



Community Planning and Permitting

Courthouse Annex • 2045 13th Street • Boulder, Colorado 80302 • Tel: 303.441.3930 • Fax: 303.441.4856
Mailing Address: P.O. Box 471 • Boulder, Colorado 80306 • www.bouldercounty.gov

**BOULDER COUNTY
BOARD OF COUNTY COMMISSIONERS
PUBLIC HEARING**

January 30, 2024 at 11:45 a.m.

All Commissioners’ public hearings and meetings will be offered in a hybrid format where attendees can join **through Zoom** or **in-person** at the Boulder County Courthouse, 3rd Floor, 1325 Pearl Street, Boulder.

STAFF PLANNER: Dana Yelton – Planner I

SPR-23-0093: Dow-McVey Residence and Accessory Structures

- Proposal: Site Plan Review to construct a 3,000-square-foot residence with a 587-square-foot attached garage and 625 square feet of covered porches, a 960-square-foot detached garage, and two 120-square-foot sheds on an approximately 88.2-acre vacant parcel where the size presumed to be compatible with the neighborhood is 2,500 square feet.
- Location: 48733 Peak to Peak Hwy
- Zoning: Forestry (F) Zoning District
- Applicant: Jesse Dow and Vicki McVey
- Agent: Nathan Knecht, Connect Architecture

STAFF RECOMMENDATION:

Staff recommends that the Board of County Commissioners uphold the Director’s Determination for SPR-23-0093 Dow-McVey Residence and Accessory Structures.

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○ BOCC Business Meeting Call-up Memo (Attachment BM)	BM1 – BM2
○ Director’s Determination Letter Packet (Attachment A)	A1 – A90
○ Comments Received Following Issuance of the Determination (Attachment B)	B1 – B6
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○ Height Pole Study Photos (Attachment D)	D1 – D2
○ Applicant Response to Public Comments (Attachment E)	E1 – E3

SUMMARY AND RECOMMENDATION:

On October 30, 2023, the Community Planning & Permitting Department issued a Determination Letter conditionally approving SPR-23-0093 Dow-McVey Residence and Accessory Structures. Following the issuance of the Determination Letter, staff received one public comment in support of

the approval, and one public comment raising concerns with the approval. On November 13, 2023, Commissioner Stolzmann requested that the application be called up to a Business Meeting to determine whether or not a public hearing for the proposal should be held. During the November 30, 2023 Board of County Commissioner's Business Meeting, the Commissioners voted unanimously to confirm the call-up and hold a public hearing for the proposal. Staff recommend that the Board of County Commissioners uphold the Director's Determination of conditional approval for SPR-23-0093.

DISCUSSION:

SPR-23-0093 Dow-McVey Residence and Accessory Structures was originally referred on October 3, 2023. Following referral of the application, staff received no comments from nearby property owners. Following the issuance of the Determination Letter, staff received two comments from nearby property owners, one of which raised concerns that the approved development does not comply with the Conservation Easement (CE) on the Property, specifically the requirement that all future residences be located so that they are not visible from Peak to Peak Highway because of the natural topography or because of a significant stand of natural vegetation. These comments were forwarded to the Board of County Commissioners, and the application was called up on the last day of the appeal/call-up period, Monday, November 13, 2023.

The CE on the Property permits the construction of one single-family residence not to exceed 3,000 square feet, as well as two garages and two sheds that are not subject to square footage restrictions. The CE includes language intended to protect the view corridor of the Peak to Peak Highway.

After the call-up request by the Commissioners, but prior to the November 30, 2023 Business Meeting, the Boulder County Parks & Open Space Conservation Easement Program submitted a memo dated November 27, 2023, in response to the comments made by a nearby property owner. The Conservation Easement Program memo was not included in the Business Meeting packet because it was received after the end of the appeal/call-up period, but is included with this packet as Attachment C.

The Conservation Easement Program memo addressed comments and concerns laid out by a nearby property owner regarding the subject proposal, SPR-23-0093, as well as concerns regarding a previous proposal, SPR-15-0115, on another parcel encumbered by the same CE. The memo explains that Conservation Easement Program staff conducted a thorough on-site analysis of the proposed building locations for the subject proposal, SPR-23-0093, and determined that natural topography and existing stands of vegetation should sufficiently screen the proposed residence, and therefore determined that the proposal is consistent with the terms of the CE. The memo also addressed the nearby property owner's concerns regarding SPR-15-0115, explaining that the visibility of the approved residence from Peak to Peak Highway does not violate the terms of the CE; while Paragraph 3 of the CE does restrict the visibility of most future residences, the language specifically excepts the homestead or its replacement, as approved through docket SPR-15-0115. Staff agrees with the analysis pertaining to both SPR-23-0093 and SPR-15-0115 as described in the Conservation Easement Program memo response.

After the November 30, 2023 Business Meeting, Nathan Knecht (applicant for SPR-23-0093 Dow-McVey Residence and Accessory Structures) submitted an amended project narrative in response to the comments made by a nearby property owner. Mr. Knecht's response is included with this packet as Attachment E.

Mr. Knecht's amended project narrative addresses the concerns raised by the nearby property owner regarding visibility from the Peak to Peak Highway by explaining that upon the on-site analysis by the CE staff and in coordination with the Boulder County Wildfire Partners it was determined that the

natural topography and natural stands of existing vegetation should fully screen the proposed structures from the Peak to Peak Highway and neighboring private parcels.

On December 7, 2023 staff conducted a 30-foot height pole study, which is one foot taller than the 29-foot approved residence, to further evaluate the visibility impacts of the approved residence and determined that the highest point of the roof may be visible as viewed from a small section of the Peak to Peak Highway north of the development. Staff finds the proposal is consistent with the terms of the CE because the natural topography and existing stands of vegetation will sufficiently screen the proposed residence, and the approved Rusted Brown metal roofing color will ensure visual impacts of the development are minimized and that the development blends in with the natural environment. The height pole study photos are included with this packet as Attachment D.

The Boulder County Parks & Open Space Conservation Easement Program submitted a memo dated January 12, 2024 in response to the December 7, 2023 height pole study. The Conservation Easement Program memo is included with this packet as Attachment C.

The Conservation Easement Program memo explains that the flag at the top of the 30-foot height pole was minimally visible for a small stretch along the Peak to Peak Highway when facing northbound, indicating the peak of the residence's roof may also be visible. Conservation Easement Program staff continue to find this project consistent with the terms of the CE due to a myriad of factors that affect visibility as travelers utilize the Peak to Peak Highway. A significant stand of vegetation lies between the proposed location of the residence and the Peak to Peak Highway. This stand of vegetation should shield the visibility of the front façade of the residence, and the required fireproof roof is approved in a non-reflective earth tone color. Conservation Easement Program staff believe that highway users traveling at speed along the Peak to Peak Highway would fail to detect the peak of an earth-tone colored roof and so consider this project to meet the intent of Paragraph 3 of the CE. Staff agrees with the analysis pertaining to the height pole study as described in the Conservation Easement Program memo response.

On January 8, 2024, staff received a second comment from the nearby property owner who initially raised concerns about the proposal stating that they have no current objections to the proposal following conversations with the subject property owners. The comment is included with this packet as Attachment B.

On January 16, 2024, staff received a comment from another nearby property owner which raised concerns about the size and potential visual impacts of the approved development. The comment is included with this packet as Attachment B.

Staff finds that nothing in the public comments received, the Conservation Easement Program memos, nor the height pole study changes the analysis in the Determination Letter, and therefore recommends that the Board of County Commissioners **uphold the Director's Determination, as conditioned, for SPR-23-0093 Dow-McVey Residence and Accessory Structures.**



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November 30, 2023 Business Meeting Memo

STAFF PLANNER: Dana Yelton – Planner I

SPR-23-0093: Dow-McVey Residence and Accessory Structures

Request: Site Plan Review to construct a 3,000-square-foot residence with a 587-square-foot attached garage and 625 square feet of covered porches, a 960-square-foot detached garage, and two 120-square-foot sheds on an approximately 88.2-acre vacant parcel where the size presumed to be compatible with the neighborhood is 2,500 square feet.

Location: 48733 Peak to Peak Highway

Zoning: Forestry (F) Zoning District

Applicant: Nathan Knecht, Connect Architecture

Owners: Jesse Dow and Vicki McVey

PACKET CONTENTS

Item	Pages
o Staff Memo	1 - 2
o Director’s Determination Letter Packet (Attachment A)	A1 – A90
o Comments received following issuance of the Determination (Attachment B)	B1 – B5

SUMMARY

On October 30, 2023, the Community Planning & Permitting Department issued a Determination Letter conditionally approving SPR-23-093 Dow-McVey Residence and Accessory Structures. Following the issuance of the Determination Letter, staff received one public comment in support of the approval, and one public comment raising issues with the approval. On November 13, 2023, Commissioner Stolzmann requested that the application be called up to a Business Meeting to determine whether or not a public hearing for the proposal should be held. Staff request that the Board of County Commissioners determine whether or not a public hearing shall be held for SPR-23-0093 Dow-McVey Residence and Accessory Structures.

DISCUSSION

SPR-23-0093 Dow-McVey Residence and Accessory Structures was originally referred on October 3, 2023. Following the referral of the application, staff received no comments from nearby property owners. The referral response from the Boulder County Parks & Open Space Department raised limited concerns regarding the proximity of the proposed development to the montane meadow, which is located approximately 100 feet to the south of the proposed residence location, and concerns regarding possible visibility of the proposed development from the Peak to Peak Highway resulting from removal of trees for wildfire mitigation. The Boulder County Parks & Open Space Conservation Easement Program referral response acknowledged that the conservation easement and amendment (CE) permit the construction of one single-family residence not to exceed 3,000 square feet, and the CE also allows for two garages and two sheds that are not subject to square footage restrictions. The referral response also noted that the CE includes language that protects

the view corridor of the Peak-to-Peak Highway, and that CE staff conducted a thorough on-site analysis of the proposed building locations and determined that natural stands of vegetation should screen these proposed structures, and therefore the proposal is consistent with the terms of the CE.

Following the issuance of the Determination Letter, staff received two comments from nearby property owners, one of which raised concerns that the approved development conflicts with the Conservation Easement requirement that all future residences shall be located so that they are not visible from the Peak to Peak Highway because of the natural topography or because of a significant stand of natural vegetation. These comments were forwarded to the Board of County Commissioners, and the application was called up on Monday, November 13, 2023.

Staff requests that the Board of County Commissioners **determine whether or not a public hearing will be held for SPR-23-0093 Dow-McVey Residence and Accessory Structures.**



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Claire Levy County Commissioner

Marta Loachamin County Commissioner

Ashley Stolzmann County Commissioner

10/30/2023

Nathan Knecht
 1510 Zamia Avenue Apt 103
 Boulder, CO 80304

Jesse Dow
 12 Tilgham Road
 Ward, CO 80481

Vicki McVey
 12 Tilgham Road
 Ward, CO 80481

Dear Applicant(s):

This letter certifies that in accordance with section 4-800 of the Boulder County Land Use Code, the Boulder County CPP Director has Approved with Conditions the site plan for the following, effective October 30, 2023.

Docket: SPR-23-0093 Dow-McVey Residence and Accessory Structures

Request: PROPOSED: Site Plan Review to construct a 3,887-square-foot residence with attached garage and 625 square feet of covered porches, a 960-square-foot detached garage, and two 120-square-foot sheds on an approximately 88.2-acre vacant parcel where the size presumed to be compatible with the neighborhood is 2,500 square feet.

APPROVED: Site Plan Review to construct a 3,000-square-foot residence with a 587-square-foot attached garage and 625 square feet of covered porches, a 960-square-foot detached garage, and two 120-square-foot sheds on an approximately 88.2-acre vacant parcel where the size presumed to be compatible with the neighborhood is 2,500 square feet.

Location: 48733 PEAK TO PEAK HIGHWAY

Zoning: Forestry

Applicant: Nathan Knecht

This is a Conditional Approval made by the CPP Director, and is not final until a 14-day referral period has transpired. During the next 14 days, the Board of County Commissioners (BOCC) may choose to call this docket up for a public hearing. If no hearing is required, this letter will serve as the final determination. Building, grading and access permits will be subject to any and all conditions of approval.

If the BOCC should decide to modify the CPP Director's approval, or determines that further review is necessary, a public hearing will be held. Upon completion of the public hearing and approval by the BOCC, if a building, grading or access permit has been applied for, it will continue in the process and permits may be issued subject to any and all conditions of approval.

In the event that you wish to appeal any conditions of the CPP Director's determination, you are entitled to appeal the determination to the BOCC. You must file an appeal for this purpose with the CPP Department in writing no later than 14 days after the date of this letter. If an appeal is requested, the BOCC will review the CPP Director's determination at a public meeting.

Please be aware that the attached Conditions of Approval become final if the docket is not called up by the BOCC at the end of the 14-day review period. There are no other administrative means to appeal. If you wish to resubmit information with regards to complying with any of the attached Conditions of Approval, and have this information reviewed for approval by staff prior to the end of the 14-day review period, your submissions must be received by the office no later than 10 days from the date of this letter.

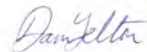
Site Plan Review approval is valid for three years from the date of this letter although any changes in County regulations could affect the proposal prior to application for a building permit. In order to be issued a building permit, the project must comply with all policies and regulations in effect at the time of permit application.

A Building Permit cannot be issued for this project until the applicable conditions above have been met. Furthermore, a Certificate of Occupancy cannot be issued for this project until the applicable conditions above have been met. A SPR inspection will need to be scheduled with this department prior to the issuance of a Certificate of Occupancy. None of the conditions of approval will be waived or a Certificate of Occupancy issued for this project based upon the applicant's need to meet financial obligations (i.e., construction cost overruns or loan closing dates). Any future additions to the approved structure, regardless of size, will require SPR approval to amend this SPR.

The Public Notice sign must remain posted for 14 days after the date of this letter and then returned to the CPP Department in a timely manner after this date. Or, if your Site Plan Review application requires a public hearing, please return the sign after the final public hearing. We will begin processing a refund for the \$25 sign deposit when your sign is returned, and a check will be mailed to you within approximately 2 weeks.

Please carefully review the attached conditions of approval. Compliance with these conditions will be confirmed as is necessary throughout the process.

Sincerely,



Dana Yelton

Planner I

APPLICATION #: SPR-23-0093
 APPLICANTS: Jesse Dow and Vicki McVey
 PROJECT LOCATION: 48733 Peak to Peak Highway
 PROJECT SUMMARY: PROPOSED: Site Plan Review to construct a 3,887-square-foot residence with attached garage and 625 square feet of covered porches, a 960-square-foot detached garage, and two 120-square-foot sheds on an approximately 88.2-acre vacant parcel where the size presumed to be compatible with the neighborhood is 2,500 square feet.

APPROVED: Site Plan Review to construct a 3,000-square-foot residence with a 587-square-foot attached garage and 625 square feet of covered porches, a 960-square-foot detached garage, and two 120-square-foot sheds on an approximately 88.2-acre vacant parcel where the size presumed to be compatible with the neighborhood is 2,500 square feet.

CONDITIONS OF APPROVAL

Per Article 4-802.A of the Boulder County Land Use Code (the Code), Site Plan Review is required for this proposed development because it is (1) establishing a use on a vacant parcel, (2) resulting in a cumulative increase in floor area of more than 1,000 square feet over that existing as of September 8, 1998 (3) resulting in a total residential floor area greater than 125% of the median residential floor area for the defined neighborhood, and (4) a conservation easement has been granted on the property.

All Site Plan Review applications are reviewed in accordance with the Site Plan Review standards set forth in Article 4-806 of the Code. Accordingly, the Community Planning & Permitting Department has reviewed this application in accordance with the standards provided for in Article 4-806.A of the Code and has determined that approval is appropriate, with the conditions set forth below. *Only those standards applicable to this project are included in this list.*

1. *To provide a greater measure of certainty as to the applicable neighborhood relevant for comparison, the following definition of neighborhood shall be used to review proposed Site Plan Review applications:*
 - a. *For applications outside of platted subdivisions with seven or more developed lots or the townsites of Allenspark, Eldora, Eldorado Springs, Raymond and Riverside, the defined neighborhood is the area within 1,500 feet from the applicable parcel. The neighborhood shall not include any parcels inside municipal boundaries, platted subdivisions with seven or more developed lots or the townsites of Allenspark, Eldora, Eldorado Springs, Raymond and Riverside.*

The applicable neighborhood for the subject parcel is the area within 1,500 feet from the parcel, excluding parcels inside municipal boundaries, platted subdivisions with seven or more developed lots, and any mapped townsites.

2. *The size of the resulting development (residential or nonresidential) must be compatible with the general character of the defined neighborhood.*
- a. *In determining size compatibility of residential structures within the defined neighborhood, it is presumed that structures of a size within the larger of a total residential floor area of either (1) 125% of the median residential floor area for that defined neighborhood or (2) of a total residential floor area of 1,500 square feet in the mapped townsites of Allenspark, Eldora, Eldorado Springs, Raymond, and Riverside, or 2,500 square feet for all other areas of the County, are compatible with that neighborhood, subject also to a determination that the resulting size complies with the other Site Plan Review standards in this section 4-806.A.*

A. SIZE PRESUMPTION

The presumed compatible size of residential structures within the defined neighborhood (see Standard 1 above for the applicable neighborhood) is 2,500 square feet.

Median (total residential floor area) in the defined neighborhood*	978 square feet
125% of the median residential floor area in the defined neighborhood	1,223 square feet
Total existing residential floor area on the subject parcel*	0 square feet (vacant)
Total proposed residential floor area	4,787 square feet

*Source: Boulder County Assessor's records, as verified by CPP staff for the subject parcel.

- b. *Either the applicant or the Director may demonstrate that this presumption does not adequately address the size compatibility of the proposed development with the defined neighborhood.*
- i. *Factors to be considered when determining the adequacy of this presumption and whether it can be overcome include:*
- C. *For properties which are encumbered by a Boulder County conservation easement that specifies an allowable house size on that parcel, that specified home size is a factor to be considered in rebutting a size presumption which is smaller than the house size defined in the conservation easement.*

B. ABILITY TO OVERCOME THE SIZE PRESUMPTION

The presumed compatible size of residential structures within the defined neighborhood is 2,500 square feet total residential floor area. The applicants are proposing to construct a 3,887-square-foot residence with a 1,485-square-foot first floor, 1,815-square-foot second floor, 587-square-foot attached garage, and 625 square feet of covered porches, a 768-square-foot detached garage with a 192-square-foot covered porch, and two 120-square-foot sheds, all above grade and visible. Per Article 18-162 of the Code, covered porch area attached to the primary structure does not count as residential floor area. Therefore, the 625 square feet of covered porches do not count as residential floor area.

Article 4- 806.A.2.b. of the Code provides that either the applicant or Director may demonstrate that the presumed compatible size does not adequately address the size compatibility of the proposed development within the defined neighborhood. Per Article 4-806.A.2.b.i.C of the Code, for properties which are encumbered by a Boulder County conservation easement that specifies an allowable house size on that parcel, that specified home size is a factor to be considered in rebutting a size presumption which is smaller than the house size defined in the conservation easement.

A Deed of Conservation Easement in Gross recorded on October 16, 2001, at Reception Number 2208132 and an Amendment to Deed of Conservation Easement in Gross recorded on December 5, 2018, at Reception Number 3688788 allow for the construction of one single-family residence not to exceed 3,000 square feet along with two garages and two sheds that may be attached or detached and are not subject to square footage restrictions.

Instead of using a traditional frame construction, 15-inch thick eco block exterior wall construction is proposed for the residence. Due to the wall thickness required for this type of construction, at the applicants' request, the Community Planning & Permitting Department will calculate the square feet of these walls 6 inches from the interior of the exterior wall. Using this floor area calculation, the total residential floor area of the residence will be 3,000 square feet, excluding the attached garage. Therefore, the applicants' proposal for a residence, attached garage, detached garage, and sheds exceeds the presumed compatible size by 2,287 square feet.

With the modified square footage calculation described above, the applicants' proposal is consistent with the terms of the conservation easement. In addition, staff finds that the resulting size of 4,787 square feet (all above grade and visible) will not have a significant negative visual impact on the natural features or character of the applicable neighborhood or surrounding area. Specifically, the conservation easement includes language that protects the view corridor of the Peak-to-Peak Highway. Staff conducted a thorough on-site analysis of the proposed building locations and determined that the development will not be visible from surrounding properties and may be minimally visible from Peak-to-Peak Highway.

Therefore, staff finds that the subject proposal may overcome the presumed compatible size of 2,500 square feet total residential floor area.

C. APPROVED SIZE

RESIDENTIAL FLOOR AREA*	
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Total existing residential floor area on the subject parcel to remain	0 square feet
Approved NEW residential floor area	Maximum 3,000-square-foot residence** and 587-square-foot attached garage, 960-square-foot detached garage, and two 120-square-foot sheds
TOTAL approved resulting residential floor area	4,787 square feet

**Residential Floor Area includes all attached and detached floor area on a parcel including principal and accessory structures used or customarily used for residential purposes, such as garages, studios, pool houses, home offices, and workshops, excluding covered deck. Floor area does not include the area of any covered porch. Gazebos, carports, detached greenhouses and hoopouses up to a total combined size of 400 square feet are also exempt.*

******The Community Planning & Permitting Department will calculate the square feet of the 15-inch thick eco block exterior walls to be used for construction of the residence 6 inches from the interior of the exterior wall. Using this floor area calculation, the total residential floor area of the residence will be 3,000 square feet, excluding the attached garage.

3. ***The location of existing or proposed buildings, structures, equipment, grading, or uses shall not impose an undue burden on public services and infrastructure.***

ACCESS REQUIREMENTS

The subject property is accessed via State Highway 72 (SH 72), also known as the Peak-to-Peak Highway, a Colorado Department of Transportation (CDOT) owned and maintained right-of-way (ROW). Legal access has been demonstrated via adjacency to this public ROW.

Plans submitted by the applicants indicate the existing access point will be relocated approximately 130 feet to the east. The applicants must obtain relevant access permission from CDOT for the proposed relocation. Please consult with the CDOT Region 4 Permits Manager Tim Bilobran at timothy.bilobran@state.co.us for further guidance.

Prior to issuance of a building permit, submit written documentation from CDOT demonstrating approval for the proposed access.

The application materials indicate 469 cubic yards of earthwork will be used for the proposed driveway. The proposed driveway must comply with the [Boulder County Multimodal Transportation Standards](#) (the Standards) for residential development in the mountains, including without limitation:

- a. Table 5.5.1 – Parcel Access Design Standards
- b. Standard Drawing 11 – 12 Private Access
- c. Standard Drawing 14 – Access with Roadside Ditch

- d. Standard Drawing 15 – Access Profiles Detail
- e. Standard Drawing 16 – Access Grade & Clearance
- f. Standard Drawing 17 – Access Pullouts
- g. Standard Drawing 18 – Access Turnaround
- h. Standard Drawing 19 – Typical Turnaround & Pullout Locations

Plans submitted by the applicants demonstrate proposed access pullouts and turnarounds compliant with the Standards.

Plans submitted by the applicants indicate drainage ditches with grades of less than 2% along the south, west, and northern portions of the residence which are insufficient to convey storm flows. Per section 4-806.6 of the Land Use Code, anticipated drainage impacts for the development must be mitigated.

At building permit, provide updated drainage plans clearly indicating how runoff will be handled adjacent to the proposed residence.

Plans submitted by the applicants indicate a retention wall northwest of the shed, however no dimensions were provided. Per section 5.10.5 and Section 2.8.3 of the Standards, designs submitted at building permit for retaining walls or series of retaining walls over four feet tall, as measured from the bottom of the footing to the top of the wall, must be stamped by a qualified Colorado-licensed Professional Engineer. Calculations shall be submitted for any retaining walls over six feet in height.

At building permit, provide revised drawings indicating the height of all retaining walls along with the appropriate level of certification.

Plans submitted by the applicants indicate that the proposed disturbance area exceeds an acre in size, and therefore meets the requirements for a Boulder County Stormwater Quality Permit (SWQP). Please visit Boulder County's stormwater website at <https://bouldercounty.gov/transportation/permits/stormwater-quality-permit/> or contact tdstormwater@bouldercounty.org for more information.

At building permit, submit a SWQP or a SWQP Exception form. If required, the SWQP must be issued prior to any work beginning on this project.

Plans submitted by the applicants indicate a 16% grade for approximately 47 feet between station 1+19 and 1+66 of the proposed driveway. The base of the steep grade transitions to a turn to the west. Staff finds this design to be a potential safety hazard during inclement weather or if the location lacks sufficient solar access. Staff recommends the driveway be re-routed slightly to reduce the driveway grades and the turning radius at the base of the steep section.

During construction, all vehicles, materials, machinery, dumpsters, and other items shall be staged on the subject property. No items may be staged on the Peak to Peak Highway unless written permission from CDOT is obtained.

5. ***The site plan shall satisfactorily mitigate the risk of wildfire both to the subject property and those posed to neighboring properties in the surrounding area by the***

proposed development. In assessing the applicable wildfire risk and appropriate mitigation measures, the Director shall consider the referral comments of the County Wildfire Mitigation Coordinator and the applicable fire district, and may also consult accepted national standards as amended, such as the Urban-Wildland Interface Code; National Fire Protection Association (NFPA); International Fire Code; and the International Building Code.

WILDFIRE MITIGATION

Wildfire Mitigation is required; the proposed project is in [Wildfire Zone 1](#) (the foothills or mountains—approximately west of highways 7, 36, or 93) of the unincorporated portion of Boulder County. The Boulder County Wildfire Mitigation requirements are composed of site location, ignition-resistant materials and construction, defensible space, emergency water supply, and emergency vehicle access.

SITE LOCATION

A Boulder County Wildfire Mitigation Specialist has reviewed the site location as part of the Site Plan Review process. Ideally, all structures should be located as far from property lines as possible to maximize full defensible space – at least 100 feet – especially areas with large openings, overhangs, or cantilevers.

However, it is *recommended* that any driplines (decks, bay windows, and other eaves and overhangs) be at least 30 feet from the property line for minimally effective defensible space; the roof's eave dripline encroaches this. The distance needed for minimally effective defensible space – at least 30 feet between the dripline of the proposed project and the property lines – was found; at least 100 feet is recommended.

Given the wildland fuels and topography of the parcel, there is enough distance within the property to create and maintain defensible space around the proposed structures.

DEFENSIBLE SPACE

Adequate defensible space is required around all existing and new structures to prevent the spread of fire to and from structures. This requires limbing and/or removal of trees and shrubs to provide necessary vertical and horizontal fuel separation within a minimum of 100 ft. from the home and within 30 ft. along both sides of a driveway. More information can be found by referring to the Colorado State Forest Service publication [Protecting Your Home from Wildfire: Creating Wildfire-Defensible Zones – 2012 Quick Guide](#).

Follow the Colorado State University [FireWise Plant Materials – 6.305, Fire-Resistant Landscaping – 6.303](#), and Colorado State Forest Service [Protecting Your Home from Wildfire: Creating Wildfire-Defensible Zones – 2012 Quick Guide](#) publications when choosing plants and designing revegetation and landscaping.

EMERGENCY WATER SUPPLY

An emergency water supply is required to aid in the defense of the structures from a

wildfire and assist in firefighting efforts. The Indian Peaks Fire Protection District typically requires an individual cistern in lieu of contributing to a community cistern fund. Contact the Indian Peaks Fire Protection District for their individual cistern requirements at 303-459-3452. If the Fire Protection District does not have its own installation standards, follow the Boulder County publication: [Emergency Water Supply for Firefighting](#).

EMERGENCY VEHICLE CLEARANCE

Emergency vehicle clearance is required to allow for safe ingress and egress of emergency vehicles. Emergency personnel try their best to respond to calls in a timely manner, often while negotiating difficult terrain. Planning for access by emergency vehicles improves safety for homeowners and their families by providing for a more efficient response by firefighters and other emergency personnel arriving on the scene. This is especially important in rural and mountainous areas where response times may be considerably longer than in cities, where emergency services are closer by. Refer to the Boulder County publication: [Driveway Access for Emergency Vehicles](#) for specific clearance-related requirements.

TIMELINE

After applying for, but prior to issuance of any permits, a Boulder County Wildfire Mitigation Specialist will contact you to schedule a Wildfire Partners or Regulatory Wildfire Mitigation assessment and defensible space marking. Based upon the compliance path selected, either a Wildfire Partners Assessment report or a Wildfire Mitigation Plan will be created to describe the wildfire mitigation requirements.

Before scheduling rough framing inspections, the plan's defensible space and water supply portion must be implemented and inspected by the Community Planning & Permitting Department. All trees marked for removal must be cut, and all slash, cuttings, and debris must be removed and/or properly disposed of. The [Fire Sprinkler or Fire Cistern Approval Form](#) must be submitted to the Boulder County Building Safety & Inspection Services at ezbp@bouldercounty.org (or P.O. Box 471, Boulder, Colorado, 80306) after the fire protection district completes the applicable portion of the form. If an individual cistern was required, it must be located on-site in an appropriate location (subject to approval by the fire protection district), fitted with an appropriate dry hydrant connection, and be filled, and tested by the local fire protection district.

At the time of final inspection, all remaining required items in the Wildfire Partners Assessment report or the Wildfire Mitigation Plan are to be fully implemented and inspected. Ground surfaces within three feet of both existing and new structures, and at least 2 feet beyond the driplines of decks, bay windows, and other eaves and overhangs, must be covered with an allowable non-combustible ground cover over a weed barrier material. The driveway vertical and horizontal vegetation clearance must be in place and conform to the Parcel Access Design Standards in the [Boulder County Multimodal Transportation Standards](#).

7. *The development shall avoid significant natural ecosystems or environmental features, including but not necessarily limited to riparian corridors and wetland areas, plant*

communities, and wildlife habitat and migration corridors, as identified in the Comprehensive Plan or through the site plan review process. Development within or affecting such areas may be approved, subject to acceptable mitigation measures and in the discretion of the Director, only if no other sites on the subject property can be reasonably developed, or only if reasonably necessary to avoid significant adverse impacts based upon other applicable site plan review criteria.

A. WILDLIFE SAFE FENCE

Because this area serves as a mountain wildlife movement corridor, the following wildlife-safe specifications shall apply for any new fences:

- Fences should be kept as close to the developed portion of the site as possible.
- They should be made from materials like woven wire or tightly strung, single-strand wire. Chain-link fencing is not permitted except for small kennels, since wildlife can be easily entangled in mesh fencing.
- Top and bottom wires must be smooth, with wire spacing at 16, 22, 28, and 40 inches from the ground. The bottom wire must be at least 16 inches from the ground for the passing of young animals. The top two wires must be 12 inches apart to reduce entanglement. Because fences over 40 inches high may be lethal, they are not permitted.

10. *The development shall not have a significant negative visual impact on the natural features or neighborhood character of surrounding area. Development shall avoid prominent, steeply sloped, or visually exposed portions of the property. Particular consideration shall be given to protecting views from public lands and rights-of-way, although impacts on views of or from private properties shall also be considered. Development within or affecting features or areas of visual significance may be approved, subject to acceptable mitigation measures and in the discretion of the Director, only if no other sites on the subject property can be reasonably developed, or only if reasonably necessary to avoid significant adverse impacts based upon other applicable site plan review criteria.*

a. For development anywhere in the unincorporated areas of the county, mitigation of visual impact may include changing structure location, reducing or relocating windows and glazing to minimize visibility, reducing structure height, changing structure orientation, requiring exterior color and materials that blend into the natural environment, and/or lighting requirements to reduce visibility at night.

	APPROVED
Location:	As shown on the site plan dated 09/25/2023 and staked in the field
Elevations:	As shown in the application materials dated 09/25/2023
Height:	Residence: 29 feet from existing grade Detached Garage: 24 feet from existing grade Shed #1 and #2: 11 feet from existing grade
Exterior Materials:	Residence, Detached Garage, and Shed #1: Lime plaster siding, corten steel roofing;

	Shed #2: Cement board siding, asphalt shingle roofing
Exterior Colors:	Residence, Detached Garage, and Shed #1: Adobe Earth siding, Rusted Brown roofing; Shed #2: Beige siding, Redish roofing

A. HEIGHT VERIFICATION

Because the proposed height of the residence is within two feet of the maximum allowed 30 feet above existing grade, a licensed Surveyor must complete a Height Survey Verification Form.

Please note that the height verification is a two-part process that requires a licensed Surveyor to establish existing grade (the grade before any site work) prior to construction, in addition to a follow-up survey once all roof framing is in place. The two-part form must sufficiently establish existing grade in accordance with standard surveying practice.

Prior to issuance of building or grading permits, the [first part of the Height Survey Verification form](#) will be provided and must be completed and submitted to the Community Planning & Permitting Department.

Prior to rough frame inspection, the [second part of the form](#) will be provided and must be submitted to the Community Planning & Permitting Department.

B. TREE PRESERVATION

The preservation of existing trees and ground vegetation will provide visual screening from nearby areas, reduce soil erosion, and deter weed infestation. Only those trees necessary to clear the building site, provide access, install the individual sewage disposal system, and provide for defensible space/forest management may be removed.

Prior to issuance of building or grading permits, submit to the Community Planning & Permitting Department, for review and approval, a Tree Preservation Plan that indicates which trees will be preserved. The Tree Preservation Plan shall be included as part of the building plan set required at the time of permit application.

Prior to issuance of a Certificate of Occupancy, the full installation of the approved Tree Preservation Plan must be inspected and approved by the Community Planning & Permitting Department.

C. TREE PROTECTION

Tree protection devices (e.g., tree ring, construction fencing, or construction box) must be provided around any trees that are close to construction activity to ensure their protection during construction. Both the trees and their root systems need to be protected from construction. Tree protection devices must be maintained throughout the construction period.

Prior to issuance of building or grading permits, details regarding the placement and construction of the tree protection devices must be submitted to and approved by the Community Planning & Permitting Department. The Tree Protection Plan shall be included as part of the building plan set required at the time of permit application.

Prior to any grading or site disturbance, the Tree Protection Plan must be installed as required per the approved plans.

At the time of the footing foundation inspection and all subsequent inspections, the Community Planning & Permitting Department must confirm the full installation and maintenance of the approved Tree Protection Plan.

D. EXTERIOR COLORS AND MATERIALS

The application materials indicate Adobe Earth siding and Rusted Brown roofing will be used for the residence, the detached garage, and shed #1, and Beige siding and Redish roofing will be used for shed #2, although, no color samples were provided. Metal is also proposed to be used for the roofing. Samples of the exterior colors and metallic materials shall be provided to ensure visual impacts of the development are minimized and that the development blends in with the natural environment and neighborhood character of the surrounding area. Colors should be carefully selected from the dark to medium brown, gray, or green color range and materials should have a matte finish. This ensures that they are compatible with the policies and goals established by the Comprehensive Plan and provisions of the Land Use Code and will not result in an adverse impact on surrounding properties.

Prior to issuance of building permits, submit to the Community Planning & Permitting Department for review and approval, exterior color samples (color chips, brochure, or catalog page) and material samples to be used including roof, siding and trim. Please note that digital samples may be submitted and will be kept for the record. Samples should be included as part of the building plan set required at the time of permit application.

Prior to issuance of a Certificate of Occupancy, the Community Planning & Permitting Department must inspect and verify that the approved color samples are used on the new structure.

B. EXTERIOR LIGHTING

The locations and types of exterior lighting fixtures were not provided in the application. Given the rural character of the area, lighting has the potential to cause negative visual impacts. In order to minimize adverse visual impacts, lighting on site shall be limited to:

- Only one fixture is permitted for each exterior entrance.
- No landscape or driveway lighting is permitted.

Prior to issuance of building permits, one copy of a proposed lighting plan must be submitted to the Community Planning & Permitting Department for review and approval. [Down lighting](#) is required, meaning that all bulbs must be fully shielded to prevent light emissions above a horizontal plane drawn from the bottom of the fixture. The lighting

plan must indicate the location of all exterior fixtures on the site and structure, and must include cut sheets (manufacturer's specifications with picture or diagram) of all proposed fixtures. The lighting plan shall be included as part of the building plan set required at the time of permit application.

Prior to issuance of a Certificate of Occupancy/At the final inspection, the full installation of the approved lighting plan must be inspected and approved by the Community Planning & Permitting Department.

11. *The location of the development shall be compatible with the natural topography and existing vegetation and the development shall not cause unnecessary or excessive site disturbance. Such disturbance may include but is not limited to long driveways, over-sized parking areas, or severe alteration of a site's topography. Driveways or grading shall have a demonstrated associated principal use.*

A. LOCATION

The locations shown on the site plan dated September 25, 2023 and staked in the field are approved as proposed.

B. EARTHWORK AND GRADING

The following earthwork and grading requirements are approved.

Driveway Earthwork:	269 cubic yards cut and 200 cubic yards fill
Foundational Earthwork: (exempt from 500 cubic yards threshold)	479 cubic yards cut and 135 cubic yards backfill

C. GRADING PLAN

The application materials indicate that construction of the residence, detached garage, and sheds will require 479 cubic yards of foundation cut and 135 cubic yards of backfill, but do not indicate where the excess foundation cut is to be used. Additionally, 469 cubic yards of non-foundational grading is proposed for the driveway, in the locations indicated on the site plan.

Prior to issuance of building or grading permits, a detailed grading plan stamped and signed by a Colorado licensed Architect, Landscape Architect, or Professional Engineer must be submitted to and approved by the Community Planning & Permitting Department. This plan must include, but is not limited to, the following:

- a. All existing and proposed elevation contours in areas proposed to be disturbed (i.e., building site, terraces, parking, drive, septic system, well, and emergency access) must be shown at one or two foot intervals.
- b. Cross-sections for all retaining walls must be provided. Retaining walls more than four feet in height from the bottom of the footing to the top will require engineered plans and separate building permits.

- c. Cross sections along the proposed driveway must be provided at 50-foot intervals. These cross sections must indicate the full range of grading and reclamation techniques to be implemented.
- d. The amount of earthwork in cubic yards and all calculations from which earthwork amounts were derived must be provided.
- e. A drainage plan with detailed information on the effects of the proposed development on the historic drainage pattern and how these impacts will be mitigated must be provided. This drainage plan must conform to the provisions of the [Boulder County Storm Drainage Criteria Manual](#).
- f. A narrative describing where any excess cut (other than that used for backfill within the foundation) is to be transported. If the cut is to be located on site as fill, be sure to delineate the fill location and method of revegetation on the plan. The location of any excess fill on the site will have to be approved by the Community Planning & Permitting Department.

Prior to issuance of a Certificate of Occupancy, the location and receipt for transport and dumping must be submitted to the Community Planning & Permitting Department so that receipt of fill materials may be verified.

All reasonable efforts shall be made to minimize the site disturbance associated with this development proposal. If total earthwork (excluding normal excavation contained within structure footings and foundations) is close to the 500 cubic yard trigger for [Limited Impact Special Use Review](#), then all plans will need to be certified by a licensed professional engineer.

D. UTILITIES

To minimize disturbances to the site, all utility service lines shall be routed underground (see [Article 7-1200](#) of the Land Use Code) and should be located in areas already disturbed or proposed to be disturbed (e.g., along driveway).

Prior to issuance of building and grading permits, submit to the Community Planning & Permitting Department for review and approval a plan depicting the routing of all utility services. The utility routing plan shall be included as part of the building plan set required at the time of permit application.

At the time of building inspections, full installation of the utilities per the approved plan must be inspected and confirmed by the Community Planning & Permitting Department.

12. *Runoff, erosion, and/or sedimentation from the development shall not have a significant adverse impact on the surrounding area.*

A. REVEGETATION AND WEED CONTROL PLAN

More information is required regarding the proposed method of revegetation for site disturbances associated with construction. The existing two-track road, shown on submitted civil sheets north of the proposed residence location, must also be decommissioned and revegetated. Additionally, the noxious weeds identified on the property must be contained and suppressed, and dispersal of their seeds must be

prevented. Weeds are invasive or noxious plant species. Site disturbances provide an opportunity for weeds to germinate and spread to neighboring properties, which include National Forest lands. During a site visit, staff observed a significant amount of Canada Thistle on the property.

Prior to issuance of building or grading permits, submit to the Community Planning & Permitting Department for review and approval one copy of a Revegetation & Weed Control Plan (see [Revegetation Page](#) for info and examples). The plan should also identify what county listed noxious weeds are known to be on the property, their location, and the proposed method of weed control. For assistance in how to eradicate weeds please contact the county's weed management coordinator at 303-678-6110 or the CSU Weed Extension Agent at 303-776-4865. Every attempt should be made to preserve the existing vegetation and minimize ground disturbance. No species on List A, B or C in the county's [Noxious Weed Management Plan](#) may be used to meet revegetation requirements.

The plan must also show the location of all erosion control devices such as silt fence, straw bales, riprap and retaining walls. Cut and fill slopes are not to exceed a slope of 2:1 (slopes of 1.5:1 may be allowed in areas with soils and exposures conducive to good revegetation or if the plan takes steps to improve the revegetative properties of the site.) The grade of all cut and fill slopes must be included on the revegetation plan. The plan must include details regarding the reclamation of existing and proposed cut and fill slopes.

Prior to issuance of a Certificate of Occupancy /At the time of final inspection, the full installation of the approved revegetation plan must be inspected and approved by the Community Planning & Permitting Department. If weather is not conducive to seeding or if adequate revegetation efforts have not occurred and vegetation is not adequately established at the time of final inspection request, an irrevocable letter of credit or monies deposited into a County Treasurer account will be required to assure the success of revegetation. You should consider the following well in advance of your revegetation inspection:

- a. Whether you are applying for a Certificate of Occupancy, final inspection, or the return of funds held in escrow for completion of revegetation, some level of germination and growth of grass seed is required.
- b. Keep in mind that the steeper the slopes and dryer the soil, the greater the attention needed to establish a level of germination adequate to obtain revegetation approval.
- c. Areas of disturbance found at inspection not included on the revegetation plan are still subject to reseeding and matting.

Incomplete revegetation is the leading cause for delays in obtaining a Certificate of Occupancy.

B. SILT FENCE

A silt barrier must be installed down slope of all disturbed areas prior to construction and maintained throughout the construction process until revegetation has been established. Silt barrier construction shall be in accordance with the Colorado Storm Water regulations (see our [silt barrier](#) handout). If any surface water is channeled around or

through the disturbed areas, anchored straw bale barriers shall also be installed to filter and slow channeled flow.

Prior to issuance of building or grading permits, details regarding the placement and construction of the silt fence must be submitted to and approved by the Community Planning & Permitting Department. The placement and profile of the silt fence may be shown on the Revegetation Plan. The silt fence must be installed before construction commences and remain in place until vegetation is sufficiently established on the disturbed soil.

Prior to any grading or site disturbance, the silt barrier location and materials must be installed as required per the approved plans.

At the time of the footing foundation inspection and all subsequent inspections, the Community Planning & Permitting Department must confirm the silt barrier location and materials have been installed as required per the approved plans. Any other areas on site are subject to installation of silt fences, if needed.

