/or approved Site Plan Review.

c. Recreational trails shall be permitted in any Development Parcel subject to the provisions of this PUD Designation.

d. Resort Special Events are allowed in the Property subject to all applicable provisions in the PUD and the Code, except in Open Space Parcels OS-A (Lewis Ranch), OS-C (Lewis Ranch), OS-E, OS-G, OS-I, and OS-O (Stream Easements), OS-J (Parking Structure Park), OS-M (Timbercreek Park), OS-S and OS-T (Reepath and Community Trail), OS-Y and OS-Z (North Ten Mile Neighborhood), OS-AA (North Property), and OS-BB (North Property) where such events are prohibited.
e. The permitted densities of Equivalent Units, Commercial space and Cafeteria space set forth in Table 1 above were calculated based on the “Build-out Analysis of Copper Mountain Resort”, and maintained in Technical Appendix 4, hereinafter referred to as the Report. Build-out analyses are an approximation of the current land uses found in the Property based on the best available data, including County records, leases and condominium maps or townhouse plans. Any increases or decreases shall be accounted for by a Planning Department amendment to the Report, and by changes to the density shown in Table 1 during any subsequent Major PUD Amendment.

f. Home occupations are permitted within any residential dwelling unit subject to the home occupation provisions of the Code. Accessory apartments, caretakers' quarters and non-residential outdoor storage are allowed within any single-family residential development subject to the provisions of the Code except in the West Neighborhood where they are prohibited.

g. Equivalent Units and Commercial square footage are transferred to or from Development Parcels in accordance with the provisions of Section 2.3 of this PUD Designation. This density may be permitted in addition to the density listed under the other columns in Table 1.

h. Snow cat staging activities including parking, fueling and minor equipment repair shall be allowed outside Parcel 31, Maintenance Yard and Maintenance Lot, from October 1 to December 31 in preparation for winter ski area operations and April 1 to June 1 in preparation for spring closure of winter ski area operations. In extremely dry years, the County will be notified when this use is extended beyond these dates.

i. Temporary material storage associated with Resort Operations shall be allowed in the Non-Peak Season within Day Use Parking areas identified in Table 1 with adequate water quality measures per the Code.

j. Outdoor storage associated with special events shall comply with the requirements of Section 2.9 Resort Special Events.

k. Golf course construction staging shall be allowed within Open Space parcels containing the golf course.

l. Emergency services involved in an emergency management operation shall be allowed in all Development and Open Space Parcels.

m. Development on Parcel 24 (Sky Chutes/Creekside South) is limited to either 52 market rate units or 40 Employee Housing Units or a combination of market-rate and Employee Housing Units such that the total number of Actual Units within Development Parcel 24 does not exceed 48 Actual Units in the southern portion (Sky Chutes) and 4 Actual Units in the northern portion (Creekside South).

n. Technical Appendix 4 and Exhibit M identifies allowed and existing land use densities and shall be updated with each major PUD amendment.

o. 12 EU of residential density may be transferred to Parcel 29 (East Lake Housing) from any Development Parcel within the Property that contains unused residential density by administrative review process (Class 2 Development Review).

p. Parcel 24 (Sky Chutes/Creekside South) allows 4,000 SF of Commercial uses within Sky Chutes Lodge and 1,000 SF Commercial uses within the Pitchfork base area facility.

q. Employee Cafeteria and Employee store in Parcel 10 (The Edge) shall be an allowed use and shall not count against the total allowed density for those uses within the Resort.

r. Refer to Exhibit M for density transfer tracking documentation.

s. Refer to Exhibit N for the On-Mountain Mine Claim Density Bank Log.

C. Accessory Uses

Accessory uses associated with residential, Commercial, mixed use, or other resort development projects shall include garages, storage sheds, private dish antennas, mechanical system facilities, front desk/lobby areas, minor utility facilities, motor vehicle parking/storage, recreation buildings and amenities directly associated with the primary use. Other accessory uses may be permitted by the Planning Department based on the similarity to accessory uses as listed for residential and/or commercial districts in the Code, or governmental or quasi-governmental uses if the requested uses are necessary to further the public health, welfare or safety.
D. Conditional Uses

Conditional uses shall include gravel crushing, asphalt and concrete batch plants, off-site construction materials staging and storage and site trailers, except as defined as an allowed use in Table 1. Conditional uses require review and approval through the County’s Development Review process based on the similarity to conditional uses as listed for residential and commercial districts in the Code, with the predominant surrounding land use of the proposed site used to guide the decision. Snowmelt facilities may be permitted through a Conditional Use Permit on Parcel 35 (North Ten Mile Development Parcel). The Equestrian Operation Facilities shall be permitted in Parcels 6 (Union Creek Base Area), 29 (East Lake Housing), and 34 (Stables) subject to review through a Conditional Use Permit.

E. Temporary Uses

(i) The Owner may install off-site construction office trailers, staging areas and storage trailers as temporary uses. These temporary uses shall be reviewed administratively by the Planning Department using the criteria of the Code and this PUD Designation.

(ii) Temporary uses can alternatively be reviewed as part of a site plan review for projects provided sufficient information about the proposed temporary use is included in the Site Plan Review application material.

F. Density Bank

A density transfer bank is established to hold development rights for mining claim properties identified on Exhibit N of this PUD Designation. These development rights may be transferred to other properties in the County in accordance with the Transferable Development Rights (TDRs) Regulations in the Code. The Copper Mountain PUD Density Bank Transfer Log (Exhibit M) shall be used to track/account for mining claim density transfers as they occur over time. Density bank transfers shall be accounted for in a manner consistent with Subsection 2.3.F of this PUD Designation.

2.2 EXHIBIT EQUIVALENT UNIT CONVERSION

The permitted uses are expressed in terms of Equivalent Units and are shown in Table 1. Table 2 below defines the factors used to convert actual residential dwelling and lodging units to Equivalent Units.

Table 2. Equivalent Unit Table

<table>
<thead>
<tr>
<th>Unit Type</th>
<th>Actual Units</th>
<th>Equivalent Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single - Family Dwelling (less than 2,500 SF)^((1))</td>
<td>1 Unit</td>
<td>1 Unit</td>
</tr>
<tr>
<td>Single - Family Dwelling (greater than 2,500 SF)^((2))</td>
<td>1 Unit</td>
<td>2.5 Unit</td>
</tr>
<tr>
<td>Duplex Unit (less than 2,500 SF)</td>
<td>1 Unit</td>
<td>1 Unit</td>
</tr>
<tr>
<td>Duplex Unit (greater than 2,500 SF)^((3))</td>
<td>1 Unit</td>
<td>2.5 Unit</td>
</tr>
<tr>
<td>Multi-family Dwelling (average of 1,400 SF)^((4))</td>
<td>1 Unit</td>
<td>1 Unit</td>
</tr>
<tr>
<td>Lock-off Unit</td>
<td>1 Unit</td>
<td>1/3 Unit</td>
</tr>
<tr>
<td>Hotel/Lodge</td>
<td>1 Unit</td>
<td>1/3 Unit</td>
</tr>
<tr>
<td>Hotel/Condo^((5))</td>
<td>1 Unit</td>
<td>1 or 1/3 Unit</td>
</tr>
<tr>
<td>Affordable/Employee Housing^((6))</td>
<td>1 Unit</td>
<td>0 Unit</td>
</tr>
</tbody>
</table>
Footnotes:

a. Notwithstanding Table 2 or any other provision of this PUD Designation, appropriately restricted Employee Housing Units, Affordable Housing Units, accessory apartments and caretaker quarters and sleeping quarters associated with ambulance and/or fire station personnel are deemed to equal zero Equivalent Units.

b. Single-Family dwelling units in the West Village Neighborhood (Lewis Ranch) less than 5,000 SF will count as two Equivalent Units. Single-Family dwellings in the West Village Neighborhood (Lewis Ranch) of 5,000 SF or more shall count as 2.5 Equivalent Units.

c. Duplexes in the West Village Neighborhood are exempt from this requirement and will count as one Equivalent Unit per actual unit built.

d. The average size of the multi-family units within any individual buildings on any Development Parcel shall not exceed 1,400 square feet. If the average size of the multi-family units within any individual buildings on a Development Parcel exceeds 1,400 square feet, then additional EUs will be allocated in order to compensate for the additional residential square footage at 1 Equivalent Unit per 1,400 square feet.

e. Any unit greater than 520 square feet and/or containing a full kitchen shall be designated as one Equivalent Unit. Any unit less than 520 square feet with no kitchen or containing a small kitchen shall be designated as one-third of one Equivalent Unit.

f. Refer to Section 2.6 (Employee Housing) for The EDGE density.

2.3 DENSITY TRANSFER

The Owner shall be permitted to transfer Actual Units, Equivalent Units, Commercial and Cafeteria square footage in the following manner:

A. Subject to Subsection 2.3.B through 2.3.J below, the Owner or other property owner owning density in the PUD shall be permitted to transfer Equivalent Unit density, Commercial floor area, and Cafeteria floor area between Development Parcels within each Neighborhood, and between Development Parcels in different Neighborhoods. Density transfers allowed by this Section 2.3 do not preclude or count against density bonuses for redevelopment as allowed per Section 2.4 below.

B. Density shall not be transferred into the West Village Neighborhood (Lewis Ranch).

C. The permitted Equivalent Unit, Commercial and Cafeteria square footage areas within any Development Parcel, as outlined in Table 1 of this PUD Designation, shall not be allowed to increase more than 5% of the maximum Equivalent Unit, Commercial or Cafeteria square footage area allowed for each Development Parcel as approved on the Effective Date without a PUD Amendment allowing additional density, except Parcel 29 (East Lake Housing), which may increase up to 12 Equivalent Units. Exhibit M shall be used to track density that may be transferred into a parcel if that parcel is below the 5% maximum allowance.

D. Density from a Development Parcel shall be transferred concurrent with approval of a Development Review by the County.

E. The transfer of density shall be consistent with the provisions of this PUD Designation. Determination of compliance with the provisions of this PUD Designation shall be done at the time of Development Review.

F. Density transfers shall be administratively reviewed and approved by the Planning Department for compliance with this Section 2.3 and permitted uses as outlined in Table 1 and Table 1 notes. Density transfers shall be administratively accounted for by the Planning Department, with such records kept within the PUD designation on Exhibits M and N attached hereto. When a PUD Amendment is requested, such Amendment shall also seek to amend this PUD Designation to reflect the prior density transfers that have been approved.
G. The permitted Equivalent Units, Commercial, and Cafeteria densities shall not be converted from one type of land use to another (e.g., Commercial to residential) during a density transfer.

H. All un-built Commercial, Cafeteria and multi-family residential Equivalent Unit density within the Resort is owned exclusively by the Owner. All un-built single-family and duplex lot residential Equivalent Unit density, on parcels owned by the Owner at the time of the effective date of the PUD, is owned exclusively by the Owner until it is allocated to a platted lot at which time it is owned by the owner of the lot unless extinguished as per the County Code.

I. Notwithstanding any other provision herein, density may not be transferred to (i) any parcel of land not included within the Property subject to this PUD Designation on the Effective Date; and (ii) new or expanded Development Parcels requested by a future PUD Amendment initiated after 2013 without a major amendment to the PUD.

J. On-mountain mining claims are not subject to the above-stated density transfer allowance.

K. The number of Actual Units of Employee Housing and Affordable Housing are not limited except where specified within the PUD.

2.4 REDEVELOPMENT OF EXISTING PROPERTIES

A. Permitted densities of Development Parcels are identified in Table 1 above. Should the owners of an existing project wish to increase the density on their property beyond the densities approved by the County during previous Development Reviews, either through additions, remodel, or redevelopment, the property owner must either (i) amend this PUD Designation for the amount of additional density an owner may want to use, or (ii) shall provide written documentation that such owner has obtained the written consent to acquire from the Owner, or other property owner owning density in the PUD, or Summit County, the necessary development rights for such density increase, unless said owners are seeking a density bonus as outlined below in Subsection 2.4.C below.

B. After the Effective Date, the owners of an existing project wish to decrease the density on their property below the densities approved by the County during previous Development Reviews, either through additions, remodel, or redevelopment, the excess density created from the redevelopment remains in the ownership of the homeowner association or individual property owner, as applicable. The homeowner association or individual property owner may sell excess density to the Owner or a third party developer building within the Property unless the said unit(s) of density is to be extinguished by mutual consent between the property owner and the County.

C. To encourage redevelopment, any multi-family or Mixed-Use Building that is completely redeveloped (via project demolition and reconstruction) may be granted a percentage increase in Equivalent Unit, Cafeteria, or Commercial density in the amounts listed in Table 2A, based on the density of the building(s) that exist at the time of the redevelopment project application. Any proposal to allow for the redevelopment density increase shall be requested by the applicant and reviewed by the County as a part of the Development Review process for the building in question.

<table>
<thead>
<tr>
<th>Number of Previously Approved Units in the Building(s)</th>
<th>Density Bonus</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 50 units</td>
<td>20%</td>
</tr>
<tr>
<td>51 to 100 units</td>
<td>10%</td>
</tr>
<tr>
<td>Over 100 units</td>
<td>5%</td>
</tr>
</tbody>
</table>

D. Concurrent with a density bonus as granted in Subsection 2.4.C, the density limitations set forth in Table 1 and Subsection 2.1.A shall be deemed increased accordingly, with approved density increases allowed per this Section 2.4 made to Table 1 and to Subsection 2.1.A during any subsequent PUD
Amendment.  An increase in Equivalent Unit, Commercial or Cafeteria density pursuant to this Section 2.4 shall not be deemed a transfer of density to or from any Development Parcel or any Neighborhood.

E. Redevelopment projects shall comply with the development standards as listed in the Code where a specific development standard is not addressed in the PUD Designation.

F. Density bonuses shall become effective upon approval of the specific Site Plan Review. Table 1 shall be adjusted upon the next major PUD amendment.

2.5 ACTUAL BOUNDARIES OF DEVELOPMENT PARCELS

The boundaries of the Development Parcels are generally shown on Exhibit B-1. Development within these parcels shall be in accordance with the legal property line boundaries of the properties contained in the Development Parcel.

2.6 EMPLOYEE HOUSING

A. Employee Housing Unit

An “Employee Housing Unit” shall mean any type of dwelling unit that is encumbered by an Employee Housing Use Restriction, lease provision, recorded covenant, deed restriction, recorded condo declaration and/or map or other restriction approved by the Planning Department (an "Employee Use Restriction") restricting the use of such unit during the Peak Season to Employee Housing for persons employed by a business operating within either the Property or the Resort.

B. Employee Housing Bed Credits (bed credits)

Employee Housing bed credits are calculated as follows:

1. Two (2.0) bed credits for each bedroom contained in an Integrated Employee Housing Unit but only to the extent such unit contains at least 500 square feet of Living Space for a one bedroom or studio unit, and 400 square feet per bedroom for all other Integrated Unit types.

2. Two (2.0) bed credits for each Affordable Housing unit provided either within or outside the Resort as allowed in Subsection 2.7 but only to the extent such unit contains at least 600 square feet of Living Space for a studio; at least 750 square feet for a one bedroom unit; at least 1,000 square feet of Living Space for a two bedroom unit; and 1,250 square feet of Living Space for a three bedroom unit.

3. Two (2.0) bed credits for each off-site Employee Housing Unit to the extent such unit meets the spatial requirements of the Code (300 square feet per person).

4. Bed Credits for The EDGE are as defined in Tables 3 and 4 below.

Footnote:

(1) The following six units are exceptions to the minimum size requirements for Integrated Employee Housing Units: Passage Point 323 and 423; Tucker Mountain Lodge 114, 115, 116 and 117.

Commented [LN1]: Moved to Section 2.6 E.

Commented [LN2]: Moved to Section 2.6 F.
C. Employee Housing Requirement

The Owner shall arrange for 926 bed credits, as set forth below, to accommodate CMR’s seasonal and year-round Employees. This requirement is comprised of four elements and is summarized below:

(i) a minimum of 542 bed credits in The EDGE building in perpetuity;
(ii) a minimum of 274 bed credits in the Integrated Employee Housing Units in perpetuity;
(iii) 30 Affordable, Employee Housing Units (60 bed credits) to be provided by December 23, 2018, in accordance with the approved methods listed in Section 2.7 below;
(iv) 50 bed credits to be built by December 23, 2018 in one of or a combination of the following ways:
   (a) Build or purchase a stand-alone facility off-site, within the County;
   (b) Build or purchase, per the buy down criteria established in Exhibit O, units within the Property on one of the sites identified for Employee Housing;
   (c) Build additional bed credits on Parcel 29 at East Lake Housing.

Prior to submittal and review of the site plan for the last of the five multi-family development sites in the PUD (Development Parcels 6 (Union Creek), 12 (Copper Commons), 18 (Chapel Lot), 24 (Sky Chutes), or 22 (Creekside North) or by December 23, 2018, whichever may come first, the Owner shall deliver the 50 additional bed credits as described above.

For the 50 bed credits to be built by December 23, 2018 as identified above, prior to Development Review and in conjunction with SCHA and the County, the Owner shall conduct a Copper Housing Needs Assessment to help determine the various potential housing types and potential locations for these additional bed credits. The County shall review the Copper Housing Needs Assessment recommendations and alternatives in conjunction with the SCHA and any other local agency or jurisdiction that could potentially be involved.

If the County accepts the recommendation of the Housing Needs Assessment or one of the alternatives proposed in the assessment, then the Owner shall submit a Development Review application for the County-accepted proposed alternative that provides for the additional bed credits to the County for review for conformance with the development standards of the PUD and the Code.

The Owner shall be deemed to have satisfied the bed credit requirements listed under Subsections 2.6.C (iii), 2.6.C (iv)(b) and 2.6.C (iv)(c) above upon issuance of a Certificate of Occupancy for the individual elements within those subsections. Any conversion of existing offices, storage rooms, resort support area or short-term/transient lodging rooms within The EDGE building will not count towards fulfilling the additional 50 bed credits requirement.

