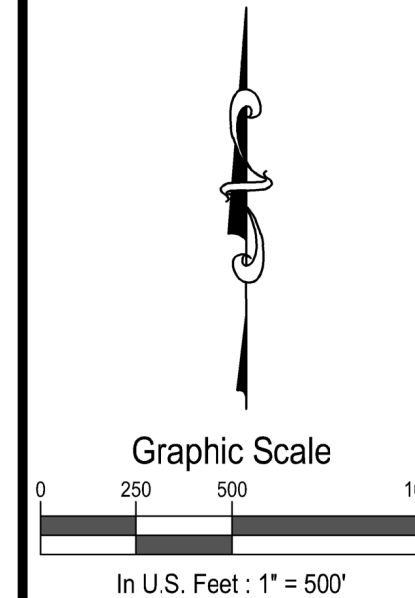


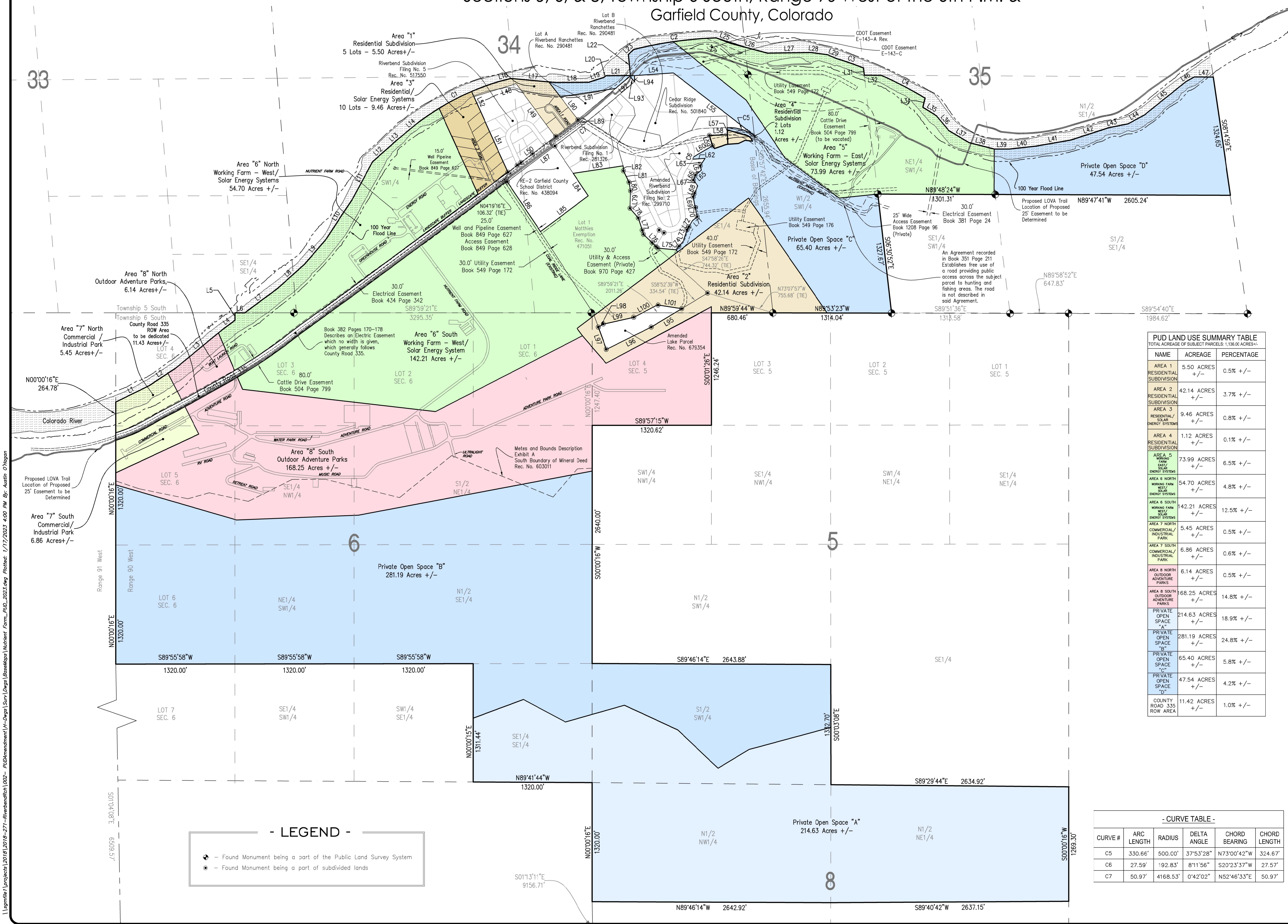
Nutrient Farm Planned Unit Development Plan Map

Parcels of Land Situated in
Sections 33, 34, & 35, Township 5 South, Range 90 West of the 6th P.M. &
Sections 5, 6, & 8, Township 6 South, Range 90 West of the 6th P.M. &
Garfield County, Colorado



SGM
118 West Sixth Street, Suite 200
Glenwood Springs, CO 81601
970.945.1004 www.sgm-inc.com