15. *The proposal shall be consistent with the Comprehensive Plan, any applicable intergovernmental agreement affecting land use or development, and this Code.*

ADDITIONAL REQUIREMENTS AND INFORMATION:

BUILDING PERMIT: A building permit, plan review, inspection approvals, and a Certificate of Occupancy (“C.O.”) are required for the proposed residence and for the detached garage.

Please refer to the county’s adopted 2015 editions of the International Codes and code amendments, which can be found via the internet under the link:

2015 Building Code Adoption & Amendments:

[Amendments to Boulder County Building Code effective June 6, 2022](#)

AUTOMATIC FIRE SPRINKLER SYSTEM: Under the 2015 International Residential Code (“IRC”) as adopted by Boulder County, all new one- and two-family dwellings and townhouses are required to be equipped with an automatic fire sprinkler system that is designed and installed in accordance with NFPA 13D or IRC Section P2904.

BOULDER COUNTY BUILDSMART REQUIREMENTS: Please refer to the county’s adoption and amendments to Chapter 11 of the IRC, the county’s “BuildSmart” program, for the applicable requirements for energy conservation and sustainability for residential additions and new residential buildings. Please be aware that there are energy related requirements of this code that may require the use of renewable energy systems (such as rooftop solar systems) that will also need to be approved by your electric utility provider. In some cases, there may be limitations on the size of on-site systems allowed by your utility provider that could constrain the project design. We strongly encourage discussions between the design team and the utility company as early in the process as possible in order to identify these constraints.

ELECTRIC VEHICLE CHARGING: Boulder County Building Code requires:

- a. R329.1 Electric vehicle charging pre-wire option. In addition to the one 125-volt receptacle outlet required for each car space by NEC Section 210.52(G)(1.), every new garage or carport that is accessory to a one- or two-family dwelling or townhouse shall include at least one of the following, installed in accordance with the requirements of Article 625 of the Electrical Code:
 - i. A Level 2 (240-volt) electric vehicle charging receptacle outlet, or
 - ii. Upgraded wiring to accommodate the future installation of a Level 2 (240-volt) electric vehicle charging receptacle outlet, or
 - iii. Electrical conduit to allow ease of future installation of a Level 2 (240-volt) electric vehicle charging receptacle outlet.

DESIGN WIND AND SNOW LOADS: The design wind and ground snow loads for the property are 175 mph (Vult) and 55 psf, respectively.

IGNITION-RESISTANT CONSTRUCTION AND DEFENSIBLE SPACE: Please refer to Section R327 of the Boulder County Building Code for wildfire hazard mitigation requirements, including ignition-resistant construction and defensible space.

PLAN REVIEW: The items listed above are a general summary of some of the county's building code requirements. A much more detailed plan review will be performed at the time of building permit application, when full details are available for review, to assure that all applicable minimum building codes requirements are to be met. Our [Residential Plan Check List](#) and other Building Safety publications can be found at: [Building Publications, Applications and Forms - Boulder County](#)

PUBLIC HEALTH ONSITE WASTEWATER TREATMENT SYSTEM REQUIREMENTS:OWTS Application Needed:

1. An onsite wastewater treatment system (OWTS) permit has not been issued by Boulder County Public Health for this property. The owner or their agent (e.g., contractor) must apply for an OWTS permit, and the OWTS permit must be issued prior to installation and before a building permit can be obtained. The OWTS components must be installed, inspected, and approved before a Certificate of Occupancy or Final Building Inspection approval will be issued by Community Planning and Permitting (CP&P).
2. Boulder County Public Health must conduct an onsite investigation and review percolation rates, soil conditions and any design plans and specifications prior to OWTS permit issuance.
3. The OWTS absorption field must be located a minimum distance of 100' from all wells, 25' from waterlines, 50' from waterways and 10' from property lines. Setbacks between all buildings and the OWTS serving this property and OWTS serving neighboring properties, must be in accordance with the Boulder County OWTS Regulations, Table 7-1.



Boulder County Land Use Department

Courthouse Annex Building
2045 13th Street • PO Box 471 • Boulder, Colorado 80302
Phone: 303-441-3930
Email: planner@bouldercounty.org
Web: www.bouldercounty.org/lu
Office Hours: Mon., Wed., Thurs., Fri. 8 a.m. to 4:30 p.m.
Tuesday 10 a.m. to 4:30 p.m.

Shaded Areas for Staff Use Only
Intake Stamp

Planning Application Form

The Land Use Department maintains a submittal schedule for accepting applications. Planning applications are accepted on Mondays, by appointment only. Please call 303-441-3930 to schedule a submittal appointment.

Project Number		Project Name					
<input type="checkbox"/> Appeal <input type="checkbox"/> Correction Plat <input type="checkbox"/> Exemption Plat <input type="checkbox"/> Final Plat <input type="checkbox"/> Limited Impact Special Use <input type="checkbox"/> Limited Impact Special Use Waiver <input type="checkbox"/> Location and Extent		<input type="checkbox"/> Modification of Site Plan Review <input type="checkbox"/> Modification of Special Use <input type="checkbox"/> Preliminary Plan <input type="checkbox"/> Resubdivision (Replat) <input type="checkbox"/> Rezoning		<input type="checkbox"/> Road Name Change <input type="checkbox"/> Road/Easement Vacation <input checked="" type="checkbox"/> Site Plan Review <input type="checkbox"/> Site Plan Review Waiver <input type="checkbox"/> Sketch Plan <input type="checkbox"/> Special Use/SSDP		<input type="checkbox"/> Special Use (Oil & Gas development) <input type="checkbox"/> State Interest Review (1041) <input type="checkbox"/> Subdivision Exemption <input type="checkbox"/> Variance <input type="checkbox"/> Other:	
Location(s)/Street Address(es) 48733 Peak to Peak Hwy							
Subdivision Name Unincorporated Boulder County							
Lot(s)	Block(s)	Section(s) 17	Township(s) 2N	Range(s) 72			
Area in Acres 88.15	Existing Zoning Forestry	Existing Use of Property Conservation Easement		Number of Proposed Lots 1			
Proposed Water Supply New well			Proposed Sewage Disposal Method New Septic System				

Applicants:

Applicant/Property Owner Vicki McVey & Jesse Dow		Email vsmcvey@gmail.com, jesse@datti.org			
Mailing Address 12 Tilgham Road					
City Ward	State CO	Zip Code 80481	Phone		
Applicant/Property Owner/Agent/Consultant Nathan Knecht		Email nathan@connectarchitecture.com			
Mailing Address 1510 Zamia Avenue Apt 103					
City Boulder	State CO	Zip Code 80304	Phone (303)579-4432		
Agent/Consultant		Email			
Mailing Address					
City	State	Zip Code	Phone		

Certification (Please refer to the Regulations and Application Submittal Package for complete application requirements.)

I certify that I am signing this Application Form as an owner of record of the property included in the Application. I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. I understand that all materials required by Boulder County must be submitted prior to having this matter processed. I understand that public hearings or meetings may be required. I understand that I must sign an Agreement of Payment for Application processing fees, and that additional fees or materials may be required as a result of considerations which may arise in the processing of this docket. I understand that the road, school, and park dedications may be required as a condition of approval.

I understand that I am consenting to allow the County Staff involved in this application or their designees to enter onto and inspect the subject property at any reasonable time, without obtaining any prior consent.

All landowners are required to sign application. If additional space is needed, attach additional sheet signed and dated.

Signature of Property Owner 	Printed Name Vicki McVey	Date 09/12/23
Signature of Property Owner 	Printed Name Jesse Dow	Date 09/12/23

The Land Use Director may waive the landowner signature requirement for good cause, under the applicable provisions of the Land Use Code.



Community Planning & Permitting

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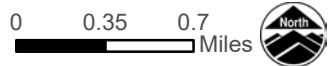
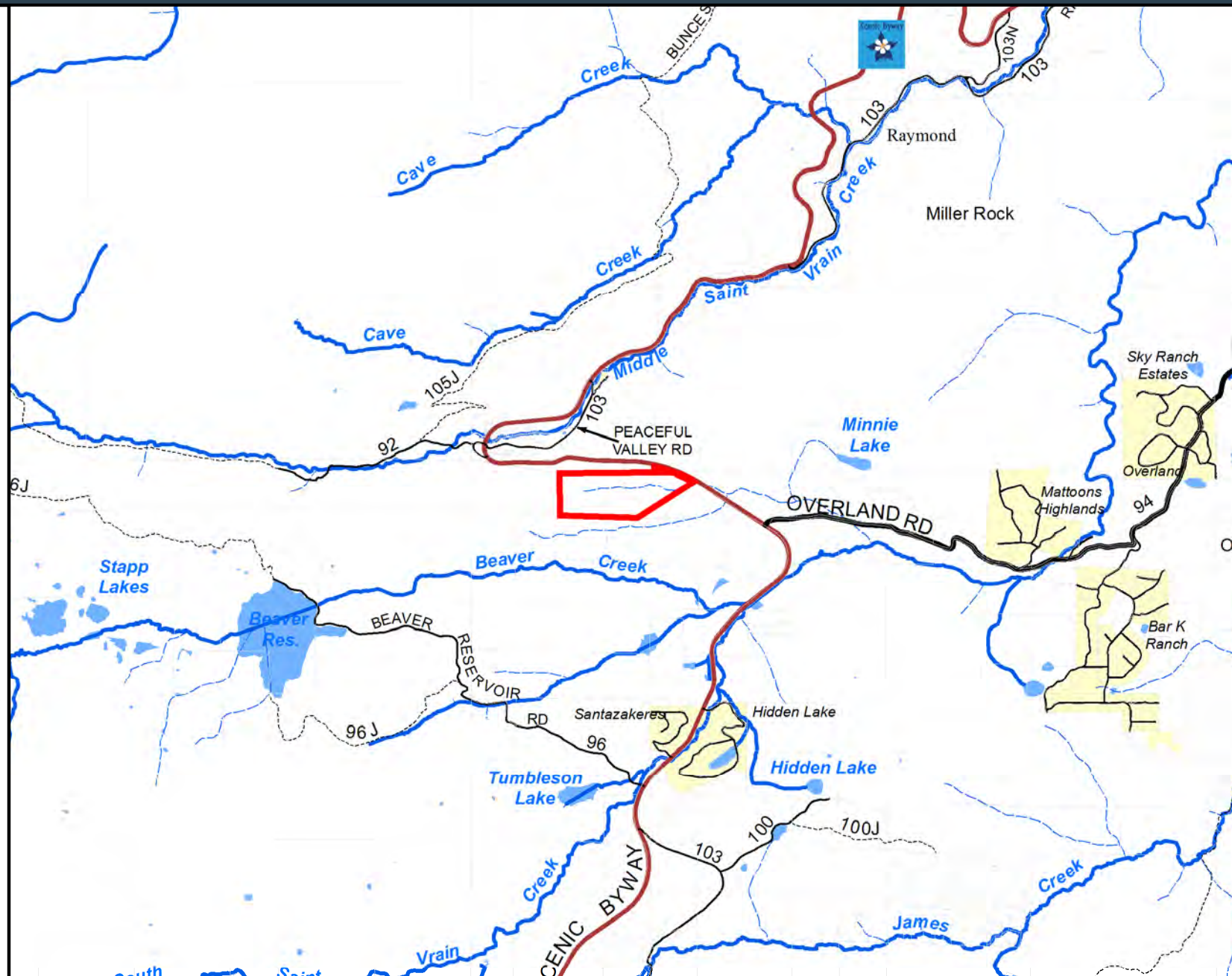
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48733 PEAK TO PEAK HWY

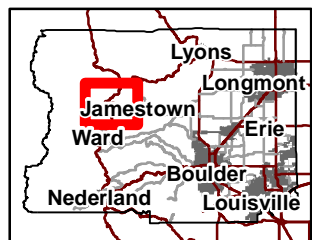
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Subdivisions

Subdivisions



Area of Detail Date: 11/28/2022



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Aerial

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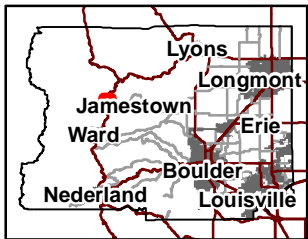
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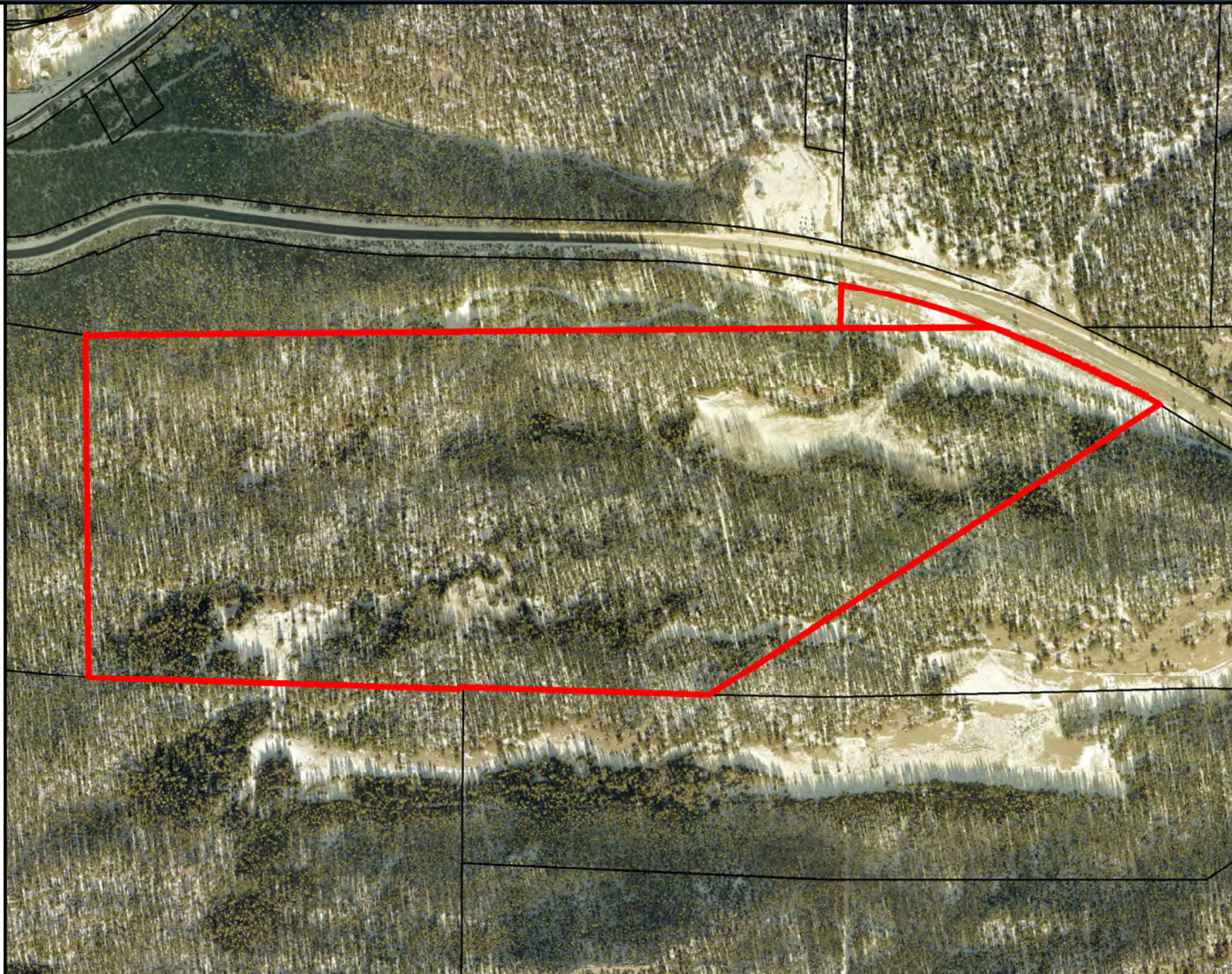
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Aerial

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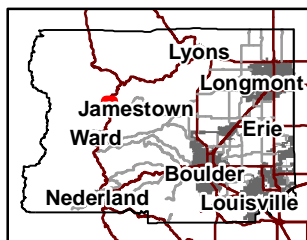
 Subject Parcel



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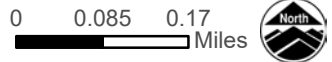
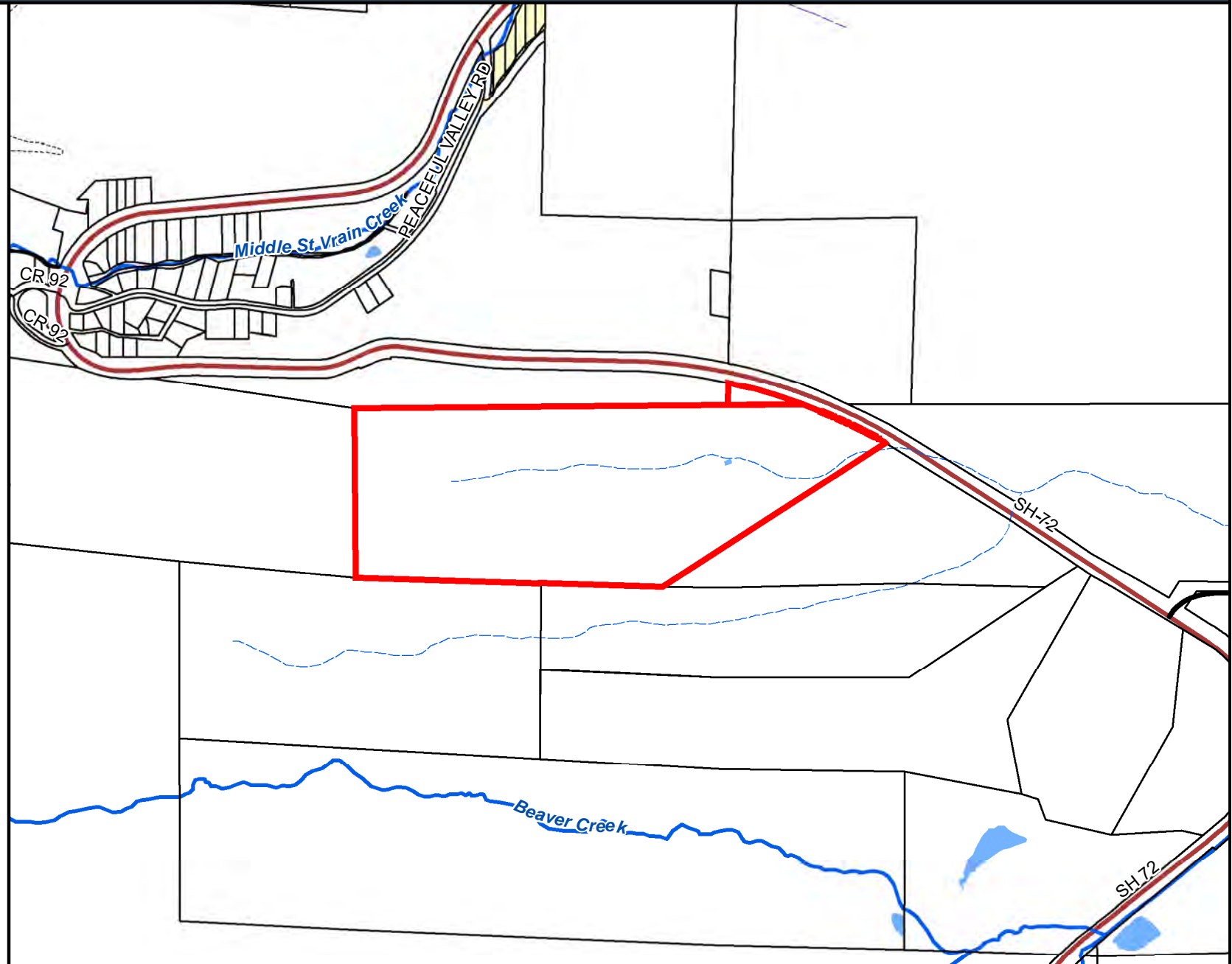
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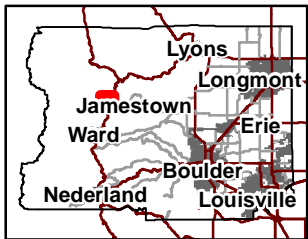
Subject Parcel

Subdivisions

Subdivisions



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Zoning

48733 PEAK TO PEAK HWY

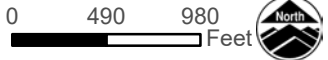
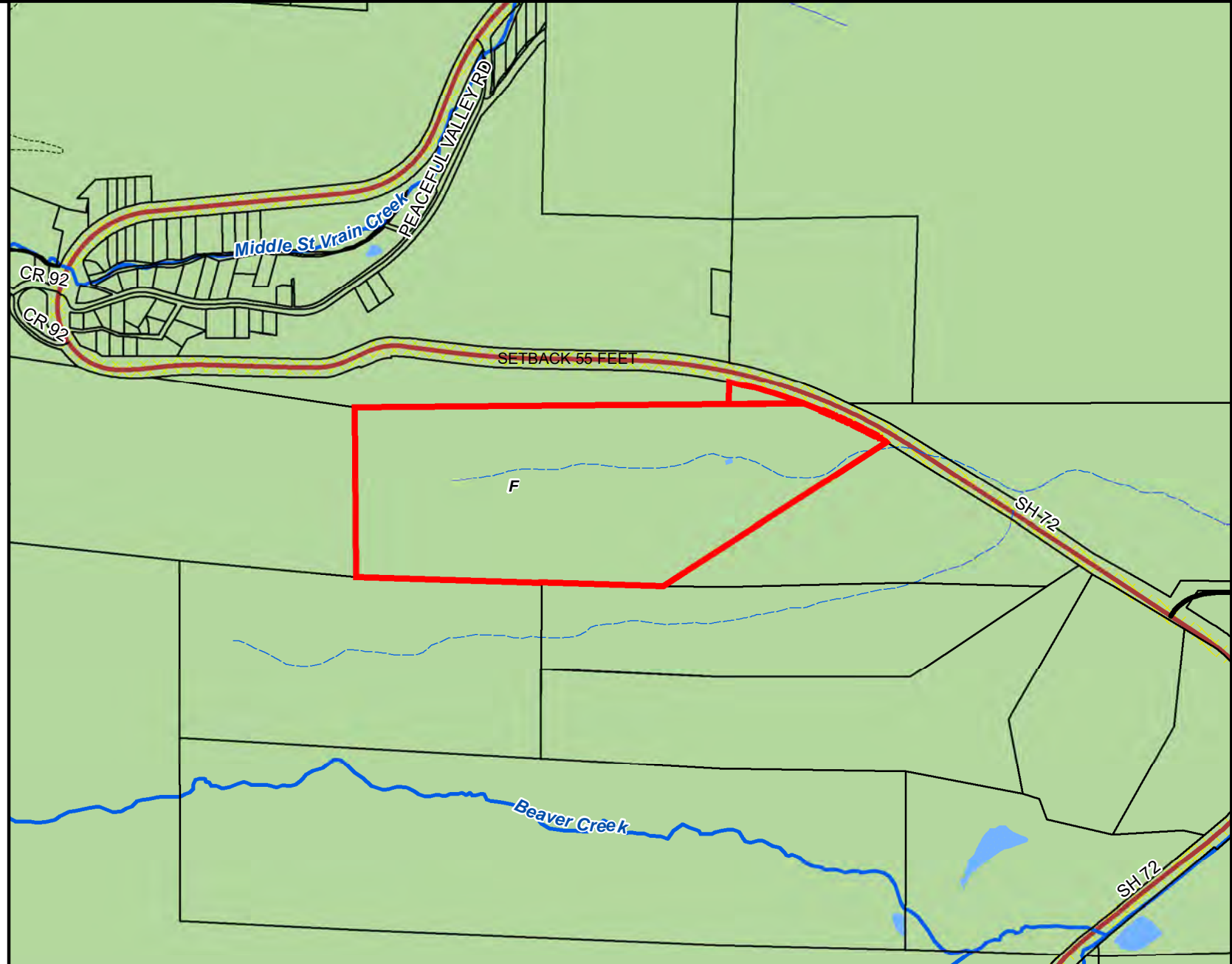
Subject Parcel

Zoning Districts

Forestry

Major Road Setbacks

55 feet



Area of Detail Date: 11/28/2022



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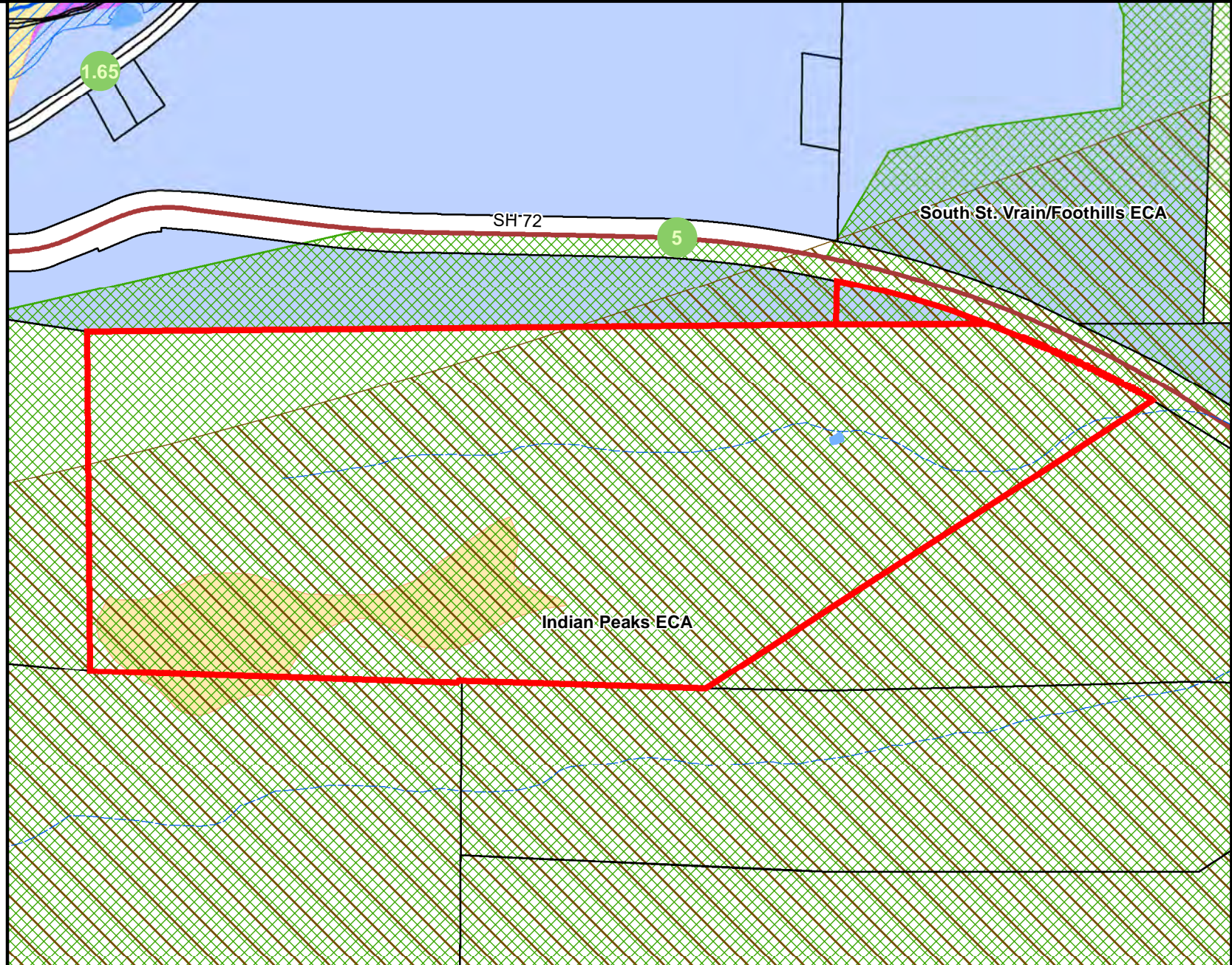


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Comprehensive Plan 48733 PEAK TO PEAK HWY

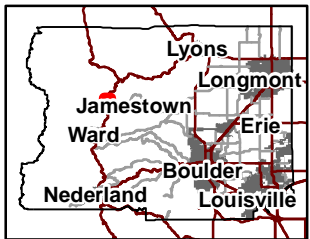
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-  Wildlife Migration Corridors
-  Environmental Conservation Areas
-  Riparian Areas
-  Significant Natural Communities
-  Riparian Habitat Connectors
-  Peak to Peak Scenic Corridor



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Area of Detail Date: 11/28/2022





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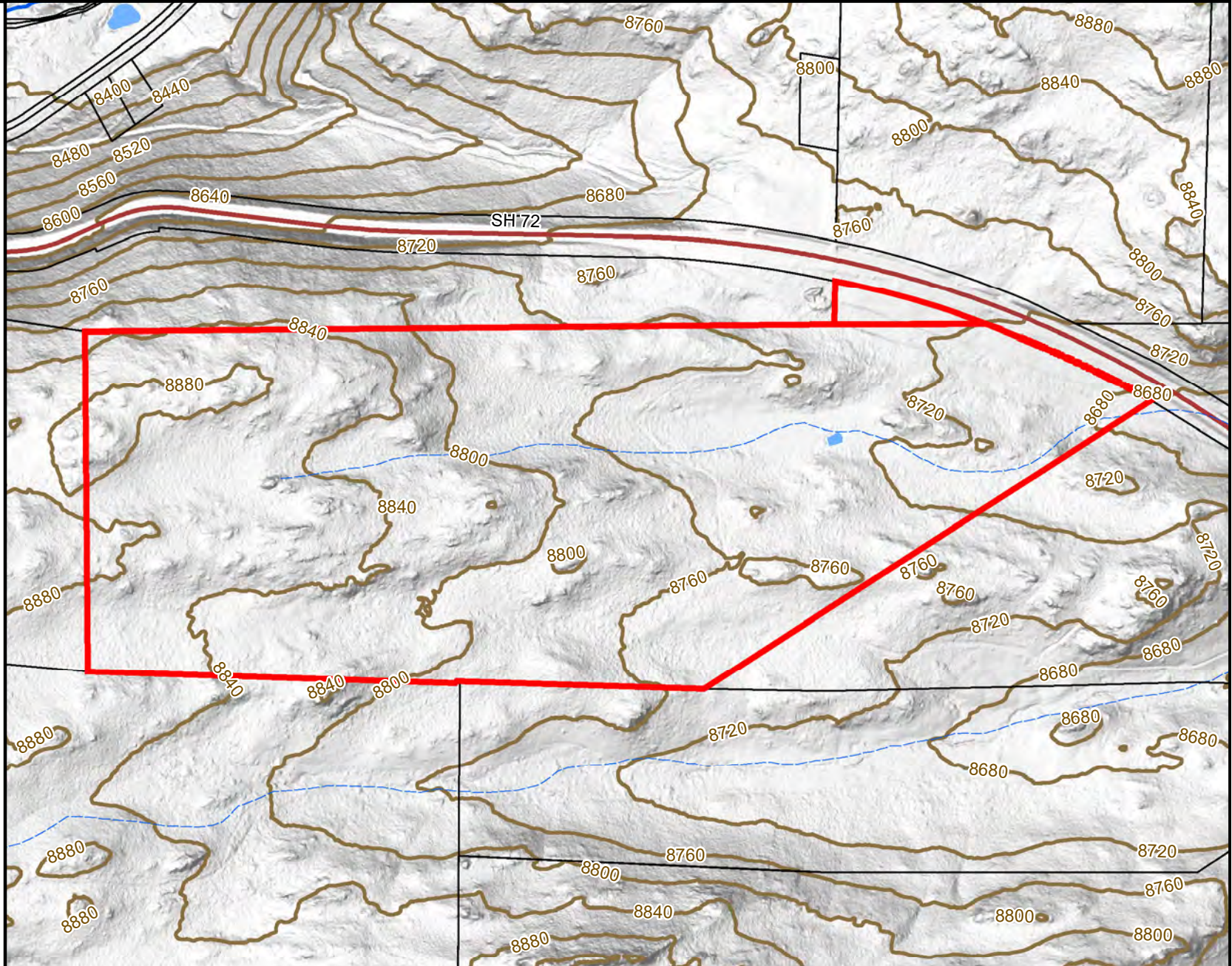


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Elevation Contours 48733 PEAK TO PEAK HWY

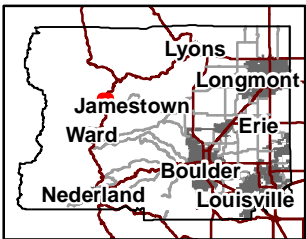
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-  Contours 40'



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Area of Detail Date: 11/28/2022



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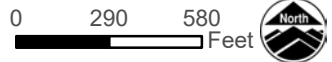
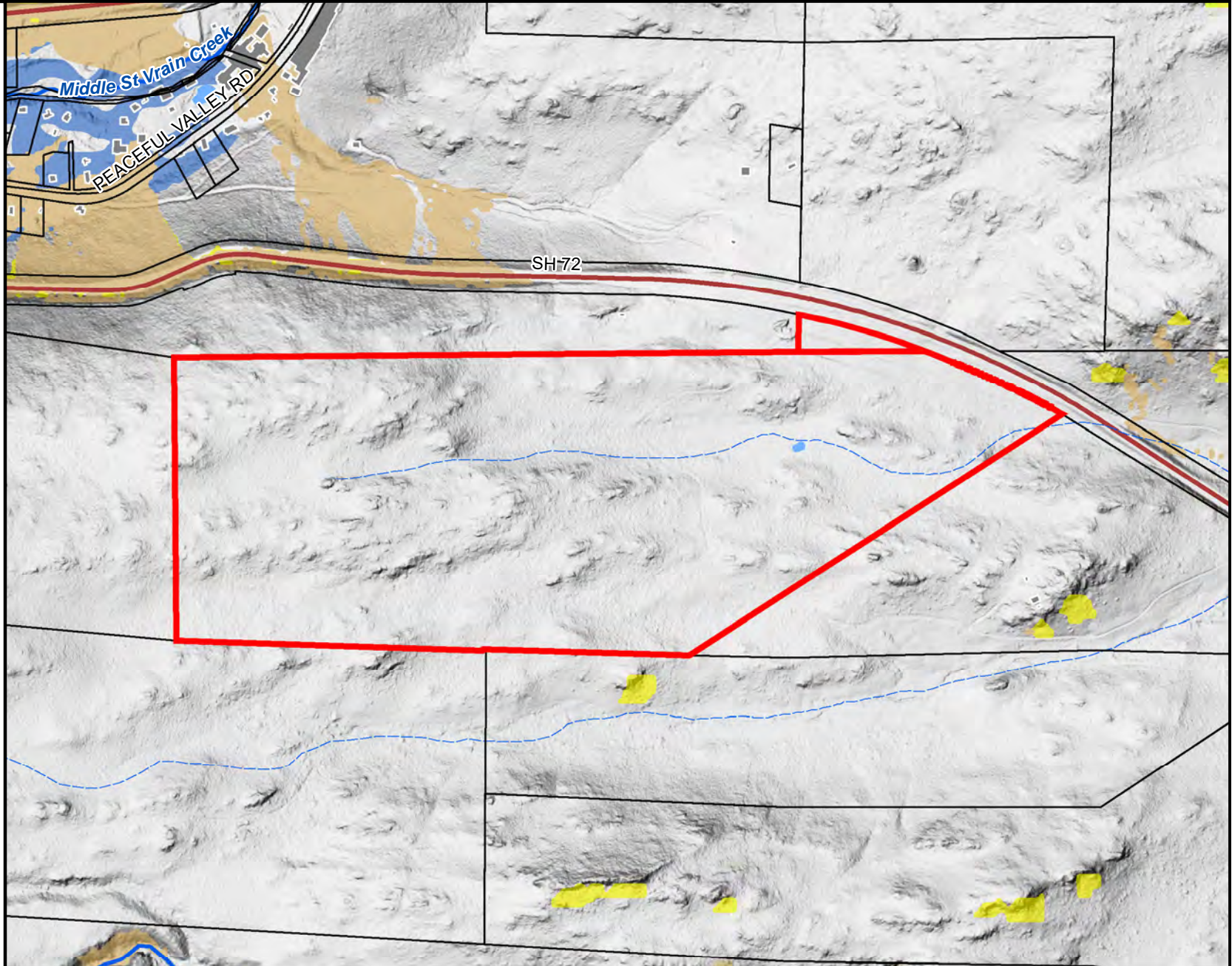
Community Planning & Permitting

2045 13th Street, Boulder, CO 80302 303-441-3930 www.bouldercounty.org

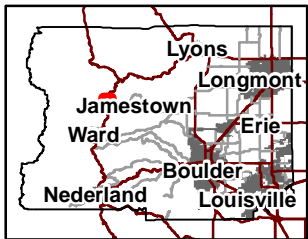
Geologic Hazards

48733 PEAK TO PEAK HWY

 Subject Parcel



Area of Detail Date: 11/28/2022



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Public Lands & CEs
48733 PEAK TO PEAK HWY

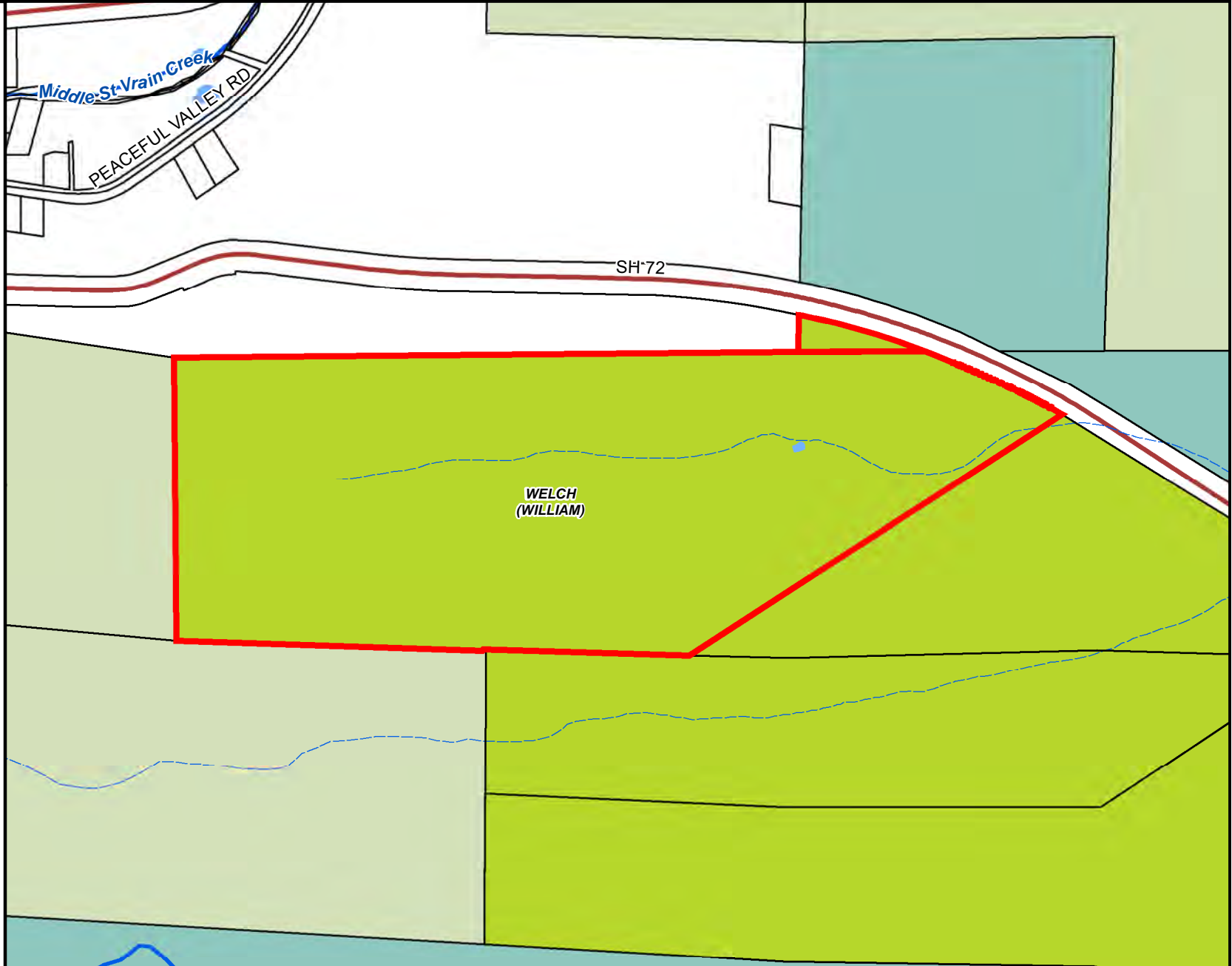
Subject Parcel

Boulder County Open Space

County Conservation Easement

Federal Lands

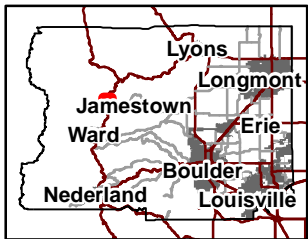
USFS Land
 Private
 Conservation Easements



0 0.05 0.1 Miles



Area of Detail Date: 11/28/2022



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Site Plan Review Fact Sheet

The applicant(s) is/are required to complete each section of this Site Plan Review (SPR) Fact Sheet even if the information is duplicated elsewhere in the SPR application. Completed Fact Sheets reduce the application review time which helps expedite the Director's Determination. Please make duplicates of this SPR Fact Sheet if the project involves more than two structures.

Structure #1 Information

Type of Structure: (e.g. residence, studio, barn, etc.)		Residence			
Total Existing Floor Area: (Finished + Unfinished square feet including garage if attached.)		0 sq. ft.	Deconstruction:		0 sq. ft.
Are new floor areas being proposed where demolition will occur? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (include the new floor area square footage in the table below)					
Proposed Floor Area (New Construction Only)				<input checked="" type="checkbox"/> Residential	
				<input type="checkbox"/> Non-Residential	
	Finished	Unfinished	Total	Height (above existing grade)	29'-0"
Basement:	sq. ft.	sq. ft.	0 sq. ft.	Exterior Wall Material	Lime Plaster
First Floor:	1485 sq. ft.	sq. ft.	1485 sq. ft.	Exterior Wall Color	Adobe Earth
Second Floor:	1815 sq. ft.	sq. ft.	1815 sq. ft.	Roofing Material	Corten Steel
Garage: <input type="checkbox"/> Detached <input checked="" type="checkbox"/> Attached	sq. ft.	587 sq. ft.	587 sq. ft.	Roofing Color	rusted brown
*Covered Porch:	sq. ft.	625 sq. ft.	625 sq. ft.	Total Bedrooms	5
Total:	sq. ft.	sq. ft.	4512 sq. ft.		