D. Annual Survey

On or before May 1 of each year, the Owner in coordination with POLA and/or the Copper Mountain Resort Association shall prepare and conduct an annual survey and the Owner shall submit to the Planning Department a report containing the following information to the extent related to this PUD Designation (a “Survey”):

(i) An inventory of the employment status of all occupants in the Integrated Employee Housing Units and the additional Employee Housing Units and Affordable Housing Units to be provided in accordance with Sections 2.6 and 2.7 (once such units have been constructed or otherwise provided in accordance with the applicable PUD requirements).
(ii) A status report of the Employee Housing Requirement listed in Section 2.6.C of the PUD Designation;

(iii) A status report of the 10% exemption for the Integrated Employee Housing Units described in Subsection 2.6.E. (ii) of the PUD Designation.

E. Existing Inventory of Employee Housing Units

The County and the Owner acknowledge and agree that 296 rooms in The EDGE and the 110 Integrated Units are Employee Housing Units as of the PUD Effective Date, as set forth on Table 3 below.

Table 3: Existing Employee Housing Inventory

<table>
<thead>
<tr>
<th>Location</th>
<th>Rooms</th>
<th>Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>The EDGE</td>
<td>296</td>
<td>542</td>
</tr>
<tr>
<td>Integrated Housing</td>
<td>110</td>
<td>274</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>406</strong></td>
<td><strong>816</strong></td>
</tr>
</tbody>
</table>

(i) The EDGE

The County and the Owner acknowledge and agree that the EDGE unit breakdown is as shown below.

Table 4: Existing Employee Housing Inventory in the EDGE

<table>
<thead>
<tr>
<th>Room Type</th>
<th>Rooms</th>
<th>Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Single Rooms</td>
<td>50</td>
<td>50</td>
</tr>
<tr>
<td>Double Rooms</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Double Rooms</td>
<td>246</td>
<td>492</td>
</tr>
<tr>
<td>Total RA Rooms</td>
<td>29</td>
<td>58</td>
</tr>
<tr>
<td>Couple Rooms</td>
<td>20</td>
<td>40</td>
</tr>
<tr>
<td>Apartments</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td><strong>TOTAL Double Rooms/Credits</strong></td>
<td><strong>246</strong></td>
<td><strong>492</strong></td>
</tr>
<tr>
<td>Non-Employee Housing Rooms</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Office &amp; Storage Rooms</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>Short-term/Transient Lodging Rooms</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL Non-Employee Housing Rooms</strong></td>
<td><strong>23</strong></td>
<td></td>
</tr>
<tr>
<td><strong>GRAND TOTAL</strong></td>
<td><strong>319</strong></td>
<td><strong>644</strong></td>
</tr>
</tbody>
</table>

(a) During each Peak Season, when Employee occupancy of the EDGE Building is at 80% occupancy or greater, a maximum of ten (10) units within The EDGE may be reserved for Short-term/Transient Lodging. When Employee occupancy of The EDGE is below an 80% occupancy rate, the 10 unit limit is not applicable and an unlimited number of the unoccupied employee housing rooms may be utilized for Short-term/Transient Lodging until such time that there is demand for the rooms to be used for Employee Housing.

(b) The EDGE building’s Dormitory Style Employee Housing units are exempt from the minimum size requirements stated in Section 2.6.B.

(c) The Owner at all times shall maintain 52,687 square feet of common space within The EDGE for areas including but not limited to lobby, dining, and Employee laundry facilities.

(d) Non-Peak Season – Permitted Uses

During the Non-Peak Season and extending until December 15th of the Peak Season the following uses may be permitted within the EDGE facility.
Short-Term/Transient Lodging. A number of units shall be maintained in The EDGE to meet the Non-Peak Employee Housing needs. The remaining units may be used for short-term/ transient lodging and lodging for persons employed by a business operating in Summit County. Rental of such units shall be permitted, provided such rentals are only to provide low Average Daily Room (ADR) lodging alternative to market rate units, for use by non-profit or other special interest groups such as churches, bands, camps, teams or Special Olympics, friends and family of Employees, persons employed within Summit County, or for other similar uses subject to the approval of the Planning Department.

Conference Facilities

Resort Support Uses

Integrated Employee Housing Units

Table 5. Integrated Employee Housing Unit Inventory

<table>
<thead>
<tr>
<th>Room Type</th>
<th>Rooms</th>
<th>Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Double Units</td>
<td>27</td>
<td>108</td>
</tr>
<tr>
<td>Single Units</td>
<td>83</td>
<td>166</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>110</strong></td>
<td><strong>274</strong></td>
</tr>
</tbody>
</table>

Exemptions to Employee Housing Use Restrictions:

Up to 10% of the Integrated Employee Housing Units may qualify for an exemption from the Employee Housing Use Restrictions. An Employee Housing Unit may qualify for an exemption if the occupant meets the following criteria:

i. The occupant is an Employee that works a minimum of 30 hours per week for a business in the County;

ii. The occupant is a retired Employee 65 years or older with 7 years of service at a Resort business that uses the unit as their primary residence;

An Integrated Employee Housing Unit exemption is not required for an Employee disabled while working at the Resort who at the time of the disability was working full time (30 hours/week) at a Resort business. The unit must be used as their primary residence. The owner must complete an annual survey for the unit, to be reviewed and approved by POLA and/or the Copper Mountain Resort Association and the County. These units occupied by qualified persons shall not count toward the total 10% exemption allowance.

Annual Process to Review and Grant Exemptions: Exemptions will be determined by POLA and/or the Copper Mountain Resort Association and the County annually on a case-by-case basis. Once an exemption has been granted, the exempt property remains exempt for as long as the occupant meets the required criteria. Although the owner/occupant does not need to reapply for an exemption each year, an annual survey will need to be completed for all units, and each previously granted exemption will be administratively reviewed by POLA and/or the Copper Mountain Resort Association and the County on an annual basis to ensure (1) the occupant still meets the exemption criteria, and (2) the total number of exemptions granted does not exceed the 10% allowance.

If any of the recognized Integrated Employee Housing Units listed in Technical Appendix 47 cease to be controlled in accordance with the restrictions on Integrated Employee Housing Units as set forth in this PUD (unless granted an exemption as described in Subsection 2.6.E(iii)(b) above), then the Owner shall replace the lost unit with a comparable Integrated Employee Housing Unit that provides an equal number of bed credits and is restricted in a manner acceptable to the County, within 12 months.
(e) Integrated Employee Housing Units may be occupied by persons employed outside the Resort and in Summit County.

(f) Copper Mountain Property Owners and Lessees Association/Copper Mountain Resort Association All Integrated Employee Housing Units within the Property, excluding The Edge building and the Affordable Housing units provided in accordance with Section 2.7, shall be subject to the rules and regulations of the Copper Mountain Property Owners and Lessees Association (commonly referred to as “POLA”) and/or Copper Mountain Resort Association provided that the County is designated as a party in interest to such bylaws/regulations and is properly delegated with enforcement authority in regards to the same, substantially in that form as ascribed in Technical Appendix 52.

2.7 AFFORDABLE HOUSING

(i) “Affordable Housing” shall mean any dwelling unit provided for sale or for rent that is restricted in perpetuity to occupancy by individuals meeting the eligibility requirements and occupancy standards as set forth in this PUD Designation and the Summit County Affordable Workforce Housing Deed Restriction Guidelines. Affordable Housing is restricted in ownership, occupancy and/or sale to provide, in a perpetual manner, moderately priced housing to be occupied by Summit County residents. Affordable workforce housing is intended to provide ownership or rental housing for individuals and families residing and employed in Summit County who would otherwise face significant financial obstacles in their ability to purchase or rent a market-rate unit in Summit County. Accordingly, such housing is not intended to be occupied by persons who own other real estate investment properties, and is not intended to serve as a real estate investment.

B. The Owner shall provide 30 Affordable Housing units by December 23, 2018. The Owner shall be deemed to have satisfied this requirement upon issuance of a Certificate of Occupancy for such units if newly constructed, deed of sale for purchased units, or when payment in lieu is made. The intent of this section is for the Owner to provide Affordable Housing as part of a joint effort with the County and SCHA to meet the housing needs of Summit County residents.

(i) The 30 Affordable Housing units may be provided in one or more of the following ways. If the Owner proposes an option or options that provide less than 30 units as a first phase of fulfilling the commitment, then the Owner shall provide a strategy for how the remaining units will be provided and how they will meet the goals of this PUD.

Primary Options – To uphold the intent of this section, the Owner intends to focus its efforts on providing the majority of the Affordable Housing commitment through any or all of the primary options listed below.

(a) Partnership with the County to build affordable housing in a future development within the Town of Frisco to the extent feasible, and/or

(b) Provide new Affordable Housing units at Parcel 29 (East Lake Housing) based upon the most current Affordable Housing Needs Assessment at the time of the site-specific development proposal, either as an Affordable Housing development, or a mixed affordable and market rate development as is allowed per this PUD. Affordable Housing units developed within the resort should be primarily studio, one bedroom and two bedroom units suitable for a target population that want to live within the Resort, and/or

(c) Payment in Lieu based on a mutually agreed upon formula, which will be developed by the County and the Owner within a mutually agreed upon time frame and approval process. The payment in lieu formula may be based on formulas existing in other resort communities or may be specific to the commitments for Affordable Housing at Copper Mountain Resort.
but it should generally define a subsidized cost per Affordable Housing unit (construction
cost less income from sale per unit or bed plus yearly increase based upon an inflation
index, or other mutually agreed upon method).

Secondary Options – The Owner may also utilize one or all of the following options for a
maximum of 6 (20%) units to fulfill the Affordable Housing obligation.

(d) Integrated into future developments at Parcel 6 (Union Creek), Parcel 12 (Copper
Commons), Parcel 18 (Chapel Lot), Parcel 24 (Sky Chutes/Creekside South), Parcel 25
(Creekside North) and Parcel 32 (A Lift), and/or

(e) Conversion of existing market rate properties within the resort with agreed upon quality
standards defined as outlined in the ‘Buy Down Criteria’ document attached hereto as
Exhibit O, and/or

(f) Purchase market rate housing units outside the Resort within Summit County which meet
agreed upon standards as outlined in the ‘Buy Down Criteria’ document attached hereto as
Exhibit O, and deed restrict these units as Affordable Housing in accordance with the
eligibility requirements and occupancy standards set forth on the PUD and the Summit
County Affordable Housing Deed Restriction Guidelines. Affordable Housing units
provided through this option should be located within the Town of Frisco to the extent
feasible.

(ii) The 30 Affordable Housing units shall consist of a variety of unit types (e.g., studio, one
bedroom, two bedroom and three bedroom units). The final unit mix will be determined in
conjunction with SCHA, the County and the Owner prior to proceeding with delivery of any of
the options listed above in 2.7 B.(i). Affordable Housing units developed within the Resort
should be primarily studio, one bedroom and two bedroom units suitable for a target population
that want to live within the Resort. The determination of an appropriate unit mix shall be based
on the most recent Housing Needs Assessment, market analysis or other reliable information
pertaining to the current needs for Affordable Housing within the County. The development of
any Affordable Housing units within the Resort through any combination of the Primary
Options or Secondary Options defined above should be clustered to the extent feasible.

C. Eligibility Requirements

Affordable Housing units shall comply with the Affordable Workforce Housing Regulations set forth
in Section 3809.02 of the Code unless otherwise defined in this PUD or agreed to by the Owner and
the County at the time of formal review process. A County approved deed restriction shall be
required per Code that is drafted in accordance with the Summit County Affordable Workforce
Housing Deed Restriction Guidelines.

D. Real Estate Sales and Rental

(i) Owner or Owner’s Representative shall provide for sale Affordable Housing units, or for rent
Affordable Housing units as defined below, at an average of up to 110% of the County’s AMI
between a range of 80% and 140% AMI. While the sales price of individual units may vary, the
average sales price of the project(s), as a whole, shall be set so as to be affordable to households
earning no more than 110% of AMI.

(ii) Market Analysis. At any time when delivery of Affordable Housing units is contemplated, the
Owner or Owner’s Representative shall demonstrate that the units are offered at a range of
AMI-based purchase prices and rental rates, that will be affordable to the Resort and County
workforce per the targeted Affordable Housing needs identified in the most recent Housing
Needs Assessment or market analysis available with acknowledgement that the purchase prices
of the for-sale Affordable Housing units are permitted to average up to 110% of AMI in accordance with Section 2.7.D above. If it has been more than two years since a needs assessment or market analysis has been performed, the Owner shall submit an updated analysis as part of the Development Review application for the Affordable Housing units that demonstrates to the satisfaction of the County and SCHA that the Affordable Housing Units are offered at a range of AMI-based purchase prices and/or rental rates that will be affordable to Copper Mountain Resort Employees and County employees so that the units can be absorbed by market demand.

(iii) Priority of Sales and Rentals: Priority to purchase or rent the Affordable Housing units may be given to qualified buyers or occupants in the following order: (i) first, for a minimum of 60 days after the Units are released to the market, to Employees of the Owner employed in a job that averages a minimum of 30 hours per week during the ski season and continue to be employed at the Resort or within Summit County and a resident of Summit County the remaining portion of the year; (ii) second, for the next 60 days, to employees of any independent business operating within the Resort employed in a job that averages a minimum of 30 hours per week on an annual basis; (iii) third, for the next 60 days, to all full-time employees of any business located outside the Resort within Summit County working at a business with a minimum of 30 hours per week on an annual basis; and (iv) fourth, for the next 60 days, workforce employees defined as non-qualifying persons or entities that own and/or operate a business located in and serving either the Resort or Summit County, including without limitation the Owner and (v) thereafter, any eligible buyer or occupant shall be afforded the opportunity to purchase or rent such units.

(iv) Owner or Owner’s Representative will engage SCHA for real estate clearinghouse activities for all Affordable Housing units provided as part of the PUD commitment. These activities may include but are not limited to income and employment verifications for potential homebuyers and renters and evaluating resale calculations on deed-restricted units.

(v) Owner or Owner’s Representative shall engage SCHA to sell all Affordable Housing properties for a 2% commission.

(vi) Resale Value. The resale value of Affordable Housing units shall follow the guidelines substantially in that form as set forth in the Summit County Affordable Workforce Housing Deed Restriction Guidelines.

(vii) Rental Rate. The average rental rate of the units shall not exceed affordability limits (as most recently determined by the U.S. Department of Housing and Urban Development (HUD) specifically for Summit County) for families and individuals at or below 70% of AMI. While the rental rates of individual units may vary, the average rental rate of all rental units provided as part of the Affordable Housing commitment, as a whole, shall be set so as to be affordable to households earning no more than 70% of AMI.

E. Recognition of Public Benefits

(i) The County and the Owner have agreed to allow for-sale Affordable Housing units at a maximum average of 110% AMI and allow for-rent Affordable Housing units at a maximum average of 70% AMI in recognition of the following public benefits provided by the Owner:

(a) Workforce Housing Program Assistance. A portion of the RETA funds, described in Section 9.7, may be allocated towards workforce housing related programs.

(b) Workforce Housing Program Grant. The Owner has voluntarily granted the County the sum of $50,000 to be used specifically for workforce housing related programs.

(c) Density Elimination. The Owner has voluntarily extinguished the existing development rights associated with the Owner’s on-mountain mining claim density (Claims 2 and 3 as identified on Table 1 and Exhibit B2).
2.6 EMPLOYEE AND AFFORDABLE HOUSING

Purpose: To provide a spectrum of employee and affordable housing for Copper Mountain Resort employees, PUD employees and Qualified Occupants.

A. Quantitative Requirements

(i) Employee and Affordable Housing Requirement:

(a) The Owner shall arrange for 926 bed credits, as set forth below, to accommodate CMR’s seasonal and year round Employees. This requirement is comprised of multiple elements and is summarized below.

B. Existing Employee Housing:

The County and the Owner acknowledge and agree that 296 rooms in The EDGE and the 110 Integrated Units are Employee Housing Units as of the PUD Effective Date, as set forth on Table 3 below. The existing inventory of rooms in The EDGE does not take into account the potential to convert existing office space to residential units. Any conversion to units will require a Class 2 submittal to the County.

Table 3. Existing Employee Housing Inventory

<table>
<thead>
<tr>
<th>Location</th>
<th>Rooms / Units</th>
<th>Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>The EDGE Rooms</td>
<td>296</td>
<td>542</td>
</tr>
<tr>
<td>Integrated Housing Units</td>
<td>110</td>
<td>274</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>406</strong></td>
<td><strong>816</strong></td>
</tr>
</tbody>
</table>

(i) The EDGE - A minimum of 542 bed credits in The EDGE building in perpetuity.

(a) The County and the Owner acknowledge and agree that The EDGE shall have a maximum occupancy of 600 Peak Season residents.

(b) During each Peak Season, when Employee occupancy of the Edge Building is at 80% occupancy or greater, a maximum of ten (10) units within The EDGE may be reserved for Short-term/Transient Lodging. When Employee occupancy of The Edge is below an 80% occupancy rate, the 10 unit limit is not applicable and an unlimited number of the unoccupied employee housing rooms may be utilized for Short-term/Transient Lodging until such time that there is demand for the rooms to be used for Employee housing.

(c) The EDGE building’s Dormitory Style Employee Housing units are exempt from the minimum size requirements stated in Section 2.6E.

i. The Owner shall at all times maintain a minimum of 54,727 SF of common space within The EDGE building. Common space includes any floor area in a residential structure, suitable for year-round use, which is made available to the occupant of any such Unit within said structure, either exclusively or in the context of common use and enjoyment by other occupants within such structure. Every area available for exclusive use of the occupant of such Unit shall be calculated in its entirety. In addition, an appropriate pro rata calculation shall be employed to attribute the proportionate floor area of all common areas available to each particular unit, taking into account the total square footage of the common space in question, and the total number of units likely utilizing said common space at any point in time.