Nutrient Farm
Garfield County, Colorado



- LINE TABLE -

LINE #	BEARING	DISTANCE
L48	N72°50'39"E	489.35'
L49	S35°23'55"E	730.23'
L50	S53°07'34"W	655.91'
L51	N24°12'05"W	744.41'
L52	N24°12'05"W	173.25'
L54	N85°03'26"E	431.27'
L55	S52°17'28"E	1145.78'
L57	S01°56'48"E	79.97'
L58	S88°02'33"W	199.51'
L59	S17°17'27"E	119.98'
L60	S59°42'35"W	245.00'
L62	N85°07'36"E	137.38'
L63	S32°32'10"W	97.08'
L64	S13°02'35"E	49.80'
L65	S49°40'44"W	87.23'
L66	S22°47'18"W	58.34'
L67	S37°51'15"E	80.19'
L68	S23°03'12"W	132.40'
L69	S10°41'26"E	101.84'
L70	S12°54'47"E	123.41'
L71	S50°39'03"W	71.51'
L72	S29°43'54"W	115.27'
L73	S18°44'32"W	130.64'
L74	S39°51'11"W	128.13'
L75	N84°37'20"W	202.78'
L76	N46°00'48"W	220.19'
L77	N17°26'13"W	189.20'
L78	N40°05'54"W	141.75'
L79	N01°37'38"E	193.12'
L80	N10°21'42"W	97.88'
L81	N25°51'28"W	139.90'
L82	N03°00'26"W	55.08'
L83	S81°25'33"W	560.92'
L84	S33°52'20"E	300.00'
L85	S53°07'34"W	660.00'
L86	N33°52'26"W	665.00'
L87	N53°07'34"E	990.00'
L89	N37°34'29"W	80.00'
L90	N37°34'29"W	319.00'
L91	N81°20'34"E	618.96'
L92	N49°56'11"E	210.00'
L93	S40°04'08"E	80.00'
L94	N01°03'06"W	68.67'
L95	S58°52'41"W	394.16'
L96	S63°33'22"W	556.96'
L97	N19°38'31"W	263.80'
L98	N60°14'57"E	64.14'
L99	N77°27'34"E	347.15'
L100	N62°07'02"E	293.85'
L101	S81°18'49"E	273.63'

PUD LAND USE SUMMARY TABLE
TOTAL ACREAGE OF SUBJECT PARCELS: 1,138.00 ACRES +/-

NAME	ACREAGE	PERCENTAGE
AREA 1 RESIDENTIAL SUBDIVISION	5.50 ACRES +/-	0.5% +/-
AREA 2 RESIDENTIAL SUBDIVISION	42.14 ACRES +/-	3.7% +/-
AREA 3 RESIDENTIAL/ SOLAR ENERGY SYSTEMS	9.46 ACRES +/-	0.8% +/-
AREA 4 RESIDENTIAL SUBDIVISION	1.12 ACRES +/-	0.1% +/-
AREA 5 NORTH WORKING FARM SOLAR ENERGY SYSTEMS	73.99 ACRES +/-	6.5% +/-
AREA 6 NORTH WORKING FARM SOLAR ENERGY SYSTEMS	54.70 ACRES +/-	4.8% +/-
AREA 6 SOUTH WORKING FARM SOLAR ENERGY SYSTEMS	142.21 ACRES +/-	12.5% +/-
AREA 7 NORTH COMMERCIAL/ INDUSTRIAL PARK	5.45 ACRES +/-	0.5% +/-
AREA 7 SOUTH COMMERCIAL/ INDUSTRIAL PARK	6.86 ACRES +/-	0.6% +/-
AREA 8 NORTH OUTDOOR ADVENTURE PARKS	6.14 ACRES +/-	0.5% +/-
AREA 8 SOUTH OUTDOOR ADVENTURE PARKS	168.25 ACRES +/-	14.8% +/-
PRIVATE OPEN SPACE "A"	214.63 ACRES +/-	18.9% +/-
PRIVATE OPEN SPACE "B"	281.19 ACRES +/-	24.8% +/-
PRIVATE OPEN SPACE "C"	65.40 ACRES +/-	5.8% +/-
PRIVATE OPEN SPACE "D"	47.54 ACRES +/-	4.2% +/-
COUNTY ROAD 335 ROW AREA	11.42 ACRES +/-	1.0% +/-

- CURVE TABLE -

CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C5	330.66'	500.00'	37°53'28"	N73°00'42"W	324.67'
C6	27.59'	192.83'	8°11'56"	S20°23'37"W	27.57'
C7	50.97'	4168.53'	0°42'02"	N52°46'33"E	50.97'

- LEGEND -

- Found Monument being a part of the Public Land Survey System
- Found Monument being a part of subdivided lands



NUTRIENT FARM
PLANNED UNIT DEVELOPMENT GUIDE

NUTRIENT HOLDINGS LLC

March 2022

Revised March 2023

Revised August 2023

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ATTACHMENTS

- Exhibit A: Nutrient Farm Legal Description**
- Exhibit B: Nutrient Farm PUD Plan Map**
- Exhibit C: Nutrient Farm PUD Conceptual Access, Circulation and Parking Plan**
- Exhibit D: Table 2 – Nutrient Farm Land Use Table**
- Exhibit E: Nutrient Farm Land Use Definitions**
- Exhibit F: Table 10 – Nutrient Farm Allowed Signs Design Requirements**