Structure #2 Information

Type of Structure: (e.g. residence, studio, barn, etc.)		Maintenance Garage			
Total Existing Floor Area: (Finished + Unfinished square feet including garage if attached.)		0 sq. ft.	Deconstruction:		0 sq. ft.
Are new floor areas being proposed where demolition will occur? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (include the new floor area square footage in the table below)					
Proposed Floor Area (New Construction Only)				<input checked="" type="checkbox"/> Residential	
				<input type="checkbox"/> Non-Residential	
	Finished	Unfinished	Total	Height (above existing grade)	24'-0"
Basement:	sq. ft.	sq. ft.	sq. ft.	Exterior Wall Material	Lime Plaster
First Floor:	sq. ft.	sq. ft.	sq. ft.	Exterior Wall Color	Adobe Earth
Second Floor:	sq. ft.	sq. ft.	sq. ft.	Roofing Material	Corten Steel
Garage: <input checked="" type="checkbox"/> Detached <input type="checkbox"/> Attached	sq. ft.	768 sq. ft.	768 sq. ft.	Roofing Color	rusted brown
*Covered Porch:	sq. ft.	192 sq. ft.	192 sq. ft.	Total Bedrooms	0
Total:	sq. ft.	sq. ft.	960 sq. ft.		

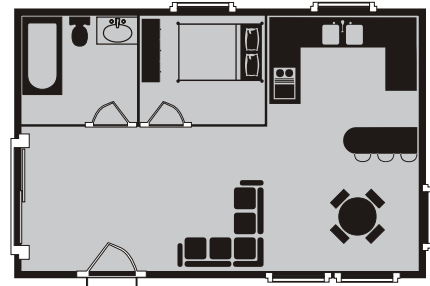
*See Article 18-131A for definition of covered porch.

Project Identification:

Project Name:
Property Address/Location:
Current Owner:
Size of Property in Acres:

Determining Floor Area

Floor Area is measured in terms of square feet. The total square footage is as everything within the exterior face of the exterior walls including garages and basements. **Covered porch area that is attached to the principal structure is not included (see Article 18-131A).** The shaded area on the diagram indicates the area counted as square feet.



Residential vs. Non-Residential Floor Area

Residential Floor Area includes all attached and detached floor area (as defined in Article 18-162) on a parcel, including principal and accessory structures used or customarily used for residential purposes, such as garages, studios, pool houses, home offices and workshops. Gazebos and carports up to a total combined size of 400 square feet are exempt. Barns used for agricultural purposes are not considered residential floor area.

Note: If an existing wall(s) and/or roof(s) are removed and a new wall(s)/roof(s) are constructed, the associated floor area due to the new wall(s)/roof(s) are considered new construction and must be included in the calculation of floor area for the Site Plan Review and shown on this Fact Sheet.

If a Limited Impact Special Review is required, then call 303-441-3930 and ask for a new Pre-Application conference for the Limited Impact Special Review.

Site Plan Review Fact Sheet

The applicant(s) is/are required to complete each section of this Site Plan Review (SPR) Fact Sheet even if the information is duplicated elsewhere in the SPR application. Completed Fact Sheets reduce the application review time which helps expedite the Director's Determination. Please make duplicates of this SPR Fact Sheet if the project involves more than two structures.

Structure #3 Information

Type of Structure: (e.g. residence, studio, barn, etc.)			Shed #1		
Total Existing Floor Area: (Finished + Unfinished square feet including garage if attached.)			0 sq. ft.	Deconstruction: 0 sq. ft.	
Are new floor areas being proposed where demolition will occur? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (include the new floor area square footage in the table below)					
Proposed Floor Area (New Construction Only)				<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Non-Residential	
	Finished	Unfinished	Total	Height (above existing grade)	11'-0"
Basement:	sq. ft.	sq. ft.	sq. ft.	Exterior Wall Material	Lime Plaster
First Floor:	sq. ft.	120 sq. ft.	sq. ft.	Exterior Wall Color	Adobe Earth
Second Floor:	sq. ft.	sq. ft.	sq. ft.	Roofing Material	Corten Steel
Garage: <input type="checkbox"/> Detached <input type="checkbox"/> Attached	sq. ft.	sq. ft.	sq. ft.	Roofing Color	rusted brown
*Covered Porch:	sq. ft.	sq. ft.	sq. ft.	Total Bedrooms	0
Total:	sq. ft.	sq. ft.	120 sq. ft.		

Structure #4 Information

Type of Structure: (e.g. residence, studio, barn, etc.)			Shed #2		
Total Existing Floor Area: (Finished + Unfinished square feet including garage if attached.)			0 sq. ft.	Deconstruction: 0 sq. ft.	
Are new floor areas being proposed where demolition will occur? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (include the new floor area square footage in the table below)					
Proposed Floor Area (New Construction Only)				<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Non-Residential	
	Finished	Unfinished	Total	Height (above existing grade)	11'-0"
Basement:	sq. ft.	sq. ft.	sq. ft.	Exterior Wall Material	cement board
First Floor:	sq. ft.	120 sq. ft.	sq. ft.	Exterior Wall Color	Beige
Second Floor:	sq. ft.	sq. ft.	sq. ft.	Roofing Material	asphalt shingle
Garage: <input type="checkbox"/> Detached <input type="checkbox"/> Attached	sq. ft.	sq. ft.	sq. ft.	Roofing Color	redish
*Covered Porch:	sq. ft.	sq. ft.	sq. ft.	Total Bedrooms	0
Total:	sq. ft.	sq. ft.	120 sq. ft.		

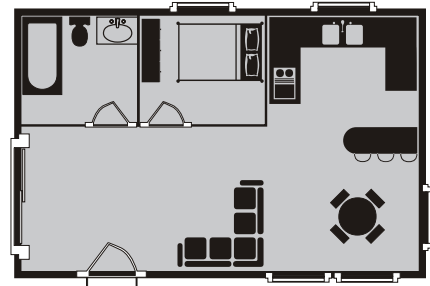
*See Article 18-131A for definition of covered porch.

Project Identification:

Project Name:
Property Address/Location:
Current Owner:
Size of Property in Acres:

Determining Floor Area

Floor Area is measured in terms of square feet. The total square footage is as everything within the exterior face of the exterior walls including garages and basements. **Covered porch area that is attached to the principal structure is not included (see Article 18-131A).** The shaded area on the diagram indicates the area counted as square feet.



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Note: If an existing wall(s) and/or roof(s) are removed and a new wall(s)/roof(s) are constructed, the associated floor area due to the new wall(s)/roof(s) are considered new construction and must be included in the calculation of floor area for the Site Plan Review and shown on this Fact Sheet.

If a Limited Impact Special Review is required, then call 303-441-3930 and ask for a new Pre-Application conference for the Limited Impact Special Review.

Grading Calculation

Cut and fill calculations are necessary to evaluate the disturbance of a project and to verify whether or not a Limited Impact Special Review is required. Limited Impact Special Review is required when grading for a project involves more than 500 cubic yards (minus normal cut/fill and backfill contained within the foundation footprint).

If grading totals are close to the 500 yard trigger, additional information may be required, such as a grading plan stamped by a Colorado Registered Professional Engineer.

Earth Work and Grading

This worksheet is to help you accurately determine the amount of grading for the property in accordance with the Boulder County Land Use Code. Please fill in all applicable boxes.

Note: Applicant(s) must fill in the shaded boxes even though foundation work does not contribute toward the 500 cubic yard trigger requiring Limited Impact Special Use Review. Also, all areas of earthwork must be represented on the site plan.

Earth Work and Grading Worksheet:

	Cut	Fill	Subtotal
Driveway and Parking Areas	269 CY	200 CY	469 CY
Berm(s)	0 CY	0 CY	0 CY
Other Grading	0 CY	0 CY	0 CY
Subtotal	269 CY	200 CY	469 CY <small>Box 1</small>

* If the total in Box 1 is greater than 500 cubic yards, then a Limited Impact Special Review is required.

	Cut	Fill	Total
Foundation	479 CY	135 CY	614 CY
Material cut from foundation excavation to be removed from the property			344 CY

Excess Material will be Transported to the Following Location:

Excess Materials Transport Location:
Excess foundation material to be removed from the site to a
location approved by Boulder County. Receiving site will be
determined at Building Permit Submittal.

Narrative

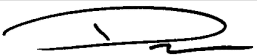
Use this space to describe any special circumstances that you feel the Land Use Office should be aware of when reviewing your application, including discussion regarding any factors (listed in Article 4-806.2.b.i) used to demonstrate that the presumptive size limitation does not adequately address the size compatibility of the proposed development with the defined neighborhood. If more room is needed, feel free to attach a separate sheet.

Is Your Property Gated and Locked?

Note: If county personnel cannot access the property, then it could cause delays in reviewing your application.

Certification

I certify that the information submitted is complete and correct. I agree to clearly identify the property (if not already addressed) and stake the location of the improvements on the site within four days of submitting this application. I understand that the intent of the Site Plan Review process is to address the impacts of location and type of structures, and that modifications may be required. Site work will not be done prior to issuance of a Grading or Building Permit.

Signature 	Print Name Donald P. Ash, P.E.	Date 09/20/23
---	---------------------------------------	----------------------



September 20, 2023

Mr. Nathan Knecht
CONNECT Architecture
1510 Zamia Ave. #103
Denver, CO 80304

Reference: Earthwork Calculations – Site Plan Review
48733 Peak to Peak Highway – Boulder County, Colorado
SiteWorks Project No. 23153A

Dear Nathan:

SiteWorks performed cut and fill volume calculations for the McVey Residence, located at 48733 Peak to Peak Highway, in Boulder County, Colorado. These calculations are based on the grading plan prepared by SiteWorks, LLC dated September 20, 2023.

Our calculations show the proposed site improvements will require approximately 269 cubic yards of cut and 200 cubic yards of fill. This earthwork volume does not include the exempt earthwork up to ten feet around the perimeter of the building foundations or the road base material for the proposed driveway. In accordance with Boulder County's "Earthwork and Grading" Standards, the total estimated quantity of qualified material to be moved is 469 cubic yards.

Our calculations show all of the building foundation excavation and associated incidental backfill will require approximately 479 cubic yards of cut and 135 cubic yards of fill. This earthwork volume includes the exempt earthwork up to ten feet around the perimeter of the building foundations. Based on the County's "Earthwork and Grading" Standards, the total estimated quantity of foundation material to be moved is 614 cubic yards.

Autodesk Civil 3D 2024 computer software was utilized to perform the cut and fill calculations.

Should you have any questions or comments concerning this letter, kindly give us a call.

Sincerely,

Donald P. Ash, P.E.
Partner-Principal



CØNNECT | architecture

September 25th, 2023

BOULDER COUNTY
Land Use Department
2045 13th Street
Boulder, CO 80302

RE: **Site Plan Review**
Project Location: 48733 Peak to Peak HWY

Project Narrative

Peaceful Valley Residence & Outbuildings

*The Peaceful Valley Residence is a generational property owned and occupied by 3 generations of the McVey-Dow family. This unique 88.15 acre undeveloped parcel zoned Forestry is encumbered by a Boulder County Conservation Easement (CE). The CE specifies to choose 1 of 3 allowed building envelopes to develop and specifically allows a 3,000 square foot new residence with a *35' height limit, 2 outbuildings and 2 sheds with undefined square foot allocation or specific use category. In close collaboration with the Boulder County Parks and Open Space and in discussion with our pre-application planner, Peter L'Orange, we have selected building envelop #2. We are proposing a **3,300 square foot residence and 587 square foot attached garage that will account for one of the 2 outbuildings. A 768 square foot detached ***Forestry Garage that includes a 192 square foot roof covered area. And, 2 new detached sheds each 120 square feet in floor area.*

**We are proposing to stay below the Boulder County residential height limit of 30' above existing grade.*

*** Note the 3,300 square feet is to the outside of a 15" thick eco block exterior wall construction. In the past, we have received a reduction in the square foot calculation from the Boulder County Planning Department calculating the square feet of these walls 6" from the interior of the exterior wall. In this case, if granted the same reduction, it will reduce the square feet from 3,300 to 3,000 total square feet. If the type of construction changes to traditional frame construction, square feet will be calculated to the exterior of a 2x6 wood framed wall.*

****In discussions with the Boulder County Wildfire Partners, this building could be considered a forestry use related to the forest management of 88 acres encumbered by a conservation easement to reduce the residential floor area but we would prefer to keep it as a detached residential accessory structure.*

The Peaceful Valley Residence & Outbuildings respond to the **Site Plan Review Standards** as follows:

1. The *defined neighborhood*, for the purpose of this application, is the area within 1,500 feet from 48733 Peak to Peak HWY.
2. 125% of the median floor area of the defined neighborhood is 2,500 sq.ft. The proposed residential floor area of 4,547 sq.ft. (includes the Forestry Garage and a reduction for the thick eco block walls) is above the median floor area of the defined neighborhood. Our project will meet compatibility with the general character of the defined neighborhood by:

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(A) (1) (a) The natural topography hides the development from all private parcels and hides the development from the Peak to Peak Hwy for all but a short section of the road. It is also a condition of the Conservation Easement that the development remains minimally visible from the Peak to Peak HWY. Currently, the existing forest vegetation will hide the proposed development and in coordination with the Boulder County Parks and Open Space and the Boulder County Wildfire Partners we have confirmed that after the appropriate fire mitigation the development will remain minimally visible from the Peak to Peak HWY. Only a catastrophic wildfire would visually expose the development for that short section along the Peak to Peak.

(c) The Forestry Garage is 300' from Peak to Peak. The proposed residence is 420' from Peak to Peak.

(C) The property is encumbered by a Conservation Easement. We have worked closely with the Boulder County Parks & Open Space and our pre-application planner, Peter L'Orange, to best capture the spirit of the Conservation Easement and Land Use Code and submit an application that develops all allowed buildings on the property per the Conservation Easement. There will be no future allowable buildings on this parcel per the Conservation Easement. See attached letters from the Boulder County Parks and Open Space Department.

3. The location of the proposed structures, new grading, and use *will not impose an undue burden on public services and infrastructure*. The project will require a new well, new septic system and utilize existing electrical power from XCEL energy. It was also important to keep the grading of the new driveway under 500 cubic yards to minimize the impact.
4. The proposed development will satisfactorily mitigate any *geologic hazard* as identified in the Comprehensive Plan. The development will avoid *flash flood corridors, alluvial fans, floodplains, and unique geomorphic paleontological, or petrologic features*.
5. The site plan *mitigates the risk of wildfire* for both the subject property and the surrounding area.

The site is in Fire Zone 1 and has a 'high' wildfire rating. We have already met with the Boulder County Wildfire Partners for recommendations on building locations, access drive and fire mitigation. We will continue to partner with the Boulder County Wildfire Partners during permit, prior to construction and during construction of the project. The use of Eco Block wall construction and metal roofs makes this a highly ignition resistant structure especially when combined with the appropriate fire mitigation.
6. The development will not alter *historic drainage patterns and/or flow rates*.

All final grading around the new structures will return water to historic drainage patterns. The use of culverts when cutting across slope on the new driveway will maintain historic drainage patterns. The development avoids flood plains and natural drainage systems existing on the site.
7. The development will avoid *significant natural ecosystems and environmental features*.

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8. The development will not negatively impact *agricultural lands of local, state or national significance*.
9. The development will avoid significant *historic or archeological resources* as identified in the Comprehensive Plan or the Historic Sites Survey of Boulder County.
10. The development will not have a significant *negative visual impact* on the natural features or neighborhood character of the surrounding area. The property is located along the Peak to Peak Scenic Corridor. Every effort is being made to ensure the development is minimally visible from the Peak to Peak HWY. This is also a condition of the Conservation Easement and we have worked closely with them and the Boulder County Wildfire Partners to come up with the best plan to develop building envelop #2 and minimize visibility from the HWY.

Exterior Materials: The use of Eco Block wall construction and lime based plaster finishes will have natural earth tones. The use of an oxidized corten steel roof will blend with the natural surroundings and vernacular architecture.

Design: Will follow the natural topography of the site.

11. The location of the development will be *compatible with the natural topography and existing vegetation*, and the development *will not cause unnecessary or excessive site disturbance*.
12. *Runoff, erosion, and/or sedimentation* from the development will not have a significant adverse impact on the surrounding area.

During construction, runoff, erosion and sedimentation will be mitigated with silt fences around the construction area. After completion, drainage around the proposed structure will respect the natural flow of the existing site.

13. The development is not located in a *Natural Landmark or Natural Area* as designated in the Comprehensive Plan.
14. There are no existing structures on the property.
15. The development is *consistent with the Comprehensive Plan and the Boulder County Land Use Code*.



SITE PLAN REVIEW (SPR)

FOR

48733 PEAK TO PEAK HIGHWAY
BOULDER COUNTY, COLORADO

GENERAL NOTES

(APPLIES TO ALL SHEETS)

1. BENCH MARK: TOP OF SET SPIKE, HUEY SURVEYING CONTROL POINT 2000, ELEVATION ESTABLISHED USING OPUS SOLUTION. ELEVATION = 8745.52' (NAVD88).
2. THIS DRAWING IS BASED ON A SURVEY BY HUEY SURVEYING LLC.
3. ALL CUT AND FILL SLOPES IN SHALL BE MINIMUM OF 1.5:1.
4. ALL CONSTRUCTION SHALL CONFORM TO THE BOULDER COUNTY MULTIMODAL TRANSPORTATION STANDARDS (BCMTS).



VICINITY MAP
SCALE: 1" = 2000'

LEGEND

- 8750 EXISTING CONTOUR
- 50 PROPOSED CONTOUR
- PROPOSED STORM CULVERT WITH FLARED END SECTIONS (F.E.S.)
- HISTORIC SHEET FLOW
- PROPOSED FLOW DIRECTION
- SF SILT FENCE (SF)
- INLET PROTECTION (IP)
- VEHICLE TRACKING CONTROL (VTC)
- STABILIZED STAGING AREA (SSA)
- CF CONSTRUCTION FENCE (CF)
- SEDIMENT CONTROL LOG (SCL)

SHEET INDEX

COVER SHEET	C-001
OVERALL GRADING PLAN	C-101
DRIVEWAY PLAN AND PROFILE	C-201
DRIVEWAY PLAN AND PROFILE	C-202
CIVIL DETAILS	C-301
CIVIL DETAILS	C-302

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**McVey
Residence**
48733 Peak to Peak Highway
Boulder County, CO 80540

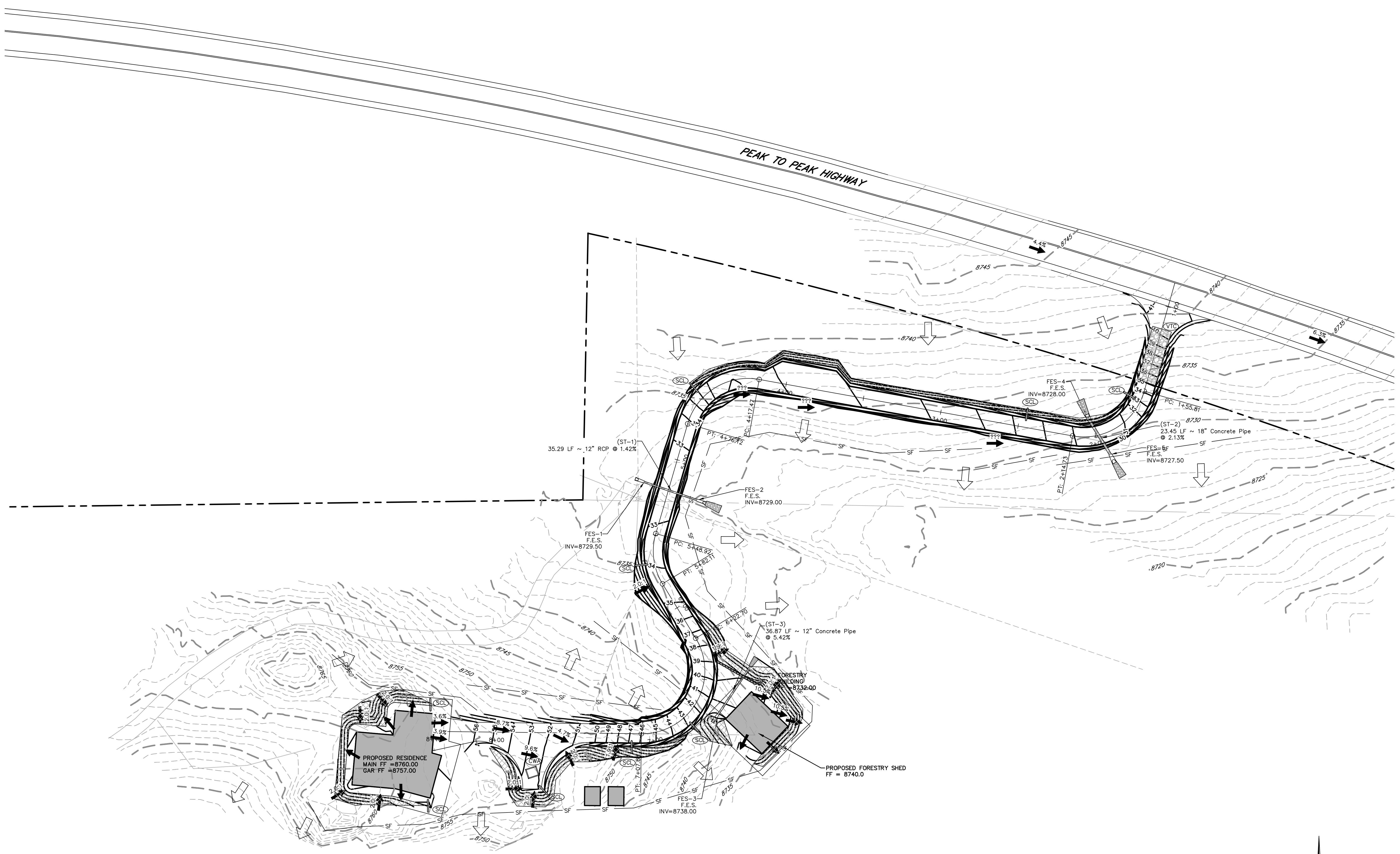
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Project No: 23153
By: JAS/DPA
File: 23153-C-001.dwg

Cover Sheet

Sheet

C-001



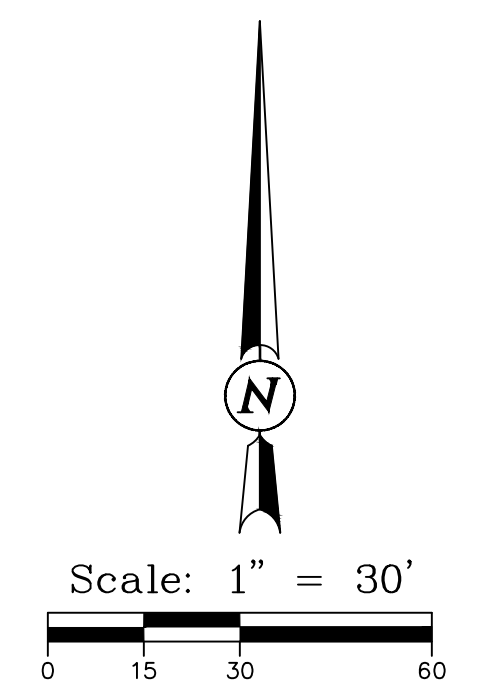
McVey Residence
48733 Peak to Peak Highway
Boulder County, CO 80540

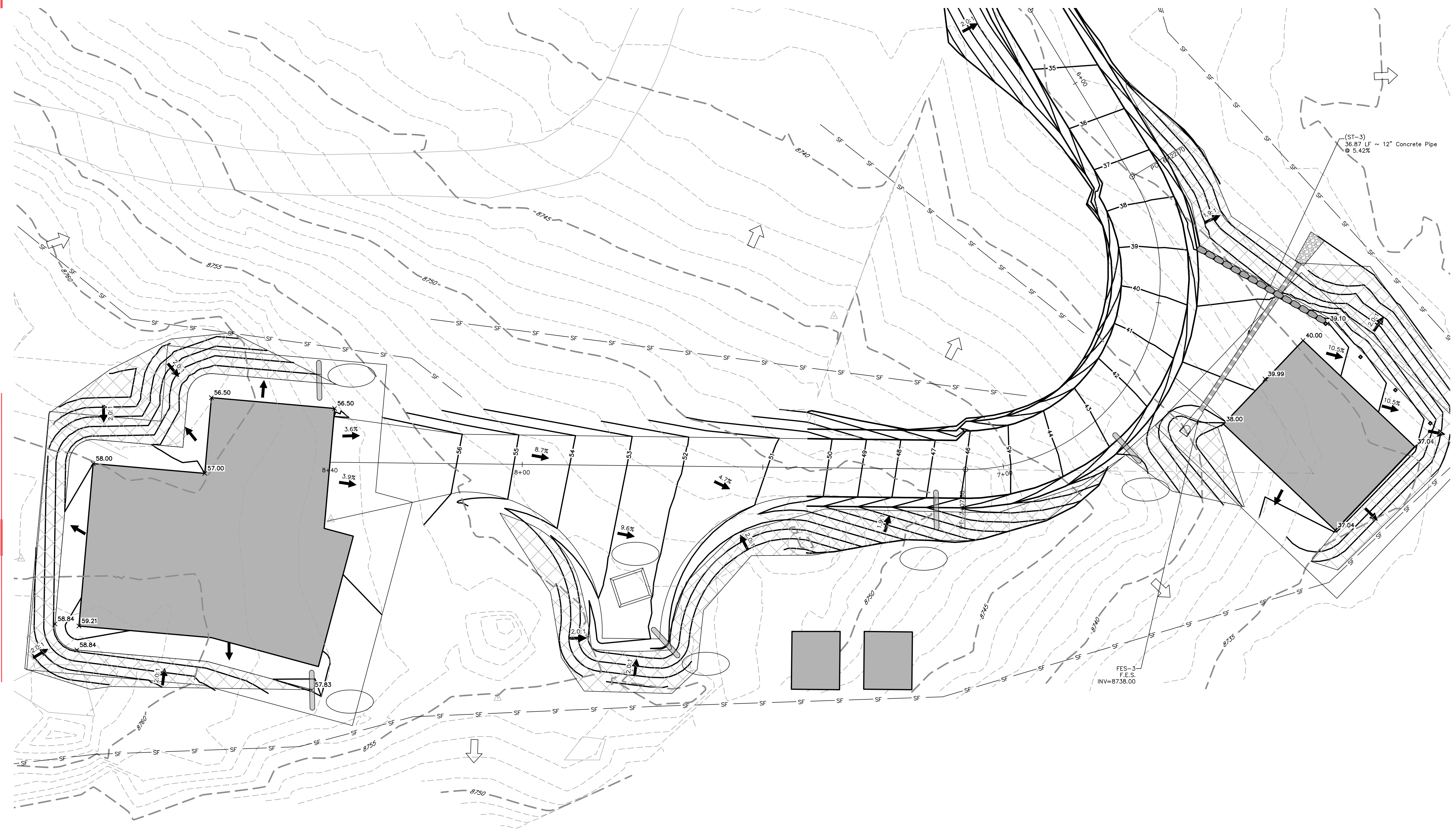
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1	09/20/23	SPR SUBMITTAL

Project No: 23153
By: JAS/DPA
File: 23153-C-100.dwg

**Overall Grading,
Drainage, and
Erosion Control
Plan**

Sheet
C-101





McVey Residence

48733 Peak to Peak Highway
Boulder County, CO 80540

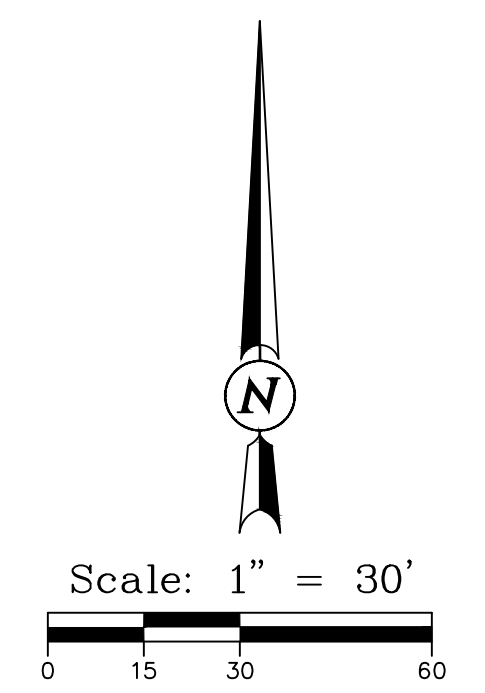
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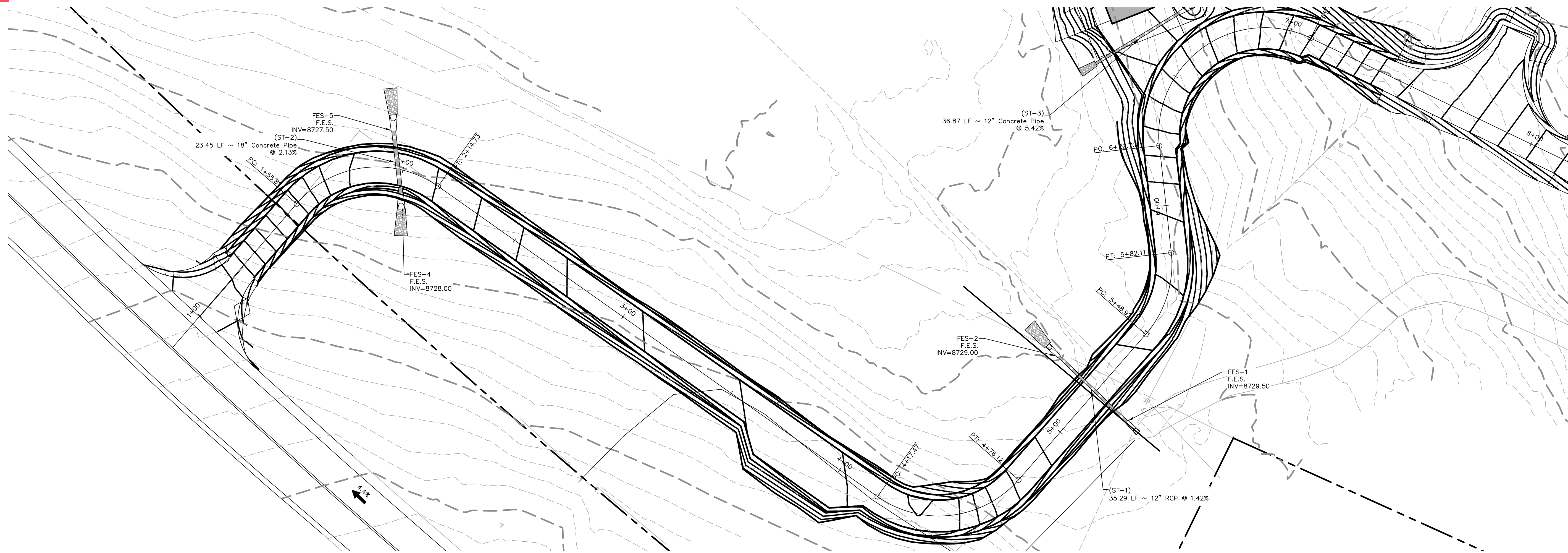
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Detailed Grading Plan

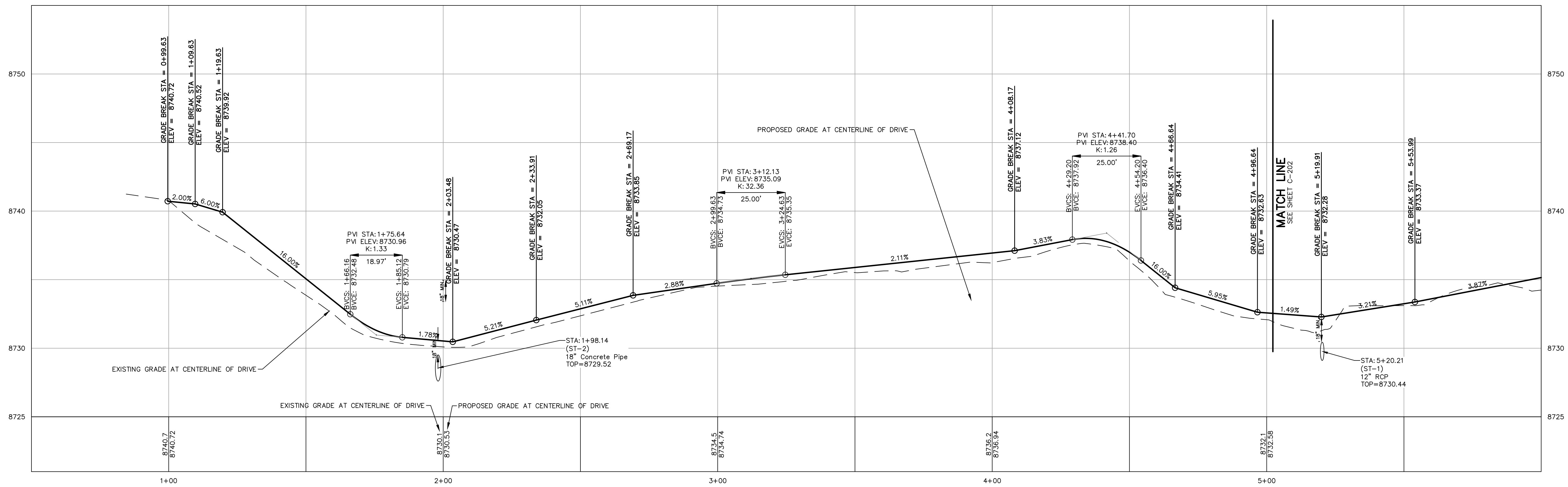
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C-102





1 DRIVEWAY PLAN
SCALE: 1" = 20'



1 DRIVEWAY PROFILE
SCALE: HORIZ 1" = 20' VERT. 1" = 5'

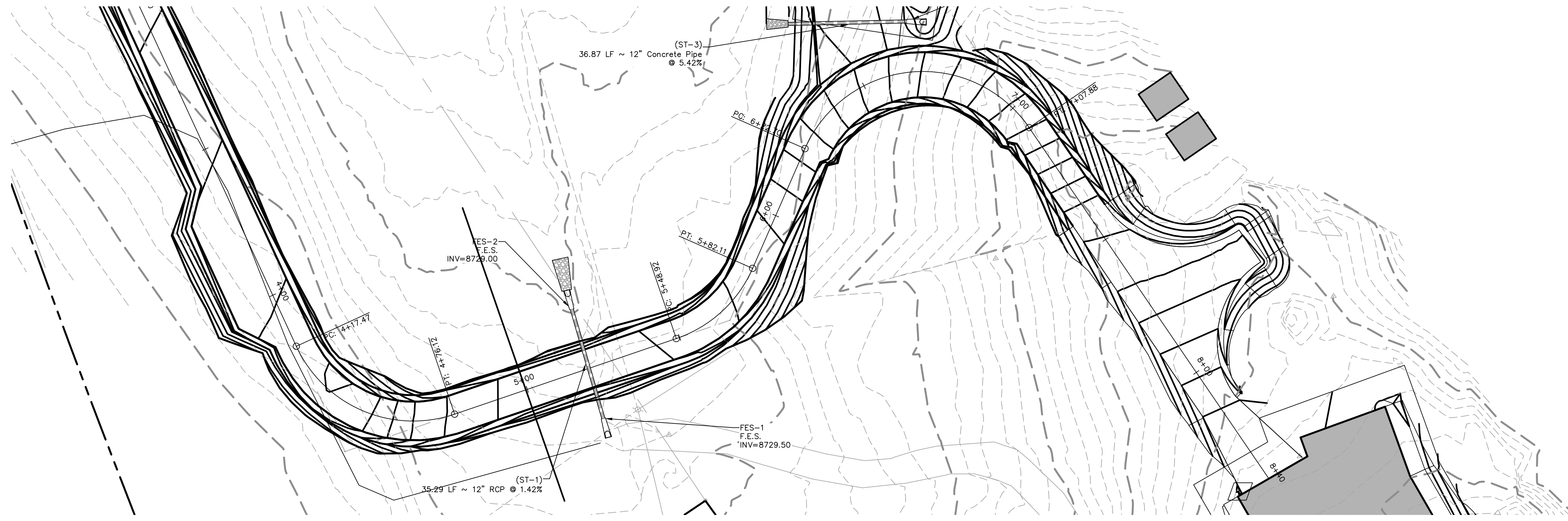
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McVey Residence
48733 Peak to Peak Highway
Boulder County, CO 80540

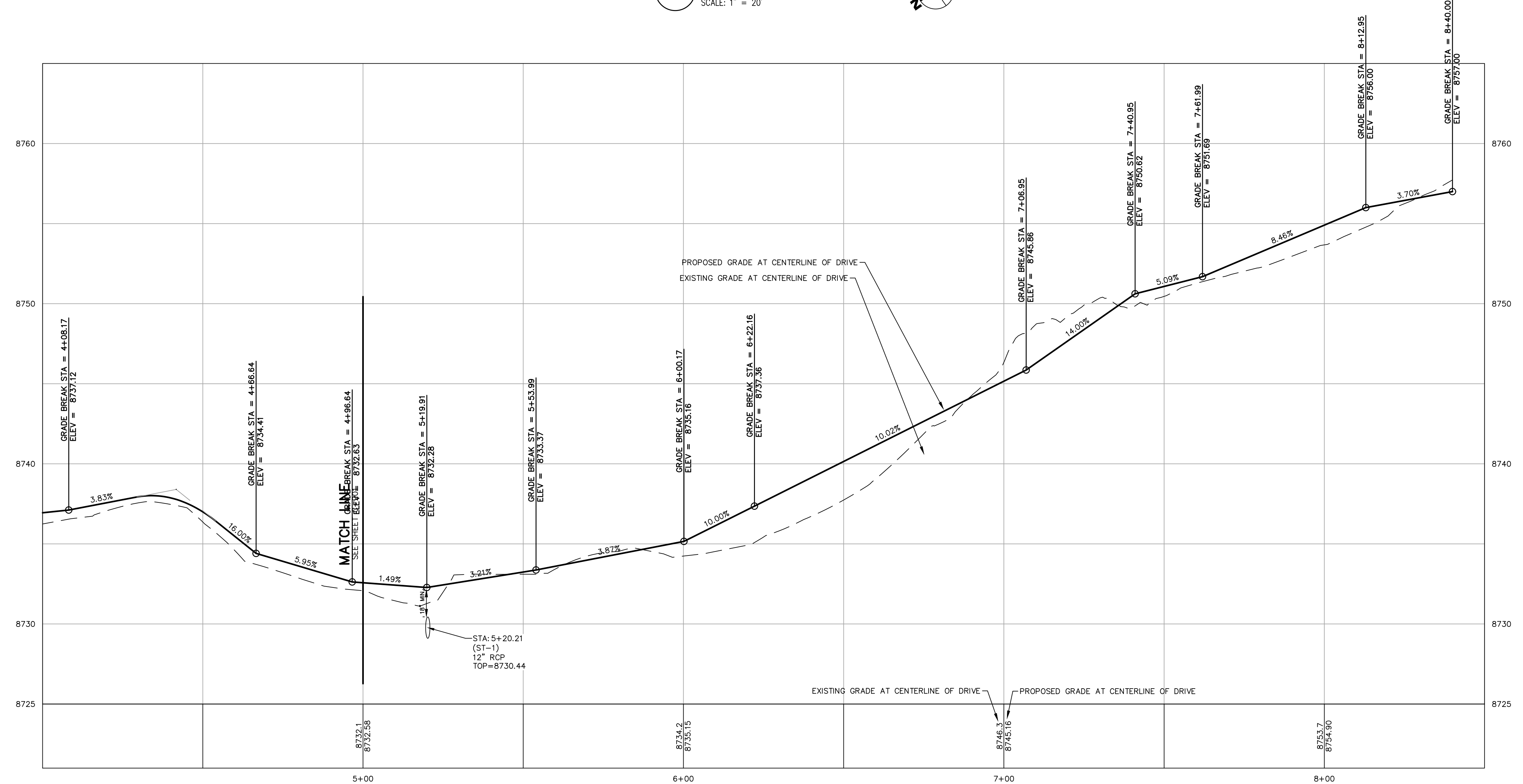
#	Date	Description
1	09/20/23	SPR SUBMITTAL

Project No: 23153
By: JAS/DPA
File: 23153-C-200.dwg

Driveway Plan and Profile



1 DRIVEWAY PLAN
SCALE: 1" = 20'



1 DRIVEWAY PROFILE
SCALE: HORIZ 1" = 20' VERT. 1" = 5'

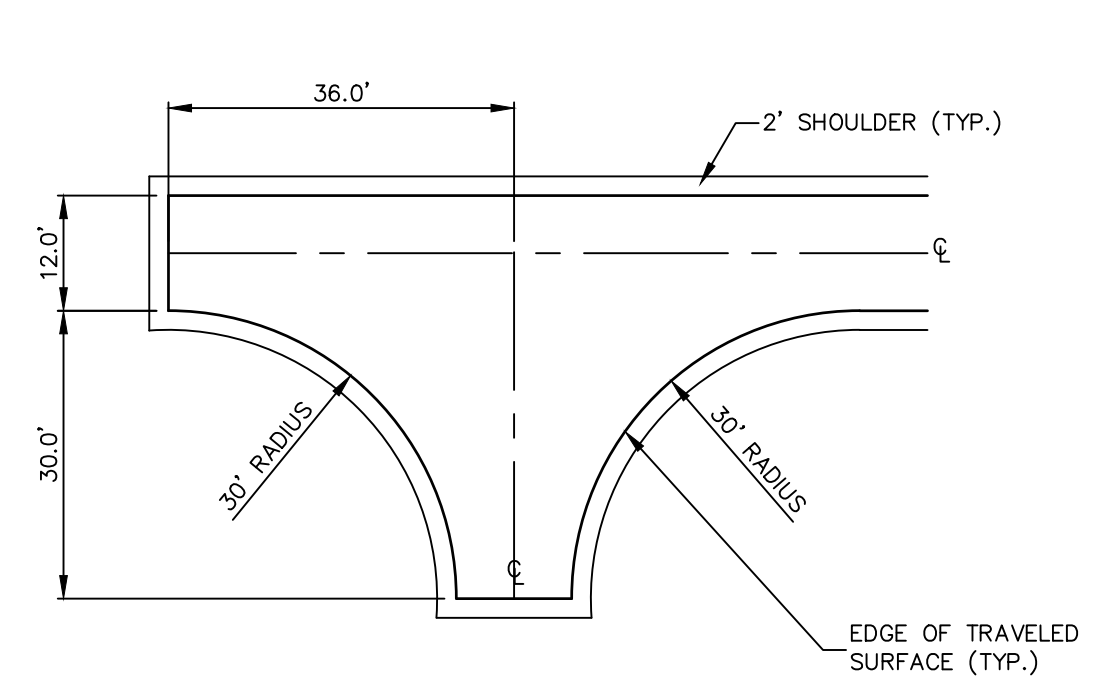
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McVey Residence
48733 Peak to Peak Highway
Boulder County, CO 80540