(d) Non-Peak Season – Permitted Uses

Revised 10-13-17
During the Non-Peak Season and extending until December 15th of the Peak Season the following uses may be permitted within the EDGE facility:

i. Short-Term/Transient Lodging. A number of units shall be maintained in The EDGE to meet the Non-Peak Employee Housing needs. The remaining units may be used for short-term/ transient lodging and lodging for persons employed by a business operating in Summit County. Rental of such units shall be permitted, provided such rentals are only to provide low Average Daily Room (ADR) lodging alternative to market rate units, for use by non-profit or other special interest groups such as churches, bands, camps, teams or Special Olympics, friends and family of Employees, persons employed within Summit County, or for other similar uses subject to the approval of the Planning Department.

ii. Conference Facilities

iii. Resort Support Uses

(ii) Integrated Employee Housing Units - A minimum of 274 bed credits in the Integrated Employee Housing Units in perpetuity:

Table 4. Integrated Employee Housing Unit Inventory

<table>
<thead>
<tr>
<th>Unit Type</th>
<th>Units</th>
<th>Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Double Units</td>
<td>27</td>
<td>108</td>
</tr>
<tr>
<td>Single Units</td>
<td>83</td>
<td>166</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>110</strong></td>
<td><strong>274</strong></td>
</tr>
</tbody>
</table>

(a) Exemptions to Employee Housing Use Restrictions:

Up to 10% of the Integrated Employee Housing Units may qualify for an exemption from the Employee Housing Use Restrictions. An Employee Housing Unit may qualify for an exemption if the occupant meets the following criteria:

i. The occupant is an Employee that works a minimum of 30 hours per week for a business in the County;

ii. The occupant is a retired Employee 65 years or older with 7 years of service at a Resort business that uses the unit as their primary residence;

(b) An Integrated Employee Housing Unit exemption is not required for an Employee disabled while working at the Resort who at the time of the disability was working full time (30 hours/week) at a Resort business. The unit must be used as their primary residence. The owner must complete an annual survey for the unit, to be reviewed and approved by POLA and/or the Copper Mountain Resort Association and the County. These units occupied by qualified persons shall not count toward the total 10% exemption allowance.

(c) Annual Process to Review and Grant Exemptions: Exemptions will be determined by POLA and/or the Copper Mountain Resort Association and the County annually on a case-by-case basis. Once an exemption has been granted, the exempt property remains exempt for as long as the occupant meets the required criteria. Although the owner/occupant does not need to reapply for an exemption each year, an annual survey will need to be completed for all units, and each previously granted exemption will be administratively reviewed by POLA and/or the Copper Mountain Resort Association and the County on an annual basis to ensure: (1) the occupant still meets the exemption criteria, and (2) the total number of exemptions granted does not exceed the 10% allowance.

(d) If any of the recognized Integrated Employee Housing Units listed in Technical Appendix 47 ceases to be controlled in accordance with the restrictions on Integrated Employee Housing
Units as set forth in this PUD (unless granted an exemption as described in Subsection 2.6.E (ii)(a) above), then the Owner shall replace the lost unit with a comparable Integrated Employee Housing Unit that provides an equal number of bed credits and is restricted in a manner acceptable to the County, within 12 months.

(e) Integrated Employee Housing Units may be occupied by persons employed outside the Resort and Qualified Occupants.

(f) Copper Mountain Property Owners and Lessees Association/Copper Mountain Resort Association

All Integrated Employee Housing Units within the Property, excluding The Edge building and the Affordable Housing units provided in accordance with Section 2.7, shall be subject to the rules and regulations of the Copper Mountain Property Owners and Lessees Association (commonly referred to as “POLA”) and/or Copper Mountain Resort Association provided that the County is designated as a party in interest to such bylaws/regulations and is properly delegated with enforcement authority in regards to the same, substantially in that form as ascribed in Technical Appendix 52.

C. Existing Affordable Housing

(i) Copper Point Townhomes

(a) A minimum of 45 bed credits in the Copper Point Townhomes in perpetuity

(b) Copper Point Townhomes consists of 15 ownership Affordable Housing Units. The 15 units were completed to satisfy a portion of the bed credit requirement as outlined in 2.6 (f).

<table>
<thead>
<tr>
<th>Table 5. Existing Inventory - Copper Point Townhomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unit Type</td>
</tr>
<tr>
<td>Double Units</td>
</tr>
<tr>
<td>TOTAL</td>
</tr>
</tbody>
</table>

D. Annual Survey of Existing Inventory

(i) On or before June 30th of each year, the Owner in coordination with POLA and/or the Copper Mountain Resort Association shall prepare and conduct an annual survey and the Owner shall submit to the Planning Department a report containing the following information to the extent related to this PUD Designation (a “Survey”):

(a) An inventory of the employment status of all occupants in the Integrated Employee Housing Units and the additional Employee Housing Units and Affordable Housing Units to be provided in accordance with Sections 2.6 and 2.7 (once such units have been constructed or otherwise provided in accordance with the applicable PUD requirements);

(b) A status report of the Employee Housing Requirement listed in Section 2.6.C of the PUD Designation;

(c) A status report of the 10% exemption for the Integrated Employee Housing Units described in Subsection 2.6.E. (ii) of the PUD Designation;

(d) The Owner shall prepare an annual report to be submitted to the County in June of each year documenting the total number of Peak Season Employees that resided at The Edge.
E. Qualifications for Affordable and Employee Housing Units

An "Employee Housing Unit" shall mean any type of dwelling unit that is:

(i) encumbered by an Employee Housing Use Restriction, lease provision, recorded covenant, deed restriction, recorded condo declaration and/or map or other restriction approved by the Planning Department (an "Employee Use Restriction") restricting the use of such unit during the Peak Season to Employee Housing for persons employed by a business operating within either the Property or the Resort.

(ii) leased to a Qualified Occupant.

An 'Affordable Housing Unit' shall mean any type of dwelling unit that is:

(i) provided for sale or for rent that is restricted in perpetuity to occupancy by individuals meeting the eligibility requirements and occupancy standards as set forth in this PUD Designation and the Summit County Affordable Workforce Housing Deed Restriction Guidelines. Affordable Housing is restricted in ownership, occupancy and/or sale to provide, in a perpetual manner, moderately priced housing to be occupied by Summit County residents. Affordable workforce housing is intended to provide ownership or rental housing for individuals and families residing and employed in Summit County who would otherwise face significant fiscal obstacles in their ability to purchase or rent a market-rate unit in Summit County. Accordingly, such housing is not intended to be occupied by persons who own other real estate or investment properties, and is not intended to serve as a real estate investment.

(ii) Affordable Housing may thus encompass such unit types as accessory apartments, caretaker units, micro-studio development, private employer managed housing, off premises housing (i.e. outside the resort) and any other type of housing that effectuates the purposes articulated herein.

(iii) leased to a Qualified Occupant.

F. Bed Credits ("bed credits")

Bed credits are calculated as follows:

(i) Two (2.0) bed credits for each bedroom contained in an Integrated Employee Housing Unit (1) but only to the extent such unit contains at least 500 square feet of Living Space for a one bedroom or studio unit, and 400 square feet per bedroom for all other Integrated Unit types;

(ii) One and a half (1.5) bed credits for each Affordable Housing bedroom provided either within or outside the Resort as allowed in Subsection 2.6 but only to the extent such unit contains at least 300 square feet of Living Space per person. Notwithstanding the foregoing, the minimum square footage set forth above may be modified from time to time in reflection of the recommendations set forth by the Owner, County or designee.

(iii) Two (2.0) bed credits for each off-site Employee Housing Unit to the extent such unit meets the spatial requirements of the Code (300 square feet per person).

(iv) Bed Credits for each room provided in The EDGE are as defined in Tables 6 below. Any conversion of existing offices, storage rooms, resort support area or short-term/ transient lodging rooms within The EDGE building will not count towards fulfilling the additional bed credits requirement.

(v) Total Existing Bed Credits to Date

<table>
<thead>
<tr>
<th>Unit Type</th>
<th>Units</th>
<th>Credits</th>
</tr>
</thead>
<tbody>
<tr>
<td>The EDGE</td>
<td>296</td>
<td>542</td>
</tr>
</tbody>
</table>
### Footnote:

(1) The following six units are exemptions to the minimum size requirements for Integrated Employee Housing Units: Passage Point 323 and 423; Tucker Mountain Lodge 114, 115, 116 and 117.

### G. Achieving the Affordable and Employee Housing Requirement

(1) A minimum of 80 bed credits to be provided by December 23, 2023 as set forth in Subsection 2.6. To uphold the intent of this section, the Owner intends to focus its efforts on providing the majority of the Employee and Affordable Housing commitment through any or all of the options listed below:

1. Partnership with the County or Town(s) to build affordable housing in a future development within the Town of Frisco to the extent feasible, and/or
2. Provide new Employee and Affordable Housing units at Development Parcels within the Copper Mountain PUD based upon the most current affordable Housing Needs Assessment at the time of the site specific development proposal, either as an Employee Housing, Affordable Housing development, or a mixed affordable and market rate development as is allowed per this PUD. Employee and Affordable Housing units developed within the resort should be a mix of studio, one bedroom and two bedroom units suitable for a target population that want to live within the Resort, and/or
3. Payment in Lieu based on a mutually agreed upon formula, which will be developed by the County and the Owner within a mutually agreed upon time frame and approval process. The payment in lieu formula may be based on formulas existing in other resort communities or may be specific to the commitments for Employee and Affordable Housing at Copper Mountain Resort, but it should generally define a subsidized cost per Employee and Affordable Housing unit (construction cost less income from sale per unit or bed) plus yearly increase based upon an inflation index, or other mutually agreed upon method, and/or
4. Integrated into future developments at Parcel 6 (Union Creek), Parcel 12 (Copper Commons), Parcel 18 (Chapel Lot), Parcel 24 (Sky Chutes/Creekside South), Parcel 22 (Creekside North) and Parcel 32 (A Lift), and/or
5. Build, purchase or conversion of existing properties within the Resort with agreed upon quality standards defined as outlined in the ‘Buy Down Criteria’ document attached hereto as Exhibit O, and/or
6. Build, purchase or convert existing properties outside the Resort within Summit County which meet agreed upon standards as outlined in the ‘Buy Down Criteria’ document attached hereto as Exhibit O, and deed restrict these units as Employee or Affordable Housing in accordance with the eligibility requirements and occupancy standards set forth on the PUD and the Summit County Affordable Housing Deed Restriction Guidelines. Employee or Affordable Housing units provided through this option should be located within the Town of Frisco to the extent feasible, and/or
7. Build Employee or Affordable Housing units at the North Alpine Lot, Parcel 30.
(ii) Employee and Affordable Housing units shall consist of a variety of unit types (e.g., studio, one bedroom, and two bedroom units). The final unit mix will be determined in conjunction with SCHA, the County and the Owner prior to proceeding with delivery of any of the options listed above in 2.7 D.(i). Affordable Housing units developed within the Resort should be primarily studio, one bedroom and two bedroom units suitable for a target population that want to live within the Resort. The determination of an appropriate unit mix shall be based on the most recent Housing Needs Assessment, market analysis or other reliable information pertaining to the current needs for Affordable Housing within the County. The development of any Affordable Housing units within the Resort through any combination of the Priority Options defined above should be clustered to the extent feasible.

(iii) Prior to submittal and review of the site plan for the last of the five multi-family development sites in the PUD (Development Parcels 6 (Union Creek), 12 (Copper Commons), 18 (Chapel Lot), 24 (Sky Chutes), or 22 (Creekside North)) or by December 23, 2023, whichever may come first, the Owner shall deliver the 80 additional bed credits as described above.

(iv) For the 80 bed credits to be built by December 23, 2023 as identified above, prior to Development Review and in conjunction with SCHA and the County, the Owner shall conduct an employee housing survey to help determine the various potential housing types and potential locations for these additional bed credits. The County shall review the Copper employee housing survey in conjunction with the SCHA and any other local agency or jurisdiction that could potentially be involved. If the County accepts the recommendation of the Copper employee housing survey or another mutually agreed to alternative, then the Owner shall submit a Development Review application for the County-accepted proposed alternative that provides for the additional bed credits to the County for review to ensure conformance with the development standards of the PUD and the Code.

(v) The Owner shall be deemed to have satisfied the bed credit requirements listed under Subsection 2.6.D (i) above upon issuance of a Certificate of Occupancy for the individual elements within those subsections.

Eligibility Requirements

(i) Affordable Housing units shall comply with the Affordable Workforce Housing Regulations set forth in Section 3809.02 of the Code unless otherwise defined in this PUD or agreed to by the Owner and the County at the time of formal review process. A County approved deed restriction shall be required per Code that is drafted in accordance with the Summit County Affordable Workforce Housing Deed Restriction Guidelines.

(ii) Real Estate Sales and Rental

(a) Owner or Owner’s Representative shall provide for sale Affordable Housing units, or for rent Affordable Housing units as defined below, at an average of up to 110% of the County’s AMI between a range of 80% and 140% AMI. While the sales price or rental rate of individual units may vary, the average sales price or rental rate of the project(s), as a whole, shall be set so as to be affordable to households earning no more than 110% of AMI.

(b) Market Analysis. At any time when delivery of Affordable Housing units is contemplated, the Owner or Owner’s Representative shall demonstrate that the units are offered at a range of AMI-based purchase prices and rental rates, that will be affordable to the Resort and County workforce per the targeted Affordable Housing needs identified in the most recent Housing Needs Assessment or market analysis available with acknowledgement that the purchase prices of the for-sale Affordable Housing units are permitted to average up to 110% of AMI.
accordance with Section 2.7.D.ii above. If it has been more than two years since a needs assessment or market analysis has been performed, the Owner shall submit an updated analysis as part of the Development Review application for the Affordable Housing units that demonstrates to the satisfaction of the County and SCHA that the Affordable Housing Units are offered at a range of AMI-based purchase prices and/or rental rates that will be affordable to Copper Mountain Resort Employees and employees working in Summit County on average 30 hours per week on an annual basis employees so that the units can be absorbed by market demand.

(c) Priority of Sales and Rentals. Priority to purchase or rent the Affordable Housing units may be given to qualified buyers or Qualified Occupants in the following order: (i) first, for a period of 20 days after the Units are released to the market, to on-site Employees of the PUD employed in a job that averages a minimum of 30 hours per week during the ski season and continue to be employed at the Resort or within Summit County and a resident of Summit County the remaining portion of the year; (ii) second, to full-time employees of any business located outside the Resort within Summit County working at such business a minimum of 30 hours per week on an annual basis.

(d) Resale Value. The resale value of Affordable Housing units shall follow the guidelines substantially in that form as set forth in the Summit County Affordable Workforce Housing Deed Restriction Guidelines.

(e) Affordable and Employee Housing Rental Rate. A County approved deed restriction, including affordability limits, shall be required per Code that is drafted in accordance with the Summit County Affordable Workforce Housing Deed Restriction Guidelines.

I. Recognition of Public Benefits

(i) The County and the Owner have agreed to allow for-sale and for rent Affordable Housing units at a maximum average of 110% AMI and allow for-rent Employee Housing units at a maximum affordability rate established in a County approved deed restriction, not exceeding 70% AMI in recognition of the following public benefits provided by the Owner:

Workforce Housing Program Assistance. A portion of the RETA funds, described in Section 9.7, may be allocated towards workforce housing related programs.

Workforce Housing Program Grant. The Owner has voluntarily granted the County the sum of $50,000 to be used specifically for workforce housing related programs.

Density Elimination. The Owner has voluntarily extinguished the existing development rights associated with the Owner's on-mountain mining claim densities (Claims 2 and 3 as identified on Table 1 and Exhibit B2).

2.7 OUTDOOR VENDORS

A. Outdoor vending from an open stand, pushcart, vehicle or an outdoor site shall be permitted within the boundaries of the Property subject to the provisions of this PUD Designation and other applicable regulations (i.e., business license, environmental health regulations, etc.). Such uses shall be administratively reviewed by the Planning Department prior to such uses occurring within the Property. If an outdoor vendor operates more than fourteen consecutive days, the area of such use shall count towards the overall Commercial density allowed per this PUD Designation.

B. Outdoor Vendors are allowed to operate for more than fourteen consecutive days within the Property in the parcels listed in Table 1 with approval from the Planning Department through a Class...
2 Site Plan Review. Commercial square footage permitted associated with Outdoor Vendors operating for more than fourteen consecutive days is limited to a maximum of 1,000 SF per parcel.

### 2.72.8 RESORT SPECIAL EVENTS

**A.** Resort special events (i) may involve the placement of tents and associated temporary facilities including a seasonal pavilion (to be used for concerts, meetings, conferences, banquets, art shows, activities, etc) no larger than 20,000 SF; (ii) do not require the installation of permanent pads or other permanent fixtures, except for Burning Stones Plaza and (iii) shall meet the criteria set forth in Subsection 2.9.D below.

**B.** Resort Special Events are allowed within the Property except in Open Space Parcels OS-A (Lewis Ranch), OS-C (Lewis Ranch), OS-E, OS-G, OS-L, and OS-O (Stream Easements), OS-J (Parking Structure Park), OS-M (Timbercreek Park), OS-S and OS-T (Recpath and Community Trail), OS-Y and OS-Z (North Ten Mile Neighborhood)OS-AA and OS-BB (North Properties), where such special events are prohibited.

**C.** All summer and winter Resort Special Events shall be submitted to the Open Space & Trails Department under a bi-annual operating plan. The operating plan shall be submitted on or before April 30th for summer events and on or before October 30th for winter events. The operating plan shall address the operational needs of the Resort Special Event for each event including but not limited to parking improvements, emergency services access, police protection, water and sewer services, pedestrian/bike access, Summit County property interest, estimated number of participants, estimated number of spectators, organizer contact information and a vicinity map/site plan for each special event.

**D.** Special Events shall meet the following criteria:

(i) No permanent pads or other fixtures are permitted.

(ii) Maximum duration for the event, including set up and removal, shall not exceed 14 days in duration unless otherwise permitted by the County.

(iii) Noise levels, lighting, traffic and hours of operation associated with the Resort Special Event do not create any significant adverse impact on surrounding residential areas; and,

(iv) Adequate provisions have been made for emergency services and emergency access, police protection, water, sewer, pedestrian access and other such necessary infrastructure.