NUTRIENT FARM PLANNED UNIT DEVELOPMENT GUIDE

I. INTRODUCTION

This Planned Unit Development Guide, to be known as the Nutrient Farm Planned Unit Development Guide (“PUD Guide”), is approved this _____ day of _____, 202_ by the Board of County Commissioners of Garfield County, Colorado, pursuant to Garfield County Resolution No. _____ for certain real property located in Garfield County and described in attached Exhibit A, hereinafter referred to as the “Property.” This Property contains the remaining unsubdivided portions of the original Riverbend Development that was approved with Garfield County Resolution No. 77-2 on January 4, 1977 as the Riverbend Planned Unit Development, and recorded on _____ under Reception No. _____, and the entirety of the undeveloped Coal Ridge Planned Unit Development that was approved with Garfield County Resolution No. 84-261 on December 27, 1984, and recorded on December 31, 1984 under Reception No. 358393 and re-recorded on January 9, 1985 under Reception No. 358633. The Riverbend PUD shall be amended and the Coal Ridge PUD vacated simultaneously with the recordation of this Nutrient Farm PUD Guide so that this PUD Guide shall solely govern the Property. This PUD Guide establishes the land uses which shall be permitted on the Property, a conceptual development plan and development standards and requirements which must be adhered to by the Owner/Developer, and its successors, heirs, or assigns, collectively referred to hereinafter as the “Owner/Developer.”

The purpose of this PUD Guide is to develop an agricultural mixed-use community revolving around a working experiential farm with related agricultural, residential, recreational and commercial activities tied to that primary function. A sustainable holistic working farm is envisioned with the goal of obtaining and maintaining formal organic and biodynamic certifications in the near future. Specific land uses and development standards have been established by this PUD Guide to foster the compatible and orderly development of Nutrient Farm to ensure that it blends in with the nearby development pattern and into the natural landscape. This PUD Guide supersedes the Garfield County Land Use and Development Code (“LUDC”) in regard to specific regulations that are more appropriate to these design goals and objectives. Where this PUD Guide addresses a specific development standard, requirement, or condition, the provisions of this PUD Guide shall supersede the provisions of the LUDC currently in effect. Nevertheless, where this PUD Guide does not address a specific development standard, requirement, or condition, the provisions of the LUDC shall apply.

II. CONCEPTUAL DEVELOPMENT PLAN, DENSITY AND PERMITTED LAND USES

A. Conceptual Development Plan (PUD Plan Map)

A conceptual development plan for Nutrient Farm, entitled Nutrient Farm PUD Plan Map (“PUD Plan Map”), has been attached hereto as Exhibit B, and incorporated herein. Eight general Development Areas (“Areas”) and four Private Open Space Tracts (“Tracts”) are depicted on the Property. Anticipated general uses and improvements, and planned general locations are reflected based upon current available information. The location and/or size of the Development Areas and Private Open Space Tracts are approximate. The PUD Plan Map is not intended to be a site specific development plan or a subdivision plat. Additional future studies, specific improvement design, and/or other agreements are necessary and may necessitate the re-location, re-design, or elimination of some of the potential improvements as shown. All potential improvements are subject to any

future applicable review and approval procedures as dictated by the LUDC and by Garfield County Community Development Department. No modification to this PUD Plan Map or PUD Guide shall be necessary for the minor re-location, re-design, or for any elimination of any of the shown potential improvements, or for any minor modification to the size or location of the Areas or Private Open Space Tracts as per the accompanying Development Agreement.

Moreover, any relocation of uses or adjustments to Development Areas that does not add density, change use, or increase any impacts to the public will be subject to the Minor PUD Modification process in accordance with section 6-203.C. of the LUDC.

Any future use or expansion of any uses/buildings beyond that included in this PUD Guide and shown on the PUD Plan Map shall be reviewed and approved by Garfield County per the applicable development review and permitting process. All necessary studies and reports, including any updates to the Nutrient Farm Level III Traffic Impact Study, Water Adequacy Report for the Proposed Development, Central Water Distribution and Wastewater Systems Report, and OWTS Engineering Report shall be submitted to the County for review and approval. Any additional infrastructure, road improvements, and/or impact fees associated with the new use or expansion shall be remitted to Garfield County at that time.

1. Development Areas, Private Open Space Tracts and General Land Uses

Development of Nutrient Farm shall be in general conformance with the attached PUD Plan Map and the specific requirements of this PUD Guide. Agricultural and Animal Related Uses, including Agritourism, are allowed throughout the Nutrient Farm Property, as an operational, working farm. The following Table 1 is a summary of the Development Areas, Private Open Space Tracts and General Land Uses for Nutrient Farm.

Table 1 – Development Areas, Private Open Space Tracts and General Land Uses Summary			
Area/ Tract	Name	Size¹ (Acres)	General Land Uses²
1	Residential Subdivision (5) 0.50 acre minimum lots	5.50	Agricultural/Animal Related Uses, Agritourism Residential Uses: Dwelling Units, Single-Unit
2	Residential Subdivision (1) 35.00 acres minimum lot/Farm House Lot ³	42.14	Agricultural/Animal Related Uses, Agritourism Residential Uses: Dwelling Unit, Single-Unit
3	Residential/Solar Energy Systems (10) 0.50 acre minimum lots	9.46	Agricultural/Animal Related Uses, Agritourism Residential Uses: Dwelling Units, Single-Unit Solar Energy Systems
4	Residential Subdivision (2) 0.50 acre minimum lots	1.12	Agricultural/Animal Related Uses, Agritourism Residential Uses: Dwelling Units, Single-Unit
5	Working Farm – East/Solar Energy Systems (1) 1.00 acre minimum residential lot	73.99	Agricultural/Animal Related Uses, Agritourism Commercial Uses Residential Uses: Dwelling Unit, Single-Unit, and Dwelling Units, Bunkhouse ⁴ Solar Energy Systems
6	Working Farm – West/ Solar Energy Systems (North: 54.70 acres) (South: 142.21 acres)	196.91	Agricultural/Animal Related Uses, Agritourism Commercial Uses Residential Uses: Dwelling Units, Bunkhouse ⁴ Solar Energy Systems
7	Commercial/Industrial Park (North: 5.45 acres) (South: 6.86 acres)	12.31	Agricultural/Animal Related Uses, Agritourism Commercial Uses Industrial Uses Residential Uses: Dwelling Units, On-Site Employee Housing ⁴
8	Outdoor Adventure Parks (North: 6.14 acres) (South: 168.25 acres)	174.39	Agricultural/Animal Related Uses, Agritourism Commercial Uses Industrial Uses Public/Institutional Uses Visitor Accommodations Residential Uses: Dwelling Units, On-Site Employee Housing ⁴
A	Private Open Space	214.63	Private Open Space
B	Private Open Space	281.19	Private Open Space
C	Private Open Space	65.40	Private Open Space
D	Private Open Space	47.54	Private Open Space
County Road 335 ROW Area		11.42	Public Right-of-Way
Total Development Areas		515.82	45.4% of Total PUD Area
Total Private Open Space Tracts		608.76	53.6% of Total PUD Area
Total County Road ROW Area		11.42	1.0% of Total PUD Area
Total PUD Area		1,136.00	100% of Total PUD Area