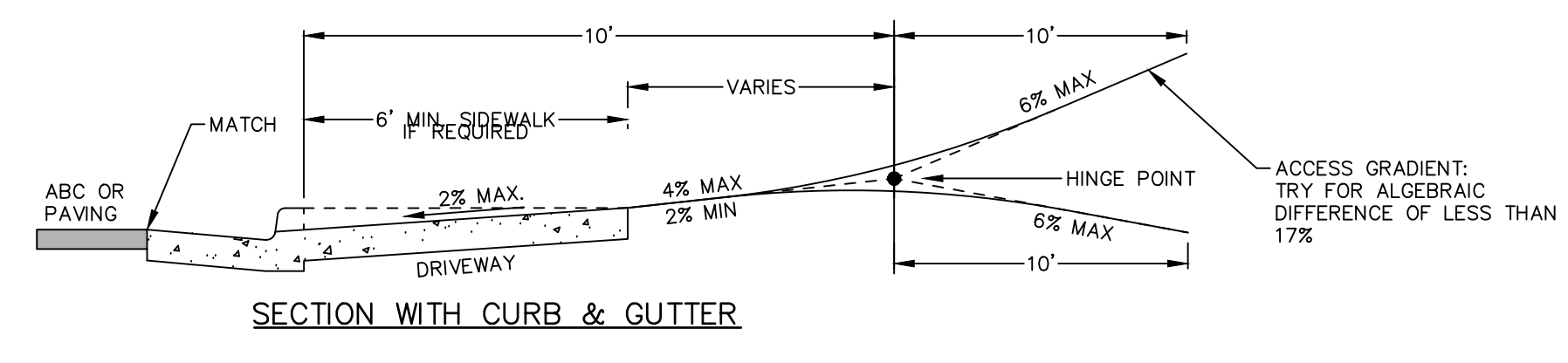
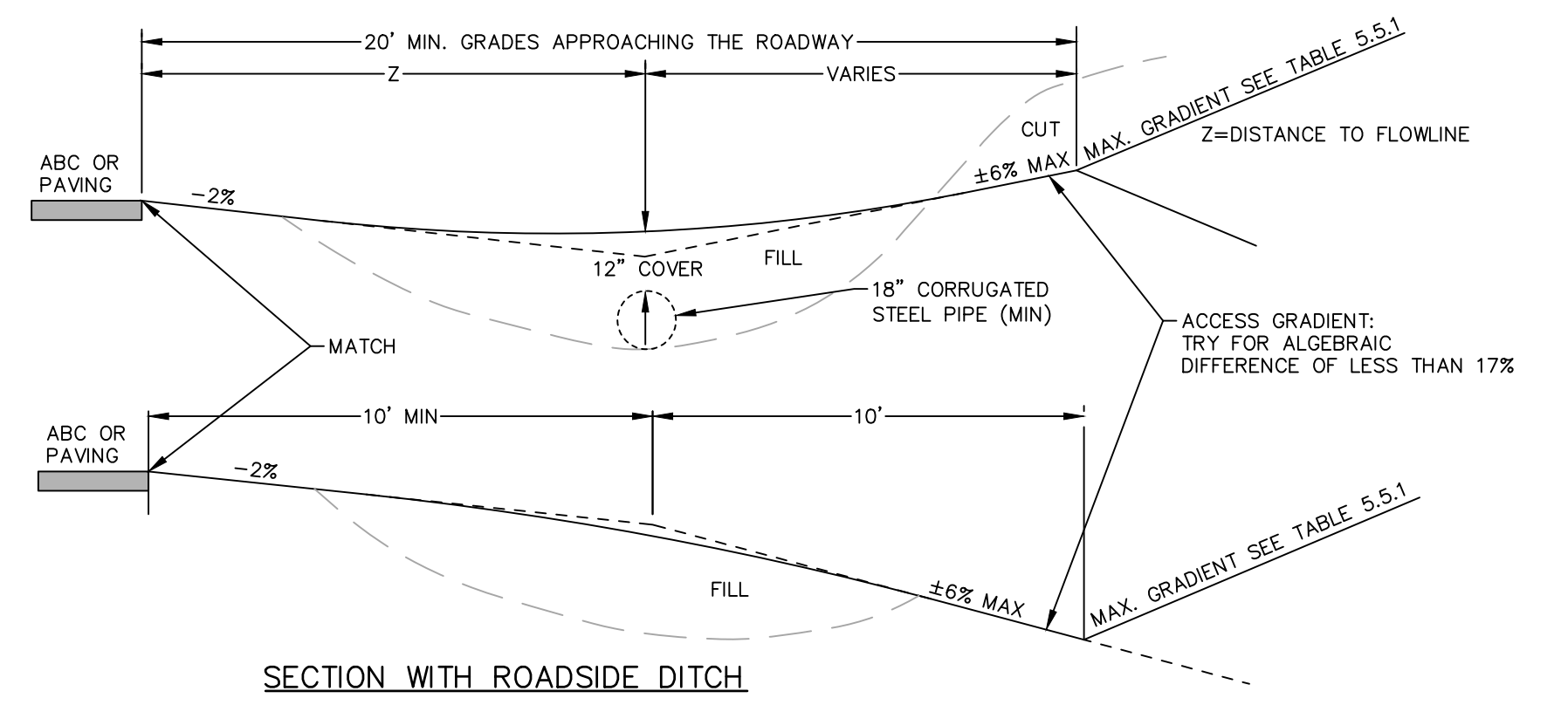
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Project No: 23153
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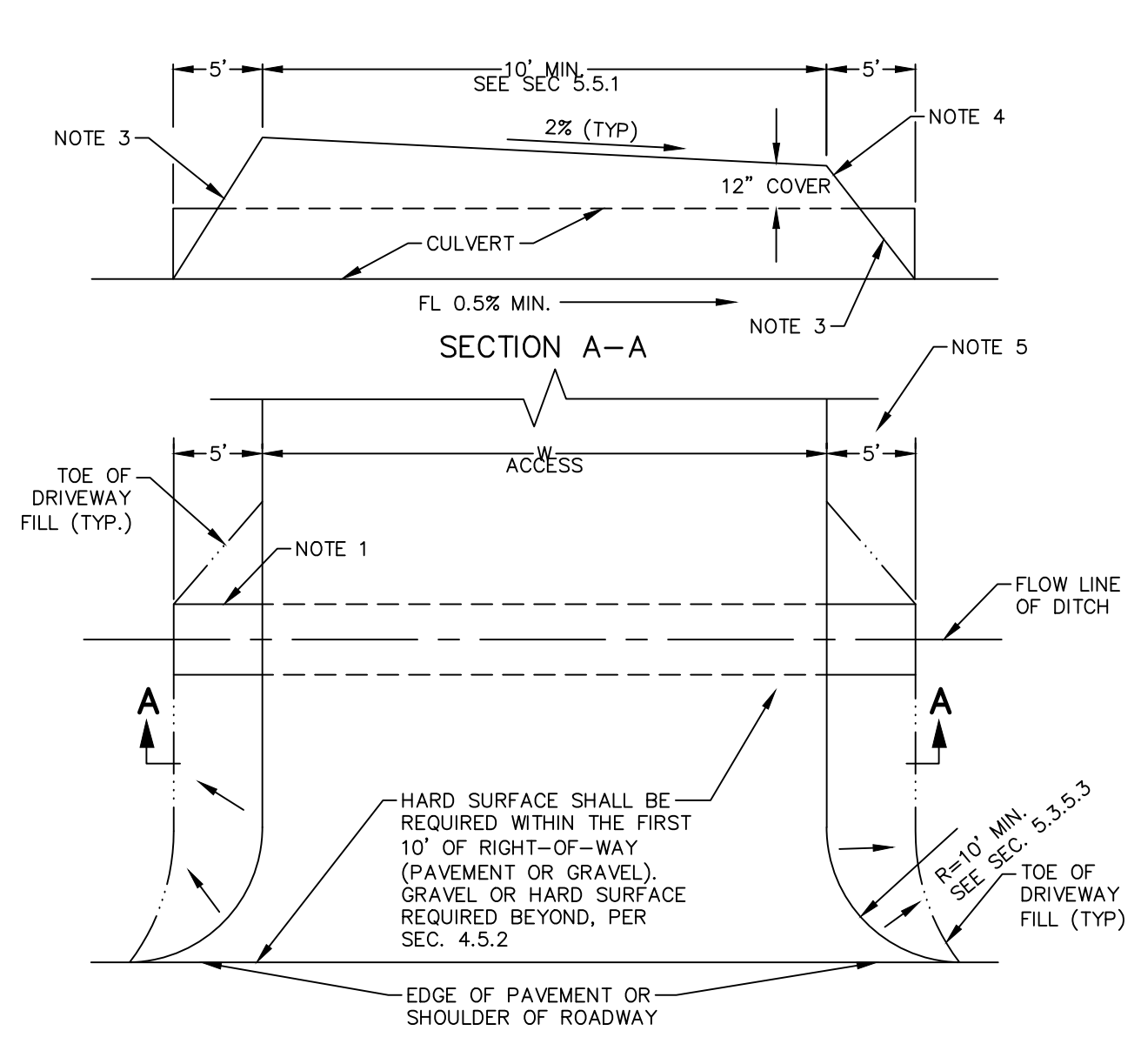
Driveway Plan and Profile



1 BOULDER COUNTY TURNAROUND
SCALE: N.T.S.



2 ACCESS PROFILE DETAIL
SCALE: N.T.S.

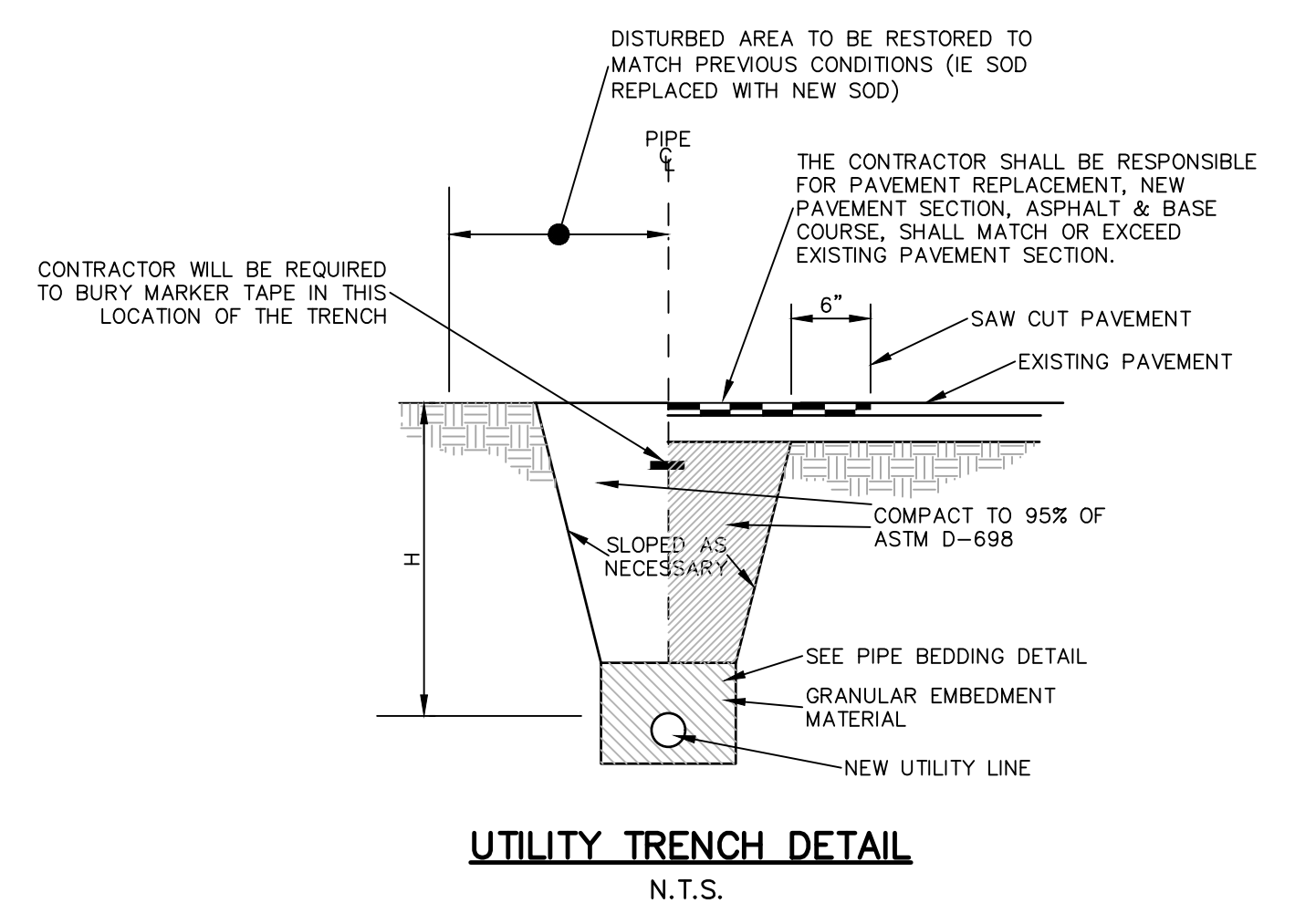


3 ACCESS AND DITCH DETAIL
SCALE: N.T.S.

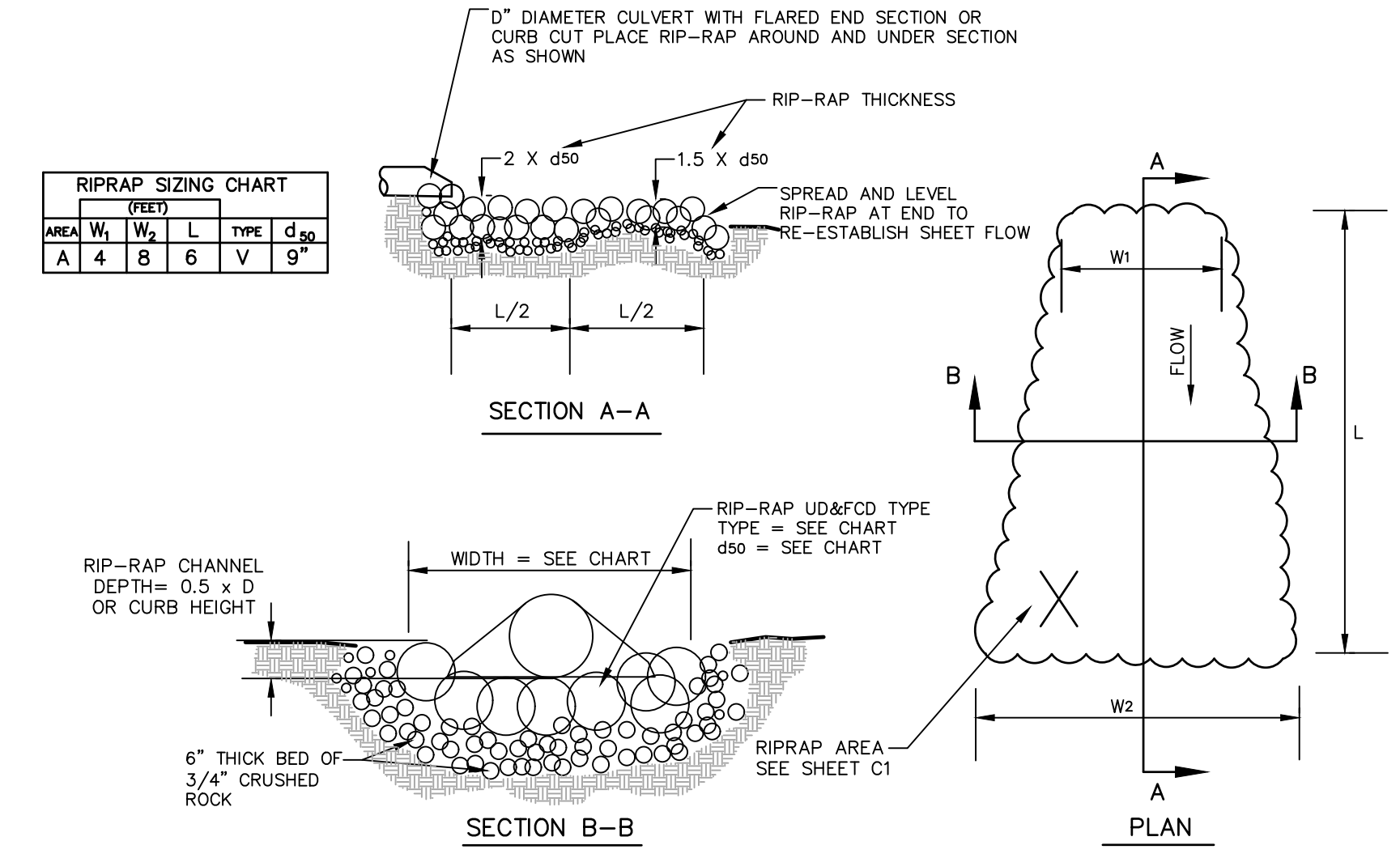
ACCESS WIDTHS @ ROADS W/O CURB & GUTTER		
	MIN.	MAX.
RESIDENTIAL	10'	16'
COMMERCIAL	16'	26'
PRIVATE ROAD	18'	18'

SEE SEC. 5.5.1

- NOTES:
- ALL CULVERTS SHALL BE 16 GAUGE CORRUGATED STEEL OR REINFORCED CONCRETE PIPE.
 - SEE STANDARD DRAWING 15 FOR ACCESS PROFILES.
 - SIDE SLOPES FROM ACCESS SHALL BE 2H:1V OR FLATTER.
 - MAY BE REDUCED TO 6" COVER WITH REINFORCED CONCRETE PIPE.
 - CULVERT LENGTH BEYOND EDGE OF ACCESS MAY VARY DEPENDING ON THE LOCATION OF THE MINIMUM 2H:1V TOE OF SLOPE.

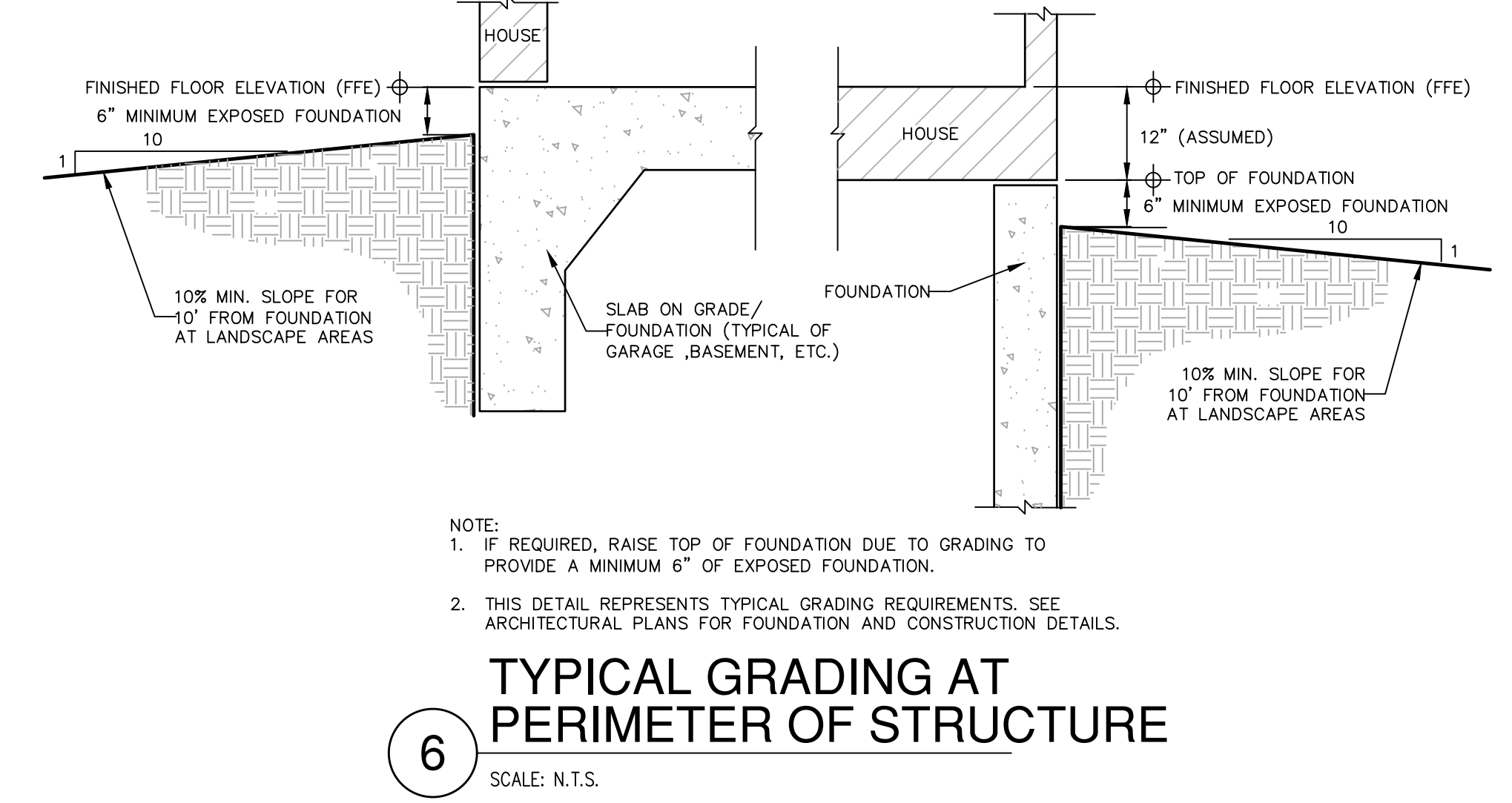


UTILITY TRENCH DETAIL
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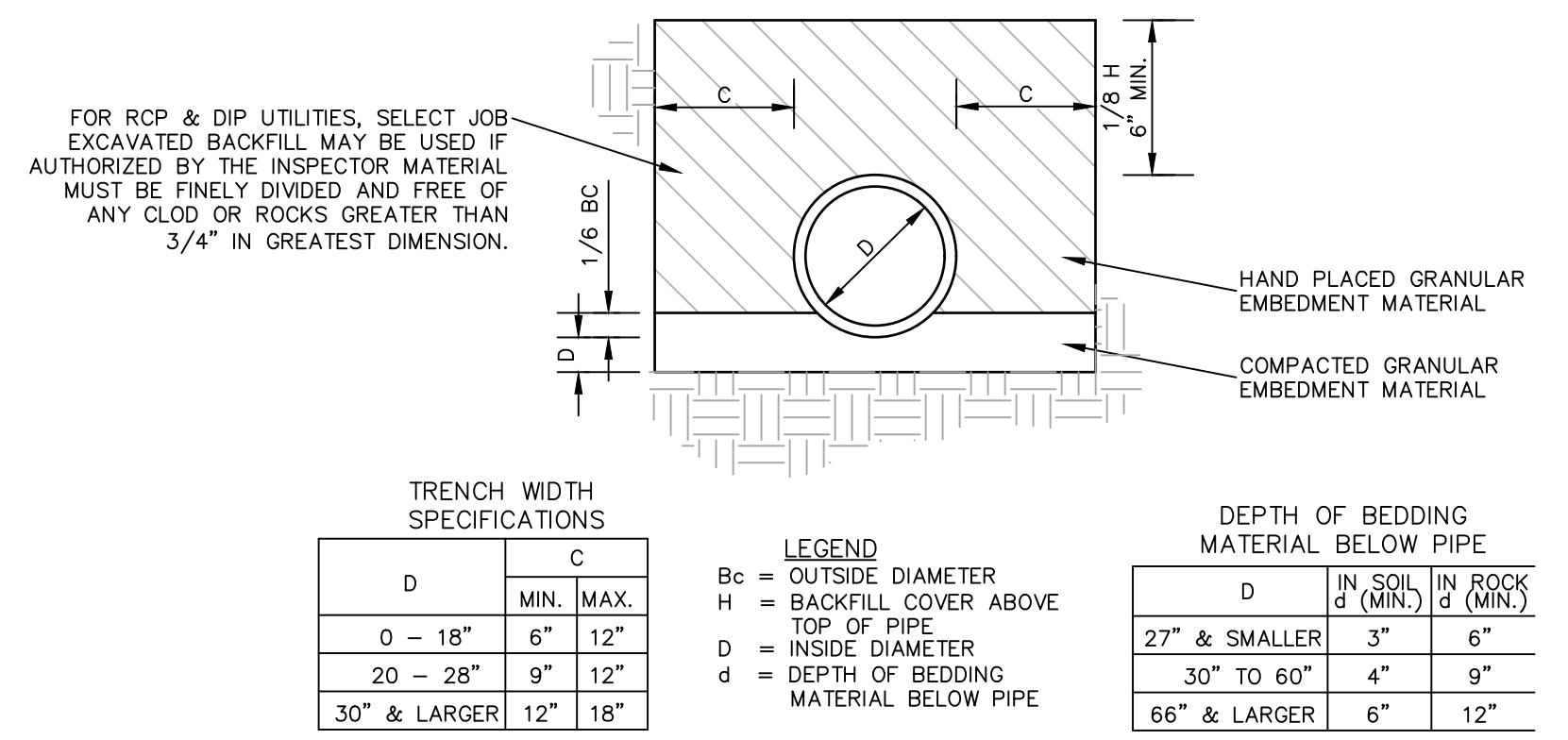
- NOTES:
- STONE SHALL BE PLACED HOMOGENEOUSLY AND TO THE FULL COURSE THICKNESS IN ONE OPERATION; DISPLACEMENT OF UNDERLYING MATERIAL SHALL BE AVOIDED.
 - QUALITY AND PLACEMENT OF RIPRAP SHALL CONFORM TO SECTION 506 OF CDDOT'S STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION.
 - 3/4" CRUSHED ROCK SHALL CONFORM TO CDDOT CLASS A FILTER MATERIAL (SECTION 703.09 CLASS A), PER UD & FCD REQUIREMENTS.
 - RIP-RAP DESIGN BASED ON THE 10 YEAR STORM EVENT PER BOULDER COUNTY STANDARDS.

5 RIPRAP RUNDOWN DETAIL
SCALE: N.T.S.



- NOTE:
- IF REQUIRED, RAISE TOP OF FOUNDATION DUE TO GRADING TO PROVIDE A MINIMUM 6" OF EXPOSED FOUNDATION.
 - THIS DETAIL REPRESENTS TYPICAL GRADING REQUIREMENTS. SEE ARCHITECTURAL PLANS FOR FOUNDATION AND CONSTRUCTION DETAILS.

6 TYPICAL GRADING AT PERIMETER OF STRUCTURE
SCALE: N.T.S.



TRENCH WIDTH SPECIFICATIONS		
D	C	
	MIN.	MAX.
0 - 18"	6"	12"
20 - 28"	9"	12"
30" & LARGER	12"	18"

DEPTH OF BEDDING MATERIAL BELOW PIPE		
D	IN SOIL d (MIN.)	IN ROCK d (MIN.)
27" & SMALLER	3"	6"
30" TO 60"	4"	9"
66" & LARGER	6"	12"

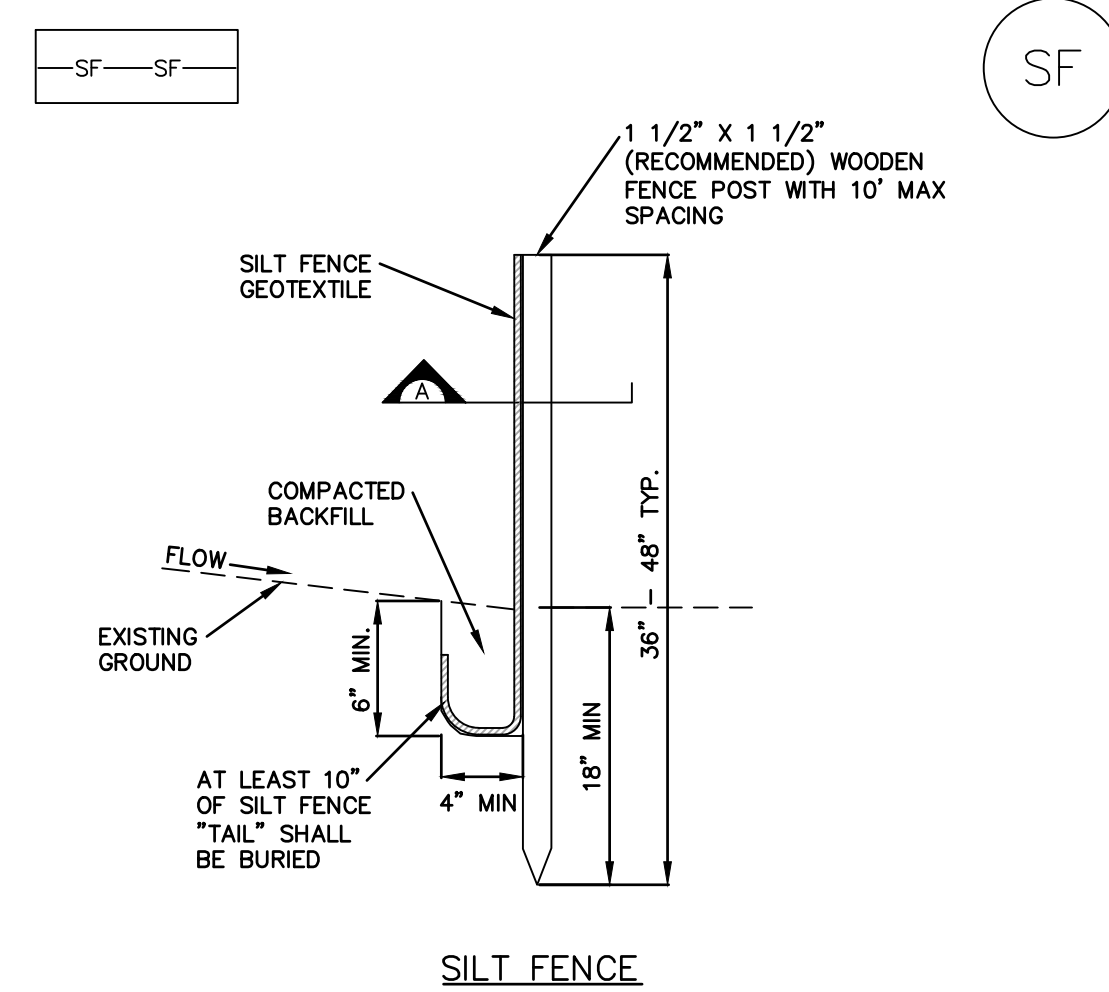
4 PIPE BEDDING DETAIL
SCALE: N.T.S.



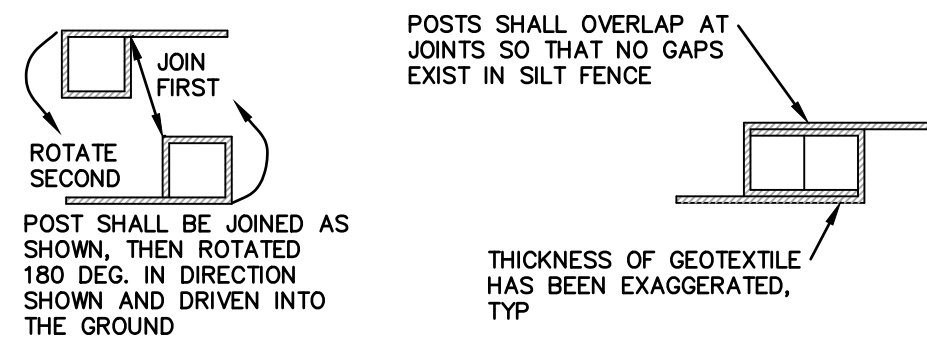
#	Date	Description
1	09/20/23	SPR SUBMITTAL

Project No: 23153
By: JAS/DPA
File: 23153-C-300.dwg

Civil Details



SILT FENCE



SECTION A

SF-1. SILT FENCE

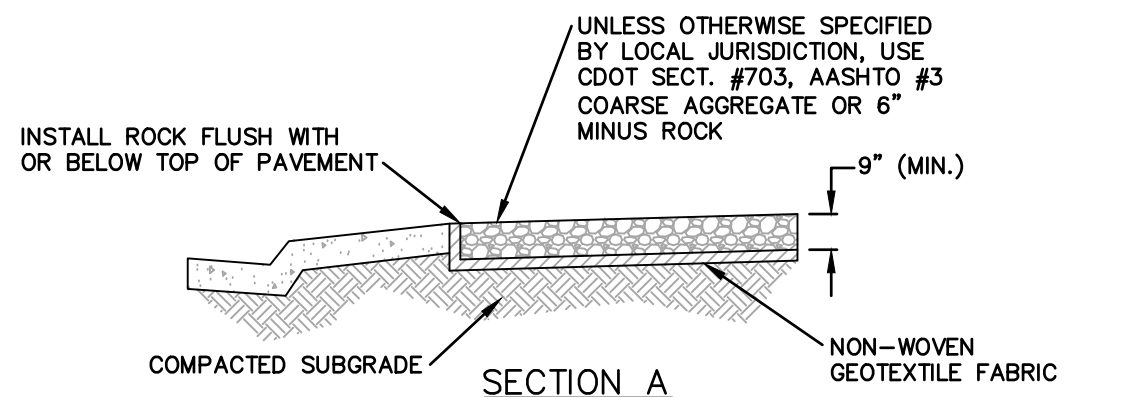
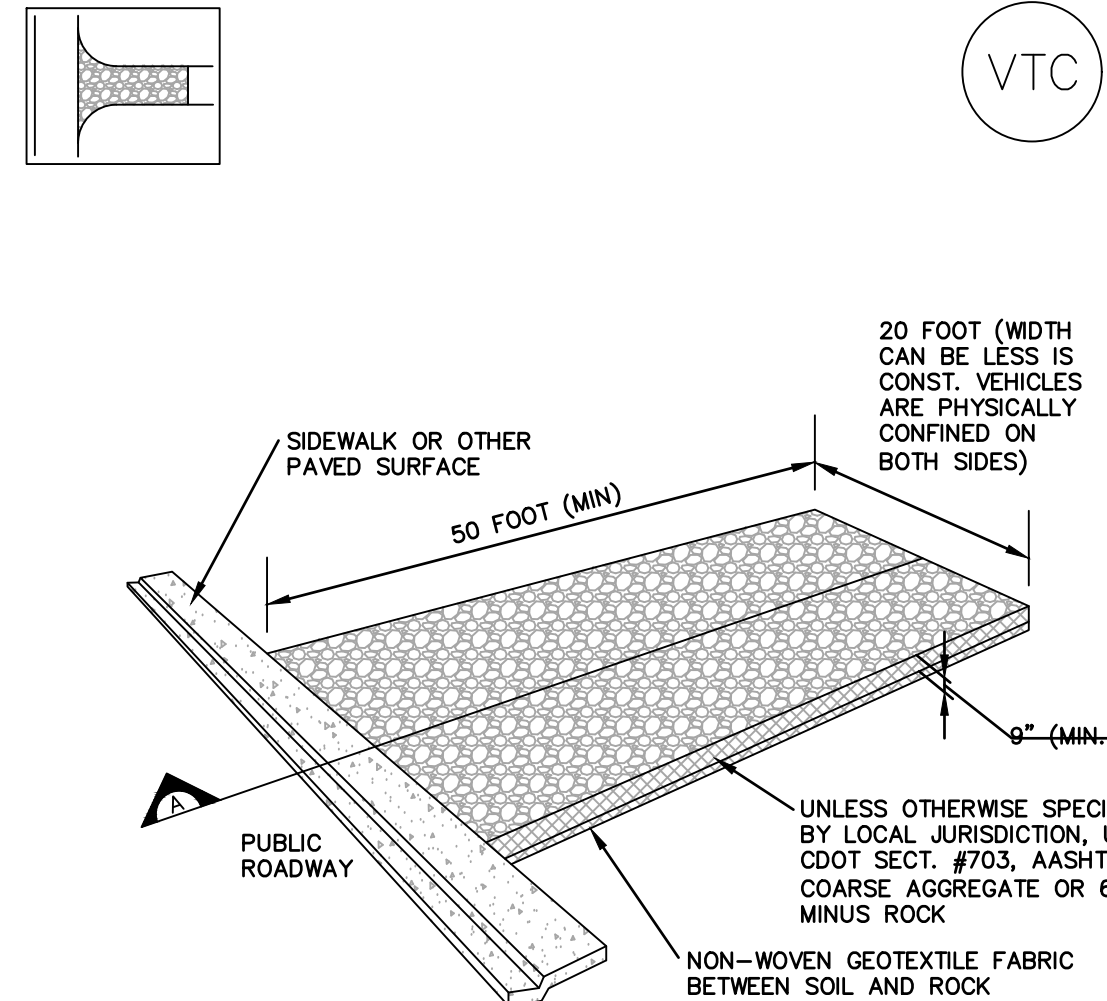
SILT FENCE INSTALLATION NOTES

- SILT FENCE MUST BE PLACED AWAY FROM THE TOE OF THE SLOPE TO ALLOW FOR WATER PONDING. SILT FENCE AT THE TOE OF A SLOPE SHOULD BE INSTALLED IN A FLAT LOCATION AT LEAST SEVERAL FEET (2-5 FT) FROM THE TOE OF THE SLOPE TO ALLOW ROOM FOR PONDING AND DEPOSITION.
- A UNIFORM 6" X 4" ANCHOR TRENCH SHALL BE EXCAVATED USING TRENCHER OR SILT FENCE INSTALLATION DEVICE. NO ROAD GRADERS, BACKHOES, OR SIMILAR EQUIPMENT SHALL BE USED.
- COMPACT ANCHOR TRENCH BY HAND WITH A "JUMPING JACK OR BY WHEEL ROLLING. COMPACTION SHALL BE SUCH THAT SILT FENCE RESISTS BEING PULLED OUT OF ANCHOR TRENCH BY HAND.
- SILT FENCE SHALL BE PULLED TIGHT AS IT IS ANCHORED TO THE STAKES. THERE SHOULD BE NO NOTICEABLE SAG BETWEEN STAKES AFTER IT HAS BEEN ANCHORED TO THE STAKES.
- SILT FENCE FABRIC SHALL BE ANCHORED TO THE STAKES USING 1" HEAVY DUTY STAPLES OR NAILS WITH 1" HEADS. STAPLES AND NAILS SHOULD BE PLACED 3" ALONG THE FABRIC DOWN THE STAKE.
- AT THE END OF A RUN OF SILT FENCE ALONG A CONTOUR, THE SILT FENCE SHOULD BE TURNED PERPENDICULAR TO THE CONTOUR TO CREATE A "J-HOOK". THE "J-HOOK" EXTENDING PERPENDICULAR TO THE CONTOUR SHOULD BE OF SUFFICIENT LENGTH TO KEEP RUNOFF FROM FLOWING AROUND THE END OF THE SILT FENCE (TYPICALLY 10' - 20').
- SILT FENCE SHALL BE INSTALLED PRIOR TO ANY LAND DISTURBING ACTIVITIES.

SILT FENCE MAINTENANCE NOTES

- INSPECT BMPs EACH WORKDAY, AND MAINTAIN THEM IN EFFECTIVE OPERATING CONDITION. MAINTENANCE OF BMPs SHOULD BE PROACTIVE, NOT REACTIVE. INSPECT BMPs AS SOON AS POSSIBLE (AND ALWAYS WITHIN 24 HOURS) FOLLOWING A STORM THAT CAUSES SURFACE EROSION, AND PERFORM NECESSARY MAINTENANCE.
- FREQUENT OBSERVATIONS AND MAINTENANCE ARE NECESSARY TO MAINTAIN BMPs IN EFFECTIVE OPERATING CONDITION. INSPECTIONS AND CORRECTIVE MEASURES SHOULD BE DOCUMENTED THOROUGHLY.
- WHERE BMPs HAVE FAILED, REPAIR OR REPLACEMENT SHOULD BE INITIATED UPON DISCOVERY OF THE FAILURE.
- SEDIMENT ACCUMULATED UPSTREAM OF THE SILT FENCE SHALL BE REMOVED AS NEEDED TO MAINTAIN THE FUNCTIONALITY OF THE BMP. TYPICALLY WHEN DEPTH OF ACCUMULATED SEDIMENTS IS APPROXIMATELY 6".
- REPAIR OR REPLACE SILT FENCE WHEN THERE ARE SIGNS OF WEAR, SUCH AS SAGGING, TEARING, OR COLLAPSE.
- SILT FENCE IS TO REMAIN IN PLACE UNTIL THE UPSTREAM DISTURBED AREA IS STABILIZED AND APPROVED BY THE LOCAL JURISDICTION, OR IS REPLACED BY AN EQUIVALENT PERIMETER SEDIMENT CONTROL BMP.
- WHEN SILT FENCE IS REMOVED, ALL DISTURBED AREAS SHALL BE COVERED WITH TOPSOIL, SEEDED AND MULCHED OR OTHERWISE STABILIZED AS APPROVED BY LOCAL JURISDICTION.