(v) Charity event tent camping is allowed in Parcel 10 (The Edge), Parcel 19 (Copper Chapel) and OS-K. RV and tent camping is allowed in Parcel 30 (Alpine Lot) per conditions of the Summit County bi-annual special event permit and as noted below. In general, such camping shall comply with the following:

- No more than three (3) approved special events per calendar year between June 1st and September 30th meeting the definition set forth in Chapter 1 of “charity event” shall include RV and tent camping in support of such events.
- Copper Mountain Resort Operations shall be responsible for management of all camping activities;
- All camping shall maintain a minimum stream/wetland buffer of 25-feet measured from top-of-bank;
- All portable toilets shall maintain a minimum stream buffer of 100-feet measured from top-of-bank;
• An appropriate number of toilet facilities shall be conveniently located and maintained in good repair during all camping events;
• Potable water shall only be provided with written approval of the Summit County Public Health Department; and,
• As part of the special event permitting process, Copper Mountain shall provide for review and comment by Environmental Health information on the anticipated number of campers along with the shower and sanitation facilities to be made available during the event. In addition Copper Mountain shall advise all RV campers of the available RV dumping facilities in the County.

E. The bi-annual operating plan shall be reviewed by the Open Space & Trails Department, in conjunction with the County’s Special Events Committee. Events that are outside of the Property shall be permitted separately, as outlined in Summit County Resolution No. 2004-90, which establishes permitting regulations for conducting special events on Summit County roads, property and property interest. Applications must be submitted forty-five (45) days in advance of the special event or the first event in a series of special events.

F. The applicant shall notify the Open Space and Trails Department of any substantial change in a special event that requires a change in the operating plan, within 10 days of the event. A substantial change is defined as a change in event location/route, change in date, and deletion or addition of a new special event. The applicant shall provide a written narrative of the proposed changes, along with an updated site map and plans, for review and approval of the Open Space & Trails Department and the Special Event Committee. In no cases may the applicant make a substantial change to a special event shown in an operating plan within 5 days of the special event.

2.10 EQUESTRIAN OPERATION FACILITIES

All Equestrian Operation Facilities within the Property shall be designed so as to prevent any direct surface drainage into either Ten Mile Creek or West Ten Mile Creek. All Equestrian Operation Facilities shall be regularly cleaned of manure, with the manure disposed of using BMPs to protect water quality (refer to Section 6.5). Any manure deposited on the paved Recpath shall be removed within one day (24 hours).

Relocation of the stables and Equestrian Operation Facilities shall be subject to review and approval of a Conditional Use Permit process through the County to ensure compliance with water quality and BMPs.
3.0 Building & Site Design

3.1 ARCHITECTURAL STYLE AND DESIGN GUIDELINES

A. All projects requiring a building permit shall adhere to the standards of this PUD and where not specifically covered, the provisions in Section 3505 of the Code. Building and site design standards of this PUD that differ from those stated in the Code shall supersede those provisions in the Code because of special circumstances or in order to achieve certain development or design objectives.

B. Project and building design shall be consistent with the design guidelines set forth in (i) the sections of the Copper Mountain Subbasin Plan of the Ten Mile Master Plan entitled "Visual Design Guidelines,"; and (ii) applicable sections of the Code.

C. West Neighborhood Design Criteria

In addition to the design provisions listed in the Subbasin Plan, the following design guidelines apply to all development in the West Neighborhood. If a design provision relating to the West Neighborhood is not specifically covered in this PUD Designation, the provisions of the Code shall be used, wherever applicable:

(i) Neighborhood Design Provisions for Residential Development

(a) All individual development lots shall have a building envelope that is designated as a part of the subdivision Development Review. The building envelope shall define areas where soil disturbance is allowed for permitted and accessory uses. No Building Projections are allowed outside of the building envelopes. No disturbance is permitted outside of the envelopes with the exception of utilities, drainage improvements, driveway and road construction, tree removal for forest management or fire mitigation. Parking areas must be within the building envelope. Trees that are not to be removed for construction, fire mitigation, or forest management, will be protected from construction activities.

(b) The maximum size of a building envelope shall be 5,000 square feet.

(c) All building envelopes shall be designed to maximize the use of existing stands of trees to screen the structures from the I-70 corridor.

(d) Retaining walls shall be used to minimize site grading.

(e) To the extent practicable, drainage from the roads shall be directed away from the natural wetlands into man-made wetlands, or directed into detention/retention facilities to protect water quality and wetland communities.

(f) Lots within the West Neighborhood may have frontages less than 50 feet along roadways, or less than 30 feet on cul-du-sacs so long as the proposed lot frontages are reviewed and approved by the County during the preliminary/final plat process. The County’s review of the proposed lot frontages shall ensure that there is adequate access, buildable area, and open space for each lot. In any event, the lot frontage shall not be less than 30 feet along roadways, or 15 feet on cul-du-sacs. No minimum lot frontage is necessary for lots served by an access easement.

(ii) Architectural Design Standards (Applies to Habitable Structures)

(a) Buildings shall be designed to minimize their visual impact from I-70.
(b) Foundations shall be stepped where appropriate into the hillside where reasonably practicable.

(c) All residences shall have fire sprinkler systems.

(d) Exterior building colors shall blend with the natural environment. The use of natural materials shall be used to the greatest extent practicable.

(e) Roofing materials shall be non-reflective and shall blend with the natural environment.

(f) Window glazing shall not be tinted such that it results in excessive glare or reflection.

(g) All disturbed slopes shall be re-graded to blend into the natural site conditions.

(iii) Landscaping

(a) The maximum area of manicured landscaped area within each building envelope shall not exceed 300 square feet.

(b) All landscape improvements shall be in compliance with the Wildfire Mitigation requirements and Landscaping Regulations of the County.

(iv) Roads and Driveways

(a) All roads and driveways shall be designed and constructed using the standards outlined in the Code, except that a shared driveway can serve up to five dwelling units.

(v) Policy

(a) Caretaker units or accessory apartments shall not be permitted in this Neighborhood.

(b) Any new development or modification to existing development, including but not limited to the development or redevelopment of ski runs, lifts, snowmaking systems, and trails shall be in compliance with the applicable provisions of this PUD Designation.

D. North Ten Mile Neighborhood Design Criteria

Buildings and other valuable objects shall be reinforced to resist avalanche impact and/or depositional loads as required in this paragraph and by the building department and applicable codes. Given the fact that the outer limits of this area are affected primarily by powder avalanches or relatively low density dry flowing avalanches, mitigation, including direct protection and reinforcement, is required whenever avalanche zones cannot be completely avoided. Such mitigation should be included in building design and consider location, orientation, special design features and reinforcement.
3.2 ARCHITECTURAL REVIEW COMMITTEE

Applicants for all new development proposals and building modifications within the Property shall submit such proposals for review by the Copper Design Review Mountain Planning and Architectural Control Committee (“CDRC MPACC”). The appropriate County hearing authority shall consider all comments received from CDRC MPACC in its consideration of the Development Review application.

3.3 BUILDING HEIGHT STANDARDS

A. Buildings shall not exceed the height limits set forth in Table 6 below for the applicable Development Parcel. Building height shall be determined using the methodology outlined in Section 3505 of the Code as of the Effective Date, except that driveway entrances and emergency access into underground garages shall not count as the lowest elevation for purposes of such methodology.

B. Heights listed in this section (Subsection 3.3) are the maximum allowed and not guaranteed, and building heights may be limited by the provisions of Sections 3.5, Viewshed Protection, and other applicable design provisions of the PUD designation (setbacks, design standards of the master plan, etc.). Any building proposing to exceed four stories shall include unique architectural elements that provide visual interest and focus while “stepping back” the upper floors by reducing the floor plates to reduce the mass of the proposed building as it rises in height. Building Architectural Design Standards as stated in Section 3505.05 of the Code are especially critical and shall be specifically utilized to the maximum extent practicable to promote the reduction in apparent scale, massing and roof lines of structures greater than four (4) stories in height.

C. The heights of lift towers may be greater than the maximum height outlined in Table 6 in a given Neighborhood. Lift towers shall comply with the requirements of the Colorado Tramway Safety Board.

D. The maximum height of walls and fences shall be per the Code, except for highway noise and safety barriers, the height of which shall be reviewed and approved by the County.

E. All future development within the Copper Mountain PUD shall meet the minimum requirements of the International Fire Code (IFC) and all adopted and approved appendices at the time of development review application.

Table 6. Building Heights

<table>
<thead>
<tr>
<th>Parcel (5)</th>
<th>Maximum Height</th>
<th>Parcel (5)</th>
<th>Maximum Height</th>
<th>Parcel (5)</th>
<th>Maximum Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>35’</td>
<td>13</td>
<td>20’</td>
<td>25</td>
<td>60’</td>
</tr>
<tr>
<td>2</td>
<td>35’</td>
<td>14</td>
<td>75’</td>
<td>26</td>
<td>60’</td>
</tr>
<tr>
<td>3</td>
<td>15</td>
<td>15</td>
<td>30’/75’(2)</td>
<td>27</td>
<td>35’</td>
</tr>
<tr>
<td>4</td>
<td>35’</td>
<td>16</td>
<td>90’</td>
<td>28</td>
<td>35’</td>
</tr>
<tr>
<td>5</td>
<td>35’</td>
<td>17</td>
<td>75’</td>
<td>29</td>
<td>50’</td>
</tr>
<tr>
<td>6</td>
<td>100’(1)</td>
<td>18</td>
<td>135’(3)</td>
<td>30</td>
<td>55’/35’</td>
</tr>
<tr>
<td>7</td>
<td>40’</td>
<td>19</td>
<td>30’</td>
<td>31</td>
<td>45’</td>
</tr>
<tr>
<td>8</td>
<td>75’</td>
<td>20</td>
<td>20’</td>
<td>32</td>
<td>35’</td>
</tr>
<tr>
<td>9</td>
<td>75’</td>
<td>21</td>
<td>55’/75’(4)</td>
<td>33</td>
<td>25’</td>
</tr>
<tr>
<td>10</td>
<td>80’</td>
<td>22</td>
<td>45’/55’(7)</td>
<td>34</td>
<td>35’</td>
</tr>
<tr>
<td>11</td>
<td>75’</td>
<td>23</td>
<td>60’</td>
<td>35</td>
<td>55’/35’(6)</td>
</tr>
<tr>
<td>Parcel (5)</td>
<td>Maximum Height</td>
<td>Parcel (5)</td>
<td>Maximum Height</td>
<td>Parcel (5)</td>
<td>Maximum Height</td>
</tr>
<tr>
<td>-----------</td>
<td>----------------</td>
<td>-----------</td>
<td>----------------</td>
<td>-----------</td>
<td>----------------</td>
</tr>
<tr>
<td>12</td>
<td>75'</td>
<td>24</td>
<td>40'/50/60'</td>
<td>(8)</td>
<td></td>
</tr>
</tbody>
</table>

Footnotes:

1. Residential, Commercial and Cafeteria development is restricted to the eastern portion of the Village Center Neighborhood Parcel 6 (Union Creek) defined by a line parallel to and 700’ west of the eastern most property line of that parcel. Building heights shall be kept to five stories or less and shall be designed to avoid impacts to basin view corridors. However, buildings may exceed five stories up to 100’ maximum height when the building height is transitioned reducing floor plates for upper stories to create the effect of “stepping down” the ends of the building to less than five stories.

2. 75’ for all buildings other than West Lake Single-story Commercial Buildings; and 30’ for all West Lake Single-Story Commercial Buildings.

3. Building heights shall be kept to ten stories or less and shall be designed to avoid impacts to basin view corridors. However, buildings may exceed ten stories when:
   - The taller building incorporates unique architectural elements that provide visual interest and focus and is designed to ensure compatible transition with surrounding buildings including, but not limited to, reducing the floor plates for the upper stories to create the effect of “stepping down” the building height adjacent to the surrounding buildings.
   - View corridors listed in Section 3.5 are not impacted.

4. Parcel 21 has a maximum building height of 55’ for all buildings other than the fire station. The fire station site may have one architectural feature (the CMCMD fire station training tower) that may be up to a maximum of 75’ in height.

5. As stated in the Copper Subbasin Plan, a shade and view analysis, as well as a building massing study, may be required during the Development Review process when existing surrounding developments may be impacted as determined by the Planning Department, except for any proposed single-family residential or duplex developments.

6. 55’ for Affordable Housing, Employee Housing buildings; 35’ for all structures other than Employee Housing buildings. Buildings shall follow architectural standards established in 3.3 (B) above.

7. Buildings may have a 55’ height maximum if the building incorporates underground parking.

8. Creekside South buildings and the Pitchfork Base Area building (north of Copper Valley) shall have a maximum height of 40’. Any part of the Sky Chutes Lodge (south of Copper Valley) that is less than 80’ away from Copper Valley shall have a maximum height of 50’ that shall be comprised of a 30’ maximum height to the roof plate and up to an additional 20’ of sloped roof.

### 3.4 BUILDING AND PARKING SETBACK STANDARDS

Table 7 below defines the setbacks that shall be used in evaluating Development Review applications for all projects within the Property. Setbacks shall be measured from the edge of property lines; and no structures are allowed within such setbacks unless it is permitted per the specific setback exceptions outlined in the PUD or the Code. Multi-family, Hotel/Lodge and Hotel/Condo parking areas shall comply with the Code requirements for setbacks from roads and access ways.
Table 7. Building Setbacks

<table>
<thead>
<tr>
<th>Setback From</th>
<th>West Village</th>
<th>Village Center</th>
<th>East Village</th>
<th>A-Lift</th>
<th>North Ten Mile</th>
</tr>
</thead>
<tbody>
<tr>
<td>Side Property Line</td>
<td>NA</td>
<td>NA (8)</td>
<td>NA (8)</td>
<td>10’</td>
<td>25’ for residential uses; 5’ for all other land uses</td>
</tr>
<tr>
<td>Rear Property Line</td>
<td>NA</td>
<td>NA (8)</td>
<td>NA (8)</td>
<td>10’</td>
<td>25’</td>
</tr>
<tr>
<td>USFS Property Line</td>
<td>10’ (4)</td>
<td>10’ (4)</td>
<td>10’ (4)</td>
<td>10’ (4)</td>
<td>NA</td>
</tr>
<tr>
<td>Wetland Boundary</td>
<td>25’</td>
<td>25’</td>
<td>25’</td>
<td>25’</td>
<td>25’</td>
</tr>
<tr>
<td>Public Access Trail Easements(2)</td>
<td>25’</td>
<td>10’</td>
<td>10’</td>
<td>25’</td>
<td>25’</td>
</tr>
<tr>
<td>Roads</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Local Access Road(3)</td>
<td>20’</td>
<td>10’</td>
<td>10’</td>
<td>20’</td>
<td>25’</td>
</tr>
<tr>
<td>Copper Road ROW</td>
<td>NA</td>
<td>25’</td>
<td>25’</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>I-70 ROW</td>
<td>NA</td>
<td>25’</td>
<td>25’</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>SH-91 ROW</td>
<td>NA</td>
<td>NA</td>
<td>50’ (6)</td>
<td>50’ (6)</td>
<td>NA</td>
</tr>
<tr>
<td>Ski Lifts(7)(8)</td>
<td>20’</td>
<td>20’</td>
<td>20’</td>
<td>20’</td>
<td>NA</td>
</tr>
<tr>
<td>Shared Driveway(5)</td>
<td>20’</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>

Footnotes:
1. See also Subsection 7.4 in the PUD regarding wetlands and streamside setbacks.
2. Public Access Trails are those trails identified on the Trail Plans (Exhibit G).
3. Local Access Roads provide direct access to and connections between individual residences, businesses, community facilities and other land uses. Except for Copper Road, all roads within the Resort are Local Access Roads. The setback is measured from the edge of the property line except where the setback is superseded by a platted building envelope.
4. The Planning Commission or BOCC can reduce the setbacks for ski lift terminals at the base of the mountain.
5. Shared Driveways are those portions of driveways that serve more than one unit but not more than five units. The setback is measured from the edge of the property except where the setback is superseded by a platted building envelope.
6. The following represents landscaping buffers acceptable to the County:
   - 1 deciduous tree with a minimum caliper of 1 ½ inches for every 2 lineal feet of buffering, or
   - 1 collected conifer with an average height of 8 feet for every 6 lineal feet of buffering, or
   - 1 nursery grown conifer with an average height of 8 feet for every 10 lineal feet of buffering.
   - Other combinations of landscaping plant materials can be approved by the County if they provide the same level of visual buffering.
   - Within the 50-foot setback from SH91, a landscape buffer shall be installed as part of any development proposal in the East Village and A-Lift Neighborhoods.
7. There are no setbacks for lift terminal facilities subject to the regulations of the Colorado Tramway Safety Board. The 20’ building setback from ski lift corridors is measured from the centerline of the cableway and conforming to the air space requirements of the Colorado Tramway Safety Board, as may be amended from time to time.
8. Refer to the Uniform Fire Code as adopted and amended from time to time by the CMCMD Fire Department for building separation requirements.

3.5 VIEWSHED PROTECTION

For each development project, there shall be a Development Review intended to protect views of the Ten Mile Range, the hillside north of I-70, and the ski mountain from existing units and the Key Public Spaces to the extent reasonably practical given the nature of such proposed project. A viewshed analysis shall be submitted concurrent with each Development Review to demonstrate compliance with this section of the PUD Designation. “Key Public Spaces” shall
mean the seven areas described below as illustrated generally on the map attached hereto as Exhibit C.

Key Public Spaces
A Union Creek Ski Base
B Union Creek Plaza (south side of the Schoolhouse building)
C Village Center Ski Base
D West Lake Area
E Chapel Park
F Copper Station Ski Base
G Copper Station Plaza

3.6 SITE COVERAGE STANDARDS

A. For any Mixed-Use Building for which Development Review approval is sought, the amount of impervious surface contained within the site plan of record which includes such Mixed-Use Building shall not exceed 85% of the total land surface of such project area. For any residential-only building for which Development Review approval is sought, the amount of impervious surface contained within the site plan of record which includes such residential-only building shall not exceed 65% of the total land surface of such project area.

B. For purposes of this Section 3.6: (i) undisturbed areas left in natural vegetation, (ii) re-vegetated areas having a permeable surface, (iii) landscaped areas having a permeable surface and (iv) in the Village Center and East Village Neighborhoods, sidewalks, pedestrian streets, plazas, and other hardscapes intended for pedestrian use shall not be considered impervious surfaces, so long as the Landscaping Regulations of the Code are met as required by Section 3.11 of this PUD Designation.