¹ The size of each Development Area and Private Open Space Tract shown is approximate.

² The indicated General Land Uses for each Area and Tract does not specify all of the individual allowed land uses for that Area or Tract. Refer to the Nutrient Farm Land Use Table for the allowed land uses in each Area or Tract.

³ A Single-Unit (“Farm House”) and Accessory Uses and Improvements exist.

⁴ Bunkhouses for seasonal and full time agricultural employees and On-Site Employee Housing

units for employees of Nutrient Farm may be constructed in these Areas. These units are not mandated inclusionary housing under the LUDC, nor shall any provisions of such be applied to them, but such housing may be recognized as operative employee housing and a public benefit accordingly. All necessary applications, studies and reports shall be submitted to Garfield County for review and approval prior to the construction of any of these units including, but not limited to, the provision of water and wastewater, vehicle trips, and other infrastructure improvements. No modification to this PUD Guide shall be required.

Development Areas 1: Up to five Single-Unit (Single-Family) residential lots will be located in Development Area 1. Accessory Dwelling Units (“ADU”s) and Accessory Uses and Improvements are allowed on each residential lot. Each residential lot shall be a minimum of 0.50 acre in size and subject to the development regulations and standards within this PUD Guide, and the LUDC by default.

Development Area 2: One Single-Unit (Single-Family) residential lot will be located in Development Area 2. A total of one Dwelling Unit, Single-Unit (Single-Family) and one Dwelling Unit, Accessory Guest House is allowed in the Area, and Accessory Uses and Improvements are allowed in the Area. The lot shall be a minimum of 35 acres in size and subject to the development regulations and standards within this PUD Guide, and the LUDC by default.

An existing Single-Unit, Farm House, and Accessory Uses and Improvements are located in this Area and may be maintained, improved, or they may be removed and replaced.

Development Area 3: Up to ten Single-Unit (Single-Family) residential lots will be located in Development Area 3. ADUs and Accessory Uses and Improvements are allowed on each residential lot. Each residential lot shall be a minimum of 0.50 acre in size and subject to the development regulations and standards within this PUD Guide, and the LUDC by default. Solar Energy Systems are also allowed and may be implemented as the predominant use in Development Area 3. All residential uses may be subject to review and approval to ensure compatibility with any pre-existing Solar Energy Systems in this Development Area.

Development Area 4: Up to two Single-Unit (Single-Family) residential lots will be located in Development Area 4. ADUs and Accessory Uses and Improvements are allowed on each residential lot. Each residential lot shall be a minimum of 0.50 acre in size and subject to the development regulations and standards within this PUD Guide, and the LUDC by default.

Development Area 5: This Area is also referenced as “Working Farm – East.” Agricultural and Animal Related Uses, and agricultural tourist related retail/commercial and recreational activities are allowed. Accessory Uses and Improvements are also permitted. One Single-Unit (Single-Family) residential lot, a minimum of 1.00 acre in size, may be located in Development Area 5. One Bunkhouse, housing for seasonal and year-round employees of the farm areas, is also permitted, but not required. Solar Energy Systems may also be constructed in Development Area 5, as needed. Accessory Uses and Improvements are allowed in Development Area 5, and an ADU is allowed if a Single-Unit is constructed in Development Area 5. All improvements within Development Area 5 are subject to the development regulations and standards within this PUD Guide, and the LUDC by default.

Development Area 6: This Area is also known as “Working Farm – West.” Agricultural and Animal Related Uses, as well as agricultural retail/commercial activities, including, but not limited to, a greenhouse, restaurant, Farm Store, agricultural processing buildings, and other

agricultural recreational activities such as u-pick orchards, corn maze, and petting zoo are allowed. Solar Energy Systems are also permitted in Development Area 6. Bunkhouses, housing for seasonal and year-round employees of the farm areas, are also allowed, but not required. Accessory Uses and Improvements are also allowed. All improvements within Development Area 6 are subject to the development regulations and standards within this PUD Guide, and the LUDC by default.