1 SILT FENCE
SCALE: N.T.S.



VTC-1. AGGREGATE VEHICLE TRACKING CONTROL

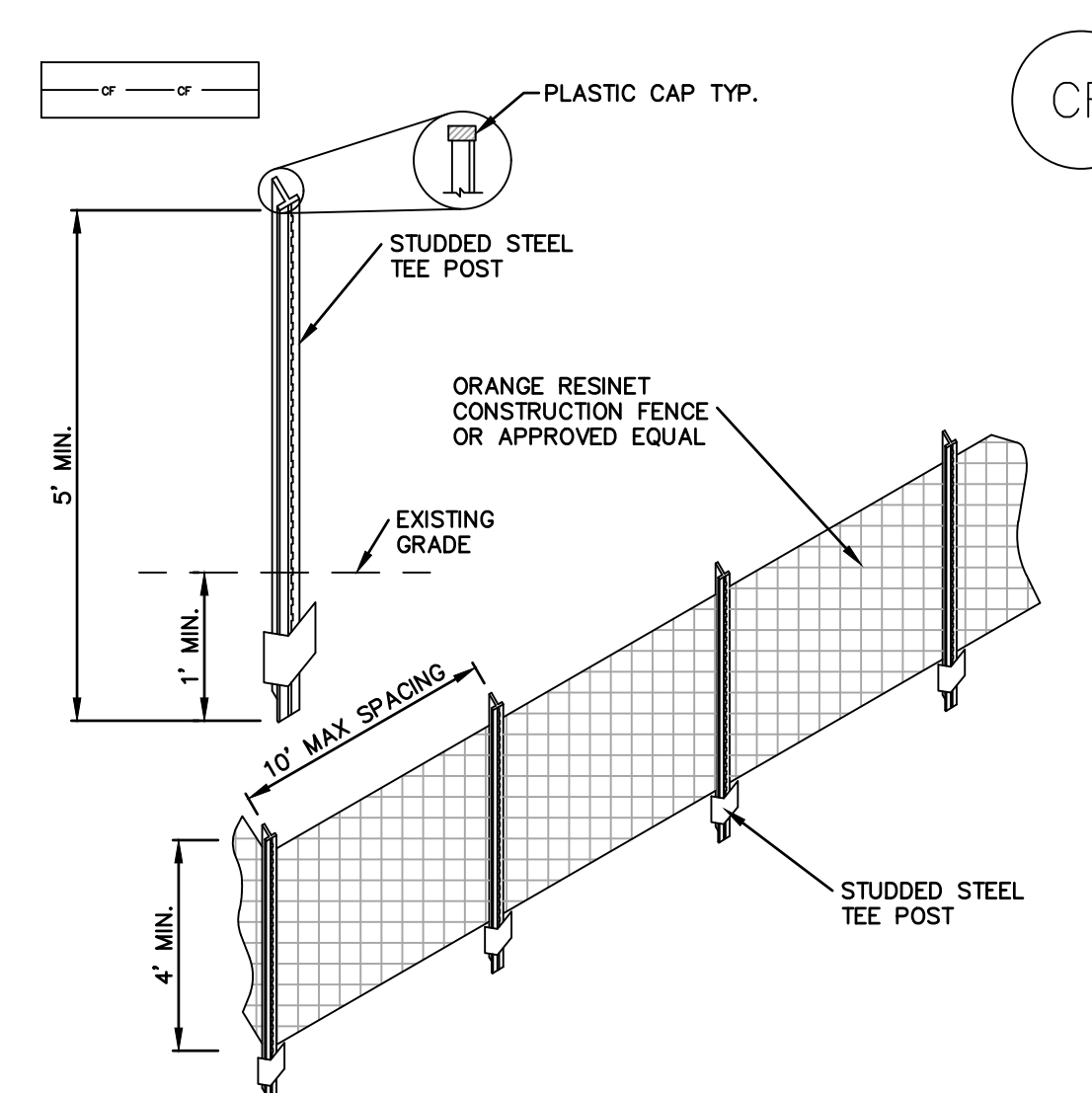
STABILIZED CONSTRUCTION ENTRANCE/EXIT INSTALLATION NOTES

- SEE PLAN VIEW FOR:
 - LOCATION OF CONSTRUCTION ENTRANCE(S)/EXIT(S).
 - TYPE OF CONSTRUCTION ENTRANCE(S)/EXITS(S) (WITH/WITHOUT WHEEL WASH, CONSTRUCTION MAT OR TRM).
- CONSTRUCTION MAT OR TRM STABILIZED CONSTRUCTION ENTRANCES ARE ONLY TO BE USED ON SHORT DURATION PROJECTS (TYPICALLY RANGING FROM A WEEK TO A MONTH) WHERE THERE WILL BE LIMITED VEHICULAR ACCESS.
- A STABILIZED CONSTRUCTION ENTRANCE/EXIT SHALL BE LOCATED AT ALL ACCESS POINTS WHERE VEHICLES ACCESS THE CONSTRUCTION SITE FROM PAVED RIGHT-OF-WAYS.
- STABILIZED CONSTRUCTION ENTRANCE/EXIT SHALL BE INSTALLED PRIOR TO ANY LAND DISTURBING ACTIVITIES.
- A NON-WOVEN GEOIEXITLE FABRIC SHALL BE PLACED UNDER THE STABILIZED CONSTRUCTION ENTRANCE/EXIT PRIOR TO THE PLACEMENT OF ROCK.
- UNLESS OTHERWISE SPECIFIED BY LOCAL JURISDICTION, ROCK SHALL CONSIST OF DOT SECT. #703, AASHTO #3 COARSE AGGREGATE OR 6" (MINUS) ROCK.

STABILIZED CONSTRUCTION ENTRANCE/EXIT MAINTENANCE NOTES

- INSPECT BMPs EACH WORKDAY, AND MAINTAIN THEM IN EFFECTIVE OPERATING CONDITION. MAINTENANCE OF BMPs SHOULD BE PROACTIVE, NOT REACTIVE. INSPECT BMPs AS SOON AS POSSIBLE (AND ALWAYS WITHIN 24 HOURS) FOLLOWING A STORM THAT CAUSES SURFACE EROSION, AND PERFORM NECESSARY MAINTENANCE.
- FREQUENT OBSERVATIONS AND MAINTENANCE ARE NECESSARY TO MAINTAIN BMPs IN EFFECTIVE OPERATING CONDITION. INSPECTIONS AND CORRECTIVE MEASURES SHOULD BE DOCUMENTED THOROUGHLY.
- WHERE BMPs HAVE FAILED, REPAIR OR REPLACEMENT SHOULD BE INITIATED UPON DISCOVERY OF THE FAILURE.
- ROCK SHALL BE REAPPLIED OR REGRADED AS NECESSARY TO THE STABILIZED ENTRANCE/EXIT TO MAINTAIN A CONSISTENT DEPTH.
- SEDIMENT TRACKED ONTO PAVED ROADS IS TO BE REMOVED THROUGHOUT THE DAY AND AT THE END OF THE DAY BY SHOVELING OR SWEEPING. SEDIMENT MAY NOT BE WASHED DOWN STORM SEWER DRAINS.

2 VEHICLE TRACKING CONTROL
SCALE: N.T.S.



CF-1. PLASTIC MESH CONSTRUCTION FENCE

CONSTRUCTION FENCE INSTALLATION NOTES

- SEE PLAN VIEW FOR:
 - LOCATION OF CONSTRUCTION FENCE.
- CONSTRUCTION FENCE SHOWN SHALL BE INSTALLED PRIOR TO ANY LAND DISTURBING ACTIVITIES.
- CONSTRUCTION FENCE SHALL BE COMPOSED OF ORANGE, CONTRACTOR-GRADE MATERIAL THAT IS AT LEAST 4" HIGH. METAL POSTS SHOULD HAVE A PLASTIC CAP FOR SAFETY.
- STUDDED STEEL TEE POSTS SHALL BE UTILIZED TO SUPPORT THE CONSTRUCTION FENCE. MAXIMUM SPACING FOR STEEL TEE POSTS SHALL BE 10'.
- CONSTRUCTION FENCE SHALL BE SECURELY FASTENED TO THE TOP, MIDDLE, AND BOTTOM OF EACH POST.

CONSTRUCTION FENCE MAINTENANCE NOTES

- INSPECT BMPs EACH WORKDAY, AND MAINTAIN THEM IN EFFECTIVE OPERATING CONDITION. MAINTENANCE OF BMPs SHOULD BE PROACTIVE, NOT REACTIVE. INSPECT BMPs AS SOON AS POSSIBLE (AND ALWAYS WITHIN 24 HOURS) FOLLOWING A STORM THAT CAUSES SURFACE EROSION, AND PERFORM NECESSARY MAINTENANCE.
- FREQUENT OBSERVATIONS AND MAINTENANCE ARE NECESSARY TO MAINTAIN BMPs IN EFFECTIVE OPERATING CONDITION. INSPECTIONS AND CORRECTIVE MEASURES SHOULD BE DOCUMENTED THOROUGHLY.
- WHERE BMPs HAVE FAILED, REPAIR OR REPLACEMENT SHOULD BE INITIATED UPON DISCOVERY OF THE FAILURE.
- CONSTRUCTION FENCE SHALL BE REPAIRED OR REPLACED WHEN THERE ARE SIGNS OF DAMAGE SUCH AS RIPS OR SAGS. CONSTRUCTION FENCE IS TO REMAIN IN PLACE UNTIL THE UPSTREAM DISTURBED AREA IS STABILIZED AND APPROVED BY THE LOCAL JURISDICTION.
- WHEN CONSTRUCTION FENCES ARE REMOVED, ALL DISTURBED AREAS ASSOCIATED WITH THE INSTALLATION, MAINTENANCE, AND/OR REMOVAL OF THE FENCE SHALL BE COVERED WITH TOPSOIL, SEEDED AND MULCHED, OR OTHERWISE STABILIZED AS APPROVED BY LOCAL JURISDICTION.

3 CONSTRUCTION FENCE
SCALE: N.T.S.

REVEGETATION NOTES

- TO THE EXTENT PRACTICABLE, EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED PRIOR TO GRADING ACTIVITIES AT ALL TIMES DURING PROJECT CONSTRUCTION. ALL TEMPORARY AND PERMANENT EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NEEDED TO PREVENT ACCELERATED EROSION ON THE SITE AND ANY ADJACENT PROPERTIES.
- SILT FENCE SHALL BE INSTALLED PRIOR TO ANY EARTHWORK OPERATIONS.
- ALL TOPSOIL, WHERE PHYSICALLY PRACTICABLE, SHALL BE SALVAGED AND NO TOPSOIL SHALL BE REMOVED FROM THE SITE. TOPSOIL AND OVERBURDEN SHALL BE SEGREGATED AND STOCKPILED SEPARATELY. TOPSOIL AND OVERBURDEN SHALL BE REDISTRIBUTED WITHIN THE GRADED AREA AFTER ROUGH GRADING TO PROVIDE A SUITABLE BASE FOR AREAS WHICH WILL BE SEEDDED AND PLANTED. RUNOFF FROM STOCKPILED AREA SHALL BE CONTROLLED TO PREVENT EROSION AND RESULTANT SEDIMENTATION OF RECEIVING WATER.
- PERMANENT SOIL STABILIZATION MEASURES SHALL BE APPLIED TO DISTURBED AREAS AND STOCKPILES WITHIN 14 DAYS AFTER FINAL GRADE IS REACHED ON ANY PORTION OF THE SITE. TEMPORARY SOIL STABILIZATION MEASURES SHALL BE APPLIED WITHIN 14 DAYS TO DISTURBED AREAS WHICH MAY NOT BE AT FINAL GRADE, BUT WILL BE LEFT DORMANT FOR LONGER THAN 60 DAYS.

TEMPORARY SOIL STABILIZATION SHALL CONSIST OF SEEDING WITH ANNUAL RYEGRASS AT 40 LBS PLS/ACRE AND SHALL BE HYDROMULCHED WITH A WOOD FIBER AND TACKIFIER AT 1 TON/ACRE.

PERMANENT SOIL STABILIZATION CONSISTING OF THE MIX NOTED BELOW SHALL BE BROADCAST SEEDDED AT THE SEEDING RATES SHOWN BELOW.

BOULDER COUNTY MOUNTAIN SEED MIX

COMMON NAME	SPECIES NAME	VARIETY	% OF MIX	# PLS/AC
BLUE GRAMA	BOUTELOUA GRACILIS	NATIVE ALMA, OR HACHITA	20%	0.84
CANADA WILDRYE	ELYMUS CANADENSIS	NATIVE	10%	3.03
THICKSPIKE WHEATGRASS	ELYMUS LANCEOLATUS	CRITANA	25%	5.58
SLENDER WHEATGRASS	ELYMUS TRACHYCAULUS	SAN LUIS	25%	5.58
JUNEGRASS	KOELERIA MACRANTHA	NATIVE	10%	0.15
SANDBERG'S BLUEGRASS	POA SECUNDA	NATIVE	10%	0.38
TOTALS:			100%	15.46

THE SEEDED AREA SHALL THEN BE LIGHTLY RAKED TO DEPOSIT THE SEEDS APPROXIMATELY 1/4" - 1/2" BELOW THE SURFACE. IMMEDIATELY FOLLOWING SEEDING, ALL SEEDED AREAS SHALL BE MULCHED WITH 1 - 1/2 TONS OF WEED-FREE STRAW PER ACRE, MECHANICALLY OR HAND CRIMPED INTO TOPSOIL.

FUGITIVE DUST EMISSIONS RESULTING FROM GRADING ACTIVITIES AND/OR WIND SHALL BE CONTROLLED USING THE BEST AVAILABLE CONTROL TECHNOLOGY AS DEFINED BY THE COLORADO DEPARTMENT OF HEALTH AT THE TIME OF GRADING.

- MINIMIZE THE AREA OF DISTURBANCE TO PROTECT EXISTING VEGETATION.
- ALL CUT SLOPES SHALL BE A MAXIMUM OF 1.5:1. ALL FILL SLOPES SHALL BE A MAXIMUM OF 1.5:1.
- ALL EROSION CONTROL MEASURES SHALL BE INSPECTED AFTER ALL STORM EVENTS. ANY EROSION CONTROL MEASURES WHICH ARE DAMAGED PRIOR TO RE-ESTABLISHMENT OF VEGETATIVE COVER SHALL BE REPLACED IMMEDIATELY.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL OF ALL TEMPORARY EROSION CONTROL DEVICES AFTER THE ESTABLISHMENT OF FULL VEGETATION, INCLUDING BUT NOT LIMITED TO SILT FENCE AND POSTS, STRAW BALES, AND REGRADING TEMPORARY SEDIMENT BASINS.

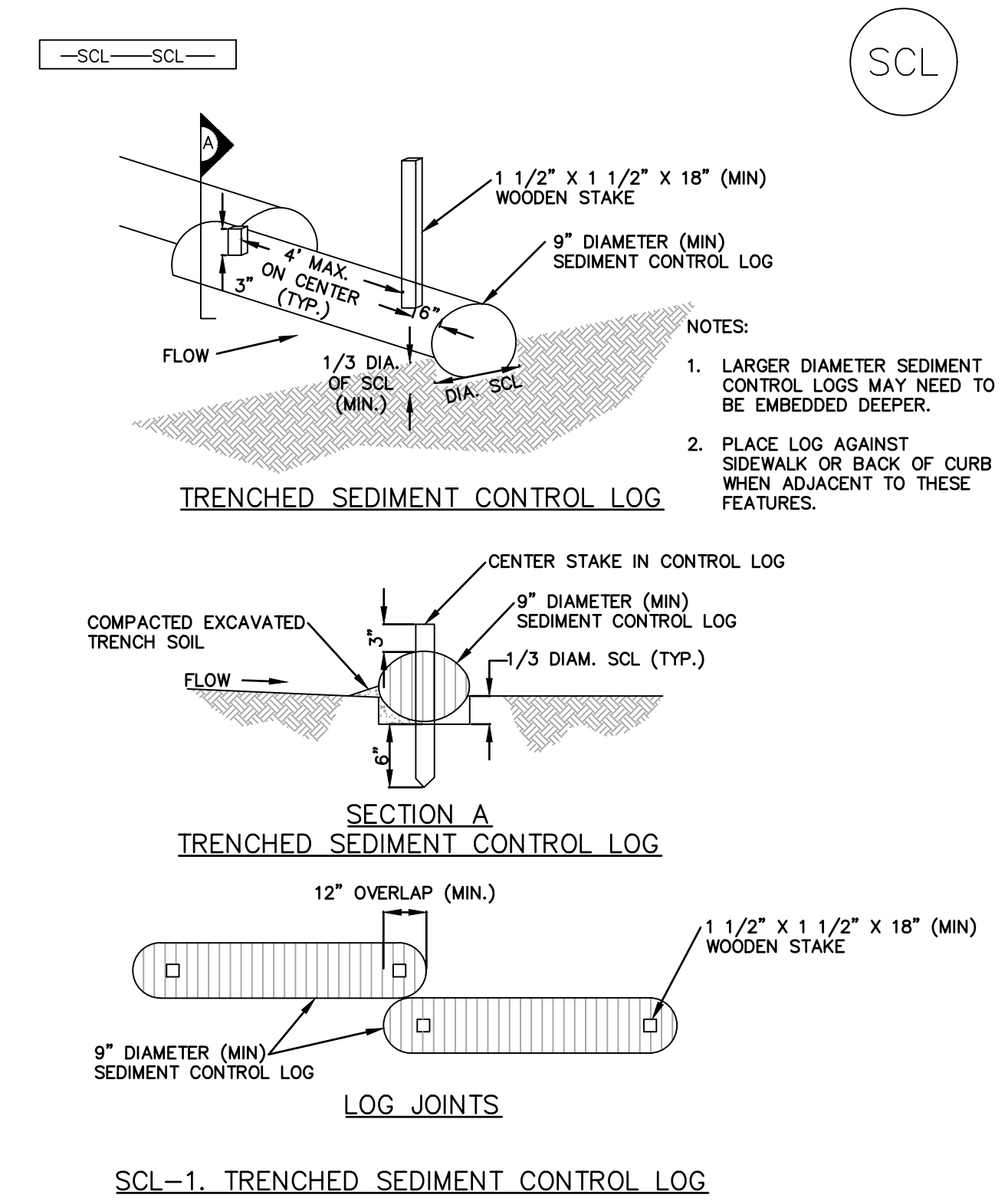


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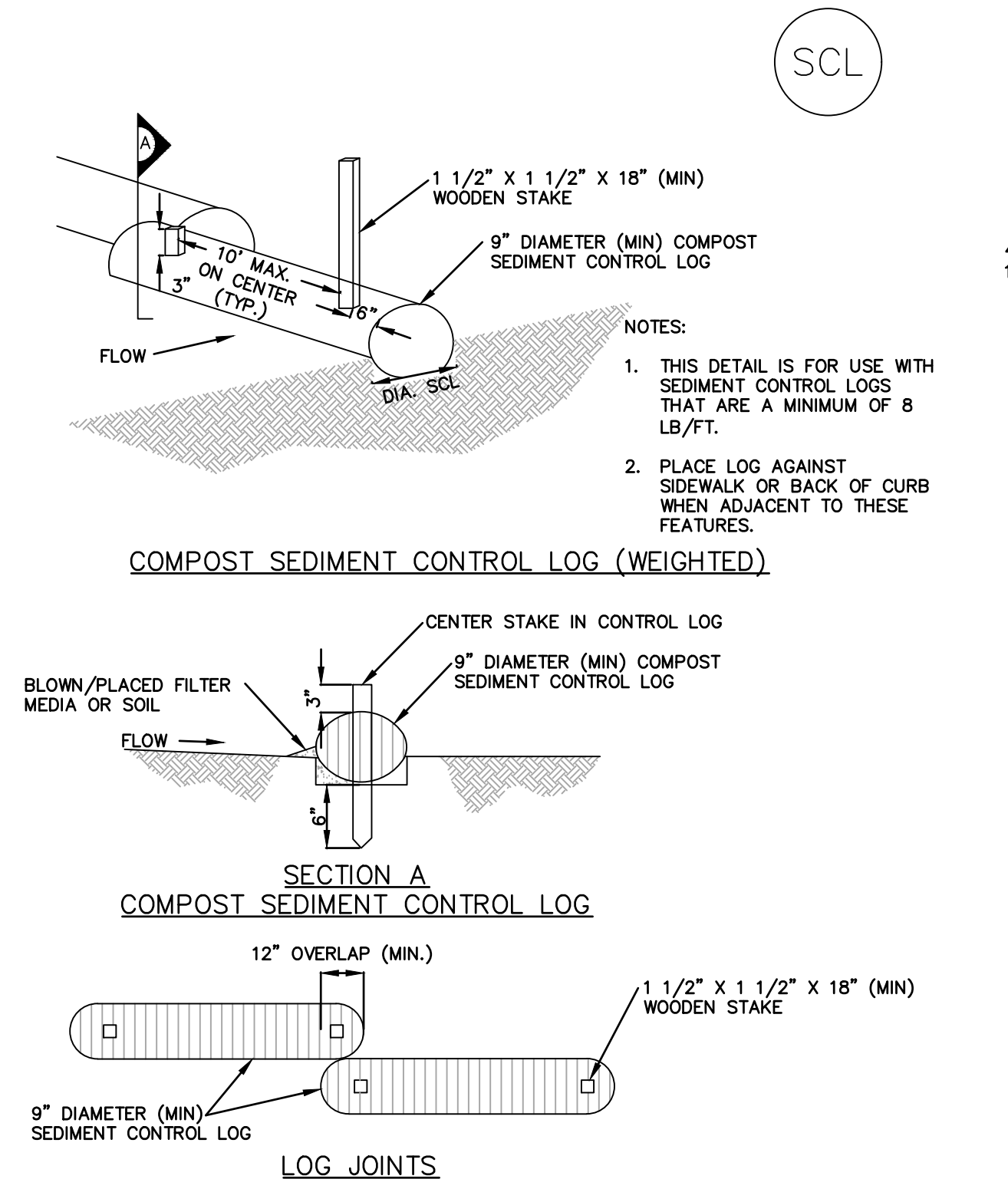
Project No: 23153
By: JAS/DPA
File: 23153-C-300.dwg

Civil Details

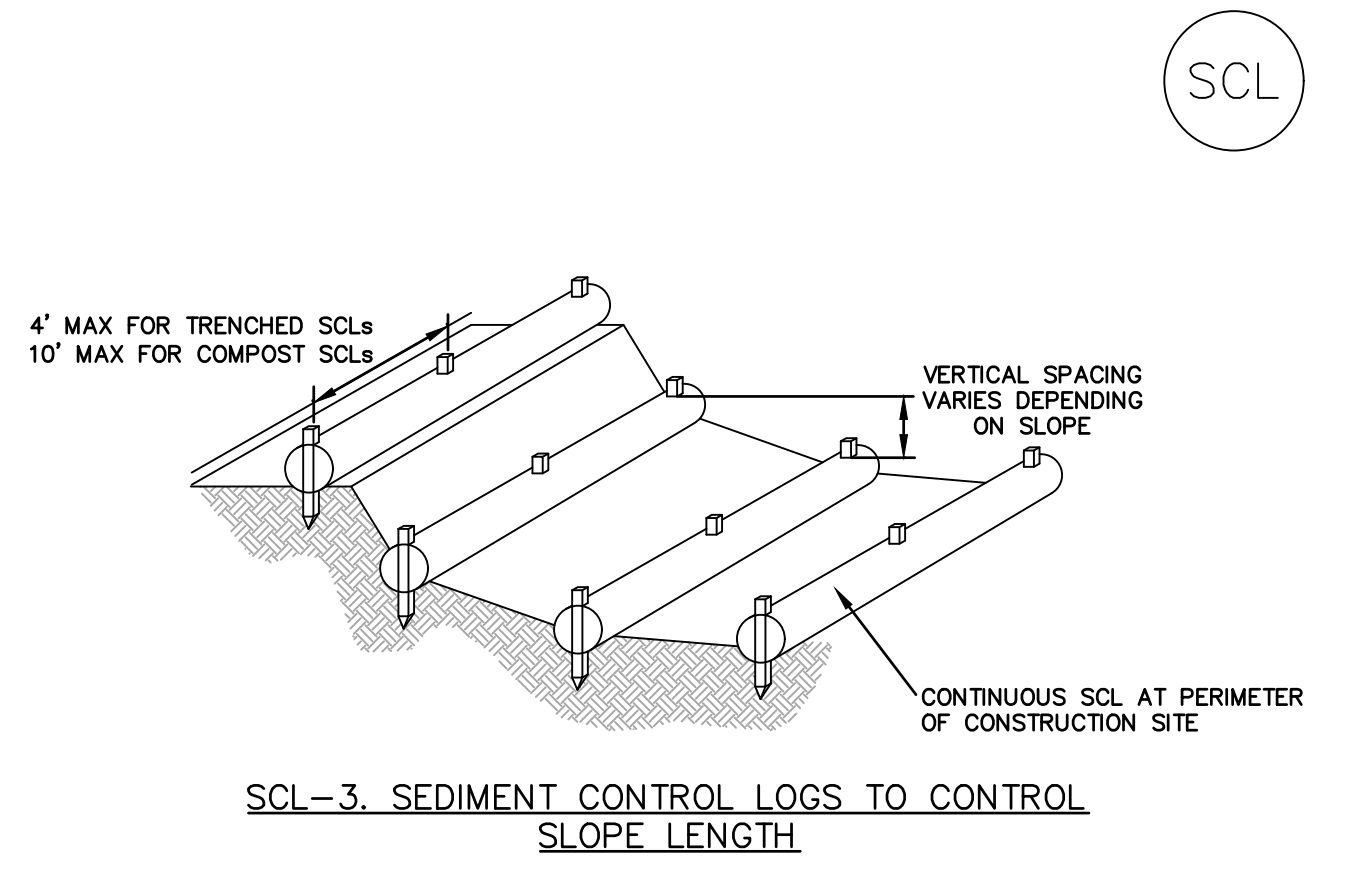
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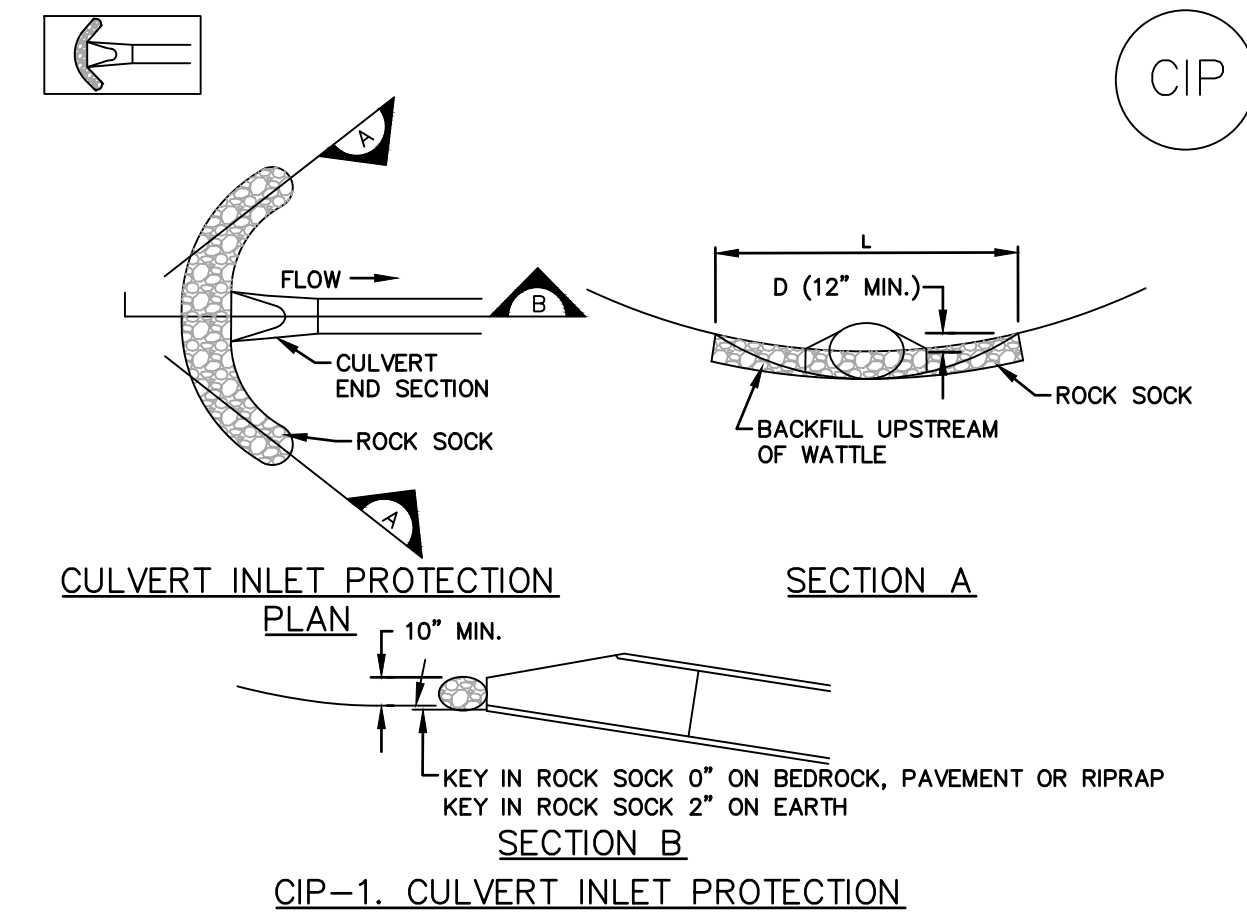
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SEDIMENT CONTROL LOG DETAIL
SCALE: N.T.S.



SCL-2. COMPOST SEDIMENT CONTROL LOG (WEIGHTED)

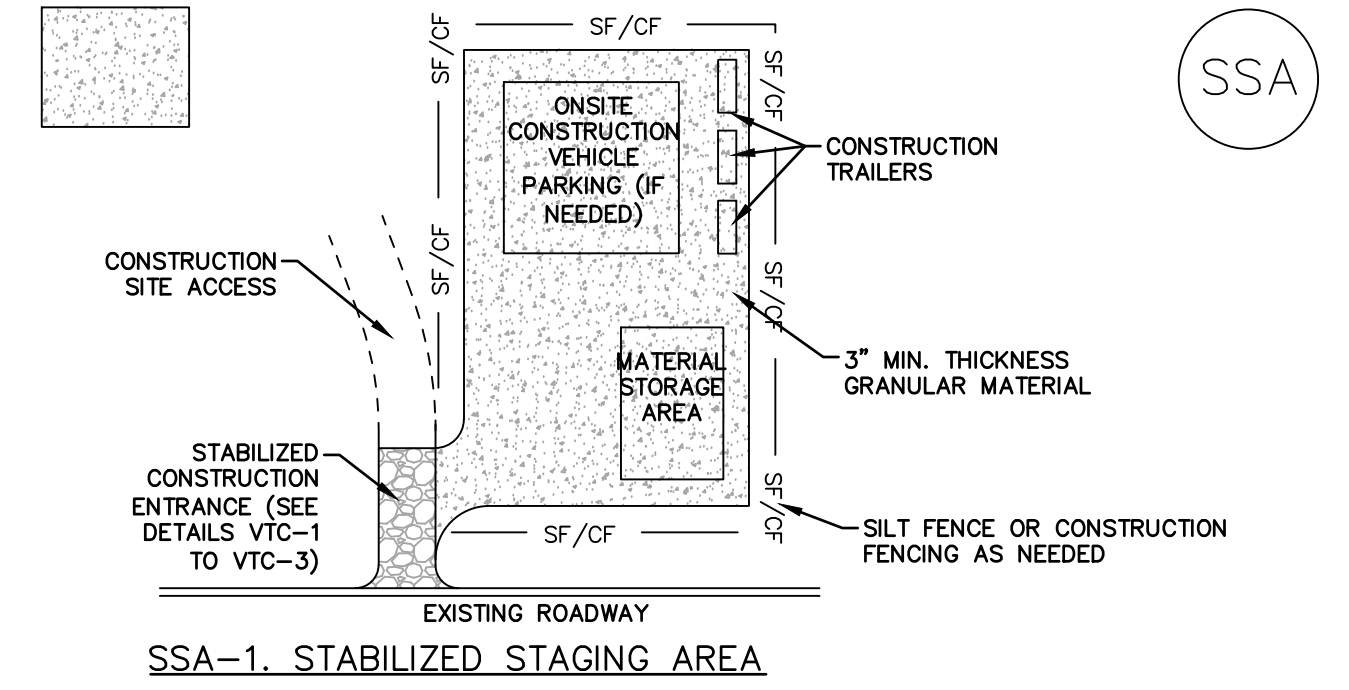


- SEDIMENT CONTROL LOG INSTALLATION NOTES**
- SEE PLAN VIEW FOR LOCATION AND LENGTH OF SEDIMENT CONTROL LOGS.
 - SEDIMENT CONTROL LOGS THAT ACT AS A PERIMETER CONTROL SHALL BE INSTALLED PRIOR TO ANY UPGRADIENT LAND-DISTURBING ACTIVITIES.
 - SEDIMENT CONTROL LOGS SHALL CONSIST OF STRAW, COMPOST, EXCELSIOR OR COCONUT FIBER, AND SHALL BE FREE OF ANY NOXIOUS WEED SEEDS OR DEFECTS INCLUDING RIPS, HOLES AND OBVIOUS WEAR.
 - SEDIMENT CONTROL LOGS MAY BE USED AS SMALL CHECK DAMS IN DITCHES AND SWALES. HOWEVER, THEY SHOULD NOT BE USED IN PERENNIAL STREAMS.
 - IT IS RECOMMENDED THAT SEDIMENT CONTROL LOGS BE TRENCHED INTO THE GROUND TO A DEPTH OF APPROXIMATELY 1/3 OF THE DIAMETER OF THE LOG. IF TRENCHING TO THIS DEPTH IS NOT FEASIBLE AND/OR DESIRABLE (SHORT TERM INSTALLATION WITH DESIRE NOT TO DAMAGE LANDSCAPE) A LESSER TRENCHING DEPTH MAY BE ACCEPTABLE WITH MORE ROBUST STAKING. COMPOST LOGS THAT ARE 8 LB/FT DO NOT NEED TO BE TRENCHED.
 - THE UPHILL SIDE OF THE SEDIMENT CONTROL LOG SHALL BE BACKFILLED WITH SOIL OR FILTER MATERIAL THAT IS FREE OF ROCKS AND DEBRIS. THE SOIL SHALL BE TIGHTLY COMPACTED INTO THE SHAPE OF A RIGHT TRIANGLE USING A SHOVEL OR WEIGHTED LAWN ROLLER OR BLOWN IN PLACE.
 - FOLLOW MANUFACTURERS' GUIDANCE FOR STAKING. IF MANUFACTURERS' INSTRUCTIONS DO NOT SPECIFY SPACING, STAKES SHALL BE PLACED ON 4' CENTERS AND EMBEDDED A MINIMUM OF 6" INTO THE GROUND. 3" OF THE STAKE SHALL PROTRUDE FROM THE TOP OF THE LOG. STAKES THAT ARE BROKEN PRIOR TO INSTALLATION SHALL BE REPLACED. COMPOST LOGS SHOULD BE STAKED 10' ON CENTER.
- SEDIMENT CONTROL LOG MAINTENANCE NOTES**
- INSPECT BMPs EACH WORKDAY, AND MAINTAIN THEM IN EFFECTIVE OPERATING CONDITION. MAINTENANCE OF BMPs SHOULD BE PROACTIVE, NOT REACTIVE. INSPECT BMPs AS SOON AS POSSIBLE (AND ALWAYS WITHIN 24 HOURS) FOLLOWING A STORM THAT CAUSES SURFACE EROSION, AND PERFORM NECESSARY MAINTENANCE.
 - FREQUENT OBSERVATIONS AND MAINTENANCE ARE NECESSARY TO MAINTAIN BMPs IN EFFECTIVE OPERATING CONDITION. INSPECTIONS AND CORRECTIVE MEASURES SHOULD BE DOCUMENTED THOROUGHLY.
 - WHERE BMPs HAVE FAILED, REPAIR OR REPLACEMENT SHOULD BE INITIATED UPON DISCOVERY OF THE FAILURE.
 - SEDIMENT ACCUMULATED UPSTREAM OF SEDIMENT CONTROL LOG SHALL BE REMOVED AS NEEDED TO MAINTAIN FUNCTIONALITY OF THE BMP, TYPICALLY WHEN DEPTH OF ACCUMULATED SEDIMENTS IS APPROXIMATELY 1/2 OF THE HEIGHT OF THE SEDIMENT CONTROL LOG.
 - SEDIMENT CONTROL LOG SHALL BE REMOVED AT THE END OF CONSTRUCTION. COMPOST FROM COMPOST LOGS MAY BE LEFT IN PLACE AS LONG AS BAGS ARE REMOVED AND THE AREA SEEDED. IF DISTURBED AREAS EXIST AFTER REMOVAL, THEY SHALL BE COVERED WITH TOP SOIL, SEEDED AND MULCHED OR OTHERWISE STABILIZED IN A MANNER APPROVED BY THE LOCAL JURISDICTION.



- CULVERT INLET PROTECTION INSTALLATION NOTES**
- SEE PLAN VIEW FOR -LOCATION OF CULVERT INLET PROTECTION.
 - SEE ROCK SOCK DESIGN DETAIL FOR ROCK GRADATION REQUIREMENTS AND JOINTING DETAIL.
- CULVERT INLET PROTECTION MAINTENANCE NOTES**
- INSPECT BMPs EACH WORKDAY, AND MAINTAIN THEM IN EFFECTIVE OPERATING CONDITION. MAINTENANCE OF BMPs SHOULD BE PROACTIVE, NOT REACTIVE. INSPECT BMPs AS SOON AS POSSIBLE (AND ALWAYS WITHIN 24 HOURS) FOLLOWING A STORM THAT CAUSES SURFACE EROSION, AND PERFORM NECESSARY MAINTENANCE.
 - FREQUENT OBSERVATIONS AND MAINTENANCE ARE NECESSARY TO MAINTAIN BMPs IN EFFECTIVE OPERATING CONDITION. INSPECTIONS AND CORRECTIVE MEASURES SHOULD BE DOCUMENTED THOROUGHLY.
 - WHERE BMPs HAVE FAILED, REPAIR OR REPLACEMENT SHOULD BE INITIATED UPON DISCOVERY OF THE FAILURE.
 - SEDIMENT ACCUMULATED UPSTREAM OF THE CULVERT SHALL BE REMOVED WHEN THE SEDIMENT DEPTH IS 1/2 THE HEIGHT OF THE ROCK SOCK.
 - CULVERT INLET PROTECTION SHALL REMAIN IN PLACE UNTIL THE UPSTREAM DISTURBED AREA IS PERMANENTLY STABILIZED AND APPROVED BY THE LOCAL JURISDICTION.

2
CULVERT INLET PROTECTION
SCALE: N.T.S.



- STABILIZED STAGING AREA INSTALLATION NOTES**
- SEE PLAN VIEW FOR:
-LOCATION OF STAGING AREA(S).
-CONTRACTOR MAY ADJUST LOCATION AND SIZE OF STAGING AREA WITH APPROVAL FROM THE LOCAL JURISDICTION.
 - STABILIZED STAGING AREA SHOULD BE APPROPRIATE FOR THE NEEDS OF THE SITE. OVERSIZING RESULTS IN A LARGER AREA TO STABILIZE FOLLOWING CONSTRUCTION.
 - STAGING AREA SHALL BE STABILIZED PRIOR TO OTHER OPERATIONS ON THE SITE.
 - THE STABILIZED STAGING AREA SHALL CONSIST OF A MINIMUM 3" THICK GRANULAR MATERIAL.
 - UNLESS OTHERWISE SPECIFIED BY LOCAL JURISDICTION, ROCK SHALL CONSIST OF DOT SECT. #703, AASHTO #3 COARSE AGGREGATE OR 6" (MINUS) ROCK.
 - ADDITIONAL PERIMETER BMPs MAY BE REQUIRED INCLUDING BUT NOT LIMITED TO SILT FENCE AND CONSTRUCTION FENCING.
- STABILIZED STAGING AREA MAINTENANCE NOTES**
- INSPECT BMPs EACH WORKDAY, AND MAINTAIN THEM IN EFFECTIVE OPERATING CONDITION. MAINTENANCE OF BMPs SHOULD BE PROACTIVE, NOT REACTIVE. INSPECT BMPs AS SOON AS POSSIBLE (AND ALWAYS WITHIN 24 HOURS) FOLLOWING A STORM THAT CAUSES SURFACE EROSION, AND PERFORM NECESSARY MAINTENANCE.
 - FREQUENT OBSERVATIONS AND MAINTENANCE ARE NECESSARY TO MAINTAIN BMPs IN EFFECTIVE OPERATING CONDITION. INSPECTIONS AND CORRECTIVE MEASURES SHOULD BE DOCUMENTED THOROUGHLY.
 - WHERE BMPs HAVE FAILED, REPAIR OR REPLACEMENT SHOULD BE INITIATED UPON DISCOVERY OF THE FAILURE.
 - ROCK SHALL BE REAPPLIED OR REGRADED AS NECESSARY IF RUTTING OCCURS OR UNDERLYING SUBGRADE BECOMES EXPOSED.
 - STABILIZED STAGING AREA SHALL BE ENLARGED IF NECESSARY TO CONTAIN PARKING, STORAGE, AND UNLOADING/LOADING OPERATIONS.
 - THE STABILIZED STAGING AREA SHALL BE REMOVED AT THE END OF CONSTRUCTION. THE GRANULAR MATERIAL SHALL BE REMOVED OR, IF APPROVED BY THE LOCAL JURISDICTION, USED ON SITE, AND THE AREA COVERED WITH TOPSOIL, SEEDED AND MULCHED OR OTHERWISE STABILIZED IN A MANNER APPROVED BY LOCAL JURISDICTION.

2
STABILIZED STAGING AREA
SCALE: N.T.S.

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McVey Residence
48733 Peak to Peak Highway
Boulder County, CO 80540

#	Date	Description
1	09/20/23	SPR SUBMITTAL

Project No: 23153
By: JAS/DPA
File: 23153-C-300.dwg

Civil Details

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C-303

Peaceful Valley

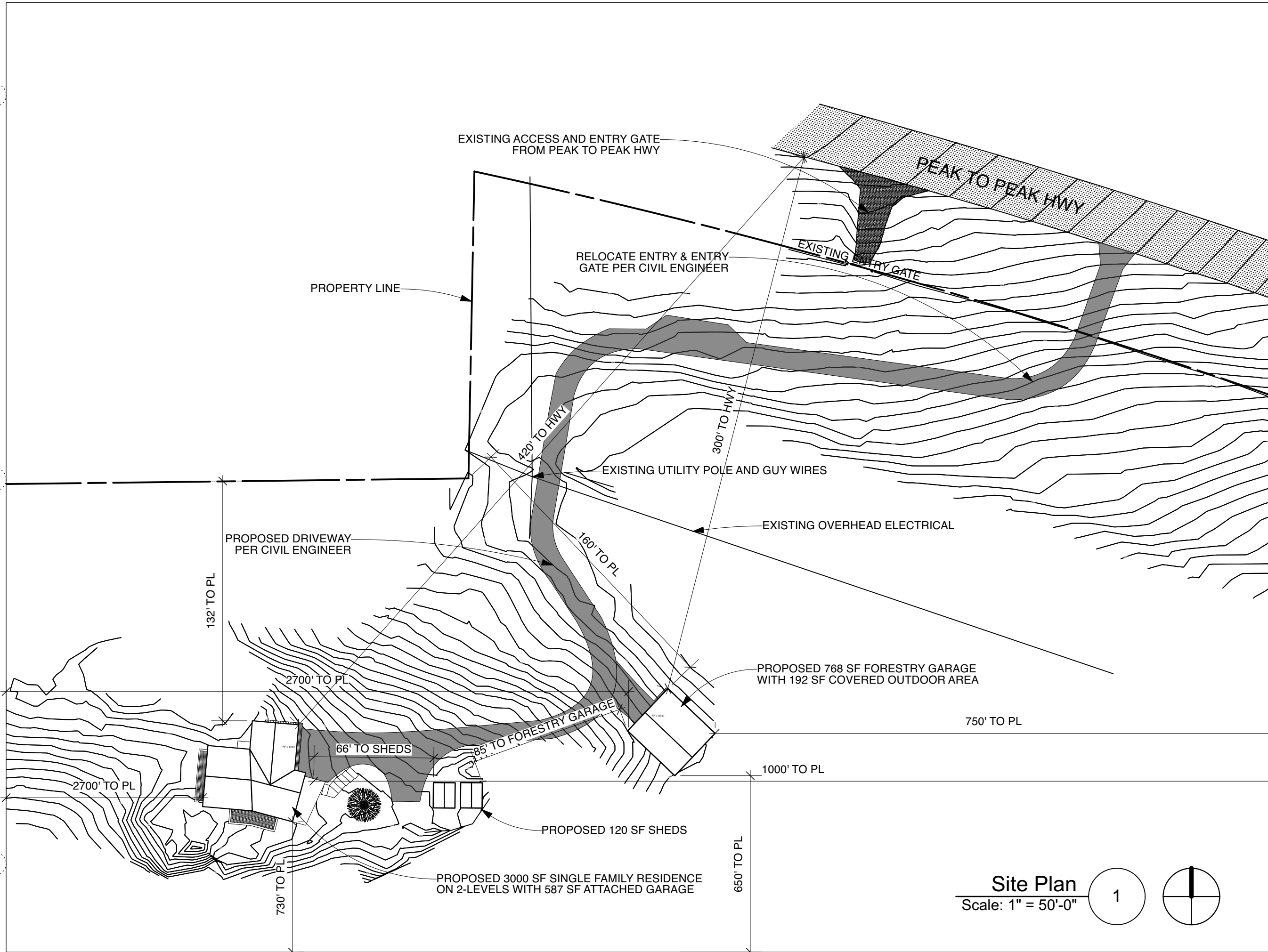
48733 Peak to Peak HWY
Ward, CO

For:
Vicki, Jesse & Jean

CONNECT architecture

Nathan Knecht A.I.A.