3.7 LIGHTING STANDARDS

A. Exterior lighting shall be provided in parking lots, public areas, walkways, and on building exteriors where necessary. Exterior lighting fixtures shall employ full cut-off devices that direct the light down and eliminate glare that can be seen off-site. To ensure compliance with this section of the PUD Designation, the County shall review all exterior lighting during the applicable Development Reviews. All lighting shall comply with the requirements set forth in the Code.

B. Street lighting shall not be allowed in the West Village Neighborhood.

3.8 OUTDOOR STORAGE STANDARDS

Non-residential outdoor storage for resort equipment and supplies is permitted in those areas identified in Table 1 of Section 2 of the PUD Designation.

A. The visual impacts created by storage areas shall be mitigated. Visual mitigation can be accomplished through fencing, earth berms, landscaping, enclosures, etc. Visual mitigation shall adequately screen such non-residential storage areas. The visual mitigation plan for non-residential outdoor storage areas shall be reviewed and approved by the Planning Department and the visual mitigation measures shall be installed per the approved plans prior to the initiation of storage occurring on the site.

B. The size of the non-residential storage areas shall not be regulated, provided such areas do not negatively impact adjacent surrounding uses and provided that the storage area’s visual impacts are sufficiently mitigated to the approval of the Planning Department.
C. The existing vehicle maintenance facility does not require additional visual mitigation.

D. Seasonal construction staging, contractor construction equipment, and Resort Operations equipment storage and maintenance shall be allowed in the existing Day Use Parking lots without additional visual mitigation for a maximum period of 210 days as an allowed temporary use and shall not require a County permit.

3.9 SIGN CONTROL STANDARDS

All signs within the Property shall comply with the currently approved Copper Mountain Sign Program as well as be reviewed and approved by CDRC MPACC and the County prior to installation.

3.10 MODULAR FACILITIES STANDARDS

All new modular facilities shall comply with the provisions of the Code for manufactured and modular structures.

3.11 LANDSCAPE DESIGN STANDARDS

Landscaping within all developments shall be installed in accordance with a detailed landscaping plan approved by the County with each applicable Development Review application. Landscaping plans shall be prepared and evaluated per the Development Code.

The Owner agrees to landscape the following areas of the Property. The landscaping projects shall be completed in conjunction with the identified development project.

A. Landscape plans for these projects shall be submitted to the County for review by the applicable review authority concurrent with the required Development Review applications for the associated development projects.

Table 8. Landscape Project Triggers

<table>
<thead>
<tr>
<th>Landscape Project</th>
<th>Planned Improvements</th>
<th>Implementation Mechanism</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reach 1: West Ten Mile Creek Stream Corridor</td>
<td>Channel restoration and wetland plantings</td>
<td>Development of Parcel 18 (Chapel Lot), Village Center Neighborhood</td>
</tr>
<tr>
<td>(between Snowbridge Square and Ten Mile Circle)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reach 2: West Ten Mile Creek Stream Corridor</td>
<td>Channel restoration and wetland plantings</td>
<td>Development of Parcel 22 (Creekside North), Village Center Neighborhood</td>
</tr>
<tr>
<td>(between Ten Mile Circle and Copper Road)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reach 3: West Ten Mile Creek Stream Corridor</td>
<td>Channel restoration and wetland plantings</td>
<td>Development of Parcel 22 (Creekside North), Village Center Neighborhood</td>
</tr>
<tr>
<td>(Copper Road into the golf course)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>I-70 Embankment (between Telemark Lodge and Center Parking Lot West)</td>
<td>Bank stabilization (including a retaining wall)</td>
<td>Development of Parcel 22 (Creekside North) or Parcel 13 (Beeler Transit Center), Village Center Neighborhood</td>
</tr>
<tr>
<td>Copper Road (between Ten Mile Circle and Hwy 91)</td>
<td>Hardscape median, lighting and signage</td>
<td>Development of Parcel 22 (Creekside North), Village Center Neighborhood</td>
</tr>
<tr>
<td>Center Parking Lots</td>
<td>Perimeter landscaping</td>
<td>Construction of Center Parking Lots</td>
</tr>
<tr>
<td>Landscape Project</td>
<td>Planned Improvements</td>
<td>Implementation Mechanism</td>
</tr>
<tr>
<td>------------------------</td>
<td>---------------------------------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>Ten Mile Circle</td>
<td>Sidewalks/Recpath construction and landscaping</td>
<td>Elimination of the existing mass transit lane</td>
</tr>
</tbody>
</table>

B. Landscape planning should generally focus on restoration of the native landscape thereby restoring wildlife habitat and eliminating the need for irrigation after the initial grow-in period. In areas where a more "formal" landscape is desired native plants shall be used and water conserving irrigation methods shall be utilized.

C. Landscaping for individual projects shall be included with the Development Review application. The proposed landscaping plans shall be reviewed by the County during that process.

D. The Owner shall be responsible for any landscaping projects that are not maintained by a respective homeowner association.

3.12 STEEP SLOPES

Slopes in excess of 30% shall be avoided to the greatest extent practicable. The Owner is permitted to build on slopes greater than 30% on the following development parcels: Parcels 6 (Union Creek) and 24 (Sky Chutes) of the Village Center Neighborhood, Parcel 29 (East Lake Housing) of the East Village Neighborhood and Parcel 32 (A-Lift) of the A-lift Neighborhood as illustrated in the Technical Appendix Tab 8. The proposed mitigation measures to compensate for building on slopes in excess of 30% shall be reviewed by the County with the Development Review application.
4.0 Parking, Roads & Transportation

4.1 PARKING

A. Residential Parking Requirements

Residential parking within the Resort shall be provided for all new residential and lodging development and redevelopment within the Resort, based on the parking requirements shown in Table 9.

Table 9. Residential Parking Requirements

<table>
<thead>
<tr>
<th>Unit Type</th>
<th>Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family detached</td>
<td>2 per unit</td>
</tr>
<tr>
<td>Duplex</td>
<td>2 per unit</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>1 per unit</td>
</tr>
<tr>
<td>Hotel/Lodge &amp; Hotel/Condo (less than 50 Actual Units per building)</td>
<td>1 per unit</td>
</tr>
<tr>
<td>Hotel/Lodge &amp; Hotel/Condo (50 or more Actual Units per building)</td>
<td>0.75 per unit</td>
</tr>
<tr>
<td>Lock-Off Unit</td>
<td>0.33 per unit</td>
</tr>
<tr>
<td>Integrated and/or Affordable Employee Housing Unit</td>
<td>Shall comply with the requirement for the type of residential unit as listed in this table (i.e. multi-family = 1 space/unit; duplex= 2 spaces/unit)</td>
</tr>
<tr>
<td>The EDGE Dormitory-Style Seasonal Employee Housing Building(1)</td>
<td>137 designated off-site parking spaces segregated from Day Use parking spaces in the Alpine Lot or Center Lot East</td>
</tr>
<tr>
<td>Employee Housing Unit(2)</td>
<td>To be determined at Site Plan Review</td>
</tr>
</tbody>
</table>

Footnotes:
1. The Edge building off-site parking must be reserved only for use by Employees by a mechanism deemed appropriate by the County, preferably signage and enforcement. Such reserved parking cannot be counted towards Day Use Parking.

B. Non-Residential Parking Requirements

(i) Non-Residential Parking Requirement

Except as set forth in Subsection 4.1.A. above and Subsection 4.1.C. below, no parking shall be required for: (a) new development or redevelopment of Commercial space, Cafeteria space, Conference Facilities, Community Facilities, Recreational Facilities and Resort Support Facilities; or (b) Employees generated by new development or redevelopment within the Property. It is intended that parking for Employees within the Property and parking for day visitors to the Property (other than parking for persons residing within the Property) will be available within the Day Use Parking lots.

(ii) Commercial Parking for Previously Approved Site Plans

The County may allow any commercial parking requirement for previously approved site plans to be eliminated if the County receives written consent from the owners of the commercial property for which such commercial parking was previously required; provided, that if the...
commercial parking requirement to be eliminated was satisfied by commercial parking located on a condominium or townhouse property, such commercial parking requirement may not be eliminated unless the County receives written consent from the homeowner’s association for such condominium or townhouse, if any. The County’s allowance for the elimination of the commercial parking requirement is also contingent on the Owner providing sufficient Day Use Parking spaces as outlined in Section 4.1.C below.

C. Day Use Parking

Parking spaces shown in Table 10 below represent the number of parking spaces available within each parking area. The parking areas have been designated in compliance with current County standards for engineered parking spaces.

(i) Existing Day Use Parking and Parking Area Locations/No Net Loss Policy

The Owner shall ensure that the current number of Day Use Parking spaces does not decrease below 4,284 parking spaces as per Code. The installation of replacement on-site Day Use Parking spaces shall occur prior to any new developments commencing in the Resort that would make the existing Day Use Parking area or lot inaccessible for Day Use Parking.

The location of the parking areas and the ultimate number of Day Use Parking spaces within the Property are shown on Exhibit D except as provided for in subsections 4.1.C (ii) and 4.1.C (iii).

(ii) Proposed Day Use Parking and Parking Area Locations

The Owner shall provide Day Use Parking spaces in the locations identified on Table 10 below (as shown on Exhibit D). The Owner may increase or decrease the number of parking spaces provided in the Day Use Parking locations, provided the Owner demonstrates to the approval of the Planning Department that the proposed Day Use Parking change maintains the minimum number of Day Use Parking spaces that the Owner is required to provide pursuant to Subsection 4.1.C (i) and that the provisions of this PUD Designation are met.

The Owner shall never have more parking spaces on public land than on private land.

(iii) The Owner may propose interim plans to those plans identified in Exhibit D Parking Plan, as long as the interim plans meet the objectives of this section by providing a minimum of 4,284 parking spaces per Code and there shall be more parking spaces on private land (40%) than on public land (60%). Potential interim plans that may be proposed by the Owner are contained in the Technical Appendix 67, or the Owner may propose alternate interim plans for County consideration that meet the minimum requirements stated above.

Table 10. Existing and Proposed Day Use Parking

<table>
<thead>
<tr>
<th>LOCATION BY OWNERSHIP</th>
<th>EXISTING</th>
<th>PROPOSED</th>
<th>SURFACE MATERIAL</th>
<th>IMPLEMENTATION MECHANISM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beeler Lot</td>
<td>126</td>
<td>0</td>
<td>Paved</td>
<td>Removed upon development of Development Parcel 13, Beeler Transportation Center, 12, Copper Commons and/or 22, Creekside North</td>
</tr>
<tr>
<td>Chapel Lot</td>
<td>381</td>
<td>0</td>
<td>Unpaved</td>
<td>Removed incrementally upon development of Development Parcel 18, Chapel Lot</td>
</tr>
<tr>
<td>Triple Treat</td>
<td>154</td>
<td>0</td>
<td>Unpaved</td>
<td>Removed upon development of Development Parcel 32, A-Lift</td>
</tr>
</tbody>
</table>

Revised 10-13-17
<table>
<thead>
<tr>
<th>LOCATION BY OWNERSHIP</th>
<th>EXISTING</th>
<th>PROPOSED</th>
<th>SURFACE MATERIAL</th>
<th>IMPLEMENTATION MECHANISM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Union Creek Lot</td>
<td>91</td>
<td>91</td>
<td>Paved</td>
<td>Existing</td>
</tr>
<tr>
<td>B-Lot(11)</td>
<td>100</td>
<td>100</td>
<td>Structured</td>
<td>Existing</td>
</tr>
<tr>
<td>Alpine Lot(4)(9)(2)</td>
<td>1,754</td>
<td>1,728</td>
<td>Unpaved</td>
<td>Will be expanded on an as-needed basis to maintain the minimum PUD designated Day Use parking space requirement of 4,284 parking spaces based on the results of the annual parking reports and the removal of existing Day Use parking areas on private land subject to the approval of the Planning Department</td>
</tr>
<tr>
<td>Maintenance Lot</td>
<td>61</td>
<td>106</td>
<td>Unpaved</td>
<td>Existing</td>
</tr>
<tr>
<td>Center Lots</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Center Lot West</td>
<td>0</td>
<td>200</td>
<td>Unpaved</td>
<td>Development of Parcel 18, Chapel Lot</td>
</tr>
<tr>
<td>Center Lot East(12)</td>
<td>0</td>
<td>0</td>
<td>Unpaved</td>
<td>137 spaces for employees living at The Edge - Development of Parcel 12, Copper Commons and/or 18, Chapel Lot, and/or North Alpine Housing</td>
</tr>
<tr>
<td>Wheeler Lot(5)</td>
<td>29</td>
<td>29</td>
<td>Paved</td>
<td>Existing</td>
</tr>
<tr>
<td>Triple Treat East</td>
<td>0</td>
<td>313</td>
<td>Unpaved</td>
<td>Phase 1 (350 spaces) - Development of Parcel 12, Copper Commons and/or 18, Chapel Lot; Phase 2 (154 Spaces) - Development of Parcel 32, A Lift 313 spaces to be developed as needed to maintain 4,284 Day Use Parking spaces.</td>
</tr>
<tr>
<td>North Ten Mile</td>
<td>52</td>
<td>0</td>
<td>Unpaved</td>
<td>Construction of possible future snow melt facility or Employee Housing</td>
</tr>
<tr>
<td>Copper Circle</td>
<td>53</td>
<td>0</td>
<td>Paved</td>
<td>To be removed with development of Copper Commons</td>
</tr>
<tr>
<td><strong>Subtotal Private Land(5)</strong></td>
<td>2,804</td>
<td>2,775</td>
<td>2,980</td>
<td>2,811</td>
</tr>
<tr>
<td><strong>Public Land</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Ten Mile(5)(13)</td>
<td>360</td>
<td>360</td>
<td>Unpaved</td>
<td>Existing, or on as need basis</td>
</tr>
<tr>
<td>Far East Lot(2)(9)</td>
<td>1,386</td>
<td>2,360</td>
<td>Unpaved</td>
<td>Existing, or on as needed basis</td>
</tr>
<tr>
<td><strong>Subtotal Public Land</strong></td>
<td>1,746</td>
<td>2,720</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>4,547</td>
<td>4,521</td>
<td>5,700</td>
<td>5,531</td>
</tr>
</tbody>
</table>

Footnotes:

1. The Day Use parking space numbers are based on engineered drawings of existing parking areas used in the 2006/2007 ski season and proposed parking lot expansions/additions/relocations utilizing County parking lot design standards.
2. The Far East Lot consists of 1,386 Day Use Parking spaces as of the Effective Date and has been approved for a total of 2,360 through a special use permit with the USFS.

3. Parking within the CDOT right of way, within the North Ten Mile neighborhood, is permitted per a 5 year agreement with CDOT (November 1, 2011 – October 31, 2016). This agreement renews automatically on an annual basis extending the term beyond the expiration date for one-year periods. Should CDOT elect to terminate this agreement at any time, or for any duration, and such termination causes the total number of parking spaces to fall below the minimum required number of 4,284 spaces the Owner shall immediately notify the Planning Department of the notice of intent to terminate the agreement. The Owner shall replace the Day Use parking spaces lost by such termination within one (1) year, unless a PUD Amendment application has been approved that allows the lost Day Use parking spaces to be removed without being replaced. If the parking spaces are relocated, then when a subsequent PUD Amendment is requested, the PUD Amendment will reflect the relocated parking spaces.

4. These numbers include parking on the soccer field, but do not include 8 off-site parking allocated for Janet’s Cabin.

5. Day Use Parking shall include non-residential and overflow lodging parking.

6. Wheeler Lot has a total of 91 spaces; 62 parking spaces are dedicated to Copper Springs Lodge, Foxpine Lodge, and Snowflake Lodge through condominium documents and the remaining 29 parking spaces are available for Day Use parking.

6.7. The number of spaces shown as existing accounts for the 26 spaces removed with the development of the Copper Point Townhomes and shuttle access road. The total parking proposed at full build out of the Alpine Lot is based on the removal of all spaces affected by the North Alpine Housing Neighborhood and may not be representative of actual spaces removed. Actual spaces to be removed will be determined during Class 4 Site Plan.

6.8. Increase of Day Use Parking in the Far East Lot is approved per the USFS Special Use Permit for Copper Mountain Resort. This approval allows the Far East Lot to accommodate 2,360 parking spaces.

8.9. The eight (8) parking spaces designated for Janet’s Cabin are separate and not counted towards the Day Use parking totals.

9.10. Projected parking counts for un-built parking lots are based on existing conditions and may change depending on site conditions at time of Development Review and final construction drawings. The total number of Day Use parking spaces shall not be lower than the total number of parking spaces shown on Table 10 and the minimum number of Day Use parking spaces will not fall below 4,284 spaces.

10.11. The B-Lot parking structure is currently managed by the Owner on behalf of the B Lot Parking Association. If the agreement between the Owner and the B Lot Parking Association is amended and Day Use Parking spaces are lost, the Owner shall notify the County and shall replace the number of lost spaces elsewhere within the resort to the approval of the Planning Department.

11.12. The Center Lot may be developed in conjunction with Parcel 12, Copper Commons, and/or Parcel 18, Chapel Lot and/or North Alpine Housing and will be used for The Edge Employee parking in order to replace 137 parking spaces removed for the development, in order to increase the Alpine Lot by 137 additional Day Use Parking spaces.

12.13. The North Ten Mile parking area is not required to meet minimum PUD parking requirements as stated in the CDOT lease agreement and is only used for overflow parking.

(iv) Copper Road Parking

Parking is prohibited on Copper Road (except for Special Events when parking on Copper Road may be approved by the County as a part of a Class 4 Temporary Use Permit) for a specific Special Event. Summit County may deny a temporary use permit for parking on Copper Road at certain times of the year.
(v) Overall Parking Performance

(a) Prohibition of Overflow Parking

Parking on County roads within the Copper Mountain Resort PUD is prohibited for Day Use Parking. In no event shall the Owner direct day skiers or event attendees to park on County roads except for Special Events when parking on Copper Road may be approved by the County as a part of a Class 4 Temporary Use Permit. Sufficient Day Use parking and special event parking shall be provided for the demands for the Resort’s anticipated skier traffic. In cases where Resort staff observes individuals violating this policy, best efforts shall be taken to notify the County Sheriff’s Office, which can then determine and take appropriate action.