Development Area 7: Commercial and Industrial activities for the enjoyment of residents and guests, or those activities associated with the various operations of the Nutrient Farm Property are located in Development Area 7. Recreational, retail commercial, and industrial activities such as the processing, storage and distribution of agricultural goods and natural resources are planned. On-Site Employee Housing Units for individuals employed on the Nutrient Farm Property are allowed in Development Area 7, but are not required. Accessory Uses and Improvements are also allowed. All improvements within Development Area 7 are subject to the development regulations and standards within this PUD Guide, and the LUDC by default.

Development Area 8: Outdoor Adventure Parks are planned for Development Area 8 containing a variety of Outdoor Recreation uses, entertainment, health and wellness amenities and camping and lodging facilities. On-Site Employee Housing Units for individuals employed on the Nutrient Farm Property are allowed in Development Area 8, but are not required. Accessory Uses and Improvements are also allowed. All improvements within Development Area 8 are subject to the development regulations and standards within this PUD Guide, and the LUDC by default.

Private Open Space Tracts A - D: Private Open Space Tracts A, B, C, and D as shown on the on the PUD Plan Map, are hereby designated as Private Open Space for the entire Nutrient Farm Property and shall remain substantially free from any residential, commercial or industrial development. The use of the Private Open Space Tracts shall generally be constrained to non-intensive uses and activities to support Nutrient Farm; and active and/or passive agricultural and recreational uses consistent with such function may also be allowed. The private open space designation on these Private Open Space Tracts is implemented in order to preserve the natural landscape and scenic backdrop qualities of the land. These uses include: Agricultural and Animal Related Uses, Agritourism, and agricultural improvements such as access roads, fences, gates, irrigation systems, ditches, ponds, and dams; trails and trailhead uses and improvements such as signs, benches, small shelters for inclement weather; trail construction, and maintenance facilities; water wells, storage tanks, water reservoirs and other infrastructure improvements; utilities; lights for safety; signs; forest management activities such as revegetation, reclamation, landscaping, weed management, wildfire mitigation, wetland mitigation improvements; wintertime water sources for wildlife, fences, temporary laydown fences, and other wildlife improvements constructed in cooperation with Colorado Parks and Wildlife (“CPW”); other similar agricultural and recreational uses and improvements; associated grading and retaining improvements for the above; and maintenance of the above.

These Private Open Space Tracts shall remain in private ownership and use for the Owner/Developer and the Nutrient Farm operations, unless specifically dedicated to or opened to public use as determined by the Owner/Developer. Accordingly, Owner/Developer shall be responsible for the maintenance and management of the Private Open Space Tracts. Any improvements constructed on said Tracts must abide by the applicable Development Regulations and Standards contained within this PUD Guide and subject to any applicable

Garfield County Community Development Department and LUDC review and approval.

2. Residential Homes in Development Areas 1, 3 and 4

The new residential homes (single-family and ADUs) in Development Areas 1, 3 and 4 are planned to connect to the existing Riverbend Water and Sewer Company (“RWSC”) facilities, and an initial confirmation of ability to serve such lots has been provided by RWSC. The RWSC is recognized by the Colorado Department of Public Health (“CDPH”) as a public water supply and will provide all indoor and outdoor water uses to these lots once the same are included into the RWSC service area. RB Water and Sewer Co. (“RBWS”) owns the excess capacity and excess water rights for the RWSC. RBWS and RWSC have confirmed the ability to provide adequate water supply and wastewater systems to these units and have indicated their willingness to do so. Notwithstanding the foregoing considerations, if it is later determined to be physically or financially unfeasible to connect to these systems, if adequate supply or approval of inclusion is not formally granted, or if a formal agreement cannot be attained between RBWS and RWSC and the Owner/Developer, these units may be relocated to other Development Areas of Nutrient Farm and served by other means through the applicable development review process to modify this PUD Guide; or alternative water and sewer systems in accordance with the standards of the LUDC and Colorado law may be proposed. All submittal requirements and additional studies shall be provided to the County for review and approval.

3. Supplemental Permitted Uses

Multiple principle uses and structures, Accessory Uses and Improvements and Temporary Uses and Improvements are permitted within an Area, parcel, individual lot, or within a single building or structure, provided any applicable approval is obtained from Garfield County in accordance with the LUDC. Accessory Uses and Improvements are those which are customarily supportive, secondary and subordinate to a principal use on the same parcel of land. The different types of Accessory Uses and Improvements (and Temporary Uses and Improvements) are identified on the Nutrient Farm Land Use Table and defined in the Nutrient Farm Definitions, or the Definitions of the LUDC if not defined therein.

4. Trails

A number of trails, pathways and walkways open to the use and enjoyment of the guests and residents of the Property, and as designated by Owner/Developer, or this PUD, the public at large, will be constructed on the Nutrient Farm Property. A trails plan may be incorporated into this Guide for such purposes at a future point in time.

a. Public Trail – LoVa Trail

- 1) The LoVa Trail is designed and planned to run east to west through Nutrient Farm in the general location shown on the PUD Plan Map. In contemplation of the future LoVa Trail, an 80 foot right-of-way shall be dedicated to Garfield County which is sized to accommodate both County Road (CR) 335/Colorado River Road and the construction and implementation of the LoVa Trail.
- 2) Said Dedication shall be granted only after a formal agreement is reached between the

Owner/Developer and the Town of New Castle, Garfield County, and all other interested public and quasi-public entities regarding the use and maintenance and necessary protections on and along the right-of-way area and adjacent areas.