1510 Zamia Ave #103
Boulder, Colorado 80304
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Concept Site Plan

Date: 09/25/2023

Sheet Number:

C-1

Site Plan 1

Scale: 1" = 50'-0"

Peaceful Valley

48733 Peak to Peak HWY
Ward, CO

For:
Vicki, Jesse & Jean

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Concept Elevations New Residence

Date: 09/25/2023

Sheet Number:

A-1



East Elevation

Scale: 1/8" = 1'-0"

1

Peaceful Valley

48733 Peak to Peak HWY
Ward, CO

For:
Vicki, Jesse & Jean

CONNECT architecture

Nathan Knecht A.I.A.

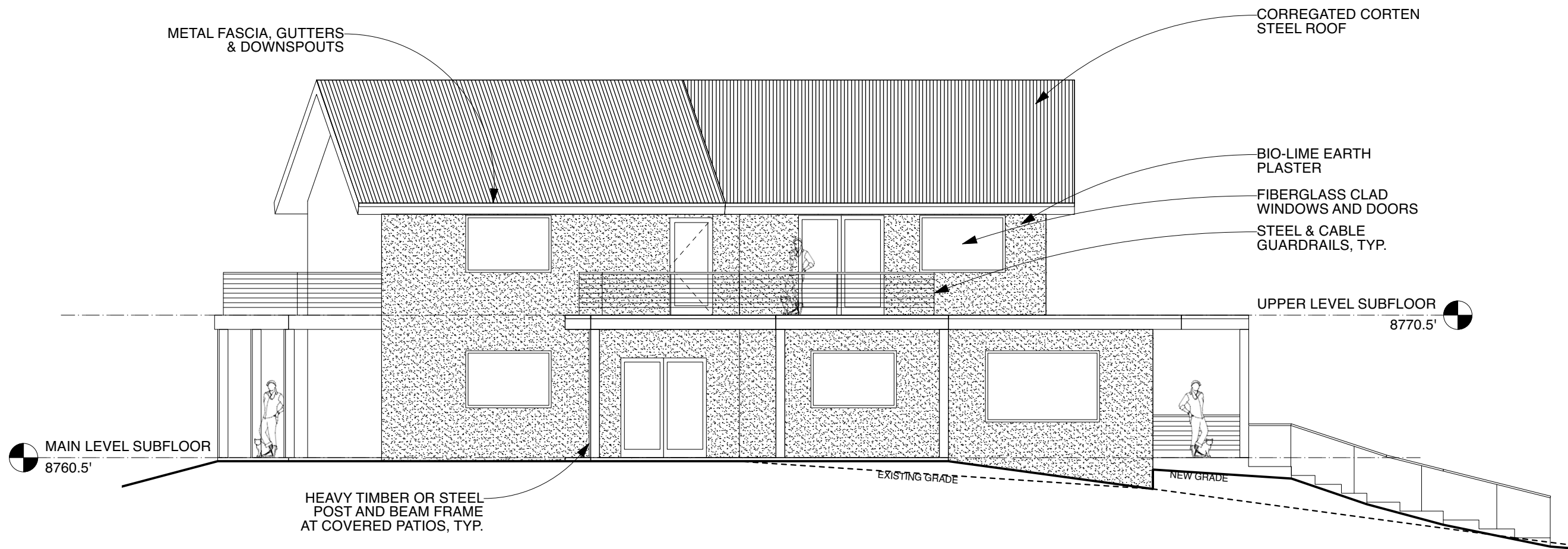
1510 Zamia Ave #103
Boulder, Colorado 80304
Tel. (303) 579-4432
nathan@connectarchitecture.com

Concept Elevations New Residence

Date: 09/25/2023

Sheet Number:

A-2



South Elevation

Scale: 1/8" = 1'-0"

1

Peaceful Valley

48733 Peak to Peak HWY
Ward, CO

For:
Vicki, Jesse & Jean

CONNECT architecture

Nathan Knecht A.I.A.

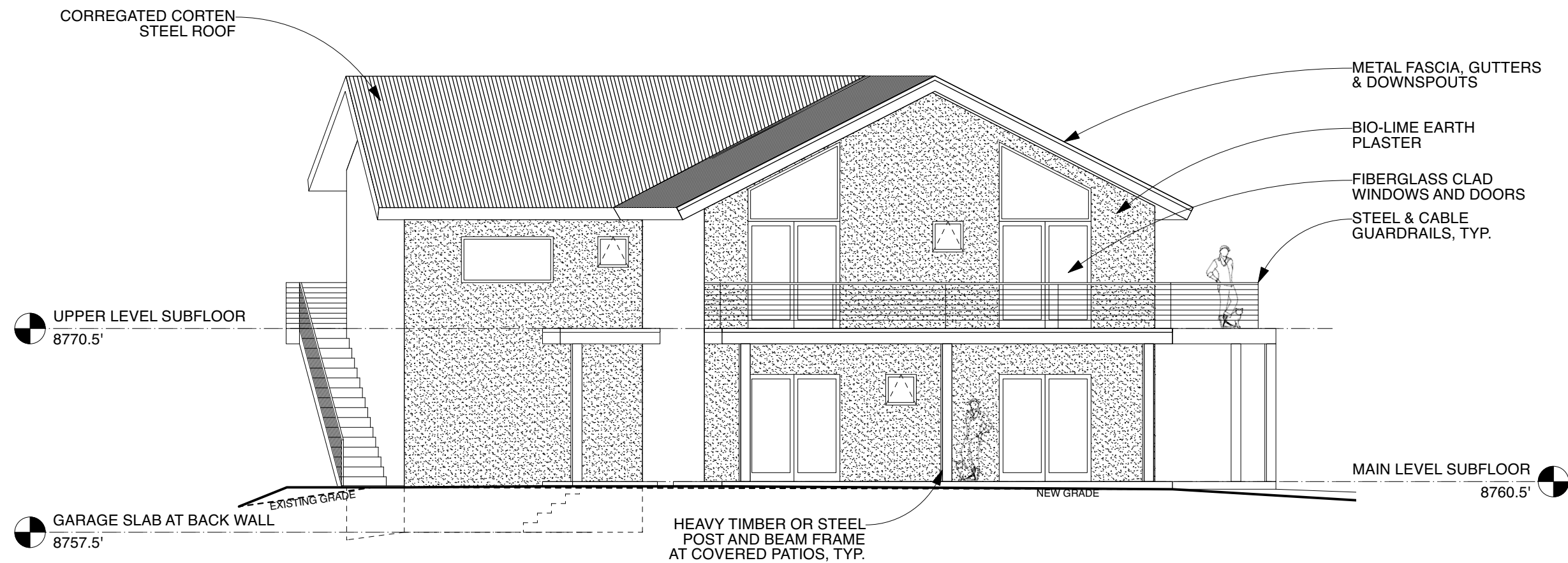
1510 Zamia Ave #103
Boulder, Colorado 80304
Tel. (303) 579-4432
nathan@connectarchitecture.com

Concept Elevations New Residence

Date: 09/25/2023

Sheet Number:

A-3



West Elevation

Scale: 1/8" = 1'-0"

1

Peaceful Valley

48733 Peak to Peak HWY
Ward, CO

For:
Vicki, Jesse & Jean

CONNECT architecture

Nathan Knecht A.I.A.

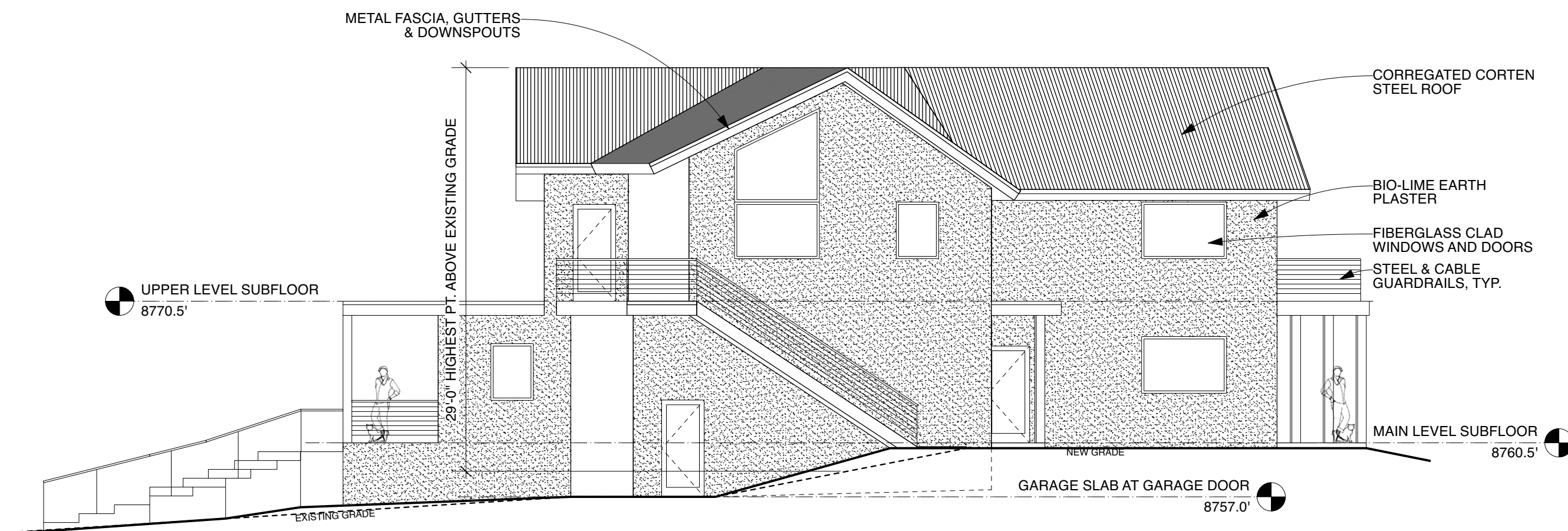
1510 Zamia Ave #103
Boulder, Colorado 80304
Tel. (303) 579-4432
nathan@connectarchitecture.com

Concept Elevations New Residence

Date: 09/25/2023

Sheet Number:

A-4



North Elevation
Scale: 1/8" = 1'-0" 1

Peaceful Valley

48733 Peak to Peak HWY
Ward, CO

For:
Vicki, Jesse & Jean

CONNECT architecture

Nathan Knecht A.I.A.

1510 Zamia Ave #103
Boulder, Colorado 80304
Tel. (303) 579-4432
nathan@connectarchitecture.com

Concept Elevations Forestry Garage

Date: 09/25/2023

Sheet Number:

A-5

TOP OF ROOF
9753.75'

METAL FASCIA, GUTTERS
& DOWNSPOUTS

FIBERGLASS CLAD
WINDOWS AND DOORS

CORREGATED CORTEN
STEEL ROOF

BIO-LIME EARTH
PLASTER

GARAGE SLAB AT GARAGE DOOR
8737.0'

EXISTING GRADE
NEW GRADE

South Elevation

Scale: 1/8" = 1'-0"

2

TOP OF ROOF
8753.75'

METAL FASCIA, GUTTERS
& DOWNSPOUTS

BIO-LIME EARTH
PLASTER

HEAVY TIMBER OR STEEL
POST AND BEAM FRAME
AT ROOF COVERED AREA

FIBERGLASS CLAD
OVERHEAD DOOR

NEW GRADE

GARAGE SLAB AT GARAGE DOOR

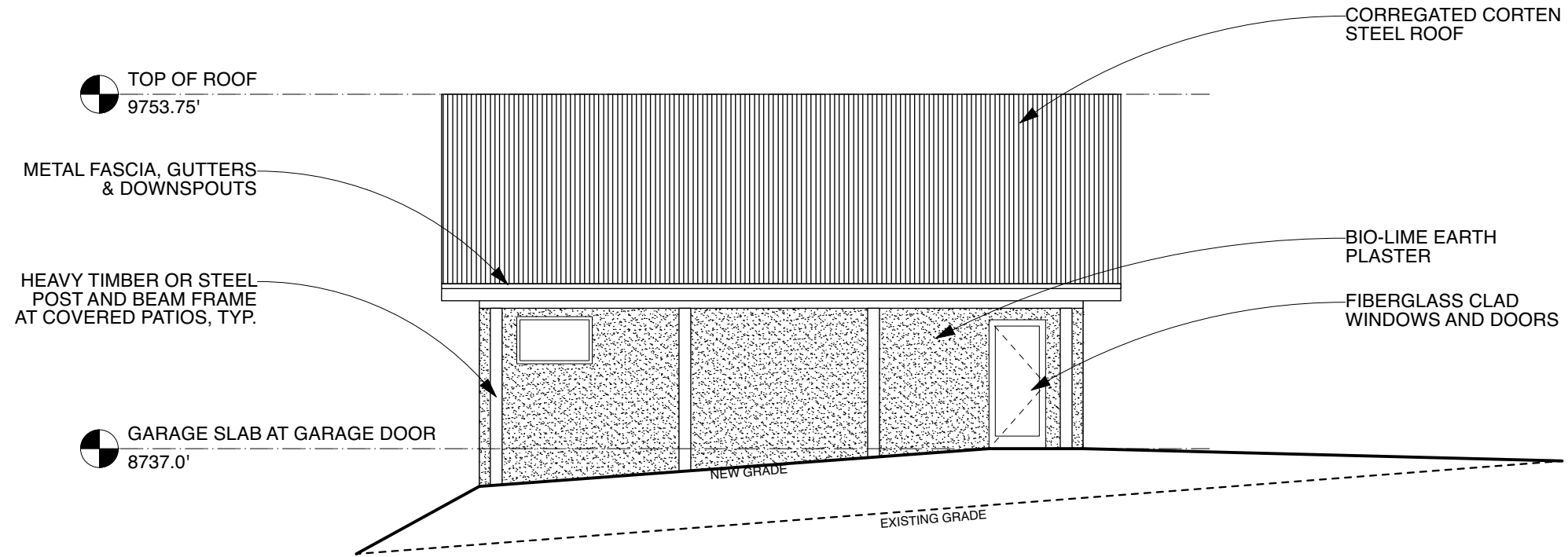
8737.0'

EXISTING GRADE

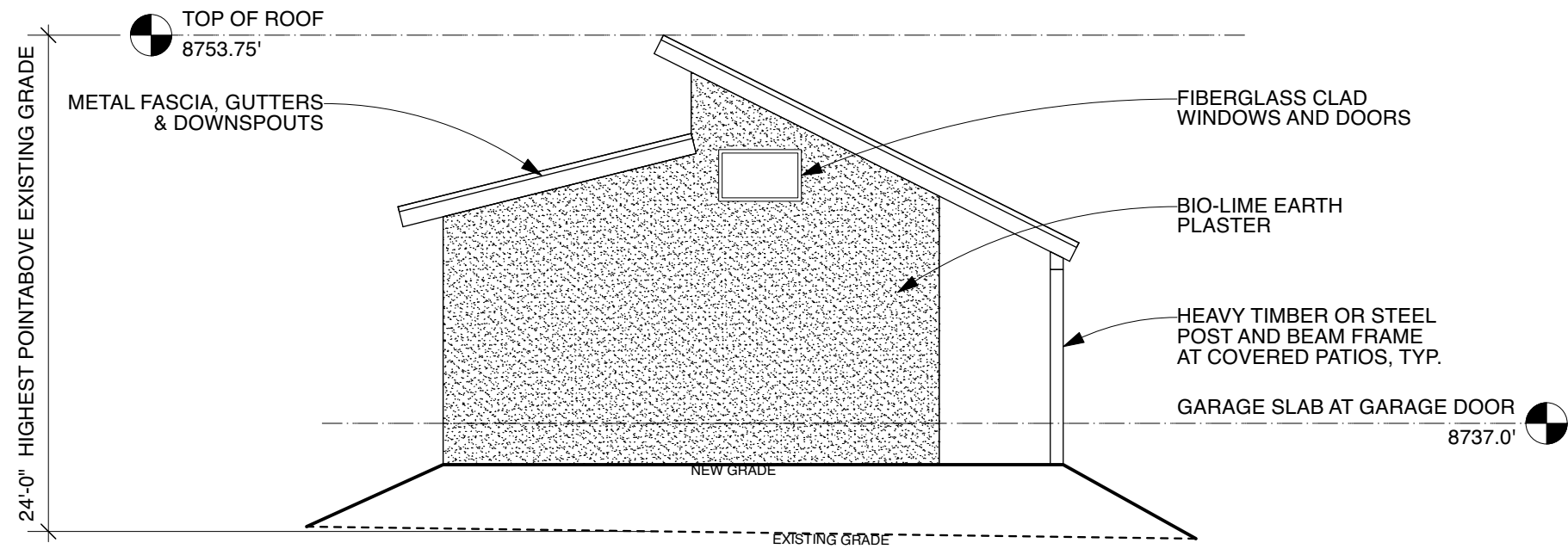
East Elevation

Scale: 1/8" = 1'-0"

1



North Elevation (2)
 Scale: 1/8" = 1'-0"



West Elevation (1)
 Scale: 1/8" = 1'-0"

Peaceful Valley

48733 Peak to Peak HWY
Ward, CO

For:
Vicki, Jesse & Jean

CONNECT architecture

Nathan Knecht A.I.A.

1510 Zamia Ave #103
Boulder, Colorado 80304
Tel. (303) 579-4432
nathan@connectarchitecture.com

Concept Elevations Forestry Garage

Date: 09/25/2023

Sheet Number:

A-6

Peaceful Valley

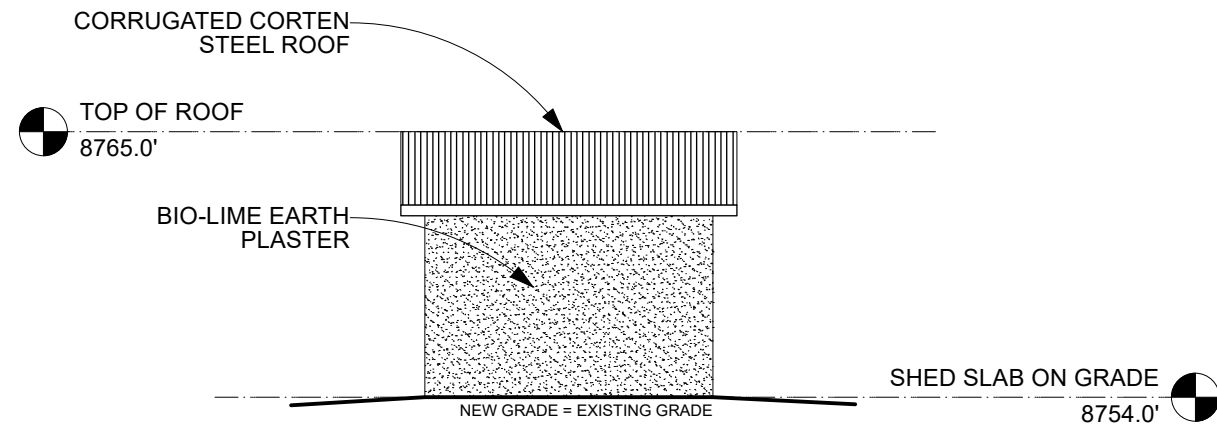
48733 Peak to Peak HWY
Ward, CO

For:
Vicki, Jesse & Jean

CONNECT architecture

Nathan Knecht A.I.A.

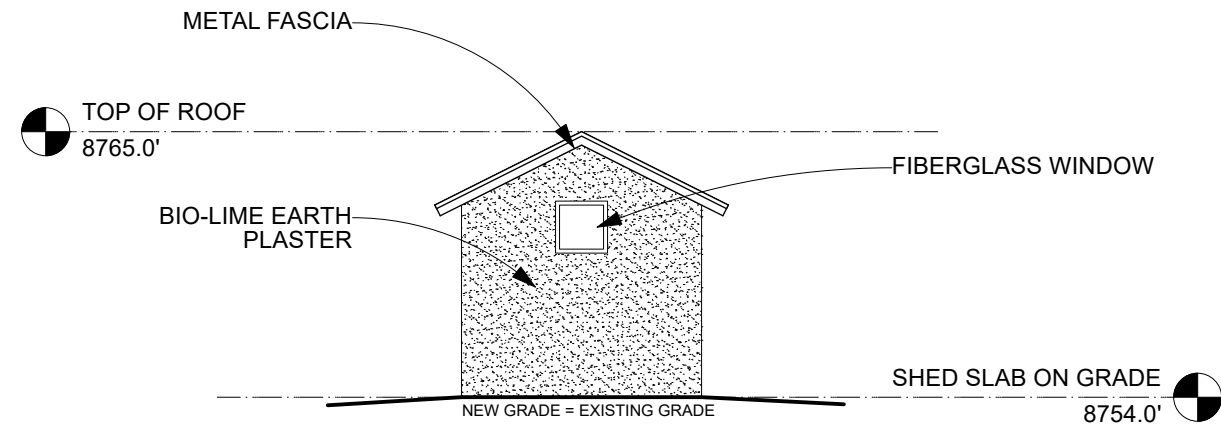
1510 Zamia Ave #103
Boulder, Colorado 80304
Tel. (303) 579-4432
nathan@connectarchitecture.com



East Elevation

Scale: 1/8" = 1'-0"

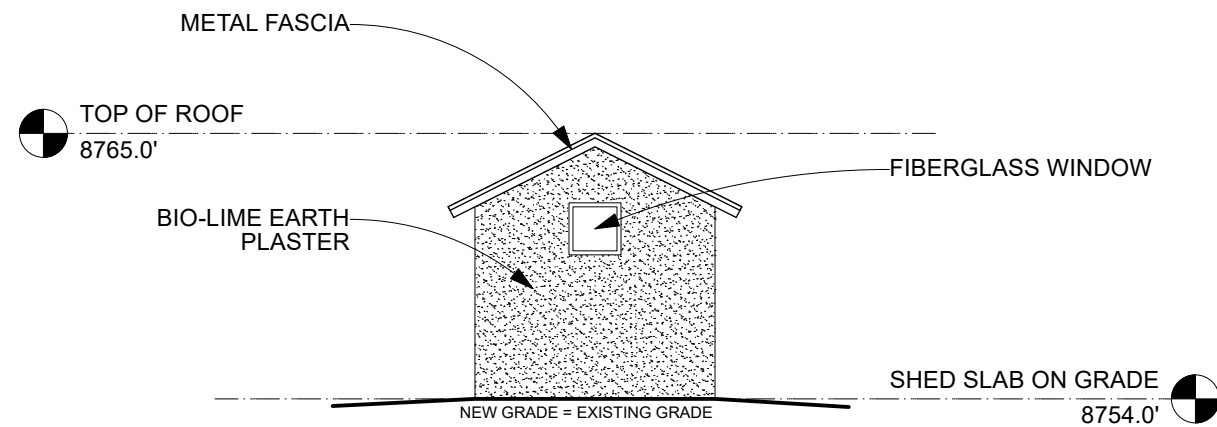
4



North Elevation

Scale: 1/8" = 1'-0"

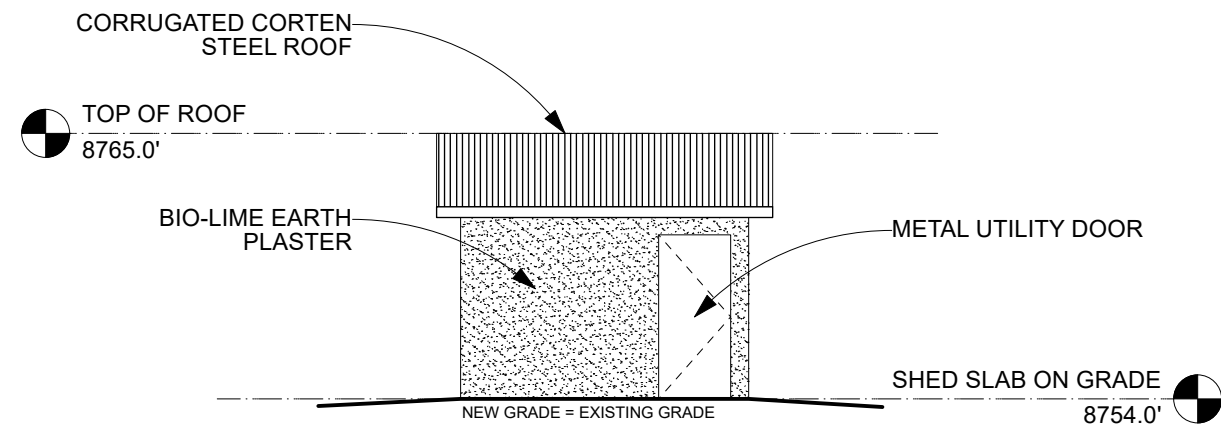
3



South Elevation

Scale: 1/8" = 1'-0"

2



West Elevation

Scale: 1/8" = 1'-0"

1

Concept Elevations Shed #1

Date: 09/25/2023

Sheet Number:

A-7

Peaceful Valley

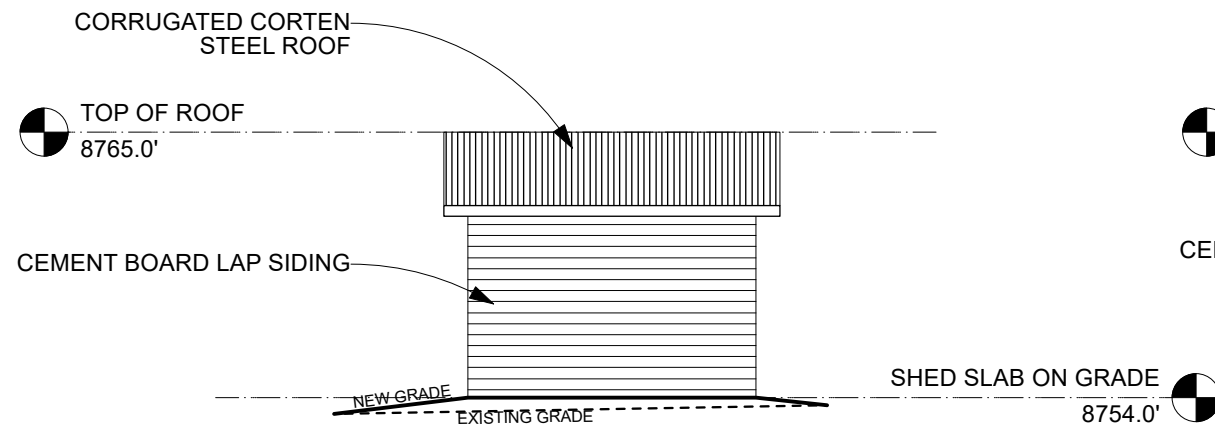
48733 Peak to Peak HWY
Ward, CO

For:
Vicki, Jesse & Jean

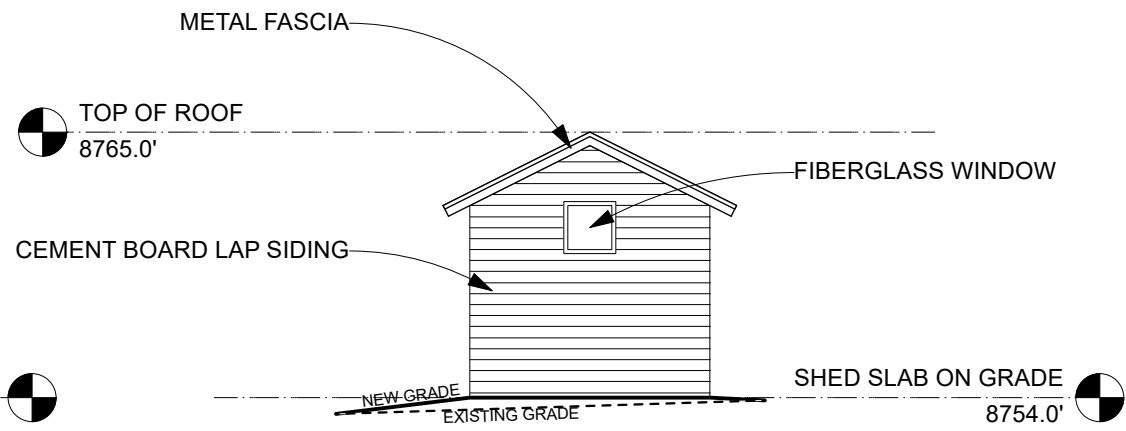
CONNECT architecture

Nathan Knecht A.I.A.

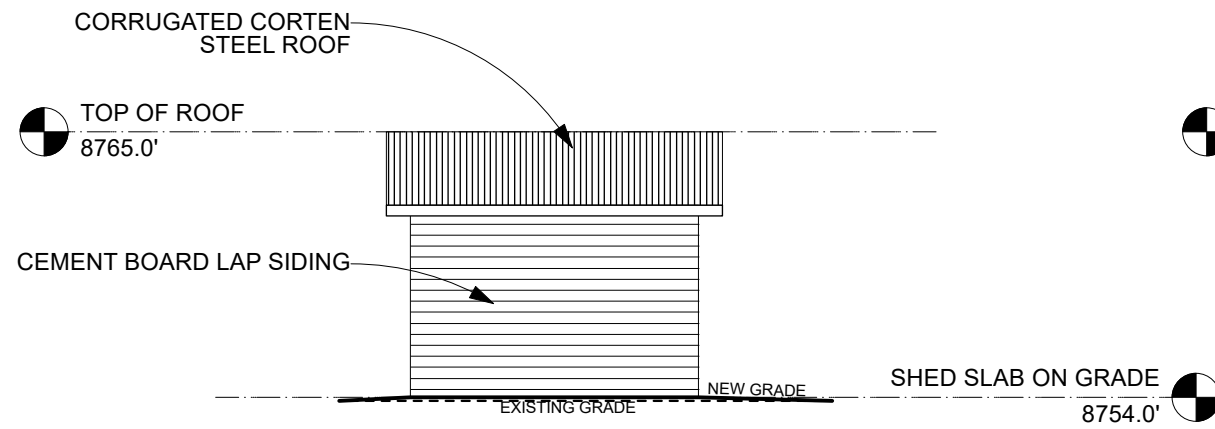
1510 Zamia Ave #103
Boulder, Colorado 80304
Tel. (303) 579-4432
nathan@connectarchitecture.com



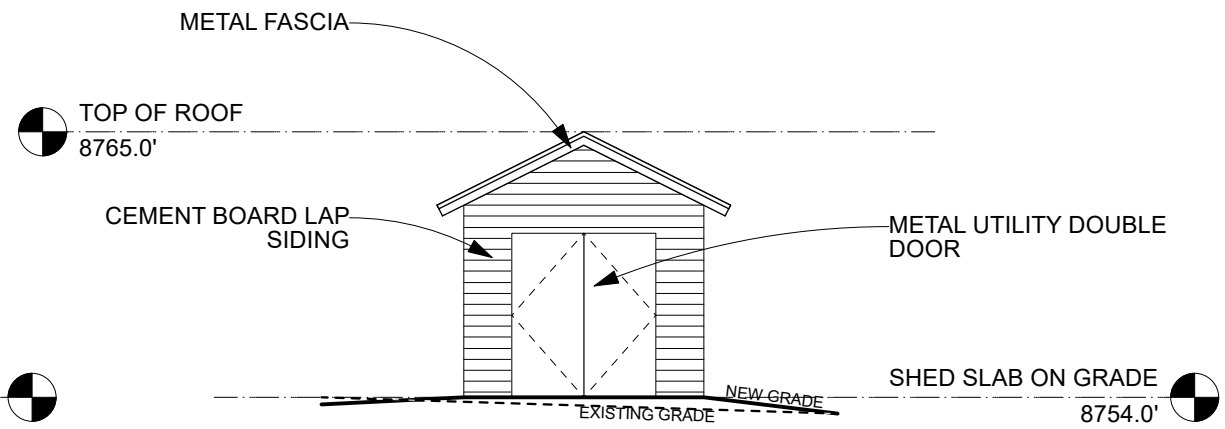
East Elevation
Scale: 1/8" = 1'-0" (4)



North Elevation
Scale: 1/8" = 1'-0" (3)



West Elevation
Scale: 1/8" = 1'-0" (2)



South Elevation
Scale: 1/8" = 1'-0" (1)

Concept Elevations Shed #2

Date: 09/25/2023

Sheet Number:

A-8

September 20, 2023

Delivery by email

Nathan Knecht, Connect Architecture
1510 Zamia Ave #103
Boulder, CO 80304
nathan@connectarchitecture.com

Re: Conservation Easement Program Consent to Submit Plans for Single-Family Residence with Attached Garage, Forestry Garage and Two Sheds at 48733 Peak to Peak Hwy

Dear Nathan,

Thank you for sharing your client's plans to build a 3,000 square foot single-family residence with 600 square foot attached garage, a 768 square foot forestry garage with a 192 square foot overhang, and two 120 square foot sheds at the property described above. The property is encumbered by a Deed of Conservation Easement in Gross that is recorded in the real estate records of Boulder County on October 16, 2001, at Reception Number 2208132 and an Amendment to Deed of Conservation Easement in Gross recorded in the real estate records of Boulder County on December 5, 2018, at Reception Number 3688788.

The conservation easement permits the construction of one single-family residence not to exceed 3,000 square feet along with two garages and two sheds that are not subject to square footage restrictions. This proposal is consistent with the terms of the conservation easement.

The plans indicate that your clients plan to use eco blocks for construction which are wider than traditional building materials, resulting in larger square footage measurements. You also mention that in a previous Site Plan Review process on a different project, the Community Planning & Permitting Department (CP&P) supported calculating the eco block floor area at the width of traditional building materials from the interior of the wall. The Conservation Easement Program will defer to CP&P to determine if they will apply this same calculation technique on this project. If CP&P determines that the entire width of the eco block must be accounted for in square footage calculations, you will need to revise your plans to stay in compliance with the 3,000 square foot limit on the single-family residence.

Please include a copy of this letter along with your Site Plan Review application to CP&P indicating that the **Conservation Easement Program at Parks & Open Space consents to proceeding with the application process**. I look forward to reviewing your complete and final application after it is referred out by CP&P.

Sincerely,



Liz Northrup
Conservation Easement Program Supervisor
303-678-6253
enorthrup@bouldercounty.gov



Building Site Options

Location 1:

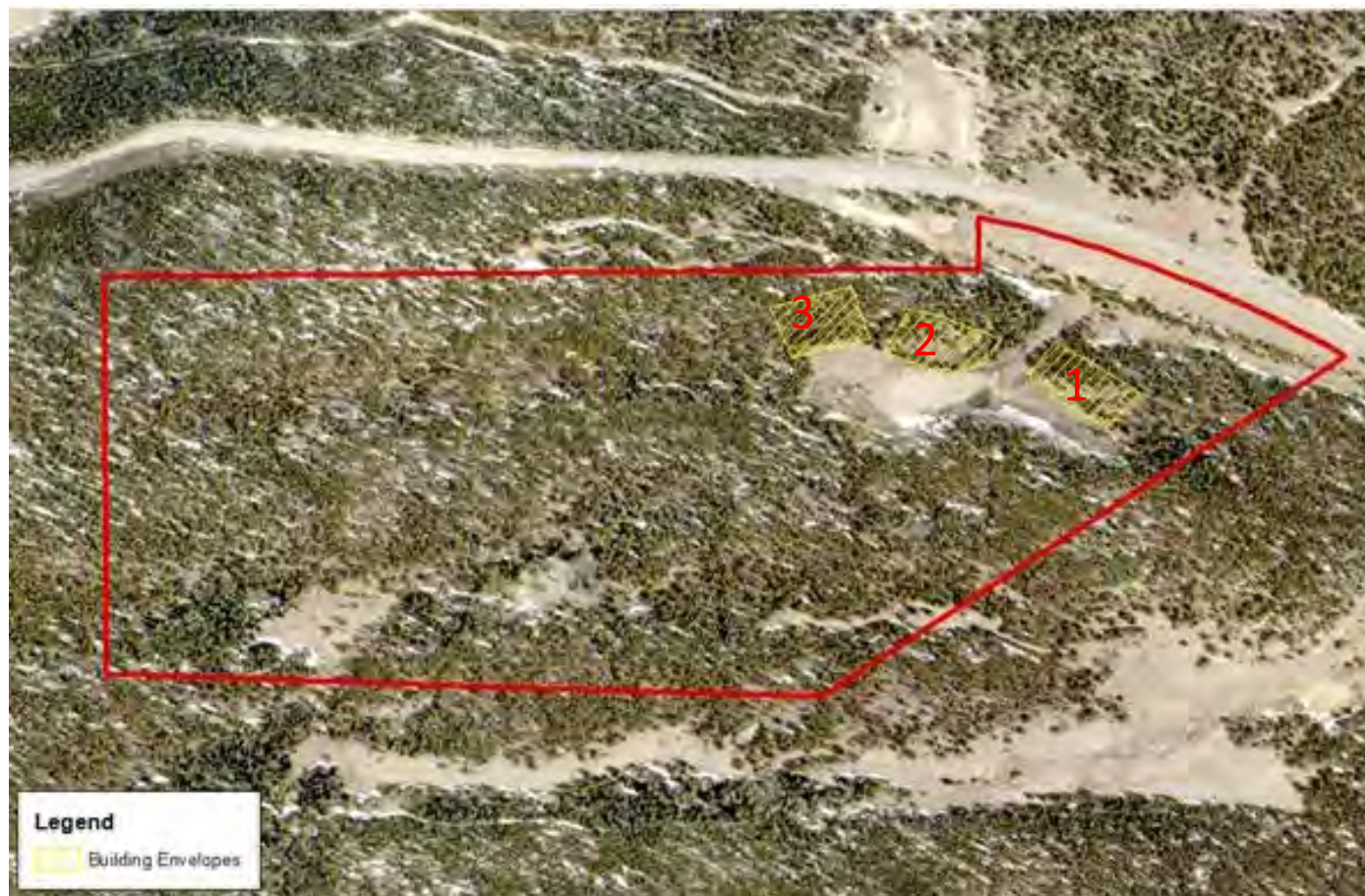
- Shortest driveway
- Driveway would cross drainage area
- Potential for significant foundation grading impact
- Best views
- Potentially visible from Peak to Peak

Location 2:

- Longer driveway
- Steep site
- Potentially visible from Peak to Peak

Location 3:

- Significant driveway length
- Most tree removal for fire mitigation
- Hidden from Peak to Peak





①

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20-1

⊙

DEED OF CONSERVATION EASEMENT IN GROSS

THIS GRANT DEED OF CONSERVATION EASEMENT IN GROSS is entered into as of this 10th day of October, 2001, by and between **THE WILLIAM WELCH COLORADO PARTNERSHIP**, a Colorado limited partnership, c/o (hereinafter "Grantor") and the **COUNTY OF BOULDER**, a body corporate and politic, whose legal address is P.O. Box 471, Boulder, Colorado 80306 (hereinafter "Grantee").

WITNESSETH THAT:

WHEREAS, Grantor is the owner of certain real property in Boulder County, Colorado, more particularly described on Exhibit A attached hereto and incorporated herein by this reference (hereinafter "Grantor's Land"); and

WHEREAS, portions of Grantor's Land currently remain in a substantially natural state and have significant ecological, wildlife, open space, scenic, and aesthetic values; and

WHEREAS, Grantor's Land provides significant habitat for wildlife, including, but not limited to, late fall, winter, early spring, and summer grazing and calving areas for a major Boulder County elk herd; and

WHEREAS, Grantor's Land provides a critical corridor for elk migration and other wildlife from the high elevation National Forest lands to the west to National Forest Lands to the east; and

WHEREAS, Grantor's Land is designated as a critical wildlife habitat in the Environmental Resources Element of the Boulder County Comprehensive Plan (critical elk range and migration route); and

WHEREAS, Grantor's Land includes a portion of a willow carr which is recognized as a critical plant association in the Environmental Resources Element of the Boulder County Comprehensive Plan; and

WHEREAS, Grantor's Land contains a significant riparian habitat for birds, waterfowl, and other wildlife, including a significant Willow Carr habitat; and

WHEREAS, Grantor's Land has more than one mile of frontage on Colorado Highway 72, designated by the State as a Scenic Byway and known as the "Peak to Peak Highway" and affords the public scenic open space vistas; and



WHEREAS, Grantor's Land fronting the Peak to Peak Highway is designated as an open corridor in the Open Space Element in the Boulder County Comprehensive Plan; and

WHEREAS, Grantor's Land is contiguous to the Roosevelt National Forest and is in close proximity to the Indian Peaks Wilderness Area of the United States National Forest System and complements the natural habitat contained therein as well as the ecological, wildlife, scenic, open space, and aesthetic values associated with such area; and

WHEREAS, Goal B.6 of the Boulder County Comprehensive Plan states:

Unique or critical environmental resources identified pursuant to Goals B.1, B.3, B.4, and B.5 shall be conserved and preserved in a manner which assures their protection from adverse impacts, with the private sector, non-county agencies and other governmental jurisdictions being encouraged to participate,

and Policy 3.31.4 further states:

The County shall encourage private owners to investigate and utilize the preservation programs offered by other governmental entities and private foundations.