(b) Overflow Parking Enforcement

The Owner agrees to consistently meet the demand for parking for the operations on the Property and at the Resort. For the purposes of this overriding obligation, a failure to consistently meet such obligations shall be deemed to exist if, within the period of one winter operating season, the Owner fails to meet resort parking demands as evidenced by guests being turned away from the Resort or using non-approved parking (i.e., County roads, State Highways, etc.) from the Resort for four (4) or more days within the operating season. The Owner is required to notify County staff within 48 hours that potential guests had been turned away because of a lack of parking. If determined by County staff that the number of days in violation were due to business volume and not due to variables outside of the operator’s control (such as road closures due to weather), then the Owner must, upon notification by the County, within ninety (90) days provide to Summit County plans to adequately address the defined parking violation. Failure to adhere to this procedure shall be considered a violation of the PUD and subject the Owner to any enforcement actions as provided for herein.

(c) Annual Parking Counts

The Owner shall submit annual parking counts to the Planning Department no later than May 30th of each year. The parking counts shall document parking statistics for the Saturday after Christmas, the Saturday of President’s Day weekend, the Monday of Martin Luther King Jr. Day weekend, and the 1st Saturday in March. These statistics shall include vehicle counts for each Day Use Parking lot (as defined on Table 10).

(vi) Off-Premise Parking Required by Previous Development Review Approvals

It is recognized that the County has allowed off-premise parking to be provided for adjacent residential uses within the PUD in the Alpine Lot, the Beeler Lot, the Wheeler Lot and in the B Lot Parking Structure. Any future development of these lots shall relocate the number of parking spaces the lot owner was legally required to provide on such lot for use by surrounding projects.

(vii) Parking Lot Design Standards

Prior to: (1) the construction of any new Day Use Parking lots or parking structures to be used as Day Use Parking, or (2) any material modification to existing Day Use Parking lots or structures, such new Day Use Parking lots or structures, or material modifications, shall be reviewed and approved by the Planning Department Staff and/or Ten Mile Planning Commission through the appropriate Development Review process. Such review shall be limited to ensure compliance with the parking lot design standards set forth below in this Subsection 4.1.C (vi), the provisions of this PUD Designation and applicable Development Review criteria of the Code.

(a) Unpaved Day Use Parking Lots

New or materially modified unpaved Day Use Parking lots within the PUD boundary shall be designed according to the design guidelines set forth in this Subsection 4.1.C (vi)(a) and other applicable site plan criteria listed in this PUD Designation and the Code. The design
guidelines set forth in this Section 4.1 supersede and replace all parking lot design guidelines set forth in the Code. Such unpaved parking lots will meet the following design criteria:

i. Shall be constructed with a minimum four (4) inch road base gravel compacted to at least 95% of the maximum dry density at +/-2% of the maximum moisture content as determined by the American Association State Highway Traffic Control & Transportation Officials (AASHTO).

ii. Shall include landscaping, berms, or other means along the perimeter of the lot to mitigate the visual impact to off-site uses (refer to Landscape Design Standards in Section 3.11).

iii. Shall be designed using the drainage and snow storage requirements identified within this PUD Designation as described in Technical Appendices 30, 31 and 32.

iv. Shall have safe and adequate pedestrian circulation.

v. Shall be designed for adequate circulation for emergency vehicles.

vi. Shall be designed to provide a minimum aisle width of 22 feet.

vii. Shall be designed to provide a minimum stall size of 9 feet wide by 19 feet deep.

viii. Landscaping islands are not required.

(b) Structured Day Use Parking Lots

New or materially modified Day Use Parking structures shall be designed according to the design guidelines set forth in this Subsection 4.1.C (vi)(b) and applicable provisions of this PUD Designation. The design guidelines set forth in this Subsection 4.1.C (vi)(b) supersede and replace parking lot design guidelines set forth in the Code regarding similar design issues for parking structures only. Design guidelines set forth in the Code regarding design issues not set forth in this Subsection 4.1.C (vi)(b) shall also apply to Day Use Parking structures. Such structured parking lots will meet the following design criteria:

i. Shall be designed in compliance with the IBC as adopted or amended by the County to the approval of the Building Inspection Department.

ii. Covered or heated ramps shall have a maximum grade of 12% so long as the parking area grade does not exceed 6%.

iii. Uncovered parking area ramps that are not heated shall not exceed 6% grade.

iv. Covered parking areas shall have a maximum grade of 6%.

v. Uncovered parking areas shall have a maximum grade of 4%.

vi. Shall be designed using landscaping buffers around the perimeter of such structures.

(c) Paved Day Use Parking Lots

New or materially modified paved Day Use Parking lots shall be constructed per the standards for paved parking lots as set forth in the Code.

D. Short-Term Parking

The Owner may provide Short-Term Parking within County rights-of-way on Ten Mile Circle, Copper Circle, Beeler Place and on private property as illustrated on Exhibit D and on Table 11 below. Short-Term Parking shall mean parking signed and limited during the Peak Season to a maximum of 1 hour between 8AM and 5PM and to be monitored as necessary by Copper Mountain Resort. Such parking shall not count towards compliance with the Resort’s Day Use Parking requirements.

Table 11. Short-Term Parking

<table>
<thead>
<tr>
<th>LOCATION</th>
<th>PROPOSED ENGINEERED PARKING SPACES</th>
<th>SURFACE MATERIAL</th>
<th>IMPLEMENTATION MECHANISM</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number of Engineered Parking Spaces</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

4-6
<table>
<thead>
<tr>
<th>Beeler Transportation Center(1)</th>
<th>55</th>
<th>Paved</th>
<th>Development of Parcel 22, Creekside North</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beeler Place (Union Creek)</td>
<td>27</td>
<td>Paved</td>
<td>Existing</td>
</tr>
<tr>
<td>Ten Mile Circle</td>
<td>32</td>
<td>Paved</td>
<td>Development of Parcel 22, Creekside North or removal of the Shark Lane</td>
</tr>
<tr>
<td>Copper Circle</td>
<td>22</td>
<td>Paved</td>
<td>Development of Parcel 12, Copper Commons</td>
</tr>
<tr>
<td>Schoolhouse (Union Creek)</td>
<td>15</td>
<td>Paved</td>
<td>Existing</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>151</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Footnote:**

1. The Owner may allocate 87 Short-Term and 39 Day Skier parking spaces in the Beeler Lot upon closure of the existing 52 parking spaces in Copper Circle prior to development of Parcel 12, Copper Commons.

Prior to the commencement of any construction of the Short-Term parking locations listed in Table 11 above, the Owner shall complete the following:

(i) The Owner shall be responsible for winter maintenance in County rights-of-way in areas that are used for Short-term parking as per the executed Road Maintenance Agreement.

(ii) The Owner shall submit improvement plans for Ten Mile Circle and Copper Commons illustrating the proposed parking improvements including, but not limited to the number of parking spaces and right-of-way improvements for review and approval by the County prior to constructing the improvements.

(iii) The improvements shall be installed per the County approved plans, inspected and approved by the County prior to using these areas for Short-Term Parking.

(iv) Such County approved Short-term Parking must be generally reserved for the proposed use as allowed.

### 4.2 ACCESS

A. Primary access to the Property shall be provided via Interstate 70 and State Highway (SH) 91. Internal access shall be provided via a system of paved public and private roads as generally illustrated on Exhibit E attached hereto.

B. All public and private roadways and access ways shall be constructed to County standards as outlined in the Code unless superseded by the development standards as listed in the PUD. Copper Road shall meet the standards for a Collector Road and all other roads shall be designed and constructed to accommodate the average daily trip counts estimated for the roads to the approval of the County Engineer.

C. Uncovered driveway ramps that access parking areas shall comply with the following standards:

(i) Covered or heated ramps shall have a maximum grade of 12% so long as the parking area grade does not exceed 6%.

(ii) Uncovered parking area ramps that are not heated shall not exceed 6% grade;

(iii) Covered parking areas shall have a maximum grade of 6% grade; and

(iv) Uncovered parking areas shall have a maximum grade of 4%.
D. The Owner, or any other developer within the Property, shall repair damage caused to the roadways by construction activities, per the requirements of Chapters 5, 8 and 12 of the Code prior to the issuance of a certificate of occupancy on the project causing such damage.

E. One-way roads are permitted within the Property if approved by the County Engineer.

F. Private driveways to single-family residences and duplexes shall comply with the requirements of the Code unless specific standards included in the PUD Designation supersede the Code requirements.

4.3 ROAD IMPROVEMENTS

If the proposed surface improvements require realignment within the existing right-of-way, then those improvements shall be reviewed at an administrative level (grading permit and improvement plans) by the County. If, due to field conditions, the surface improvements require that the realignment extend beyond the existing right-of-way, then the appropriate Development Review processes (vacation of existing right-of-way and new right-of-way dedication) shall be reviewed by the appropriate County review authority.

Prior to the issuance of any permit and approval of an improvement plan by the County for any road improvements, construction project, Recpath or trail, the Owner shall provide a traffic control plan for review by the County. The traffic control plan shall provide adequate vehicular, bicycle and pedestrian access around the project while construction is occurring per the requirements of Chapter 5 of the Code to the approval of the County.

Table 12. Road Improvement Triggers

<table>
<thead>
<tr>
<th>Road Improvements</th>
<th>Implementation Mechanism</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ten Mile Circle ROW Improvements</td>
<td>Development of Parcel 22, Creekside North or removal of the mass transit road (“Shark Lane”)</td>
</tr>
<tr>
<td>Copper Road ROW Improvements-Phase 1 (Beeler Transportation Center to 10 Mile Circle)</td>
<td>Construction of Parcel 13, Beeler Transportation Center or Parcel 22, Creekside North</td>
</tr>
<tr>
<td>Copper Road ROW Improvements-Phase 2 (10 Mile Circle to Highway 91)</td>
<td>Development of Parcel 22, Creekside North</td>
</tr>
<tr>
<td>Copper Circle ROW Improvements</td>
<td>Development of Parcel 12, Copper Commons</td>
</tr>
<tr>
<td>Shuttle ROW Improvements</td>
<td>Development of Parcel 22, Creekside North</td>
</tr>
</tbody>
</table>

A. Ten Mile Circle

The Ten Mile Circle right-of-way (“ROW”) shall require modification with the elimination of the mass transit road (“Shark Lane”). When the existing road is reconfigured, the improvements shall provide two lanes of vehicle traffic, charter bus unloading, a secondary skier drop off area at the roundabout and sidewalks. The day skier transit shuttle drop-off location may be relocated from Ten Mile Circle to the proposed Beeler Transportation Center along Copper Road.

Existing ROW widths shall not be reduced but may be realigned with these proposed improvements. Short-Term Parking within the Ten Mile Circle ROW shall be permitted if the road is rebuilt per the conceptual designs located in Technical Appendix 10 and the engineered drawing of the proposed right-of-way shown in Technical Appendix 19.

B. Beeler Place

Short-Term Parking within the Beeler Place ROW shall be permitted. The Beeler Short-term Parking may be converted to Day Use Parking upon demonstration, to the approval of the Planning Department, that the Short-term Parking is no longer necessary at this location for the operation of the resort. If approved, then the next PUD amendment following this decision to allow for the
conversion shall document the conversion of the Short-term Parking Spaces into Day Use Parking Spaces.

C. Copper Road

Copper Road ROW shall require modification with the elimination of the existing mass transit road ("Sharke Lane"), the elimination of the center median in locations, construction of the Beeler Transportation Center, and realignment of Copper Road due to development of Parcel 22, Creekside North. The proposed Beeler Transportation Center will require the right-of-way and any related improvements to shift north to accommodate an efficient and safe arrival center.

The improvements shall happen in two phases. The intersection of Copper Road/Ten Mile Circle shall serve as the point of demarcation for phase 1 and phase 2 of the Copper Road improvements. Should the improvements associated with Copper Road phase 1 and 2 be constructed independently of each other, that phase of Copper Road improvements that starts first shall include improvements to the Copper Road/Ten Mile Circle intersection at least 100 feet in all directions.

(i) Phase 1 - Between the proposed Beeler Transportation Center and Ten Mile Circle: Existing surface improvements located within the ROW widths shall be widened to accommodate up to four lanes of vehicle traffic consisting of up to two travel lanes in each direction with a fourteen (14) foot right travel lane in each direction to accommodate the oversized CoBus vehicles.

(ii) Phase 2 - Between Ten Mile Circle ROW and Highway 91: Existing ROW widths will be narrowed from 114’ to 80’ as the Copper Community Trail will be relocated adjacent to West Ten Mile Creek.

Refer to Section 4.1 for the parking protocol on Copper Road. The proposed road cross-section for Copper Road is illustrated on Technical Appendix 22.

D. Copper Circle

Copper Circle shall be reconfigured with the proposed development of Parcel 12, Copper Commons. The existing road shall be reconfigured for two travel lanes of vehicle traffic, bus drop off lanes, the Copper Community Trail and walkways for pedestrians. Existing County ROW and easements in this area have been vacated and Short-Term Parking within the remaining Copper Circle ROW shall be permitted.

For more detailed material on the above stated improvements, refer to Technical Appendix 10 for a conceptual illustration, Technical Appendix 22 for the proposed cross section and Technical Appendix 19 for an engineered drawing of the proposed right-of-way.

E. Mass Transit Road Right-of-way ("Shark Lane")

If an alternative transportation system is provided such that the Owner can demonstrate to the Board of County Commissioners that the need for a segregated right-of-way is eliminated, then this right-of-way may be abandoned.

4.4 ROAD MAINTENANCE

Maintenance of, and snow removal on, roads within certain County ROW’s shall be addressed by a Road Maintenance Services Agreement with the County. The Owner shall maintain Ten Mile Circle, Copper Circle and Beeler Place as defined in the Road Maintenance Agreement in exchange for the ability to use portions of Ten Mile Circle, Copper Circle and Beeler Place rights-of-way for Short-Term Parking provided that the Owner enters into a separate Road Maintenance Service Agreement between the County and the Owner (substantially in the form as ascribed in Appendix 21) prior to recordation of the PUD Designation.
4.5 TRANSIT

The Owner shall ensure that an adequate public transportation system (mass transit) is provided connecting the parking facilities in the Property and any parking constructed by the Owner on USFS lands to the North Ten Mile, East Village and Village Center Neighborhood, and Union Creek Base Areas as designated on Exhibit E attached hereto. The transportation system shall operate during the ski season. The transportation system shall also operate during special events and other times deemed necessary by the Owner.

A. Shark Shuttles and CoBus Vehicles

Shark Shuttles and CoBus vehicles (the “Shuttle Vehicles”) shall be permitted to operate on all sections of roads and streets which are within the Property and under the jurisdiction of the County per the approved Ordinance 11C and any subsequent updates, A Temporary Experimental Traffic Regulation. The applicable roadways shall include the following: Beeler Place, Copper Circle, Copper Road, Ten Mile Circle, Wheeler Circle, and Wheeler Place. Transit facilities such as bus load and unload areas (i.e. design, location, separation from intersections, etc.) shall comply with American Association State Highway and Transportation Officials (AASHTO) standards.

Any and all modifications within the public ROW must be approved by Summit County. Anyone proposing to make any modifications to the public ROW must obtain necessary permits from the County before construction may commence.

B. Quarterly Meetings with the County, Colorado Department of Transportation (“CDOT”) and Colorado Department of Public Safety (“CDPS”)

The Owner shall attend the quarterly meetings between the County, CDOT and CDPS to review and discuss any changes in operation of the Resort prior to when such changes in operations or development occur (such as transit plans or traffic management plans to access the parking on private and/or public land) that may negatively affect the SH91 corridor.
5.0 Open Space, Trails, & Recreation

5.0 OPEN SPACE

Open space within the Property consists of both Public Open Space and Private Open Space. Both Public Open Space and Private Open Space areas within the PUD are meant to provide buffers between the Neighborhoods within the PUD as well as provide air, space and light for the Resort’s residents and visitors. Public open space within the PUD is primarily focused on creating protected areas for habitat and wildlife as well as passive recreational uses such as walking, biking and hiking, while private open space within the PUD is primarily focused on active recreation (such as the golf course and providing access to the ski hill).

A. Public Open Space

The Owner has dedicated or shall dedicate the specific Public Open Space areas depicted on Exhibit F and described in Table 13 below. Table 13 also describes the implementation mechanisms of the various Public Open Space dedications. At the point the open space is dedicated to the County, the open space character of these Public Open Space areas shall be protected by restrictive land use designations (zoning) and conservation easements, recording of a plat with a restrictive note, or Easement, or other methods acceptable to the County.

These dedications shall be by public access easements acceptable to and granted to the County or transferred via a fee interest transfer to ensure (i) protection of the Open Space character; and (ii) public access, subject to the provisions of this PUD Designation. Vehicles may be allowed to operate in Public Open Space for the purpose of maintenance and transporting guests as specified in Table 1 of this PUD Designation. The Owner shall be given credit toward Summit County Public Use Area Fees for these public land dedications.

B. Private Open Space

Private Open Space areas within the Property have been identified as important for the Open Space character they provide and as an amenity for the use and enjoyment of Resort guests, the location of such areas are depicted on Exhibit F and described in Table 13 below. Table 13 also describes the implementation mechanisms of the various parcels designated as Private Open Space. The Open Space character of these Private Open Space areas shall be protected by restrictive land use designations (zoning), conservation easements, recording of plats with a restrictive note or other methods acceptable to the Owner and the County. Vehicles shall be allowed to operate in Private Open Space for the purpose of maintenance and transporting guests as specified in Table 1 of this PUD Designation. The Owner may post limitations and regulations and has the right to exercise remedies for trespass. The Owner has no obligation to enforce these rights for the benefit of the County or the public.

C. Improvements on Public or Private Open Space

Improvements are not permitted in any Public or Private Open Space areas unless an improvement is provided for in Table 1. Exceptions that would allow for improvements in Public or Private Open Space are as follows: Lift facilities shall be allowed in Private Open Space.

With the exception of the golf course modifications as outlined below, the Owner shall consult with, notify and provide detailed plans and information to the County of any proposed change or improvement on designated Open Space for review prior to the installation of such improvements. Notwithstanding such exemptions, the standards and criteria as listed in the Code shall be used to
determine the development review process by which a proposed modification to the golf course shall be reviewed by the County (grading permit, building permit, site plan review, PUD amendment, etc.).