- 3) The LoVa Trail shall be located within the future CR 335 right-of-way and then within a 25 foot public trail easement on the eastern portion of the Property across the Colorado River. The final alignment of the LoVa Trail may be modified from that shown based upon the final agreement(s) between the Owner/Developer and the Town of New Castle, Garfield County, and all other interested public and quasi-public entities.
- 4) In addition, an easement area sized to accommodate five public parking spaces for LoVa Trail users shall be set aside and designated in a parking lot to the south of CR 335 in Development Area 6. The remainder of this parking lot is also for Nutrient Farm guest parking and shall be privately constructed, owned, and maintained by the Owner/Developer. The five public parking spaces may be re-located to another area near the LoVa Trail or CR 335 by the Owner/Developer, provided the purpose and function of such parking spots is maintained in the new location.

b. Private Trails

- 1) The private trails within Nutrient Farm shall be constructed, maintained, operated and administered by the Owner/Developer.
- 2) No public trail easements or land dedications shall be provided to the County or other public entity under this PUD, unless directly dedicated by the Owner/Developer in writing based on its own initiative.
- 3) The construction timing of all internal private trails, pathways and walkways in Nutrient Farm shall be at the discretion of the Owner/Developer, and constructed as needed, or in connection with the development of any buildings, structures, or other improvements they are to serve.
- 4) The specific requirements of the Trails Pathways and Walkways Standards of this PUD Guide shall be followed, and any additional approvals or applicable Building Code requirements shall be met at the time of construction.
- 5) Private trails may include access from CR 335 to the Colorado River, trails in the various Development Areas, and multiple recreational trails on the southern portion of the Property in the Outdoor Adventure Parks and campground area.
- 6) Such private trails are intended for non-motorized uses and do not include the motorized off-road trails in the Adventure Parks. Any future trails leading to Bureau of Land Management (“BLM”) lands will be located in cooperation with BLM so as not to create unauthorized trails or negatively impact plant or wildlife habitat.

5. Future Dedications Met

The designation of over 608 acres of private open space on the Property, the dedication of an 80 foot right-of-way for CR 335 sized to accommodate the construction of the LoVa Trail, the granting of a lengthy 25 foot wide public easement for the LoVa Trail on the eastern portion of the Property, and the granting of a public easement for the five parking spaces south of CR 335, shall meet all future public or private trail and walkway and/or open space requirements of the LUDC for the Property as a whole. No further public or private open space, trail, or walkway requirements are required for any future lot, tract, residential unit or

commercial/industrial building or other improvement, or subdivision, on the Nutrient Farm Property. Should a final agreement for the LoVa Trail not be reached, the LoVa Trail not constructed, or an easement not granted for the LoVa Trail or the public parking spaces, in no way will this PUD Guide be deemed to be invalid, nor shall the Owner/Developer be deemed to be in noncompliance with the same.

B. Existing Buildings, Structures and Improvements

A Farm House and associated residential improvements, and a number of agricultural structures and improvements exist on the Property. These include, but are not limited to, greenhouses, barns, nursery buildings, roads, trails, fences, corrals, ponds, ditches, irrigation systems, wells, water systems, pump station, utilities, power lines, transformers, switching and terminal boxes, meter cabinets and other such improvements, On-Site Wastewater Treatment System (“OWTS”), and other infrastructure improvements.

These buildings, structures and improvements shall be considered contemplated by this PUD and thus allowed in accordance with this PUD in reflection of the existing location, size, use and other such fundamental considerations.

In terms of the Building Code compliance for such structures, provided the same are confirmed to not present any concerns for life and safety, such existing structures shall be deemed to be legal non-conforming in relation to the Garfield County Building Code. These buildings, structures and improvements may remain in place and be repaired and maintained so long as they are not enlarged to create greater non-conformity, or they may be removed or demolished.

Said structures shall be considered legal non-conforming and exempt from any LUDC or Building Code requirement unless any improvements, renovations or expansions are undertaken which are subject to any applicable LUDC and/or Building Code requirements.

C. Density

1. General Compliance with PUD Guide and PUD Plan Map

The use and development of Nutrient Farm shall be in general compliance with this PUD Guide and the PUD Plan Map.

- a. As shown on Table 1, up to 18 new residential lots are proposed in Development Areas 1-5. (The existing Farm House in Area 2 is not included in the 18 total lot count.)
- b. Working Farms shall be located in Development Areas 5 and 6 with Agricultural and Animal Related Uses, and agricultural retail/commercial and recreational activities. Commercial and Industrial activities and outdoor recreational amenities including entertainment, campground, and lodging facilities shall be located in Areas 7 and 8.

2. Nutrient Farm Residual Density Bank

- a. There are no less than 123 residential units, and potentially more units, remaining as contemplated density in the original Riverbend PUD (“Residual Density”).

- b. The contemplated residential development as reflected in this PUD Guide shall include up to 18 units of residential density that shall be utilized from the total Residual Density left on the Property per the previous zoning designations for the Property.
- c. The Owner/Developer intends to extinguish latent or Residual Density, and create a conditional density bank for a certain portion of the Residual Density, subject to significant restraints and reviews before it may ever be utilized.
- d. Accordingly, via this PUD, the Nutrient Farm Density Bank shall be created which allocates 99 units of Residual Density into said bank.
- e. No density allocated into the Nutrient Farm Density Bank may be utilized unless and until the following preliminary steps are first taken:
 - 1) The Owner/Developer must propose a PUD modification that designates a specific location for such potential residential density to be developed on the Property.
 - 2) Such a PUD modification regarding such residential development must be reviewed and approved by Garfield County in accordance with the LUDC.
 - 3) Subsequent to such PUD modification approval, Owner/Developer must propose a subdivision plat for the residential density that has been approved via the aforementioned PUD modification process, in accordance with Chapter 5 of the LUDC.
 - 4) Such a subdivision plat for residential development must be reviewed and approved by Garfield County in accordance with the LUDC.
 - 5) Said plat approval shall expressly address availability of water supply, wastewater treatment, utilities, and all other proper subdivision standards.
 - 6) All necessary studies and reports shall be submitted to Garfield County for review and approval, and any additional infrastructure or road improvements shall be constructed and any impact fees associated with the additional density shall be remitted to Garfield County as required at that time.