WHEREAS, all of these natural elements, wildlife habitat, open space, and ecological and aesthetic values are of great importance to Grantor, Grantee, the public, and to the people of the State of Colorado, and are worthy of preservation; and

WHEREAS, Grantor desires and intends that the natural elements, wildlife habitat, open space, and the ecological and aesthetic values within and upon Grantor's Land be preserved and maintained by the continuation of patterns of land use on Grantor's Land as they have been conducted in harmony with the said natural elements, wildlife habitat, open space, and ecological and aesthetic features and values, including such uses as ranching, and limited residential use; and

WHEREAS, Grantor, as owner in fee of Grantor's Land, owns the affirmative rights to identify, preserve, and protect in perpetuity the ecosystems, natural features and processes, open space, history, and the great scenic and aesthetic value of Grantor's Land; and

WHEREAS, Grantor desires and intends to transfer such rights to Grantee; and



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WHEREAS, the State of Colorado has recognized the importance of private efforts towards preservation of land predominantly in a natural, scenic, or open condition for wildlife habitat by the enactment of Section 38-30.5-101, et seq., Colorado Revised Statutes 1973, as amended; and

WHEREAS, Grantee is a political subdivision of the State of Colorado; and

WHEREAS, Grantee agrees, by acceptance of the grants herein, forever to honor and defend the intentions of Grantor stated herein to preserve and protect in perpetuity the natural, ecological, wildlife habitat, open space, scenic, and aesthetic values of Grantor's Land; and

WHEREAS, Grantor agrees to bear all costs of operation, upkeep, and maintenance of Grantor's Land, and to pay all taxes associated with Grantor's Land, and does hereby indemnify Grantee therefor, save and except any and all costs associated with the obligation of Grantee to honor and defend the intentions of Grantor as stated herein to preserve and protect in perpetuity the natural, ecological, wildlife habitat, open space, and aesthetic valves of Grantor's Land;

WHEREAS, Grantor previously conveyed to Grantee that certain Deed of Conservation Easement in Gross dated December 11, 1992, and recorded December 22, 1992 at Reception No. 01251210 in the real estate records of the Boulder County Clerk and Recorder's Office (the "1992 Easement"), and Grantor and Grantee now desire to eliminate one of the four development rights that remained on the property after the grant of the 1992 Easement, and to otherwise reaffirm all of the terms of the 1992 Easement;

NOW, THEREFORE, in consideration of FIFTY THOUSAND DOLLARS (\$50,000.00) and the mutual covenants contained herein based upon the Common Law, and further pursuant to Section 38-30.5-101, et seq., C.R.S. 1973, as amended, Grantor does hereby convey as of the date set forth above to the County of Boulder, a body corporate and politic of the State of Colorado, Grantee, with its legal address at P. O. Box 471, Boulder, Colorado 80306, a Conservation Easement consisting of the rights hereinafter enumerated, over and across that certain real property situated in Boulder County, Colorado, more particularly described on Exhibit A attached hereto and incorporated herein by this reference.

1. Purpose. It is the purpose of this Conservation Easement to preserve and protect in perpetuity the natural, ecological, wildlife habitat, open space, scenic, and aesthetic features and values of Grantor's Land. Specifically, and without limitation of



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the general purposes, it is the purpose hereof to preserve and protect the wetlands and riparian habitat, meadows, the healthy forest, and other native wildlife habitat, especially elk habitat, on or adjacent to Grantor's Land.

It is also the purpose of this Conservation Easement to permit the continuation of the limited ranching currently conducted on Grantor's Land, and limited residential uses, and any other uses which are consistent with this easement, as such uses have been, are presently, and may be in the future conducted in harmony with ecological, open space, and aesthetic features and values of Grantor's Land. Grantor agrees for itself and its successors and assigns to use and employ appropriate and proper practices for the management of Grantor's Land. Grantee shall not be responsible for the management of Grantor's Land.

2. Reduction of Allowable Single Family Dwelling Units. All but five single family dwelling units associated with Grantor's Land are hereby relinquished in order to accomplish the goals of this Conservation Easement. Nothing in this Deed of Conservation Easement shall be construed as guaranteeing the Grantor, its successor or assigns, the right to five single family dwelling units on Grantor's Land or as vesting such rights in Grantor. Under no circumstances, shall the Grantor be entitled to more than the five single family dwelling units described in this Deed of Conservation Easement.

3. Partial Scenic Easement. Except for the homestead, or its replacement as permitted by Paragraph 5(e)(4), all future residences shall be located so they are not visible from the Peak to Peak Highway because of the natural topography or because of a significant stand of natural vegetation.

4. Uses Prohibited by the Conservation Easement. The following uses and practices, though not an exhaustive recital of inconsistent uses and practices, are inconsistent with the purposes of this Conservation Easement and shall be prohibited upon or within Grantor's Land:

A. Any buildings on wetlands or open mountain meadows, except within 35-feet of the then-existing perimeter of such meadow, and except as permitted for the Lost Lake Site pursuant to paragraph 5(E)(2). In the event the County adopts wetlands regulations, all buildings, including those within the then-existing perimeter of such meadow, and the buildings described in paragraph 5(E)(2), shall be required to comply with such regulations.

B. The change, disturbance, alteration, or impairment of the natural, ecological, wildlife habitat, scenic and open space features and values within and upon Grantor's Land,



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Boulder County Clerk, CO CE

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except as otherwise provided herein.

C. The introduction of non-native plant species.

D. The development of the land for any residential, commercial or industrial uses, except as otherwise provided herein.

E. The construction, reconstruction, or replacement of any structures except as otherwise provided herein.

F. The division or subdivision of Grantor's Land except that Grantor's Land may be divided from time to time solely for the purpose of creating units of land suitable for the construction of the single family residences which are otherwise permitted in this instrument. Any transfer of all or any portion of Grantor's Land shall be subject to all of the terms of this Conservation Easement and the instrument of transfer shall contain an express provision to that effect.

G. The establishment or maintenance of any commercial feedlots. A commercial feedlot shall be defined for the purposes of this Conservation Easement as a permanently constructed confined area or facility, for purposes of engaging in the business of reception and feeding of livestock.

H. The exploration for or extraction of oil, gas, and any and all hydrocarbons, gravel, and other minerals and any manner of drilling or mining, including surface mining and the extraction of peat.

I. The commercial harvesting of timber, Christmas tree farming, and growing of commercial crops.

J. The construction of any new roadways without the consent of Grantee; provided, however, that Grantee shall be deemed to have consented to the construction of such roadways as are desirable for access to the additional residences which may be constructed under the terms, conditions, and limitations contained herein if the Grantor obtains all necessary permits from the County and any other government entities.

K. The construction, placing, or erection of any signs or billboards except those needed for the ranching or agricultural uses permitted herein, and except as provided in Section 5K.

L. Hunting for deer, elk, bear, or other wildlife except as otherwise provided herein.



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M. The use of snowmobiles, snowcats, or other similar vehicles except for emergency vehicles.

N. The use of motorcycles, motorized bicycles or tri-cycles, or all-terrain vehicles.

O. The dumping of any refuse or garbage, except for compost heaps.

P. Trapping animals, except for certain animals which prove to be very destructive, such as pack rats.

Q. Building new ponds unless approved in writing by Grantee.

R. Roaming of dogs or other household pets, or chasing or harassing of deer, elk or other wildlife.

S. Overgrazing shall not be permitted.

T. Playing of electronic equipment out of doors, including, but not limited to, radios, televisions, and stereos, unless limited to 50 decibels or to earphones.

5. Consistent Uses. Grantor intends that this Conservation Easement shall confine the use of Grantor's Land to the limited ranching currently conducted and to limited residential use. The following uses and practices, though not an exhaustive recital of consistent uses and practices, are consistent with this Conservation Easement, and these practices are not to be precluded, prevented or limited by this Conservation Easement, as interpreted in the context of historical uses as above mentioned:

A. Grantor shall have the right to collect firewood for the heating of ranch and residential facilities located on Grantor's Land, and to cut trees and undertake other responsible timber management practices as necessary or, desirable to maintain open meadows and control insect infections and for the construction, repair and reconstruction of fences.

B. To maintain and repair existing fences, buildings, corrals, and other improvements on Grantor's Land. Additional fencing may be constructed and shall be designed and constructed in a manner that minimizes the adverse effect of the fencing on the native vegetation, wildlife, and habitat on Grantor's Land.

C. In the event of the destruction of any existing fence, building, corral, residence or other improvement on,



or which may be constructed on Grantor's Land subject to the terms and conditions contained herein, to replace said improvement with another of similar function, capacity, location, and building materials, subject to the restrictions of Paragraph 6 below, and subject to then applicable Boulder County land use regulations.

D. To maintain the water resources on Grantor's Land necessary for the ranching, and domestic purposes conducted thereon pursuant to the terms hereto.

E. As described in Paragraph 2, above, a maximum of five single-family dwelling units are permitted on Grantor's Land (and associated non-residential outbuildings).

(1) Grantor may elect to reduce the maximum number of single-family dwelling units by the amendment of this paragraph 5(E) or by the execution of a new Conservation Easement. If Grantor so elects, Grantee shall reasonably cooperate in executing such an amendment or new Conservation Easement.

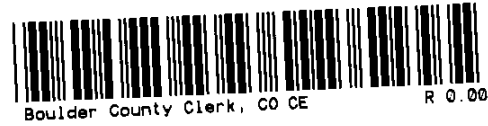
(2) One of the residential sites retained by Grantor may be located in the NE1/4 of the SW1/4 of Section 20 on top of the moraine southeast of Lost Lake (the "Lost Lake Site"). See attached Exhibit B for the location of this development site. Access to the Lost Lake Site shall begin at the Peak to Peak Highway, shall follow the existing road located adjacent to the homestead, and shall follow that road to the diagonal cut (made years ago for telephone wires) as shown on Exhibit B, leading to the development site.

(3) Grantor and Grantee acknowledge that there is an existing single family unit located on Grantor's Land in the NW1/4 of the NW1/4 of Section 20 and that said unit constitutes one of the five dwelling units permitted on Grantor's Land. The location and access for said unit is as shown on Exhibit B, and no further approval by Grantee for the existing structure is required pursuant to Paragraph 5.

(4) Grantor and Grantee acknowledge that the original homestead cabin, barn and shed (the "homestead") are located in the NW1/4 of the SE1/4 of Section 20.

(a) The homestead shall constitute one of the five dwelling units permitted on Grantor's Land.

(b) Any reconstruction of, addition to, or replacement of the homestead shall be subject to the



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building restrictions contained in Paragraph 6, to all other restrictions contained herein, and to all restrictions contained in the then current Boulder County Land Use Regulations. Grantor shall not relocate homestead without the consent of Grantee.

(5) Grantor shall obtain the consent of Grantee to the location of the remaining single family dwelling units, (i.e. those units whose location is not identified in paragraph 5(E)(2), (3), and (4) hereof) which consent shall not be unreasonably withheld.

F. To graze a limited number of cattle in a manner that maintains the existing native vegetation. The total number of animals permitted on Grantor's Land, or any portion thereof, shall never be greater than a number which will be consistent with the preservation of the land and the protection of the wildlife habitat. The quality of the range shall be protected at all times and no overgrazing shall be permitted.

G. Household pets will be allowed on the property, but no such animals, including dogs, will be allowed to roam and harass elk, deer, or other wildlife.

HH. To keep small home gardens.

I. To maintain and use presently existing roads and trails. Automobiles and four-wheel drive vehicles will be restricted to existing roadways, except as may be necessary for proper land management and maintenance.

J. To allow picnicking, tent, small camper or 12-foot trailer, or camping of limited invited guests provided that such activities are otherwise consistent with the terms of this Conservation Easement.

K. To post small No Trespassing and No Hunting signs on the fence by roads and on perimeter fences. To maintain an entrance sign and to erect a sign identifying Grantor's Land as a wildlife conservation area which is not open to the public. To maintain a "for sale" sign, if necessary. To restrict or prohibit access on or across Grantor's Land, and to eject trespassers and/or prosecute trespassers or poachers.

L. To maintain ranching, provided that such activities are otherwise consistent with the terms of this Conservation Easement.

6. Building Restrictions.



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A. The following restrictions shall apply to any new single-family dwelling and to all existing residences and any replacements thereof or additions thereto.

(1) Grantor shall be required to select the development sites in the following manner:

(a) All the development sites shall be subject to the reasonable approval of Grantee pursuant to the standards set forth in this Paragraph 6.

(b) No development site shall be located in wetlands or a meadow except (1) as identified in Exhibit B to this Agreement, and (2) except a site may be located along the then-existing perimeter of the meadows, where the grass and trees meet; provided the locations specified in (b)(1) and (b)(2) of this subparagraph do not violate any federal, state or local wetlands regulations.

(c) No development site shall materially impact a wildlife migration corridor.

(d) Each development site shall be of a reasonable size, sufficient to reasonably locate the location of a potential dwelling unit for Grantee, while still allowing some flexibility for Grantor in the exact location of the dwelling unit.

(2) The location and access route to any new single-family dwelling must be approved by Grantee and documented by the execution by all parties of an amendment to this Conservation Easement. Until such amendment is recorded, no development or construction may be commenced. Such approval shall not be unreasonably withheld if the proposed access is consistent with the following:

(a) Where at all feasible, access to any dwelling unit shall be over existing roads.

(b) New roads, if required, shall be constructed from the Peak to Peak Highway to the new residences using the most feasible routes which are not visually obtrusive and which are otherwise consistent with the terms of this Conservation Easement.

(3) Each new residence shall be a mountain cabin or a detached single-family home.

(4) Each new residence and all existing residences (including any replacements thereof or additions thereto) shall not exceed 3,000 square feet and shall not exceed two



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Boulder County Clerk, CO CE

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stories in height plus basement. In addition, the homestead, and any reconstruction of, addition to, or replacement of the homestead shall be designed and located to minimize the visual impact from the Peak to Peak Highway, including without limitation, selection of the color and type of construction materials to blend with the surrounding area and a maximum height of 35 feet. The location and design of the units must be approved by the Grantee.

(5) Each residence may include associated outbuildings not to exceed two garages, and two sheds. Each residence and associated outbuildings shall be located within a building envelope not to exceed one acre in size within each development site.

(6) All residences and associated outbuildings shall have fireproof roofing of a non-reflective earth tone color.

7. Public Access. Nothing contained herein shall be construed as affording the public access to any portion of the land subject to this Conservation Easement. Nothing in this Deed of Conservation Easement shall be construed to preclude Grantor's right to grant limited public access to third parties across its land, provided that such access is allowed in a reasonable wanner that does not result in degradation of the property and/or disturbance of the wetlands, elk habitat, or other plant and wildlife communities.

8. Changed Condition; Condemnation.

A. Grantee agrees that if an unexpected change in the conditions of or surrounding Grantor's Land makes impossible or impractical continued use of Grantor's Land for the conservation purposes described herein, and the restrictions are extinguished by judicial proceeding, then, upon the subsequent sale, exchange, or condemnation of Grantor's Land, Grantee will apply any proceeds received from such sale, exchange, or taking in a manner consistent with this easement or for the protection of a "relatively natural habitat of fish, wildlife, or plants or similar ecosystem," as that phrase is used in 26 U.S.C. §170(L)(4)(a)(ii).

B. Grantor agrees that this donation of perpetual conservation easement gives rise to a property right, immediately vested in Grantee, with a fair market value that is at least equal to the proportionate value that the Conservation Easement, at this date, bears to the value of all of Grantor's Land at this date. The proportionate value of Grantee's property rights shall remain constant. Accordingly, if there is a judicial extinguishment of the restrictions of this Conservation Easement and a sale,



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exchange or condemnation, as set forth above, Grantee shall be entitled to a portion of the proceeds at least equal to the proportionate value of the Conservation Easement.

9. Burden Upon Grantor's Land; Reserved Rights. The Conservation Easement herein granted shall be a burden upon and shall run with Grantor's Land in Perpetuity and shall bind Grantor, its heirs, successors, and assigns forever. All rights not conveyed to Grantee by this instrument are reserved to Grantor.

10. Easement Documentation. In this regard, Grantee acknowledges by its acceptance of this Deed of Conservation Easement that as of the date of this Deed of Conservation Easement, Grantor's historical and present use of the property subject to the easement is consistent with the purposes of this Conservation Easement as set forth in the preceding paragraph. The parties hereto acknowledge that by mutual agreement the collection of baseline data has been completed by a competent naturalist, which data is contained in report dated December 31, 1992, and entitled Natural and Cultural Resource Inventory, Welch Ranch, Boulder County, Colorado. Grantor and Grantee, by their signatures to this instrument, acknowledge that the foregoing report is an accurate representation of Grantor's Land at the date of this instrument. The parties acknowledge that such collection of baseline data is designed to assist in establishing the aforementioned condition of the property subject to this easement and as a basis for monitoring said property to determine Grantor's compliance with this easement. The parties acknowledge and agree that in the event a controversy arises with respect to the nature and extent of Grantor's historical and present use and physical condition of the property subject to this Conservation Easement, the parties shall not be foreclosed from utilizing all other relevant or material documents, surveys, reports, and other evidence to assist in the resolution of the controversy.

11. Grantee's Affirmative Rights. To accomplish the purposes of this Conservation Easement, the affirmative rights conveyed to Grantee by this Conservation Easement are the following:

A. To enforce the terms and provisions of this Conservation Easement for the preservation and protection in perpetuity of the natural, ecological, wildlife habitat, open space, scenic, and aesthetic features and values, and the natural flora and fauna on Grantor's Land.

B. To enter upon Grantor's Land to enforce the rights herein granted and to observe, and to allow and encourage others to observe and study, and make scientific observations of its natural elements and ecosystems, with the prior consent of Grantor, its successors and assigns, sought and

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obtained for each visit, which consent shall not be unreasonably withheld, and in a manner that will not unreasonably interfere with the use being made of Grantor's Land, consistent with this Conservation Easement, at the time of such entry.

C. To erect and maintain 3" by 10" boundary signs at reasonable intervals on the boundary fence, which signs shall identify Grantor's Land as private property, subject to a conservation easement, with certain prohibited uses.

12. Remedies. Grantor further intends that should any prohibited activity be undertaken on Grantor's Land, Grantee shall have the right to seek damages, a temporary or permanent injunction or other equitable relief with respect to such activity, and to cause the restoration of that portion of Grantor's Land affected by such activity to the condition that existed prior to the undertaking of such prohibited activity. Before taking any such action, Grantee shall notify Grantor of any violation of this Conservation Easement and Grantor shall have a period of 60 days from such notice to propose a cure for such violation, except where the violation will cause immediate, irreparable damage to Grantor's Land. If Grantee approves such proposed cure, Grantor shall diligently proceed to implement such cure. In the event legal action is taken, the cost of such restoration and Grantee's costs of suit, including attorneys' fees, shall be borne by Grantor, its successors or assigns against whom a judgment is entered or, in the event that Grantee secures redress without a completed judicial proceeding, by Grantor, its successors or assigns who are otherwise determined to be responsible for the unauthorized activity. with this Conservation Easement. Any failure to so act by Grantee shall not be deemed to be a waiver of the right to enforce any term of this Easement in the future. Nothing contained herein shall be construed to preclude Grantor from exhausting its legal remedies in determining whether the proposed activity to which Grantee has objected is inconsistent with this Conservation Easement.

13. Costs and Assessments. Grantor agrees to bear all costs of operation, upkeep, and maintenance of Grantor's Land, and to pay all taxes associated with Grantor's Land and this Conservation Easement, and does hereby indemnify Grantee therefrom.

14. Assignment. Grantee may assign its interest in this Conservation Easement to any organization upon 60 days' prior written notice to Grantor provided that: (1) Grantee shall require, as a condition of such transfer, that the conservation purposes of this easement shall continue to be carried out; and (2) any assignment shall be made only to an organization which has the ability, interest, and resources, in Grantee's judgment, to carry out those purposes and is qualified at the time as a



"qualified organization" within the provisions of Section 170(h) of the Internal Revenue Code of 1954, as amended, or its successor, and which was created at least two years prior to the assignment of this Conservation Easement.

15. Amendment. It is recognized by Grantor and Grantee that conditions will change in future years and that it may be necessary or desirable to change some of the permitted or prohibited uses of Grantor's Land described herein. Accordingly, Grantor and Grantee may together amend this Conservation Easement without prior notice to any other party, provided that no amendment shall be allowed that will affect the qualification of this Conservation Easement under Section 170(h) of the Internal Revenue Code of 1954, as amended, and no amendment shall affect the perpetual duration of this Conservation Easement. To be effective, any amendment shall be signed by Grantor and Grantee or their respective heirs, successors, or assigns and shall be recorded in the real estate records of Boulder County, Colorado.

16. Enforcement. Grantee agrees, by acceptance of the grants herein, to forever honor and defend the intentions of Grantor herein stated to preserve and protect in perpetuity the natural, ecological, wildlife, historic, open space, and scenic values of Grantor's Land. Grantor acknowledges that, as to the prohibited uses referred to in subparagraphs L, M, N, O, P, R, and T of Paragraph 4, only constant monitoring of Grantor's Land by Grantee could ensure that no prohibited use ever occurs, and that such uninterrupted and constant monitoring by Grantee is neither contemplated nor required by this Easement. Grantor shall assist in the enforcement of these prohibited uses by the monitoring of Grantor's Land and reporting of any violations of the prohibited uses to Grantee. However, nothing herein should be construed as a lack of commitment on the part of Grantee to protect the conservation purposes or as a lack of resources to enforce the restrictions herein when violations of such restrictions are found to have occurred.

17. Enforcement/No Waivers. Enforcement of the terms of this easement shall be at the discretion of Grantee, and any forbearance by Grantee to exercise its right under this Easement in the event of any breach of any term of this Easement by Grantor shall not be deemed or construed to be a waiver by Grantee of such term or of any subsequent breach of the same or any other term of this Easement or of any of Grantee's rights under this Easement. No delay or omission by Grantee in the exercise of any right or remedy upon any breach by Grantor shall impair such right or remedy or be construed as a waiver.

18. Notice. Grantor agrees to notify Grantee, in writing, prior to exercising any of the rights reserved hereunder which may have an adverse impact on the conservation purposes of this



instrument. Any notice required or permitted to be given hereunder shall be in writing and shall be deemed properly given upon receipt when sent via United States certified mail, return receipt requested, addressed to Grantor and Grantee as set forth above, or to such other address as to which a notice has been sent in accordance with this paragraph. If any other party desires to receive notices given under this instrument, such party shall send a notice to all other parties pursuant to this paragraph.

19. Successors and Assigns. The term "Grantor" wherever used herein, and any pronouns used in place thereof, shall mean and include the above-named Grantor or any of the individuals the term "Grantee" shall mean the above-named Grantee, and any pronouns used in place thereof, and its successors and assigns. In the event of a transfer of any of Grantor's interest in Grantor's Land, Grantee shall be provided with a copy of the instrument of transfer.

20. Invalidity. If any provision of this Deed of Conservation Easement or the application thereof to any person or circumstance is found to be invalid, the remainder of the provisions of this Deed of Conservation Easement and the application of such provisions to persons or circumstances other than those as to which it is found to be invalid, shall not be affected thereby.

21. Titles. The paragraph titles contained in this instrument are for ease of reference only and are not intended to limit or alter the meaning of the provisions of this instrument.

22. Counterparts. This instrument may be executed in several counterparts, all of which when taken together shall constitute this instrument, notwithstanding that all parties have not signed the same counterpart.

23. Transfer of Property. The Grantor agrees that reference to this Deed of Conservation Easement will be made in any subsequent deed, or other legal instrument, by means of which Grantor conveys any interest in the Property (including a leasehold interest) and that Grantor will attach a copy of this Deed of Conservation Easement thereto.

TO HAVE AND TO HOLD the said Conservation Easement unto the said Grantee, its successors and assigns forever.



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IN WITNESS WHEREOF, Grantor has executed this Deed of Conservation Easement in Gross this 26th day of September, 2001.

THE WILLIAM WELCH COLORADO PARTNERSHIP
a Colorado limited partnership

By: Katharine S Welch
Katharine S. Welch
General and Limited Partner

By: William P. Welch
William P. Welch
Limited Partner

By: James H. Welch
James H. Welch
Limited Partner

By: H. Gilbert Welch
H. Gilbert Welch
Limited Partner

BOARD OF COUNTY COMMISSIONERS
OF BOULDER COUNTY

By: Jana L. Mendez
Jana L. Mendez, Chair

By: Paul D. Danish
Paul D. Danish, Vice-Chair

By: Ronald K. Stewart
Ronald K. Stewart, Commissioner



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COUNTY OF BOULDER)
) ss.
STATE OF COLORADO)

Subscribed and sworn to before me this 26th day of September, 2001, by Katharine S. Welch, General and Limited Partner of the William Welch Colorado Partnership, a Colorado limited partnership.



Michael J. Rogakis

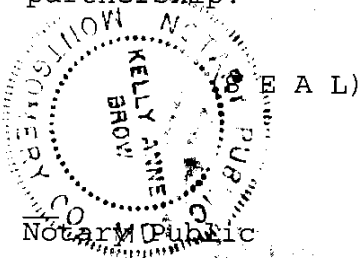
Notary

My Commission Expires: 09/30/02

My Commission Expires: _____

COUNTY OF Montgomery)
) ss.
STATE OF Colorado)

Subscribed and sworn to before me this 20th day of September, 2001, by William P. Welch, Limited Partner of the William Welch Colorado Partnership, a Colorado limited partnership.



Kelly Anne Brown

Notary Public

My Commission Expires: _____

12/1/2003



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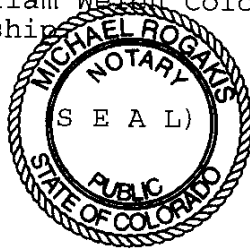
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COUNTY OF Boulder)
) ss.
STATE OF COLORADO)

Subscribed and sworn to before me this 26th day of September, 2001, by James H. Welch, Limited Partner of the William Welch Colorado Partnership, a Colorado limited partnership.



Michael L. Rogakis

Notary Public

My Commission Expires: 09/30/02

My Commission Expires: _____

~~COUNTY OF BOULDER~~)
~~STATE OF COLORADO~~) ss

REPUBLIC OF FRANCE CITY OF LYON
CONSULATE OF THE UNITED STATES OF AMERICA } SS

Subscribed and sworn to before me this 11th day of September, 2001, by H. Gilbert Welch, Limited Partner of the William Welch Colorado Partnership, a Colorado limited partnership.



Cameron S. Thompson

~~Notary Public~~

Cameron S. Thompson
Consul

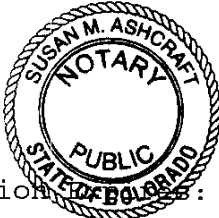
~~My Commission Expires~~

of the United States of America

COUNTY OF BOULDER)
) ss.
STATE OF COLORADO)

Subscribed and sworn to before me this 4th day of October, 2001, by Jana L. Mendez, Chair, Paul D. Danish, Vice-Chair, and Ronald K. Stewart, of the Board of County Commissioners of Boulder County.

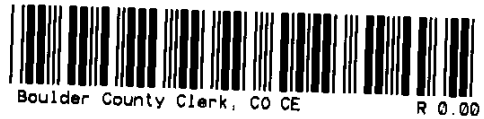
(S E A L)



Susan M. Ashcraft

Notary Public

My Commission Expires: 10/17/2001
My Commission Expires 10/17/2001



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EXHIBIT A
TO DEED OF CONSERVATION EASEMENT
BY AND BETWEEN
THE WILLIAM WELCH COLORADO PARTNERSHIP
AND
BOULDER COUNTY

That part of the Southwest Quarter of the Southwest Quarter of Section 17, Township 2 North, Range 72 West of the 6th P. M. lying Southwesterly of State Highway No. 160, also known as the Peak to Peak Highway, as described in Deed recorded in Book 1103 at page 391 of the Boulder County records;

AND

The North Half of the Northeast Quarter of Section 19, Township 2 North, Range 72 West of the 6th P. M.;

AND

The Southeast Quarter of the Northeast Quarter of Section 19, Township 2 North, Range 72 West of the 6th P. M.;

AND

That part of the North Half of the Northwest Quarter of Section 20, Township 2 North, Range 72 West of the 6th P. M. lying Southwesterly of said State Highway No. 160, as referenced hereinabove;

AND

That part of the Northwest Quarter of the Northeast Quarter of Section 20, Township 2 North, Range 72 West of the 6th P. M. lying Southwesterly of said State Highway No. 160, as referenced hereinabove;

AND

That part of the Southwest Quarter of the Northeast Quarter of Section 20, Township 2 North, Range 72 West of the 6th P. M. lying West of said State Highway No. 160, as referenced hereinabove;

AND

The Northeast Quarter of the Southwest Quarter of Section 20, Township 2 North, Range 72 West of the 6th P. M. lying Westerly of State Highway No. 160, as referenced hereinabove;

AND

That part of the Northwest Quarter of the Southeast Quarter of Section 20, Township 2 North, Range 72 West of the 6th P. M. lying Northwesterly of said State Highway No. 160, as referenced hereinabove;

AND

Government Lot 1 in the Southeast Quarter of the Northwest Quarter of Section 20, Township 2 North, Range 72 West of the 6th P. M.

ALL IN THE COUNTY OF BOULDER,
 STATE OF COLORADO.



Boulder County Clerk, CO CE

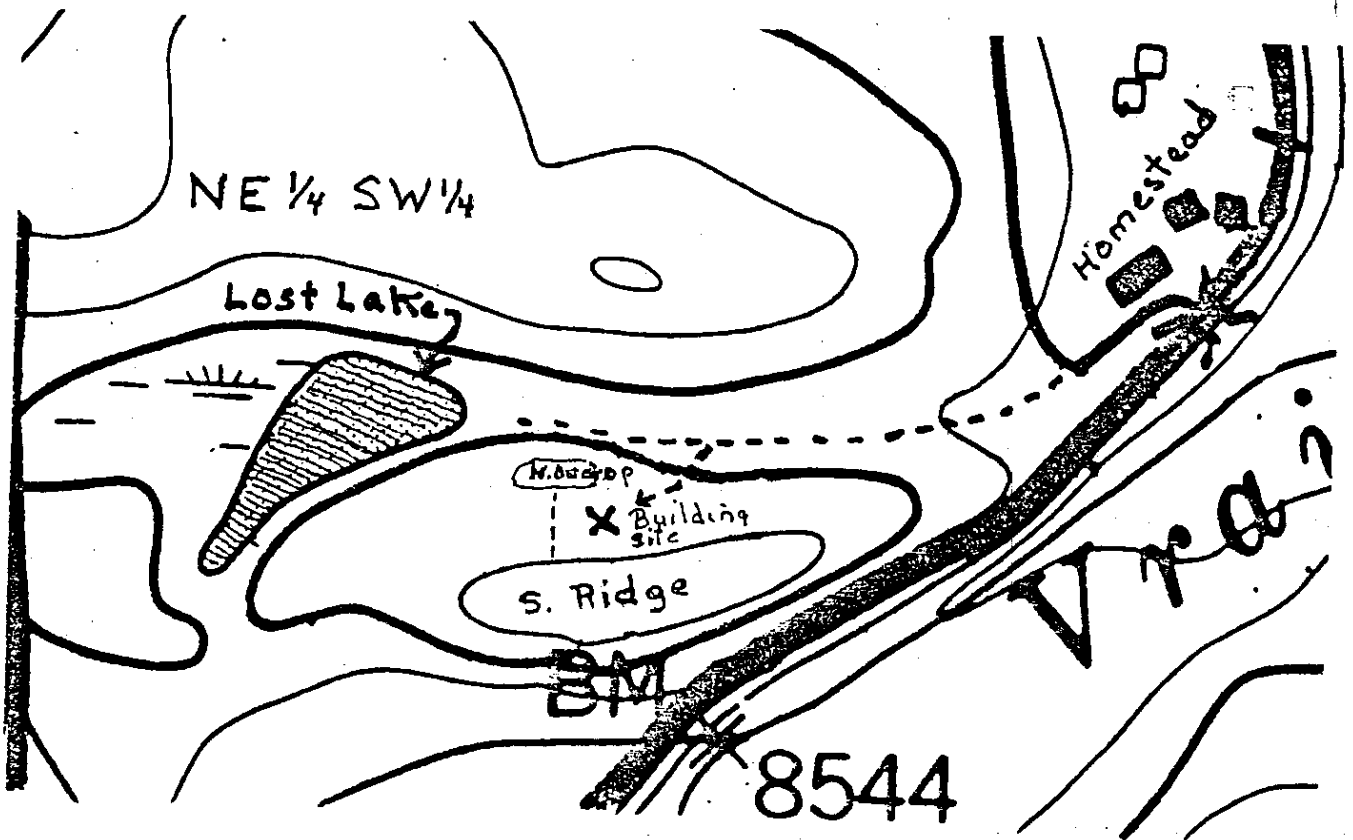
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EXHIBIT B
TO DEED OF CONSERVATION EASEMENT

SPEL 1 2 3 4

It is the intention of the easement donors to preserve the area around Lost Lake in its natural state for both wild animals & birds, and for all the owners of the ranch to enjoy its beauty and its wildflowers (columbine, paint brush, and lupine, etc.). Thus any building, including deck, is limited to the flat area on the moraine between the high ridge to the south and the small outcrop to the north (west end of which is approximately 48 ft east of a N-S line running through the east end of the lake), and it must be located east of a North South line running 12 feet east of the west end of this outcrop.

This building site has been deliberately limited in order to protect the area around Lost Lake from sight of any structure or sounds from its inhabitants. Furthermore no trails are to be built down the bank to the lake. Access to the lake is limited to walking east down the driveway or walking west on the moraine.



MEMO TO: County Health and Parks Departments, FPD
FROM: Dana Yelton, Planner I
DATE: October 03, 2023
RE: Site Plan Review application SPR-23-0093

Docket SPR-23-0093: Dow-McVey Residence and Accessory Structures

Request: Site Plan Review to construct a 3,887-square-foot residence with attached garage and 625 square feet of covered porches, a 960-square-foot detached garage, and two 120-square-foot sheds on an approximately 88.2-acre vacant parcel where the size presumed to be compatible with the neighborhood is 2,500 square feet
Location: 48733 Peak to Peak Highway, Section 19, Township 2N, Range 72W
Zoning: Forestry (F) Zoning District
Owners/
Applicants: Vicki McVey & Jesse Dow
Agent: Nathan Knecht

Site Plan Review by the Boulder County Community Planning & Permitting Director is required for new building/grading/access or floodplain development permits in the plains and mountainous areas of unincorporated Boulder County. The subject review process considers potential significant impact to the ecosystem, surrounding land uses and infrastructure, and safety concerns due to natural hazards.

The Community Planning & Permitting staff values comments from individuals and referral agencies. Please check the appropriate response below or send a letter to the Community Planning & Permitting Department at P.O. Box 471, Boulder, Colorado 80306 or via email to planner@bouldercounty.gov. All comments will be made part of the public record and given to the applicant. Only a portion of the submitted documents may have been enclosed; you are welcome to call the Community Planning & Permitting Department at 303-441-3930 or email planner@bouldercounty.gov to request more information.

Please return responses by **October 23, 2023.**

We have reviewed the proposal and have no conflicts.
 Letter is enclosed.

Signed Name Liz Northrup Printed Name Liz Northrup

Agency or Address Conservation Easement Program at Boulder County Parks & Open Space

Date 10/17/23

October 17, 2023

Delivery by email

Dana Yelton, Planner I
Community Planning & Permitting Department
2045 13th St.
Boulder, CO 80302
dyelton@bouldercounty.gov

Re: Conservation Easement Program Response for SPR-23-0093 at 48733 Peak to Peak Hwy

Dear Dana,

The property described above is encumbered by a Deed of Conservation Easement in Gross that is recorded in the real estate records of Boulder County on October 16, 2001, at Reception Number 2208132 and an Amendment to Deed of Conservation Easement in Gross recorded in the real estate records of Boulder County on December 5, 2018, at Reception Number 3688788.

The conservation easement and amendment (CE) permit the construction of one single-family residence not to exceed 3,000 square feet. The plans indicate the applicants plan to use eco blocks for construction of the residence, which are wider than traditional building materials, resulting in a footprint of 3,300 square feet. In response to this docket, you received a memo from Michelle Huebner, Plans Examiner Supervisor, with the Building Safety & Inspection Services Team dated October 5, 2023. In this memo Michelle outlines that Ron Flax, Chief Building Official, supports the applicant's request to measure the square footage of the home based on the typical construction of a 2x6 exterior wall. Given this determination, the resulting square footage of the single-family residence totals 3,000 square feet, making it consistent with the terms of the CE. Please note this square footage restriction is specific to the single-family residence and does not apply to collective residential floor area as defined in the Land Use Code.

The CE also allows for two garages and two sheds that are not subject to square footage restrictions. The proposal for an attached garage, detached maintenance garage, and two sheds is consistent with the terms of the CE.

Finally, the CE includes language that protects the view corridor of the Peak-to-Peak Highway. Staff conducted a thorough on-site analysis of the proposed building locations and have determined, to the best of our ability, that natural stands of vegetation should screen these proposed structures.

As described above, the Conservation Easement Program does not have any conflicts with this docket.

Sincerely,



Liz Northrup
Conservation Easement Program Supervisor
303-678-6253
enorthrup@bouldercounty.gov

Building Safety & Inspection Services Team**MEMO**

TO: Dana Yelton, Planner I
FROM: Michelle Huebner, Plans Examiner Supervisor
DATE: October 5, 2023

RE: Referral Response, SPR-23-0093: Dow-McVey Residence and Accessory Structures. Site Plan Review to construct a 3,887-square-foot residence with attached garage and 625 square feet of covered porches, a 960-square foot detached garage, and two 120-square-foot sheds on an approximately 88.2-acre vacant parcel where the size presumed to be compatible with the neighborhood is 2,500 square feet.

Location: 48733 Peak to Peak Highway

Thank you for the referral. We have the following comments for the applicants:

1. **Building Permit.** A building permit, plan review, inspection approvals, and a Certificate of Occupancy (“C.O.”) are required for the proposed residence. Separate building permits are required for the detached garage, two shed.

Please refer to the county’s adopted 2015 editions of the International Codes and code amendments, which can be found via the internet under the link:

Memo from **Ron Flax, the Chief Building Official**, dated 10.5.2023:

The customer is proposing to not use typical 2x6 wall construction, and instead use a thicker wall system that has better characteristics in terms of a high-performance and lower embodied energy wall. I feel that in this example it is reasonable to measure the size of the home based on the typical construction of a 2x6 exterior wall.

This would be consistent with a few prior examples of high performance strawbale walls, and double stud wall systems where we have approved similar requests. When I have discussed this in the past with Dale, he agreed with my opinion that as long as the site did not present an unusually significant visual impact to the community, that it is okay to approve this sort of thing given the fact that we are trying to balance competing priorities (Visual Impact vs. Environmental Impact).

If in fact the decision is mine to make, I am in **support of approving** the customer’s request.

- Ron

Ron Flax
Deputy Director / Chief Building Official

2. **Automatic Fire Sprinkler System.** Under the 2015 International Residential Code (“IRC”) as adopted by Boulder County, all new one- and two-family dwellings and townhouses are required to be equipped with an automatic fire sprinkler system that is designed and installed in accordance with NFPA 13D or IRC Section P2904.
3. **BuildSmart.** Please refer to the county’s adoption and amendments to Chapter 11 of the IRC, the county’s “BuildSmart” program, for the applicable requirements for energy conservation and sustainability for residential additions and new residential buildings. Please be aware that there are energy related requirements of this code that may require the use of renewable energy systems (such as rooftop solar systems) that will also need to be approved by your electric utility provider. In some cases, there may be limitations on the size of on-site systems allowed by your utility provider that could constrain the project design. We strongly encourage discussions between the design team and the utility company as early in the process as possible in order to identify these constraints.
1. **Electric vehicle charging outlet.** Boulder County Building Code requires:
 - a. R329.1 Electric vehicle charging pre-wire option. In addition to the one 125-volt receptacle outlet required for each car space by NEC Section 210.52(G)(1.), every new garage or carport that is accessory to a one- or two-family dwelling or townhouse shall include at least one of the following, installed in accordance with the requirements of Article 625 of the Electrical Code:
 - i. A Level 2 (240-volt) electric vehicle charging receptacle outlet, or
 - ii. Upgraded wiring to accommodate the future installation of a Level 2 (240-volt) electric vehicle charging receptacle outlet, or
 - iii. Electrical conduit to allow ease of future installation of a Level 2 (240-volt) electric vehicle charging receptacle outlet.
2. **Design Wind and Snow Loads.** The design wind and ground snow loads for the property are 175 mph (Vult) and 55 psf, respectively.
3. **Ignition-Resistant Construction and Defensible Space.** Please refer to Section R327 of the Boulder County Building Code for wildfire hazard mitigation requirements, including ignition-resistant construction and defensible space.
4. **Plan Review.** The items listed above are a general summary of some of the county’s building code requirements. A much more detailed plan review will be performed at the time of building permit application, when full details are available for review, to assure that all applicable minimum building codes requirements are to be met. Our

Residential Plan Check List and other Building Safety publications can be found at:
[Building Publications, Applications and Forms - Boulder County](#)

If the applicants should have questions or need additional information, we'd be happy to work with them toward solutions that meet minimum building code requirements. Please call (720) 564-2640 or contact us via e-mail at building@bouldercounty.gov

October 11, 2023

TO: Staff Planner, Land Use Department
FROM: Carl Job, Environmental Health Specialist
SUBJECT: SPR-23-0093: Dow-McVey Residence and Accessory Structures
OWNER: MCVEY & DOW
PROPERTY ADDRESS: 48733 PEAK TO PEAK HWY
SEC-TOWN-RANGE: 17 -2N -72

The Boulder County Public Health – Environmental Health division has reviewed the submittals for the above referenced docket and has the following comments.

OWTS Application Needed:

1. An onsite wastewater treatment system (OWTS) permit has not been issued by Boulder County Public Health for this property. The owner or their agent (e.g., contractor) must apply for an OWTS permit, and the OWTS permit must be issued prior to installation and before a building permit can be obtained. The OWTS components must be installed, inspected, and approved before a Certificate of Occupancy or Final Building Inspection approval will be issued by Community Planning and Permitting (CP&P).
2. Boulder County Public Health must conduct an onsite investigation and review percolation rates, soil conditions and any design plans and specifications prior to OWTS permit issuance.
3. The OWTS absorption field must be located a minimum distance of 100' from all wells, 25' from waterlines, 50' from waterways and 10' from property lines. Setbacks between all buildings and the OWTS serving this property and OWTS serving neighboring properties, must be in accordance with the Boulder County OWTS Regulations, Table 7-1.

This concludes comments from the Public Health - Environmental Health division at this time. For additional information on the OWTS application process and regulations, refer to the following website: www.SepticSmart.org. If you have additional questions about OWTS, please do not hesitate to contact HealthOWS@bouldercounty.org at (303) 441-1138.

Cc: OWTS file, owner, Community Planning and Permitting

Oct. 23, 2023

TO: Dana Yelton, Planner I; Community Planning & Permitting, Development Review

FROM: Ian Brighton, Planner II; Community Planning & Permitting, Access & Engineering

SUBJECT: SPR-23-0093: Dow-McVey Residence and Accessory Structures

48733 Peak to Peak Highway

The Development Review Team – Access & Engineering staff has reviewed the above referenced docket and has the following comments:

1. The subject property is accessed via State Highway 72 (SH 72), also known as the Peak to Peak Highway, a Colorado Department of Transportation (CDOT) owned and maintained right-of-way (ROW). Legal access has been demonstrated via adjacency to this public ROW.
2. Plans submitted by the applicant indicate the existing access point will be relocated approximately 130 feet to the east. Applicants must obtain relevant access permission from CDOT for the proposed relocation. Please consult with the CDOT Region 4 Permits Manager Tim Bilobran at timothy.bilobran@state.co.us for further guidance.

Prior to issuance of a building permit, submit written documentation from CDOT demonstrating approval for the proposed access.