In the process of managing a golf course and related operations, changes may be required to the golf course that would not trigger a development review by the County. It is the intent of the PUD to allow the Owner of the golf course to make such changes as necessary, within the parameters of the PUD to, among other things, protect the health and safety of the public, respond to natural occurrences, maintain or improve the playability of the golf course, etc.

It is not the intent of the PUD to dictate golf course management decisions that are not related to land use, open space and/or development.

Therefore, the owner of the golf course facility shall be allowed to make modifications to the golf course based on management decisions for the overall safety and playability of the facility without the requirement for review and approval of such modifications by the County. However, all such modifications must be consistent with the requirements of the PUD and the proposed modifications that trigger a development review process as set forth in the Code must be appropriately reviewed and/or permitted by the County pursuant to the Code requirements.

Table 13. Open Space Tabulation

<table>
<thead>
<tr>
<th>Area*</th>
<th>Open Space</th>
<th>Public OS Acres</th>
<th>Private OS Acres</th>
<th>Maintained By</th>
<th>Implementation Mechanism</th>
</tr>
</thead>
<tbody>
<tr>
<td>OS-A&amp;B</td>
<td>Lewis Ranch</td>
<td>78.69</td>
<td>Owner/Village at Copper</td>
<td>Currently Subdivided, Reception #685418</td>
<td></td>
</tr>
<tr>
<td>OS-C</td>
<td>West Ten Mile Creek Corridor (between I-70 ROW and the east property boundary of West Neighborhood)</td>
<td>6.0</td>
<td>Owner/Village at Copper</td>
<td>Currently Dedicated, Reception #685418</td>
<td></td>
</tr>
<tr>
<td>OS-D</td>
<td>North of OS-E and Beeler Place</td>
<td>6.07</td>
<td>Owner/Village at Copper</td>
<td>Currently Subdivided and restricted by Table 1</td>
<td></td>
</tr>
<tr>
<td>OS-E</td>
<td>West Ten Mile Creek Corridor (between west boundary of Village Center Neighborhood and Copper Circle ROW)</td>
<td>6.95</td>
<td>Owner/Village at Copper</td>
<td>Currently Dedicated, Reception #631759</td>
<td></td>
</tr>
<tr>
<td>OS-F</td>
<td>North of Copper Road between Beeler Place and Ten Mile Circle, the I-70 hillside</td>
<td>1.58</td>
<td>Owner/Village at Copper</td>
<td>Recording of Subdivision Plat and subdivision of realigned Copper Road ROW at Beeler Transportation Center</td>
<td></td>
</tr>
<tr>
<td>OS-G</td>
<td>West Ten Mile Creek (from Copper Circle to Ten Mile Circle/Copper Road intersection)</td>
<td>5.95</td>
<td>Owner/Village at Copper</td>
<td>Currently Dedicated, Reception #140469 and #133369</td>
<td></td>
</tr>
</tbody>
</table>

Attachment D
<table>
<thead>
<tr>
<th>Area*</th>
<th>Open Space</th>
<th>Public OS Acres</th>
<th>Private OS Acres</th>
<th>Maintained By</th>
<th>Implementation Mechanism</th>
</tr>
</thead>
<tbody>
<tr>
<td>OS-H</td>
<td>West Lake</td>
<td>1.27</td>
<td>Owner/Village at Copper</td>
<td>Currently Dedicated, Reception</td>
<td></td>
</tr>
<tr>
<td></td>
<td>South of the Village core adjacent to Burning Stones Plaza from Spruce Lodge west of OS-E</td>
<td>4.38</td>
<td>Owner/Village at Copper</td>
<td>Currently Dedicated and restricted by Table 1</td>
<td></td>
</tr>
<tr>
<td>OS-J</td>
<td>Parking Structure Park</td>
<td>0.50</td>
<td>Owner/Village at Copper</td>
<td>Currently Dedicated, Reception</td>
<td></td>
</tr>
<tr>
<td>OS-K</td>
<td>Chapel Park</td>
<td>0.51</td>
<td>Owner/Village at Copper</td>
<td>Recording of Subdivision Plat and subdivision of Parcel 18, Village Center Neighborhood (Chapel Lot)</td>
<td></td>
</tr>
<tr>
<td>OS-L</td>
<td>Togwotee Park</td>
<td>0.63</td>
<td>Owner/Village at Copper</td>
<td>Recording of Subdivision Plat and subdivision of Parcel 22, Village Center Neighborhood (Creekside North)</td>
<td></td>
</tr>
<tr>
<td>OS-M</td>
<td>Timber Creek Park</td>
<td>1.53</td>
<td>Owner/Village at Copper</td>
<td>Currently Dedicated, Reception</td>
<td></td>
</tr>
<tr>
<td>OS-N</td>
<td>Golf Course (north of Copper Road)</td>
<td>21.73</td>
<td>Owner</td>
<td>Currently Subdivided and restricted by Table 1</td>
<td></td>
</tr>
<tr>
<td>OS-O</td>
<td>West Ten Mile Creek (from Togwotee Park Copper Road)</td>
<td>3.03</td>
<td>Owner/Village at Copper</td>
<td>Recording of Subdivision Plat and subdivision of Parcel 22, Village Center Neighborhood (Creekside North)</td>
<td></td>
</tr>
<tr>
<td>OS-P,U,V,W,X</td>
<td>Golf Course (south of Copper Road)</td>
<td>124.48</td>
<td>Owner</td>
<td>Recording of Subdivision Plat and subdivision of Parcel 32, A-Lift Neighborhood (A-Lift) and Parcel 22 Village Center Neighborhood (Creekside North)</td>
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<tr>
<td>OS-Q</td>
<td>Copper Community Trail at Summit House East</td>
<td>0.07</td>
<td>Owner/Village at Copper</td>
<td>Recording of Subdivision Plat and subdivision of realigned Copper Road ROW at Creekside North</td>
<td></td>
</tr>
<tr>
<td>OS-R</td>
<td>Farley Park</td>
<td>0.15</td>
<td>Owner/Village at Copper</td>
<td>Currently Dedicated, Reception</td>
<td></td>
</tr>
<tr>
<td>Area*</td>
<td>Open Space</td>
<td>Public OS Acres</td>
<td>Private OS Acres</td>
<td>Maintained By</td>
<td>Implementation Mechanism</td>
</tr>
<tr>
<td>-------</td>
<td>------------</td>
<td>----------------</td>
<td>-----------------</td>
<td>--------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td>OS-S</td>
<td>Copper Community Trail and berm north of Alpine Lot</td>
<td>0.55</td>
<td>Owner/Village at Copper</td>
<td>Currently Dedicated, Reception #1008086</td>
<td></td>
</tr>
<tr>
<td>OS-T</td>
<td>Copper Community Trail and berm north of Alpine Lot</td>
<td>0.06</td>
<td>Owner/Village at Copper</td>
<td>Currently Dedicated, Reception #1008085</td>
<td></td>
</tr>
<tr>
<td>OS-Y</td>
<td>Northeast corner of Ten Mile Neighborhood</td>
<td>0.69</td>
<td>Owner/Village at Copper</td>
<td>Currently Dedicated, Reception #806845</td>
<td></td>
</tr>
<tr>
<td>OS-Z</td>
<td>Ten Mile Creek Corridor</td>
<td>3.95</td>
<td>Owner/Village at Copper</td>
<td>Currently Platted, Reception #126446. Public access easement within 90 days of the Effective Date</td>
<td></td>
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<tr>
<td>OS-AA</td>
<td>North Parcel (west)</td>
<td>12.30</td>
<td>County</td>
<td>Deeded to the County, Reception #928818</td>
<td></td>
</tr>
<tr>
<td>OS-BB</td>
<td>North Parcel (east) (including 10' Gore Range Trail easements)</td>
<td>14.0</td>
<td>County</td>
<td>Deeded to the County, Reception #928818</td>
<td></td>
</tr>
</tbody>
</table>

**TOTAL**  
57.63  
237.44

*These areas are shown generally on Exhibit F attached hereto.

**D. Maintenance of Private and Public Open Space**

Maintenance responsibilities are as defined in Table 13 above. The responsible party shall be responsible for any and all maintenance, signage, landscaping, site and/or pedestrian amenities, capital improvements and other matters relating to public and private open spaces as defined above.

Resort Operations vehicles shall be allowed to operate in Open Space for the purpose of performing infrastructure maintenance within the Open Space area.

**5.2 TRAILS**

**A. Trails Plan**

The Owner shall be responsible for the construction of the trails indicated on the trails plan attached hereto as Exhibit G, and Table 14 in accordance with the design standards set forth in the Code, on the condition that Owner is able to obtain all appropriate approvals with respect thereto, including without limitation, the consent without fee of the owner of the property upon which any such pathway is to be located. The Trails Plan shows general trail and Recpath locations through Neighborhoods rather than exact alignments. Exhibit G, the Trails Plan identifies general locations for the Ten Mile Canyon Recpath, the Copper Recpath, and the Vail Pass Recpath which are maintained by the County, as well as various trails throughout the Resort that shall be maintained by the Owner or their designee (Copper Community Trails). The Owner shall submit for review and approval by the County the exact alignment of the Copper Recpath and other trails within public open space and/or public rights-of-way prior to the construction of these trails.
The Owner shall make any capital improvements associated with the initial milling, striping and signing of the Copper Recpath as may be contemplated by the PUD Designation or any subsequent development plans.

The Copper Recpath will be located within the Copper Road and Beeler Place ROW in the interim development to be completed by July 1, 2014, and will be maintained by the County thereafter. Alternative Vail to Frisco Bike Trail alignments may be determined as part of the reconstruction of Copper Road that is required for development of Parcel 22 (Creekside North) and Parcel 13 (Beeler Transit Center) developments.

The Copper Recpath will be striped and signed to include the north and south side of Copper Road westbound and eastbound to Highway 91. These improvements will be completed by September 1, 2019 pending County approval. The community trail connection from the Copper Point townhomes to HWY 91 is proposed to remain in place and act as a community trail for all users.

B. Colorado Trail

The Colorado Trail Connection shall be open to the public at all times except during ski seasons. Portions of the Colorado Trail Connection located adjacent to the American Eagle or the American Flyer lifts within the Property may be closed during special events for reasonable periods of time, on the condition that the Owner shall provide a signed alternative route during these times and that such closures by the Owner only occur on private, non-Federal land.

A portion of the Colorado Trail identified as Trail T7a on the Trails Plan will be realigned if necessary due to development of the golf course modifications. The proposal for realignment shall be reviewed and approved by the County, and will be dedicated (via an easement) within 12 months of the trail reconstruction.

C. Re-Alignment of Trails

The trails and Recpaths indicated on the Trails Plan (Exhibit G) and the Nordic trail in the West Village Neighborhood (Exhibit H) can be realigned, with the approval of the County Commissioners or the Planning Commission, during a Development Review if one of the following criteria is met:

(i) The relocation is to avoid trail-user conflicts with adjacent land uses, steep slopes, wetland setback requirements, wildlife movement/migration corridors and other key wildlife habitats, or any other environmental constraint as identified by the Subbasin Plan or the Code.

(ii) The original function of the trails system will be preserved through the site, while allowing for existing or proposed trails to be relocated, but not eliminated, based upon the overall development review criteria, the proposed development plan and the trail's character through the site.

(iii) The Nordic trail in the West Village Neighborhood shown on Exhibit H may only be modified from its current location to accommodate new development if such trail system stays substantially the same as current exists.

(iv) The Owner has voluntarily offered to partnered with the County Open Space and Trails Department to fund fifty percent (50%) of the construction costs of trail T5 to a maximum amount of $250,000, this was completed in 2015.

D. Trail Design Standards

(i) Overall Trail Design Standards
(a) Trails shall minimize the number of driveway and road crossings.
(b) Trails shall be separated from roadways and buildings where practicable. The interim Copper Recpath is proposed as milled, striped and signed bike lanes, one in each direction, within the existing pavement section of Copper Road and Beeler Place. A final alignment and design including a potential grade separated option shall be proposed as part of the design and approval of the realignment of Copper Road triggered by the development of Parcel 22 (Creekside North) or Parcel 13 (Beeler Transit Center).
(c) Trails shall be located in areas that will minimize user conflicts to the maximum extent practical.
(d) Alternate pedestrian and Recpath routes shall be provided when existing trails are impacted by construction.
(e) Trails shall be designed in a manner that takes advantage of natural, existing vegetation to buffer the trails from development and mitigate any safety hazards. Where this design is not feasible, the applicant shall incorporate trail buffering into their landscaping plan to the maximum extent practicable.
(f) The Owner will not be responsible for acquiring trail easements on or across property owned by other parties.
(g) Where required, the Owner shall be responsible for trail construction identified on Exhibit G and Table 14, and shall be responsible for clearing and grading, surfacing, signage, drainage improvements and erosion control (as defined by the Code). All of these improvements may not be applicable to all trail sections.
(h) Any proposed realignment of the Copper Recpath shall comply with the "Trail Development Guidelines" of the Summit County Countywide Comprehensive Plan, Ten Mile Master Plan, the Copper Mountain Subbasin Plan to the extent practicable and be approved by the County.
(i) The new Copper Recpath within the County Right-of-Way shall be designed and constructed in accordance with County standards. The County shall not assume maintenance responsibilities for the Copper Recpath until it is inspected and accepted by the County as having been constructed to County Standards unless a variance from such standards has been granted for good cause.
(j) Trails that are identified in Exhibit G shall be in compliance with the current Subbasin Plan and the Code, open to the public and connect to USFS trails or trailheads, where feasible.
(k) If the Owner is not able to obtain all such appropriate approvals, including consent from Affected Property owners, then the Owner shall submit a realignment of such trail(s) to the County, for review and approval, placing the trail in such a location where all such appropriate approvals contemplated above may be obtained or are not required.
(l) To provide clear signage for directional and safety purposes, the Owner shall have developed a uniform Copper Recpath striping and signage plans for Copper Road and Beeler Place in conjunction with the Open Space & Trails Department, within the 24 months of the PUD Effective Date. The sign plan for the Copper Recpath shall conform to the requirements of the Manual on Uniform Traffic Control Devices (MUTCD) standards. The County will maintain MUTCD signs and the Owner shall maintain all other signs proposed in the sign program. For all signs other than the MUTCD signs, the County will notify the Owner when the signs are in need of repair. The Owner shall have ten (10) working days to repair or replace the damaged signs.

(ii) West Village Neighborhood Trail Criteria

(a) Trails are limited to those within Open Space Parcel OS-A as shown on Exhibit F.
(b) The Owner is permitted to retain the existing Nordic trail system for winter use only; summer trail use in Open Space Parcel OS-A is prohibited due to wildlife concerns.

### Table 14. Recpaths and Trails

<table>
<thead>
<tr>
<th>Trail</th>
<th>DESCRIPTION</th>
<th>Trail Improvement or Dedication</th>
<th>Maintained By</th>
<th>Surface</th>
<th>Implementation Mechanism</th>
</tr>
</thead>
<tbody>
<tr>
<td>T1</td>
<td>Vail Pass Recpath (PUD Boundary to Beeler Place)</td>
<td>County</td>
<td>Hard</td>
<td>Currently Dedicated: Reception #1008088</td>
<td></td>
</tr>
<tr>
<td>T2</td>
<td>Copper Recpath interim alignment in Copper Road and Beeler Place ROWs(1)(2)</td>
<td>County</td>
<td>Hard</td>
<td>Owner shall install milling, striping and signage by July 1, 2014</td>
<td></td>
</tr>
<tr>
<td>T3</td>
<td>Copper Recpath/Copper Community Trail (Alpine Lot to SH 91)</td>
<td>Owner/Village at Copper</td>
<td>Hard</td>
<td>Currently Dedicated: Reception #1008087</td>
<td></td>
</tr>
<tr>
<td>T4</td>
<td>Ten Mile Canyon Recpath SH 91 crossing (SH 91 to Ten Mile Canyon Recpath)</td>
<td>County</td>
<td>Hard</td>
<td>Existing: CDOT ROW</td>
<td></td>
</tr>
<tr>
<td>T5</td>
<td>Proposed Re-aligned Ten Mile Canyon Recpath (North Ten Mile)</td>
<td>County</td>
<td>Hard</td>
<td>By County in 2013. Owner will donate 50% of the construction cost to a maximum $250,000 (Completed 2015, reception #)</td>
<td></td>
</tr>
<tr>
<td>T6</td>
<td>Gore Range Trail</td>
<td>USFS</td>
<td>Soft</td>
<td>Existing</td>
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</tr>
<tr>
<td>T7</td>
<td>Colorado Trail</td>
<td>USFS &amp; Owner</td>
<td>Soft</td>
<td>Currently Dedicated: Reception #1008084</td>
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</tr>
<tr>
<td>T7a</td>
<td>Colorado Trail</td>
<td>USFS &amp; Owner</td>
<td>Soft</td>
<td>Easement for realigned trail segments located within the PUD boundary to be dedicated upon completion of trail construction Completed, reception #</td>
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</tr>
<tr>
<td>T8</td>
<td>Copper Community Trail (Beeler Place to Copper Circle)</td>
<td>Owner/Village at Copper</td>
<td>Hard</td>
<td>Currently Dedicated: Reception #140469 (Filing 3)</td>
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<tr>
<td>T9</td>
<td>Copper Community Trail (Copper Circle to Ten Mile Circle)</td>
<td>Owner/Village at Copper</td>
<td>Hard</td>
<td>Currently Dedicated: Reception #140469 (Filing 3)</td>
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</tr>
<tr>
<td>T10</td>
<td>Copper Community Trail (Ten Mile Circle to Copper Road) Interim and Final Plans</td>
<td>Owner/Village at Copper</td>
<td>Hard</td>
<td>Interim Plan (T10a): Prior to recording of Final Plat of Parcel 18 (Chapel Lot) or public use of Center Lot West Final Plan: Recording of Final Plat of Parcel 22 (Creekside North)(3)(4)</td>
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<tr>
<td>T11</td>
<td>Copper Community Trail (Ten Mile Circle to Wheeler Place): Interim and Final Plans</td>
<td>Owner/Village at Copper</td>
<td>Hard</td>
<td>Interim Plan: Within 18 months of the Effective Date—Final Plan improvements to occur at the time of recording of Final Plat and subdivision of Parcel 22 (Creekside North)(3)(4) Completed, reception #</td>
<td></td>
</tr>
</tbody>
</table>
### Trail Improvement or Dedication