D. Permitted Land Uses and Definitions

Nutrient Farm is an agricultural oriented mixed-use PUD that revolves around the agricultural use and enjoyment of the natural landscape. Multiple agricultural, residential, and agricultural related recreational and retail/commercial activities are planned for Nutrient Farm. Unique land uses and definitions have been established to foster the compatibility of uses and the orderly development of Nutrient Farm. The uses contained in this PUD Guide, Table 2 – Nutrient Farm Land Use Table, attached as Exhibit D, and the Nutrient Farm Land Use Definitions, attached as Exhibit E, supersede those of the LUDC. The definitions of the LUDC shall apply when a land use definition has not been included in the Nutrient Farm Land Use Definitions or this PUD Guide.

Table 2 – Nutrient Farm Land Use Table identifies the allowed land uses within each Development Area of the PUD, the required level of development review by Garfield County, and specific PUD Guide or LUDC standards. Either a unique land use or a unique land use definition have been indicated by an asterisk (*) on Table 2. All other land uses are defined by the LUDC. All uses must fall into the permitted use categories for the Development Area as identified in Table 2, or per section 3-402.C. of the LUDC.

Table 2 also indicates specific PUD Guide or LUDC standards that must be met for a particular land use. An asterisks (*) notes reference to the unique land use definition or specific standards of the PUD Guide, or the specific standards of Article 7 of the LUDC which must be met. Any variations from Article 7 of the LUDC for a particular land use have been reflected in the unique definitions.

In terms of the specific standards and development constraints and applications for all such uses, the terms in Section III of this PUD Guide, immediately below, address the manner in which the development and operation of such uses may differ slightly in nature or degree from the existing LUDC standards. Moreover, where the LUDC is silent to such uses or development standards, the PUD Guide has addressed necessary constraints and standards herein. Of course, the LUDC and the PUD Guide will always operate in unison, in a complementary manner, with the LUDC serving as a fall back document to address standards generally when the PUD Guide does not speak to the same issues specifically.

1. Nutrient Farm Agriculture Uses

Nutrient Farm shall have a primary purpose of promoting agricultural uses, by means of a fully functional working farm, biodynamic in nature, which also broadly promotes Agritourism and an educational and enjoyable agricultural experience for all visitors. Within this context, the following uses and functions are expressly contemplated within Nutrient Farm:

a. Agriculture

The Agriculture uses defined and allowed per the LUDC are broadly allowed within the Nutrient Farm PUD. Said allowed Agriculture uses shall expressly include the following:

- 1) Grazing, raising, breeding, on-site processing of Nutrient Farm livestock, excluding commercial animal feed lot operations; u-pick farms and orchards; construction and maintenance of internal roads, water wells and associated improvements, apiary, fish farm, aquaponics, hydroponics, horticulture, soil and mushroom farming, composting activities that include the on-site use and off-site sale of compost, mulch, and liquid soil amendment (“LSA”); Nursery/Greenhouse, tree farming.
- 2) Such contemplated agricultural uses do not include the growing of marijuana for Medical Use, Personal Use, Caregiver, or Optional Premises Cultivation Operation (“OPCO”) purposes.
- 3) Animal Keeping as defined and regulated by this PUD Guide is also an expressly contemplated agricultural use.
- 4) All necessary Accessory Uses and Improvements reasonably necessary for harvesting, processing, packing, treating, or storing, of Agriculture products produced on site shall be contemplated as an allowed use or improvement within the PUD.
- 5) Such agriculture Accessory Uses and Improvements shall expressly include any building or structure used for agricultural purposes and not listed as a separate use in this PUD or the LUDC, including but not limited to fences, barns, corrals, stables, indoor and outdoor riding arenas, silos, storage buildings for crops, agricultural products, and agricultural equipment, nurseries, greenhouses, and other similar buildings and structures.

- 6) Said agriculture Accessory Uses and Improvements shall also include any wildlife improvements constructed in cooperation with Colorado Parks and Wildlife (“CPW”) including, but not limited to, wintertime water sources for wildlife, fences, and temporary laydown fences.
- 7) Agriculture Accessory Buildings shall be detached from residential structures unless expressly allowed to the contrary.
- 8) Agriculture Equipment Cooperative Renting. In light of the need imposed on any agricultural operation for expensive farm and construction equipment and land maintenance machinery, Nutrient Farm will establish a cooperative program for the renting and sharing of said equipment and machinery with other agricultural operations in the community. Said cooperative program shall be accessory to the agricultural operations on Nutrient Farm, and may include the renting of tractors, trailers, farm equipment, land care equipment, trucks, and construction equipment. Any building reasonably necessary for the handling of such a cooperative program, including a leasing office and an equipment storage yard, shall be an accessory use specifically tied to such co-op program.

b. Agricultural Products, Processing, Storage, Distribution, and Sale at Point of Production and Agricultural Products, Processing, Storage, Distribution, and Sale Off-Site