3. Application materials indicate 469 cubic yards of earthwork will be used for the proposed driveway. The proposed driveway must comply with the [Boulder County Multimodal Transportation Standards](#) (the Standards) for residential development in the mountains, including without limitation:
 - a. Table 5.5.1 – Parcel Access Design Standards
 - b. Standard Drawing 11 – 12 Private Access
 - c. Standard Drawing 14 – Access with Roadside Ditch
 - d. Standard Drawing 15 – Access Profiles Detail
 - e. Standard Drawing 16 – Access Grade & Clearance
 - f. Standard Drawing 17 – Access Pullouts
 - g. Standard Drawing 18 – Access Turnaround
 - h. Standard Drawing 19 – Typical Turnaround & Pullout Locations
4. Plans submitted by the applicant demonstrate proposed access pullouts and turnarounds compliant with the Standards.
5. Plans submitted by the applicant indicate drainage ditches with grades of less than 2% along the south, west, and northern portions of the residence which are insufficient to convey storm flows.

Per section 4-806.6 of the Land Use Code, anticipated drainage impacts for the development must be mitigated.

At building permit, provide updated drainage plans clearly indicating how runoff will be handled adjacent to the proposed residence.

- Plans submitted by the applicant indicate a retention wall northwest of the forestry shed, however no dimensions were provided. Per section 5.10.5 and Section 2.8.3 of the Standards, designs submitted at building permit for retaining walls or series of retaining walls over four feet tall, as measured from the bottom of the footing to the top of the wall, must be stamped by a qualified Colorado-licensed Professional Engineer. Calculations shall be submitted for any retaining walls over six feet in height.

At building permit, provide revised drawings indicating the height of all retaining walls along with the appropriate level of certification.

- Plans submitted by the applicant indicate that the proposed disturbance is over an acre in size, and therefore meets the requirements for a Boulder County Stormwater Quality Permit (SWQP). Please visit Boulder County's stormwater website at <https://bouldercounty.gov/transportation/permits/stormwater-quality-permit/> or contact tdstormwater@bouldercounty.org for more information.

At building permit, submit a SWQP or a SWQP Exception form. If required, the SWQP must be issued prior to any work beginning on this project.

- Plans submitted by the applicant indicate a 16% grade for approximately 47 feet between station 1+19 and 1+66 of the proposed driveway. The base of the steep grade transitions to a turn to the west. Staff finds this design to be a potential safety hazard during inclement weather or if the location lacks sufficient solar access. Staff recommends the driveway be re-routed slightly to reduce the driveway grades and the turning radius at the base of the steep section.
- During construction, all vehicles, materials, machinery, dumpsters, and other items shall be staged on the subject property. No items may be staged on the Peak to Peak Highway unless written permission from CDOT is obtained.

This concludes our comments at this time.

Wildfire Mitigation Team

MEMO

TO: Dana Yelton
FROM: Chris Dirolf
DATE: October 17, 2023
RE: Referral Packet for SPR-23-0093: Dow-McVey Residence and Accessory Structures at 48733 Peak to Peak Highway

Thank you for the referral. We have the following comments for the applicants:

Decades of catastrophic wildfires, research, and case studies have shown that extreme wildfires are inevitable in the forests of Boulder County and across the Western US. Still, the loss of life and homes does not have to be inevitable. The conditions that principally determine if a house ignites occur within 100 feet of the house, including the house itself. That is why Boulder County has such strong wildfire mitigation requirements in our Land Use and Building Code. Boulder County encourages all homeowners to voluntarily take responsibility to mitigate their own home's risk of igniting in a wildfire through Wildfire Partners.

Wildfire Mitigation is required; the proposed project is in [Wildfire Zone 1](#) (the foothills or mountains—approximately west of highways 7, 36, or 93) of the unincorporated portion of Boulder County. The Boulder County Wildfire Mitigation requirements are composed of site location, ignition-resistant materials and construction, defensible space, emergency water supply, and emergency vehicle access.

Site Location

A Boulder County Wildfire Mitigation Specialist has reviewed the site location as part of the Site Plan Review process, and no conflicts have been identified. Ideally, all structures should be located as far from property lines as possible to maximize full defensible space—at least 100 feet. (especially areas with large openings, overhangs, or cantilevers)

However, it is ***recommended*** that any driplines (decks, bay windows, and other eaves and overhangs) be at least 30 feet from the property line for minimally effective defensible space; the roof's eave dripline encroaches this. The distance needed for minimally effective defensible space—at least 30 feet between the dripline of the proposed project and the property lines—was found; at least 100 feet is recommended.

Given the wildland fuels and topography of the parcel, there is enough distance within the property to create and maintain defensible space around the proposed additions.

Adequate defensible space is required around all existing and new structures to prevent the spread of fire to and from structures. This requires limbing and/or removal of trees and shrubs to provide necessary vertical and horizontal fuel separation within a minimum of 100 ft. from the home and within 30 ft. along both sides of a driveway. More information can be found by referring to the Colorado State Forest Service publication [Protecting Your Home from Wildfire: Creating Wildfire-Defensible Zones – 2012 Quick Guide](#).

Follow the Colorado State University [FireWise Plant Materials – 6.305](#), [Fire-Resistant Landscaping – 6.303](#), and Colorado State Forest Service [Protecting Your Home from Wildfire: Creating Wildfire-Defensible Zones – 2012 Quick Guide](#) publications when choosing plants and designing revegetation and landscaping.

Emergency Water Supply

An emergency water supply is required to aid in the defense of the structures from a wildfire and assist in firefighting efforts. The Indian Peaks Fire Protection District typically requires an individual cistern in lieu of contributing to a community cistern fund. Contact the Indian Peaks Fire Protection District for their individual cistern requirements at 303-459-3452. If the Fire Protection District does not have its own installation standards, follow the Boulder County publication: [Emergency Water Supply for Firefighting](#).

Emergency Vehicle Clearance

Emergency vehicle clearance is required to allow for safe ingress and egress of emergency vehicles. Emergency personnel try their best to respond to calls in a timely manner, often while negotiating difficult terrain. Planning for access by emergency vehicles improves safety for homeowners and their families by providing for a more efficient response by firefighters and other emergency personnel arriving on the scene. This is especially important in rural and mountainous areas where response times may be considerably longer than in cities, where emergency services are closer by. Refer to the Boulder County publication: [Driveway Access for Emergency Vehicles](#) for specific clearance-related requirements.

Timeline

After applying for, but prior to issuance of any permits, a Boulder County Wildfire Mitigation Specialist will contact you to schedule a Wildfire Partners or Regulatory Wildfire Mitigation assessment and defensible space marking. Based upon the compliance path selected, either a Wildfire Partners Assessment report or a Wildfire Mitigation Plan will be created to describe the wildfire mitigation requirements.

Before scheduling rough framing inspections, the plan's defensible space and water supply portion must be implemented and inspected by the Community Planning & Permitting Department. All trees marked for removal must be cut, and all slash, cuttings, and debris must be removed and/or properly disposed of. The [Fire Sprinkler or Fire Cistern Approval Form](#) must be submitted to the Boulder County Building Safety & Inspection Services at ezbp@bouldercounty.org (or P.O. Box 471, Boulder, Colorado, 80306) after the fire protection district completes the applicable portion of the form. If an individual cistern was required, it must be located on-site in an appropriate location (subject to approval by the fire protection district), fitted with an appropriate dry hydrant connection, and be filled, and tested by the local fire protection district.

At the time of final inspection, all remaining required items in the Wildfire Partners Assessment report or the Wildfire Mitigation Plan are to be fully implemented and inspected. Ground surfaces within three feet of both existing and new structures, and at least 2 feet beyond the driplines of decks, bay windows, and other eaves and overhangs, must be covered with an allowable non-combustible ground cover over a weed barrier material. The driveway vertical and horizontal vegetation clearance must be in place and conform to the Parcel Access Design Standards in the [Boulder County Multimodal Transportation Standards](#).

If the applicants should have questions or need additional information, we'd be happy to work with them toward solutions that meet minimum land use and building code requirements. I can be reached at 303-678-6282 or via e-mail at cdirolf@bouldercounty.gov.

TO: Dana Yelton, Community Planning & Permitting Department
FROM: Ron West, Natural Resource Planner
DATE: October 24, 2023
SUBJECT: SPR-23-0093, Dow-McVey, 48733 Peak to Peak Highway

Site Conditions

Staff has reviewed the submitted materials, and has visited the three building envelopes in the past. The subject parcel is dominated by dense mixed conifer forest and small areas of aspen, while a 2-acre meadow, containing a small wetland, occurs in the northeast. The proposed construction site is in less-dense, mixed conifer upland near the edge of the meadow.

County Comprehensive Plan Designations

The parcel has the following designations in the Boulder County Comprehensive Plan, and from other resource inventories.

- Environmental Conservation Area (ECA) – Indian Peaks, entire parcel
- Wildlife Migration Corridor – almost entire parcel
- Montane Meadow – sensitive habitat
- Wetland (not mapped in Comprehensive Plan) – and associated wet meadow
- Significant Natural Community -- aspen
- Adjacent to Public Lands – US Forest Service, on west and southwest
- View Protection Corridor – associated with Peak to Peak Scenic Byway, on north
- County-held Conservation Easement

Discussion

Staff has limited concerns with the proposal. All three of the building envelopes border the sensitive montane meadow, including the proposed envelope #2. The house, however, would be setback from the meadow edge by about 100 linear feet. From an elk migration/movement perspective, this meadow is relatively isolated, with much larger and contiguous meadow systems to the south of the subject parcel, where most use is likely concentrated.

The relatively long driveway is simply a function of reaching any of the three building envelopes. Given the size and extent of the 88-acre parcel, though, a driveway could have been *extremely* long, for example to reach the western portion of the parcel, yet the designated envelopes preclude this.

The house or outbuildings may be partially visible from the Peak to Peak Highway, but the amount would be based on removal of trees for wildfire mitigation. This should be considered during mitigation planning, and select trees should be marked and preserved. The

beginning of the new driveway would unavoidably be visible from the roadway, where it parallels the highway across a previously disturbed area next to the right-of-way.

The following resources should not be impacted: ECA, wetland, aspen communities, and adjacent public lands.

The forestry garage entrance is shown to be on the east façade, but this is incorrect. It's on the northwest. (See windows, below.)

Recommendations

- Select trees should be marked and preserved during wildfire mitigation.
- At 29 feet in height, the bulk of the house, and thus its potential visibility, is significant. Therefore, the amount and locations of windows on both the north- and south-façades should remain as shown in the elevation drawings. Depending on the direction of the clerestory windows on the forestry garage, these may need to be removed.
- A Revegetation Plan is required that includes native grass species to be used, an explanation of how topsoils will be stockpiled and reused, mapped delineation of all disturbance areas (this includes construction staging areas, driveway, utility lines, and septic system), and locations of silt fence or erosion control logs down slope of all disturbed areas.
- The existing two-track road, shown on Sheet C-101 just north of the house, should be revegetated as part of this Plan.

From: [Kryszczuk, Lauren - FS, CO](#)
To: [Yelton, Dana](#)
Subject: [EXTERNAL] 10/03/2023 Comments on Referral Packet for SPR-23-0093: Dow-McVey
Date: Tuesday, October 3, 2023 12:44:40 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Good afternoon Dana,

I see that the proponent's private parcel is adjoining to federal National Forest System (NFS) land west and south of this parcel. Please kindly remind the private property owners that they should have a legal land survey completed by a licensed surveyor (if they have not done so already) to avoid encroachments on federal land.

Thank you. Have a nice day!



Lauren Kryszczuk
Realty and Land Specialist
Forest Service
Arapaho and Roosevelt National Forests and
Pawnee National Grassland
Boulder Ranger District

c: 720-708-0988
o: 303-541-2534
lauren.kryszczuk@usda.gov

2140 Yarmouth Avenue
 Boulder, CO 80301

www.fs.fed.us



Caring for the land and serving people

From: Bowers, James <jbowers@bouldercounty.gov>
Sent: Tuesday, October 3, 2023 12:02 PM
To: #WildfireMitigation <WildfireMitigation@bouldercounty.org>; #CEreferral <CEreferral@bouldercounty.gov>; Zahn, Sequoia <SequoiaZahn@gmail.com>; info@allensparkfire.com; BDRCO@xcelenergy.com; Donna.L.George@xcelenergy.com; Steve Buckbee <sbuckbee@lefthandwater.org>; chrissmith@lefthandwater.org; office@svlhwcd.org; scott.griebing@svlhwcd.org; Steve Buckbee <sbuckbee@lefthandwater.org>; chrissmith@lefthandwater.org; Kryszczuk, Lauren - FS, CO <Lauren.Kryszczuk@usda.gov>; Flax, Ron <rflax@bouldercounty.gov>; Frederick, Summer <sfrederick@bouldercounty.gov>; HealthWaterQuality-EnvironmentalBP LU <HealthWQ-EnvironBPLU@bouldercounty.gov>; Huebner, Michelle <mhuebner@bouldercounty.gov>; Milner, Anna <amilner@bouldercounty.gov>; Northrup, Elizabeth (Liz) <enorthrup@bouldercounty.gov>; Sanchez, Kimberly

<ksanchez@bouldercounty.gov>; Transportation Development Review
<TransDevReview@bouldercounty.gov>; West, Ron <rowest@bouldercounty.gov>
Cc: Yelton, Dana <dyelton@bouldercounty.gov>; Morgan, Heather <hmorgan@bouldercounty.gov>
Subject: [External Email]Referral Packet for SPR-23-0093: Dow-McVey Residence and Accessory Structures at 48733 Peak to Peak Highway

You don't often get email from jbowers@bouldercounty.gov. [Learn why this is important](#)

[External Email]

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Please find attached the referral packet for *SPR-23-0093: Dow-McVey Residence and Accessory Structures at 48733 Peak to Peak Highway*.

Please return responses and direct any questions to [Dana Yelton](#) by *October 23, 2023*. (Boulder County internal departments and agencies: Please attach the referral comments in Accela.)

James Bowers | Administrative Technician

Planning Division | Boulder County Community Planning & Permitting

P.O. Box 471, Boulder, CO 80306 | Courthouse Annex—2045 13th St., Boulder, CO 80302

jbowers@bouldercounty.gov | (720) 564-2822 | www.boco.org/cpp

My usual working hours are Monday-Friday, 8:00 a.m.-4:30 p.m.

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**Right of Way & Permits**

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303.571.3284
donna.l.george@xcelenergy.com

October 16, 2023

Boulder County Community Planning and Permitting
PO Box 471
Boulder, CO 80306

Attn: Dana Yelton

Re: Dow-McVey Residence and Accessory Structures, Case # SPR-23-0093

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the site plan for **Dow-McVey Residence and Accessory Structures**. Please be aware PSCo owns and operates existing underground electric distribution facilities in the north/northeasterly area of the subject property. As a safety precaution, contact Colorado 811 before excavating. Use caution and hand dig when excavating within 18-inches of each side of the marked facilities. Please be aware that all risk and responsibility for this request are unilaterally that of the Applicant/Requestor.

The property owner/developer/contractor must complete the application process for any new natural gas or electric service, or modification to existing facilities via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details.

If additional easements need to be acquired by separate PSCo document, a Right-of-Way Agent will need to be contacted by the Designer.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com

From: [Scott Hoffinger](#)
To: [LU Land Use Planner](#)
Subject: [EXTERNAL] Re: Project SPR-23-0093
Date: Wednesday, November 8, 2023 5:17:31 PM

To Whom It May Concern,

I wish to speak in favor of the above referenced project, at 48733 Peak to Peak Highway. As a nearby property owner, I have no objection to this project and accept the County's determination to proceed. This project will not have a negative impact on the land, hiking trails, or the natural beauty of the area.

Thank you for allowing me to comment.

Scott Hoffinger

Meadow Pond, LLLP and McKenna Properties, LLLP

1140 Linden Ave, Boulder, CO 80304

1140 Linden Ave.
Boulder, CO 80304
November 13, 2023

Boulder County Land Use Dept.
2045 13th St.
Boulder, CO 80306

Re: **SPR-23-0093**; Dow-McVey Residence; 48733 Peak to Peak Highway, Ward, Colo.

To whom it may concern,

I have reviewed the materials submitted for the above-referenced site plan review. With the exception of one possible area of concern, the project appears to conform with the development restrictions in the Welch Conservation Easement to which the property is subject, held by Boulder County Open Space.

We have no quarrel with any minor modifications to square footage due to thicker building blocks. It seems fair to measure square footage as recording all the *usable* floor area in the *interior* of any building.

We do have a problem with the Sept. 25, 2023 letter submitted by Connect Architecture, in which paragraph 2(A)(1)(a) states (with my boldface emphasis added):

The natural topography hides the development from all private parcels and hides the development from the Peak to Peak Hwy **for all but a short section of the road**. It is also a condition of the Conservation Easement that the development **remains minimally visible** from the Peak to Peak HWY.

Currently, the existing forest vegetation will hide the proposed development and in coordination with the Boulder County Parks and Open Space and the Boulder County Wildfire Partners we have confirmed that after the appropriate fire mitigation the development will remain **minimally visible** from the Peak to Peak HWY. Only a catastrophic wildfire would visually expose the development for that short section along the Peak to Peak.

Additionally, paragraph 10 states (again, with my emphasis added):

The development will not have a significant negative visual impact on the natural features or neighborhood character of the surrounding area. The property is located along the Peak to Peak Scenic Corridor. Every effort is being made to ensure the development is **minimally visible** from the Peak to Peak HWY. **This is also a condition of the Conservation Easement** and we have worked closely with them and the Boulder County Wildfire Partners to come up with the best plan to develop building envelop #2 and **minimize visibility** from the HWY.

In contradistinction to the above language, paragraph 3 of the Welch Conservation Easement, entitled “Partial Scenic Easement”, states (again, with my emphasis added):

... all future residences **shall be** located so that they are **not visible from the Peak to Peak Highway** because of the natural topography or because of a significant stand of natural vegetation.

The point is that the *mandatory* legal language of this easement requiring invisibility from the highway does not allow for “minimal visibility” or invisibility from “for all but a short section of the road.” Paragraphs 2(A)(1)(a) and 10 of Connect Architecture’s letter falsely assert that the phrase “minimally visible” comports with the language in the Conservation Easement. It does not. The Easement mandates invisibility from the highway, either by topography or forest.

I write this not so much as a legal language stickler, but because another of the Welch lots, developed around a decade ago by John and Denise Matthews (at 48013 Hwy 72, Parcel #132100000056), did not comport with this same Easement language—their new residence is prominently visible from the highway. That violation of the spirit and language of the Welch Easement was a subject of unhappiness among at least one neighbor across the highway (whose property, like ours, is also under conservation easement, albeit with The Nature Conservancy). If it happens again, the easement language would appear worthless.

I am certainly acutely aware of the Welch Easement with Boulder County. Our family entity Meadow Pond LLLP has similarly purchased a Welch lot (at 47861 Peak to Peak Hwy) with a building site subject to the same restrictive language. Our other neighboring properties, subject to easement with the Nature Conservancy, do not have invisibility restrictions, due to the fact that many buildings and one residence, all built before 1960, were already visible from the highway. So it goes.

Everyone subject to a conservation easement is going to push up against and then chafe at the legal restrictions. It is the nature of the beast, and why they are put in place. I urge everyone involved to determine how to ensure, ***prior to construction and further expensive architectural plans***, how this residence is going to remain invisible from the highway in conformity with the Conservation Easement's plain language. The phrase "minimally visible" is ill-defined. For instance, will the structure be visible because it's two stories, but won't be if it's one story? Then it needs to be one story.

If Boulder County is going to extend any non-trivial amount of flexibility regarding easement requirements for this project, I would hope and expect similar flexibility will be afforded to Meadow Pond, LLLP or its successor(s) at some future date.

Sincerely yours,



Douglas McKenna, General Partner
Meadow Pond LLLP
47861 Peak to Peak Hwy, Ward, CO

Douglas McKenna, Managing Partner
McKenna Properties, LLLP
(a/k/a Silver Spruce Ranch at 47517 Hwy 72, Ward, CO)

Meadow Pond, LLLP and McKenna Properties, LLLP

1140 Linden Ave, Boulder, CO 80304

1140 Linden Ave.
Boulder, CO 80304
January 8, 2024

Boulder County Land Use Dept.
2045 13th St.
Boulder, CO 80306

Re: **SPR-23-0093**; Dow-McVey Residence; 48733 Peak to Peak Highway, Ward, Colo.

Dear Commissioners,

I have spoken with Vicky McVey, an owner of the proposed development, and she has assured me that height testing for determining lack of visibility from the highway has been accomplished since I submitted my November 13th, 2023 letter in these proceedings. It appears, then, that their proposed residence is located appropriately and in conformity with the Welch Conservation Easement that governs their land.

With regard to these visibility issues and based on Ms. McVey's assurances to me, we have no current objections to proceeding with the project.

Sincerely yours,



Douglas McKenna, General Partner
Meadow Pond LLLP
47861 Peak to Peak Hwy, Ward, CO

Douglas McKenna, Managing Partner
McKenna Properties, LLLP
(a/k/a Silver Spruce Ranch at 47517 Hwy 72, Ward, CO)

From: [Wufoo](#)
To: [LU Land Use Planner](#)
Subject: [EXTERNAL] Ask a Planner - Betina Mattesen - SPR 21 00013 - 48733 Peak To Peak Highway
Date: Tuesday, January 16, 2024 7:07:19 PM

Boulder County Property Address : 48733 Peak To Peak Highway

If your comments are regarding a specific Docket, please enter the Docket number: SPR 21 00013

Name: Betina Mattesen

Email Address: bmattesen26@gmail.com

Please enter your question or comment: I would like the enormous size of this proposal to be denied. It should match the more modest size compatible with the rural area. This huge house, with the many proposed outbuildings, could be visible and degrade visitor experience from the surrounding public lands and vistas. Development here shouldn't in any way effect the scenery or historic integrity of the area's public lands, roads or Scenic Highway. I have climate impact concerns about tone deaf buildings like this that do not meet County or even global goals.

I am writing for the mountain area's Peak2Peak Forest Watch. Thank you.

Public record acknowledgement:

I acknowledge that this submission is considered a public record and will be made available by request under the Colorado Open Records Act.



Parks & Open Space

5201 St. Vrain Road • Longmont, CO 80503
303-678-6200 • POSinfo@bouldercounty.gov
www.BoulderCountyOpenSpace.gov

ATTACHMENT C

November 27, 2023

Delivery by email

Dana Yelton, Planner I
Community Planning & Permitting Department
2045 13th St.
Boulder, CO 80302
dyelton@bouldercounty.gov

Re: Conservation Easement Program Response to Comments on SPR-23-0093 at 48733 Peak to Peak Hwy

Dear Dana,

The property described above is encumbered by a Deed of Conservation Easement in Gross that is recorded in the real estate records of Boulder County on October 16, 2001, at Reception Number 2208132 and an Amendment to Deed of Conservation Easement in Gross recorded in the real estate records of Boulder County on December 5, 2018, at Reception Number 3688788.

The Conservation Easement Program would like to address comments and concerns submitted by Meadow Pond, LLLP and McKenna Properties, LLP in response to the Determination Letter issued for this project. First, staff conducted a thorough on-site analysis of the proposed building locations and have determined, to the best of our ability, that natural stands of vegetation should screen the proposed residence. The approval for this project was taken beyond Conservation Easement Program staff, with further discussions occurring within Parks & Open Space's Real Estate Division. A staff memo to file was written to capture this complex decision. Please refer to the attached memo for additional details on the decision-making process.

Next, staff would like to address the 2015 project on the Matthews property. The visibility of this residence from the Peak-to-Peak Highway does not violate the terms of the conservation easement as stated in the letter. While Paragraph 3 of the conservation easement does restrict the visibility of most future residences, the language specifically excepts the homestead or its replacement. The Matthews purchased the homestead. Following the construction of their residence and the issuance of its Certificate of Occupancy, the original homestead was decommissioned. Staff consider the new residence to be the homestead's replacement and it is thus exempt from the visibility restrictions in Paragraph 3.

Thank you for the opportunity to review these concerns and provide additional comments.

Sincerely,

Liz Northrup
Conservation Easement Program Supervisor
303-678-6253
enorthrup@bouldercounty.gov

Attachment: Staff Memo to File Re: Building Proposal on Welch (William) Parcel 4 CE Property



Parks & Open Space

5201 St. Vrain Road • Longmont, CO 80503
303-678-6200 • POSinfo@bouldercounty.org
www.BoulderCountyOpenSpace.org

ATTACHMENT C

Memo to File

Date: September 12, 2023

From: Liz Northrup, Conservation Easement Program Supervisor

Re: Welch (William) Parcel 4 Development Plans Consistent with Terms of Conservation Easement

Summary

Landowners of the above referenced property, Vicki McVey, Jesse Dow and Jean Dow, are working with Nathan Knecht, Connect Architecture, to select a location for the single-family residence as allowed by the conservation easement over their property. This memo outlines their proposal, staff's analysis, and reasoning for Conservation Easement Program support of their plans. The property is encumbered by a Deed of Conservation Easement in Gross recorded on October 16, 2001 at Reception Number 2208132 (the "CE") and a Fifth Amendment to Deed of Conservation Easement in Gross recorded on December 5, 2018 at Reception Number 3688788 (the "Amendment"), both recorded in the Real Estate Records of Boulder County.

Proposal

The landowners propose building one single-family residence with attached garage, a forestry shed, a greenhouse and a chicken coop. The single-family residence is proposed to be located within one of the potential locations as approved by the Amendment. The landowners also propose a new road to access the residence and outbuildings.

Staff Analysis

Following an on-site visit conducted on August 11, 2023, I made the attached map showing the approximate location of the proposed house within one of the Amendment-approved potential locations, the proposed forestry shed, county-required emergency turn-around, and proposed access road. The map also identifies required forest thinning areas by Wildfire Partners and electrical guy wire considerations.

Location of the residence: Paragraph 6.A.1(d) of the CE states that "each development site shall be of a reasonable size, sufficient to reasonably locate the locations of a potential dwelling unit for Grantee, while still allowing some flexibility for Grantor in the exact location of the dwelling unit." The Amendment requires that the dwelling unit, or residence, be located within one of three approved locations as generally depicted on the attached map. Paragraph 3 of the CE states that the single-family residence shall not be visible from the Peak-to-Peak Highway due to natural topography or a stand of vegetation. As can be seen on the attached map, the landowners chose the middle option for the location of their residence. The southern portion of this chosen location contains steep terrain which minimizes its buildable area. Construction in other portions of the selected building location would require much more earth movement and grading. As can be seen on the elevation contour lines on the map, the area chosen for the site of the single-family residence is the most conducive building area of the Amendment-approved selected location. Although this site is somewhat situated on a rise in topography, its proposed height of 28 feet at its highest peak, is well below the 35-foot height restriction in the CE and is proposed to be constructed with natural-

colored materials so as to blend with the surrounding area as required by the CE. Forest thinning for wildfire mitigation will be required during Community Planning & Permitting's (CPP) review process. Staff has determined to the best of our ability that this location for the single-family residence will protect the view corridor or, at most, be minimally visible from the Peak-to-Peak Highway.

Forestry shed, greenhouse and chicken coop: The Amendment identifies approved locations for the new single-family residence but does not address locations of the permitted outbuildings. Paragraph 6.A.(5) of the CE states that each residence and associated outbuildings shall be located within a building envelope not to exceed one acre in size within each development site. Staff concludes that the locations for the single-family residence and the one-acre building envelope requirements are different concepts; therefore, so long as all structures on the property are situated within a one-acre area of one another and the residence is situated within one of the approved locations, then the plans are consistent with the CE and Amendment. The forestry shed is proposed to the east of the single-family residence as depicted on the map. The locations of the chicken coop and greenhouse will be in close proximity to the single-family residence, but exact locations have not yet been proposed. All development will be contained in a building envelope less than one-acre in size.

Paragraph 3 of the CE states that all single-family residences shall not be visible from the Peak-to-Peak Highway, but the CE is silent regarding the visibility of the permitted outbuildings. Staff recognizes the importance of the scenic viewshed from the Peak-to-Peak Highway and so the forestry shed location was carefully considered during the on-site visit. Prior to the on-site visit, Kyle McCatty (Wildfire Mitigation Specialist with Wildfire Partners) and a representative from a local fire district visited the property with the landowners to identify appropriate locations for this shed. Kyle recommended the location as proposed on the map because of its relatively flat topography and the ability of emergency responders to access the single-family residence should a fire affect the forestry shed. This proposed location enables emergency responders to safely provide structure protection on the single-family residence because they could use the old roadbed located to the north and west of the residence. Wildfire Partners requires complete removal of all trees within 30 feet of a new structure and further requires thinning at a 10-foot crown spacing between trees for a 100-foot radius around the new structure, except that aspen trees are exempt from removal. These distances are depicted on the attached map. There are many aspen trees to the south and east of the forestry shed which would decrease visibility from motorists traveling on the Peak-to-Peak Highway. The 100-foot buffer does not affect the trees closest to the Peak-to-Peak Highway which are most critical to screening visibility. Although it is impossible to determine what the forest thinning will look like upon completion, staff supports this location for the reasons described above.

Lastly, although the CE allows for up to two garages and two sheds, staff intends to permit one attached garage (square footage to be counted separately from the single-family residence consideration), one forestry shed, one greenhouse, and one chicken coop, and will write an interpretation letter to be signed by the Real Estate Division Manager.

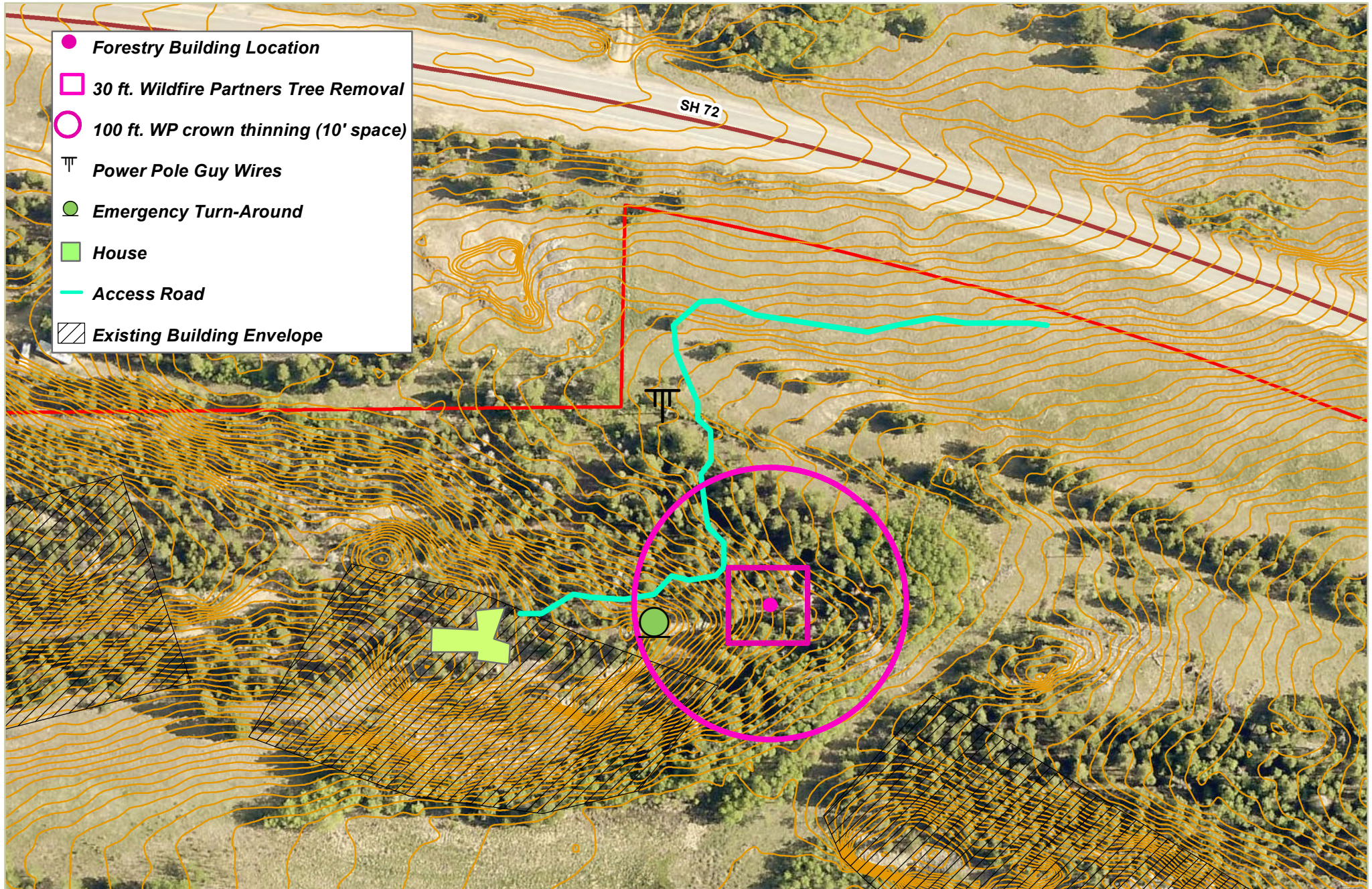
Access Road: Paragraph 6.A.2 of the CE requires that existing roads be used if at all possible. An existing roadbed travels west along the northern property boundary, but the landowners are requesting to construct a new access road due to setback requirements from electrical guy wires. The existing roadbed comes in close proximity to the north side of the guy wires, and

if the landowners were to use this existing road, setbacks requirements would force them to cross through their neighbor's property. The neighbor stated that they would only agree to grant an access easement to the landowners if they waived their right to complain about anything that happens on the neighbor's property in perpetuity. This is a non-option, as the landowners do not want to waive this right. Because the existing road is not possible to use for reasons described above, Staff supports the proposed new access road location, as generally depicted on the attached map, which circumvents the electrical guy wires by passing them to the east. Exact entrance/exit off the Peak-to-Peak Highway is unknown at this time, as that will need to be sited by CDOT due to its designation as a state highway.

Staff Decision to Support Landowner's Proposal

The proposed single-family residence is located within one of the Amendment-approved locations. After selection of this location, the remaining two Amendment-approved single-family residence locations will be extinguished. The proposed location for the forestry shed is supported by staff due to the reasons explained above. The entire development site will be under 1-acre in size and is consistent with additional terms in the CE that restrict building and construction.

Welch (William) Parcel 4 Proposed Building Layout with Contours (1')



- **Forestry Building Location**
- 30 ft. Wildfire Partners Tree Removal**
- 100 ft. WP crown thinning (10' space)**
- ⊥ **Power Pole Guy Wires**
- Emergency Turn-Around**
- House**
- Access Road**
- Existing Building Envelope**





Parks & Open Space

5201 St. Vrain Road • Longmont, CO 80503
303-678-6200 • POSinfo@bouldercounty.gov
www.BoulderCountyOpenSpace.gov

ATTACHMENT C

January 12, 2024

Delivery by email

Dana Yelton, Planner I
Community Planning & Permitting Department
2045 13th St.
Boulder, CO 80302
dyelton@bouldercounty.gov

Re: Conservation Easement Program Height Pole Analysis Memo for SPR-23-0093 at 48733
Peak to Peak Hwy

Dear Dana,

Thank you for including the Conservation Easement Program in your height pole study visit to the property described above on December 7, 2023.

This study was completed to assess the visibility of the proposed single-family residence from the Peak-to-Peak Highway. The pole was set to a height of 30 feet and the single-family residence is proposed to be 29 feet tall. The study showed the flag at the top of the height pole was minimally visible for a small stretch along the Peak-to-Peak Highway when facing northbound, indicating the peak of the single-family residence's roof may also be visible. Paragraph 3 of the conservation easement states that this proposed residence shall be located so that it is not visible from the Peak-to-Peak Highway because of the natural topography or because of a significant stand of vegetation.

Staff continues to find this project consistent with the terms of the conservation easement due to a myriad of factors that affect visibility as travelers utilize the highway. A significant stand of vegetation lies between the proposed location of the single-family residence and the highway. This stand of vegetation should shield the visibility of the front façade of the residence, and Paragraph 6.A(6) requires that the roof be fireproof and a non-reflective earth tone color. The photos from the height pole analysis reflect a stationary moment in time. Staff believes that highway users traveling at speed along the Peak-to-Peak Highway would fail to detect the peak of an earth-tone colored roof and so consider this project to meet the intent of Paragraph 3 of the conservation easement.

Following the results of the height pole study, the Conservation Easement Program considers this request to be consistent with the terms of the conservation easement on the property. Thank you for the opportunity to participate in this study and provide additional comments.

Sincerely,

Liz Northrup
Conservation Easement Program Supervisor
303-678-6253
enorthrup@bouldercounty.gov

December 7, 2023 – 30-foot Height Pole Study Photos

Photo #1, height pole flag is not visible:



Photo #2, height pole flag is not visible:



Photo #3, height pole flag is visible (marked with red dot):



Photo #4, height pole flag is visible (marked with red dot):



December 20th, 2023

BOULDER COUNTY
Land Use Department
2045 13th Street
Boulder, CO 80302

RE: **Site Plan Review**
Project Location: 48733 Peak to Peak HWY

Project Narrative (amended)
Peaceful Valley Residence & Outbuildings

*The Peaceful Valley Residence is a generational property owned and occupied by 3 generations of the McVey-Dow family. This unique 88.15 acre undeveloped parcel zoned Forestry is encumbered by a Boulder County Conservation Easement (CE). The CE specifies to choose 1 of 3 allowed building envelopes to develop and specifically allows a 3,000 square foot new residence with a *35' height limit, 2 outbuildings and 2 sheds with undefined square foot allocation or specific use category. In close collaboration with the Boulder County Parks and Open Space and in discussion with our pre-application planner, Peter L'Orange, we have selected building envelop #2. We are proposing a **3,300 square foot residence and 587 square foot attached garage that will account for one of the 2 outbuildings. A 768 square foot detached ***Forestry Garage that includes a 192 square foot roof covered area. And, 2 new detached sheds each 120 square feet in floor area.*

**We are proposing to stay below the Boulder County residential height limit of 30' above existing grade.*

*** Note the 3,300 square feet is to the outside of a 15" thick eco block exterior wall construction. In the past, we have received a reduction in the square foot calculation from the Boulder County Planning Department calculating the square feet of these walls 6" from the interior of the exterior wall. In this case, if granted the same reduction, it will reduce the square feet from 3,300 to 3,000 total square feet. If the type of construction changes to traditional frame construction, square feet will be calculated to the exterior of a 2x6 wood framed wall.*

****In discussions with the Boulder County Wildfire Partners, this building could be considered a forestry use related to the forest management of 88 acres encumbered by a conservation easement to reduce the residential floor area but we would prefer to keep it as a detached residential accessory structure.*

The Peaceful Valley Residence & Outbuildings respond to the **Site Plan Review Standards** as follows:

1. The *defined neighborhood*, for the purpose of this application, is the area within 1,500 feet from 48733 Peak to Peak HWY.
2. 125% of the median floor area of the defined neighborhood is 2,500 sq.ft. The proposed residential floor area of 4,547 sq.ft. (includes the Forestry Garage and a reduction for the thick eco block walls) is above the median floor area of the defined neighborhood. Our project will meet compatibility with the general character of the defined neighborhood by:

(A) (1) (a) Upon on-site review by the CE staff and in coordination with the Boulder County Wildfire Partners the natural topography & natural stands of existing vegetation should fully screen the proposed structures from the Peak to Peak Hwy and neighboring private parcels. Please reference the comments provided by the Parks & Open Space regarding compliance with the Conservation Easement pertaining to the Peak to Peak Scenic Corridor.

(c) The Forestry Garage is 300' from Peak to Peak. The proposed residence is 420' from Peak to Peak.

(C) The property is encumbered by a Conservation Easement. We have worked closely with the Boulder County Parks & Open Space and our pre-application planner, Peter L'Orange, to best capture the spirit of the Conservation Easement and Land Use Code and submit an application that develops all allowed buildings on the property per the Conservation Easement. There will be no future allowable buildings on this parcel per the Conservation Easement. See attached letters from the Boulder County Parks and Open Space Department.

3. The location of the proposed structures, new grading, and use *will not impose an undue burden on public services and infrastructure*. The project will require a new well, new septic system and utilize existing electrical power from XCEL energy. It was also important to keep the grading of the new driveway under 500 cubic yards to minimize the impacts of earthwork and grading.
4. The proposed development will satisfactorily mitigate any *geologic hazard* as identified in the Comprehensive Plan. The development will avoid *flash flood corridors, alluvial fans, floodplains, and unique geomorphic paleontological, or petrologic features*.
5. The site plan *mitigates the risk of wildfire* for both the subject property and the surrounding area.

The site is in Fire Zone 1 and has a 'high' wildfire rating. We have already met with the Boulder County Wildfire Partners for recommendations on building locations, access drive and fire mitigation. We will continue to partner with the Boulder County Wildfire Partners during permitting, prior to construction and during construction of the project. The use of Eco Block wall construction and metal roofs makes this a highly ignition resistant structure especially when combined with the appropriate fire mitigation.
6. The development will not alter *historic drainage patterns and/or flow rates*.

All final grading around the new structures will return water to historic drainage patterns. The use of culverts when cutting across slope on the new driveway will maintain historic drainage patterns. The development avoids flood plains and natural drainage systems existing on the site.
7. The development will avoid *significant natural ecosystems and environmental features*.
8. The development will not negatively impact *agricultural lands of local, state or national significance*.

9. The development will avoid significant *historic or archeological resources* as identified in the Comprehensive Plan or the Historic Sites Survey of Boulder County.
10. The development will not have a significant *negative visual impact* on the natural features or neighborhood character of the surrounding area. The property is located along the Peak to Peak Scenic Corridor. Upon on-site review by the CE staff and in coordination with the Boulder County Wildfire Partners the natural topography & natural stands of existing vegetation should fully screen the proposed structures from the Peak to Peak Hwy and neighboring private parcels.

Exterior Materials: The use of Eco Block wall construction and lime based plaster finishes will have natural earth tones. The use of an oxidized corten steel roof will blend with the natural surroundings and vernacular architecture.

Design: Will follow the natural topography of the site.

11. The location of the development will be *compatible with the natural topography and existing vegetation*, and the development *will not cause unnecessary or excessive site disturbance*. The proposed design nestles the footprint on relatively flat ground between existing rock outcroppings. The 2-story design consolidates the size of the footprint limiting the impact on the surrounding topography, reducing the amount of earthwork and the potential for blasting of rock.
12. *Runoff, erosion, and/or sedimentation* from the development will not have a significant adverse impact on the surrounding area.

During construction, runoff, erosion and sedimentation will be mitigated with silt fences around the construction area. After completion, drainage around the proposed structure will respect the natural flow of the existing site.

13. The development is not located in a *Natural Landmark or Natural Area* as designated in the Comprehensive Plan.
14. There are no existing structures on the property.
15. The development is *consistent with the Comprehensive Plan and the Boulder County Land Use Code*.