<table>
<thead>
<tr>
<th>Trail</th>
<th>DESCRIPTION</th>
<th>Maintained By</th>
<th>Surface</th>
<th>Implementation Mechanism</th>
</tr>
</thead>
<tbody>
<tr>
<td>T12</td>
<td>Copper Community Trail (Copper Road/Wheeler Place to Alpine Lot): Interim and Final Plans</td>
<td>Owner/Village at Copper</td>
<td>Hard</td>
<td>Interim Plan: Within 18 months of the Effective Date - Final Plan improvements to occur at the time of recording of Final Plat and subdivision of Parcel 22, Village Center Neighborhood (Creekside North)^3</td>
</tr>
<tr>
<td>T13</td>
<td>Center Village trail between Copper Recpath, Copper Community Trail and Colorado Trail</td>
<td>Owner/Village at Copper</td>
<td>Soft</td>
<td>Existing</td>
</tr>
<tr>
<td>T14</td>
<td>Parking Structure Trail from Ten Mile Circle to T15</td>
<td>Owner/Village at Copper</td>
<td>Hard</td>
<td>Existing, Reception #126446 (Filing 1)</td>
</tr>
<tr>
<td>T15</td>
<td>Guller Road Trail from T14 to Ten Mile Circle</td>
<td>Owner/Village at Copper</td>
<td>Hard</td>
<td>Recording of final plat of Parcel 24 (Sky Chutes)</td>
</tr>
<tr>
<td>T16</td>
<td>Timber Creek Park connector trail between Copper Community Trail and Colorado Trail</td>
<td>Owner/Village Company</td>
<td>Soft</td>
<td>Recording of final plat of Parcel 24, Village Center Neighborhood (Sky Chutes)</td>
</tr>
<tr>
<td>T17</td>
<td>Winter Only Access Trail from East Village to Center Village</td>
<td>Owner</td>
<td>Soft/Packed Snow</td>
<td>Within 12 months of the Effective Date</td>
</tr>
<tr>
<td>T18</td>
<td>Center Lot East to Copper Station</td>
<td>Owner/Village at Copper</td>
<td>Hard</td>
<td>Construction of improvements and easement to be dedicated at Owner’s discretion</td>
</tr>
<tr>
<td>T19</td>
<td>Trail connector between Woodward at Copper and Ten Mile Circle</td>
<td>Owner/Village at Copper</td>
<td>Hard</td>
<td>Recording of final plat of Parcel 18, Village Center Neighborhood (Chapel Lot)</td>
</tr>
<tr>
<td>T20</td>
<td>Mountain Trails System</td>
<td>Owner</td>
<td>Soft</td>
<td>Existing</td>
</tr>
</tbody>
</table>

**Footnotes:**

1. All newly constructed Recpaths dedicated to the public, will be designed and constructed to meet County standards by the Owner prior to dedication.
2. The Owner shall work with the County Open Space & Trails Department to inspect the Copper Recpath and identify sections that are not in compliance with the Code.
3. During the interim period prior to the construction of Development Parcel 22, (Creekside North) the Shark lane will be signed to be utilized as the temporary interim Copper Community Trail for T10b, T11 and T12. Refer to Technical Appendix 27.
4. Prior to the Final Plat of Parcel 18(Chapel Lot) or public use of Center Lot West, the interim T10a trail along the north side of Ten Mile Circle from Center Lot West to the village center shall be installed. Refer to Technical Appendix 27. The final alignment of trail T10 shall be installed upon removal of the Shark Lane which is implemented with development of Parcel 22 (Creekside North).

**E. Trail Improvements and Dedications**
The Owner shall, in accordance with the schedule set forth in Table 14, improve the existing public trails and construct any new public trails per the County standards prior to dedicating the associated public access easements to the County for the trails described on Exhibit G attached hereto.

F. Trail Maintenance
(i) Copper Recpath
   (a) The County shall be responsible for maintaining the Copper Recpath, including sweeping (consistent with levels of service provided throughout the County), pavement repair, signage as required by the Manual for Uniform Traffic Control Devices (the "MUTCD"). The County will assume maintenance for the entire Copper Recpath once all sections are complete and constructed to a standard acceptable to the County.
   (b) The Owner may provide additional aesthetic treatment to enhance the visual appeal of the signs required by the MUTCD and maintained by the County, provided that any additional aesthetic treatment is approved by the County and maintained by the Owner;
   (c) The Owner may provide sweeping and other maintenance over and above sweeping typically provided by the County subject to County approval.
   (d) The Owner may provide any landscaping, lighting and site amenities within the right-of-way or easements associated with the Copper Recpath if approved by the County pursuant to the provisions set forth in this PUD Designation on the condition that the Owner or its designee assumes the responsibility for maintenance of such improvements.
(ii) Other Trails, Sidewalks and Access
   (a) The Owner/Village at Copper shall be responsible for any and all maintenance, signage, landscaping, site amenities, winter plowing (at the Owner/Village at Copper's sole discretion), capital improvements and other matters relating to all trails and recreational paths at the Property other than the Copper Recpath.
   (b) The Owner/Village at Copper shall be responsible for all maintenance, signage, landscaping, winter plowing, capital improvements and other matters relating to any sidewalks located on property owned by the Owner/Village at Copper or its affiliates that lead from the pre-approved portions of the new road system to other portions of the Property.
   (c) In order to facilitate accessibility standards of the Americans with Disabilities Act throughout the Property, the Owner/Village at Copper shall be responsible for ensuring the maintenance and removal of snow from all sidewalks and paths located on property owned by the Owner that lead from parking and drop-off points to the entry of buildings owned by the Owner or its affiliates.

5.3 RECREATION PLAN

The Recreation Plan, which is shown on Exhibit I, identifies general areas of the Property that will be used for Active and/or Passive Recreation. The types of recreation facilities in these areas may change from time-to-time to satisfy the changing community needs. The recreational land uses as shown on these general areas may change if the change is appropriately mitigated to the satisfaction of the County. Existing or future recreation facilities that are built shall not be eliminated unless such facilities are replaced with other similar facilities (active replaced by active; passive replaced by passive) as determined by the County.

(i) The Woodward Barn, an indoor training facility, was approved as an indoor recreational facility and replaced the indoor tennis courts previously located on Development Parcel 21, Village Center Neighborhood (Woodward).
(ii) The Owner will provide on-going access to local residents and locals’ discounts for scheduled drop-in sessions as offered by Woodward at Copper for as long as the facility operates. The BOCC reviewed and approved the operational plan on December 1, 2008, that established a baseline for future reference of the initial public benefit of the facility. The plan is attached for reference as Technical Appendix 60.

(iii) The Owner will provide a fenced, outdoor tennis court within OS-K (Chapel Park) or another approved location prior to certificate of occupancy of Parcel 18, Chapel Lot.

(iv) The Owner may install an event plaza/pocket park within OS-W in close proximity to the Super Bee lift per the requirements of the Code.

(v) New recreational amenities allowed on permitted USFS lands may extend across the PUD boundary and into PUD Development Parcels and/or Open Space parcels as allowed per Table 1.

5.4 PUBLIC USE AREAS

The Open Space dedications, trail dedications and trail improvements as specified in this PUD Designation satisfy the Public Use Area Requirements of the Code.
Exhibit P
Development Trigger Plans

To implement Copper’s vision, Development Trigger Plans (DTP) have been completed to conceptualize the potential phasing of buildings, infrastructure and other land uses. These may change or may not be built and all are subject to review and approval by the County. This outline explains the proposed improvements that are intended to reflect physical construction and it does not include other commitments the Owner is committed to (i.e. cash donations, etc.).

It is important to note that development of real estate is based on market demand. This varies from time to time and is difficult to forecast. Future projects can occur in any order and could vary from what is shown on the DTP.

❖ **PUD Approval DTP** - The PUD Approval Development Trigger Plan illustrates the vertical development, Day Use Parking, Open Space dedications, trail construction and dedication and wetland mitigation that the Owner will be committed to within a specified timeframe from the PUD Effective Date as follows:

Items that will be have been completed within 12 months or less of following the PUD Effective Date include: *(will provide reception #’s for all below)*

- Dedicate a public access easement on OS-Z (North Ten Mile Neighborhood) within 90 days of the PUD Effective Date. *(Complete)*
- Provide an Affordable Housing Payment in Lieu agreement within 12 months of the Effective Date. *(CMR provided proposal to County)*
- Execute Road Maintenance Service Agreement prior to recordation of the PUD Designation. *(Complete)*
- Provide a sign plan for (T2) the Interim Copper Recpath within 12 months of the Effective Date. *(Complete)*
- Update pertinent sections of the Technical Appendix as agreed to with County Staff within 6 months of the Effective Date. *(Complete)*
- T2 Interim Copper Recpath within Copper Road and Beeler Place ROWs by July 1, 2014. *(Complete)*

Items that will be completed within 18 months or less of the PUD Effective Date include:

- Improvements for the Copper Community Trail to the existing mass transit lane (‘Shark Lane’) for interim plan T10b, T11 and T12. Refer to Technical Appendix 27. *(Complete)*
- Cost sharing with the County, up to a maximum of $250,000, for construction of T5. *(Complete)*
- Provide and maintain winter only access trail T17. *(Complete)*
- Execute and record a Real Estate Transfer Assessment agreement within 18 months of the Effective Date. *(Complete)*
Items that will be completed by December 23, 2023 include:

- Obtaining Certificate of Occupancy for **30 Affordable Housing 80 Bed Credits units** by December 23, 2023 or prior to the last multifamily development site plan review, whichever comes first.
- Obtaining Certificate of Occupancy for **50 Employee beds** by December 23, 2023 or prior to the last multifamily development site plan review, whichever comes first.

**Union Creek Base Area DTP**—The Union Creek Base Area Development Trigger Plan illustrates the proposed development that may occur on the Union Creek Base Area site (Parcel 6). There are no other village infrastructure triggers associated with this development. This development may trigger the removal of the Kokomo lift. Kokomo lift may be replaced by a proposed new lift serving a new skiing learning center on the mountain.

**Copper Commons DTP**—The Copper Commons Development Trigger Plan illustrates the proposed development that may occur on the Copper Commons site and the associated Beeler Lot Short Term Parking improvements that will be implemented prior to the issuance of a grading and excavation permit. The road realignment, Copper Community Trail and 22 short term parking spaces at Copper Commons must be completed prior to the issuance of the first certificate of occupancy. Due to the complexity of this development and its associated infrastructure requirements, a detailed construction sequencing plan must be approved by the County prior to issuance of a Grading and Excavation Permit.

The Copper Commons development triggers several other projects that include:

- Copper Circle shall be reconfigured with the proposed development of Parcel 12. The existing road shall be reconfigured for two travel lanes of vehicle traffic, bus drop off lanes, the Copper Community Trail and walkways for pedestrians including a safe and easy crossing of Copper Circle. The County ROW in this area has been vacated, and Short-Term Parking within the remaining Copper Circle ROW will be built. For more details on these improvements refer to Technical Appendix 10 for conceptual illustration, Technical Appendix 22 for the proposed cross section and Technical Appendix 19 for an engineered drawing of the proposed right-of-way.
- Construction of **137 spaces in Center Lot East** which will be used for The EDGE Employee parking will provide an additional **137 Day Use Parking spaces in the Alpine Lot**, unless this has already been provided by development of the North Alpine Housing.
- Construction of Beeler Lot interim plan with 87 Short Term Parking spaces and 39 Day Use Parking spaces.
- Construction of 159 Day Use Parking spaces in Triple Treat East if development occurs in conjunction with, or after development of the Chapel Lot, and the parking is needed to maintain the minimum number of Day Use Parking spaces.

**Chapel Lot DTP**—The Chapel Lot Development Trigger Plan illustrates the proposed development that may occur on the Chapel Lot and the associated parking replacement that must be completed prior to the issuance of a grading and excavation permit. Creek restoration work and tennis court construction must be completed prior to the issuance of the first certificate of occupancy.
The Chapel Lot development triggers other projects that include:

- Replacing the existing 381 Chapel Lot parking spaces in this Day Use Parking lot by constructing Center Lot West (200 spaces) and Center Lot East (137 spaces)
- Construct 45 additional parking spaces for a total of 106 Day Use Parking spaces in the Maintenance Lot.
- West Ten Mile Creek restoration of Reach 1 will be completed with the development of the Chapel Lot. Details of the creek restoration can be found in the Wetlands Report in Technical Appendix 44.
- T10a (interim trail) and T19 construction. The interim T10a trail shall be completed prior to allowing public use of Center Lot West. Refer to Technical Appendix 27.
- Construction of 159 Day Use Parking spaces in Triple Treat East only if development occurs in conjunction with, or after development of the Copper Commons to always maintain minimum parking requirements per the PUD.
- Construct 1 tennis court on OS-K (Chapel Park) or other approved site.
- Construct trail T15 connecting trails T14 and T10a.

**Sky Chutes DTP** – The Sky Chutes Development Trigger Plan illustrates the proposed development that may occur in the Sky Chutes area and the associated trails and potential wetland mitigation work that must be completed prior to the issuance of the first certificate of occupancy.

- Construction of T15 and T16 trails in the wetlands setback subject to review and approval by Summit County at the time of development review with the development of Sky Chutes.
- Wetlands setback mitigation work will also need to be completed and will be done in locations that provide for 1:1 replacement.

**Creekside North DTP** – The Creekside North Development Trigger Plan illustrates the proposed development that may occur on the Creekside North site and the associated Copper Road re-alignment, Beeler Transit Center development, Ten Mile Circle improvements, golf modifications, parking modifications, Copper Community Trail, open space, wetlands and creek restoration work that must be completed prior to the issuance of the first certificate of occupancy. Due to the complexity of this development and its associated infrastructure requirements, a detailed construction sequencing plan must be approved by the County prior to issuance of a grading and excavation permit.

Before construction can be completed on Creekside North, several other infrastructure projects must be completed. These include:

- Copper Road ROW will require modification with the elimination of the existing mass transit lane, the elimination of the center median in certain locations, construction of the Beeler Transportation Center and realignment of Copper Road. The improvements will likely happen in two phases and will include (not necessarily in this sequence):
  - Phase 1 - Between the proposed Beeler Transportation Center and Ten Mile Circle: Existing surface improvements located within the ROW widths will be widened to accommodate four lanes of vehicle traffic consisting of
two travel lanes in each direction with a fourteen (14) foot right travel lane in each direction to accommodate the oversized Cobuses.

- Phase 2 - Ten Mile Circle ROW to Highway 91 – Existing ROW widths may be narrowed from 114’ to 80’ as the Copper Community Trail (T10, T11 and T12) may be relocated adjacent to West Ten Mile Creek and in place of the existing mass transit lane (Shark Lane).
- The intersection of Copper Road/Ten Mile Circle shall serve as the point of demarcation for phase 1 and phase 2 Copper Road improvements. If Copper Road phase 1 and 2 are constructed independently of each other, the first phase will include improvements to the Copper Road/Ten Mile Circle intersection at least 199 feet in all directions.
- The Beeler Transportation Center will require the right-of-way and any related improvements to shift north. Beeler Transportation Center includes the construction of bus loading and unloading zones, restrooms and 55 Short Term Parking spaces.
- Refer to Section 4.1 for the parking, protocol on Copper Road. The proposed road cross section for Copper Road is illustrated on Technical Appendix 22.
- Relocating the Short Term Drop-off parking from Copper Circle or Beeler Parking Lot to Ten Mile Circle with the removal of the mass transit road (“Shark Lane”). The Ten Mile Circle ROW will require modification with the elimination of the Shark Lane and the installation of the Copper Community Trail. The final alignment of T10, the Copper Community Trail will be located north of Ten Mile Circle between the realigned road and West Ten Mile Creek. The improvements will also provide for two lanes of vehicle traffic, charter bus unloading, a skier drop off area at the round-about and sidewalks. The primary Resort transit shuttle drop-off location will be relocated off Ten Mile Circle to the Beeler Transportation Center along Copper Road.

Existing Ten Mile Circle ROW widths will not be reduced but might be realigned with these proposed improvements. Proposed centerline of the realigned roadway might not align with the centerline of the existing ROW. 32 Short Term Parking spaces within the Ten Mile Circle ROW will also be constructed.

Once the Ten Mile Circle construction has been completed, the development work on the Beeler Transit site can begin unless other accommodation has occurred for maintaining short term parking.

For more detailed material on the above stated improvements, refer to Appendix 10 for a conceptual illustration and Technical Appendix 19 for an engineered drawing of the proposed right-of-way.

- Golf hole #3 will be relocated to just south of Sky Chutes and become the new Hole #2.
- During the construction of Creekside North, three sections of the Copper Community Trail (T10, T11 and T12) will be constructed. This will complete the Copper Community Trail completely through the resort. Should this development project occur prior to the work on Ten Mile Circle then proper signage for pedestrians and cyclists will be installed to direct them accordingly.
- 3.66 acres of open space OS-L (Togwotee Park) and OS-O (Stream Easement) south of the Creekside North, will be dedicated by easement to the County, and also allow for limited public access to West Ten Mile Creek in this section of the Resort.
- Open space easement dedication of OS-Q (Copper Community Trail).
- West Ten Mile Creek restoration of Reaches 2 & 3 will be completed with the development of Creekside North (including wetland setback work due to the construction of the Copper Community Trail). Details of the creek restoration can be found in the Wetlands Report in Technical Appendix 44.

**A-Lift DTP** – The A-Lift Development Trigger Plan illustrates the proposed development that may occur in the A-Lift site and the associated Day Use Parking work that must be completed prior to the issuance of a grading and excavation permit.

**North Alpine Housing** – The North Alpine Housing Development Trigger Plan illustrates the proposed development that may occur in the North Alpine site.

- Construction of 137 parking spaces in Center Lot East which will be used for The EDGE Employee parking to replace the parking removed by the proposed Local Workforce Housing.