As a fully operational farm, it is expressly contemplated that Nutrient Farm shall process, store, and distribute agricultural products, for both on-site sale of completed products, and for off-site sale and distribution of materials and products for further off-site processing and commercial distribution. All such production and distribution shall adhere to the following standards under this PUD Guide:

- 1) Limited processing of Nutrient Farm animals to prepare them for commercial distribution is allowed.
- 2) At a minimum, 20% of any agricultural product that is processed, stored, distributed, and/or sold must be produced on-site.
- 3) On-site production shall include the receiving, sorting, alteration, and distribution of agricultural products.
- 4) Alteration of agricultural products specifically includes, without limit, cleaning, sorting, grading, mixing, slicing, drying, freezing, packaging, milling, cooking, baking, canning, fermentation, or storage of products intended for human or animal consumption or use.
- 5) Accessory Buildings reasonably necessary for Agricultural Products Processing, Storage, Distribution, and Sale at Point of Productions and Agricultural Products, Processing, Storage, Distribution, and Sale Off-Site are allowed, subject to the restraints set forth in this PUD and if applicable, the LUDC, including kitchens, refrigeration and storage areas, staff facilities and small retail areas.

c. Agritourism

Agritourism is an agriculturally based operation or activity at Nutrient Farm for the enjoyment, education, or active involvement of visitors. Agritourism activities are accessory to, and directly supportive of the Agriculture uses on the Property. Agritourism is a chief function and purpose of the Nutrient Farm operation and shall be broadly allowed on-site, subject to the restraints set forth in this PUD Guide:

- 1) Nutrient Farm is structured as a comprehensive on-site Agritourism experience, which includes farm to table dining facilities, on-site cultural performances, u pick farms and orchards, and other such significant aspects of tourist experience. Accordingly, Agritourism activities may be allowed on-site until 10:00 pm.
- 2) Notwithstanding the forgoing, any activities that occur after 7:00 pm may not impose any violation of any noise ordinances, nuisance restraints, or any other legal restraint on impacts, or otherwise pose a substantial disproportionate impact on any adjacent properties.
- 3) Nutrient Farm Events shall be addressed and regulated in a separate fashion as set forth in this PUD Guide.
- 4) Animal petting zoos are expressly allowed as an Agritourism use under this PUD Guide and shall meet all proper restraints on Animal Keeping as set forth in this PUD Guide.

2. Campground/Recreational Vehicle (“RV”) Park

Nutrient Farm plans to establish a Campground/RV Park as a crucial means of allowing the integration of agritourists to the land and the area and a pivotal enhancement to the overall Agritourism experience. In that regard, the following standards shall apply:

- a. The Campground/RV Park shall include a single parcel with distinct areas developed for visitor use by means of rustic furnished cabins, campsites, guest-owned tents, trailers, and RVs for stay on a temporary basis for recreational purposes only.
- b. A camp store shall be included as an Accessory Use and Improvement to said Campground/RV Park, including a small retail establishment for campers, including tour booking, recreational sales and rentals, food and drink, and other services associated with camping.
- c. Another Campground/RV Park Accessory Use and Improvement may be a campground central facility with camper amenities including but not limited to showers, laundry facilities, cooking facilities, storage, food and beverage, Eating and Drinking Establishments, and other associated uses and improvements associated with and accessory to a Campground/RV Park operation.
- d. Any and all uses, operation and administration of the Campground/RV Park must at all times comply with this PUD Guide, 7-905. of the LUDC, and 6 Colorado Code of Regulations 1010-9, the State regulations concerning Campgrounds and Recreational Facilities.

3. Nutrient Farm Motor Sports Center

The Nutrient Farm Motor Sports Center, referenced as the “OHV Park” in this PUD Guide, will be a specifically segregated area designated for off highway motorized recreation activities. The following standards shall apply to said OHV center:

- a. Vehicle use in the OHV Park shall be limited to off highway vehicles (“OHV”), which term shall include dirt bikes, all-terrain vehicles (“ATVs”), general off highway vehicles go-karts, and otherwise modified vehicles for the purpose of having a trail, racecourse, specialized tracks, or other courses not located on any public highways or roads.

- b. The OHV Park shall include Accessory Buildings such as a check in and rental area, bathroom and break rooms for staff and visitors, Eating or Drinking Establishment, and other such uses and structures directly associated with and accessory to the OHV Park.
- c. The rental of OHV vehicles is expressly contemplated for the operation of the OHV Park.
- d. Nutrient Farm Motor Sports Center events or activities may be a Nutrient Farm Event as defined and regulated by this PUD Guide.
- e. The Nutrient Farm Motor Sports Center shall comply with the Sound Standards contained within this PUD Guide including the applicable sound level requirements of the County and Colorado Revised Statutes § 25-12-103 et seq.

4. Outdoor Recreational Activities

Throughout Nutrient Farm, as part of the overall outdoor and Agritourism experience, Outdoor Recreational Activities are encouraged and will be promoted. The following Outdoor Recreational Activities will be organized, provided, and/or facilitated throughout Nutrient Farm in the appropriate areas for the same, per this PUD Guide and attached Nutrient Farm Land Use Table:

- a. Adventure Farm Activity: Activities directly related to and accessory to the Agritourism use of Nutrient Farm, including wagon/hayrides, corn mazes, air filled bounce houses/slides, haunted mazes, alpine coaster rides, slides, zorbing, zip lines, ropes courses, aerial parks, obstacle courses, paint ball, and other similar uses. Improvements that are directly associated with such particular uses may be allowed as Accessory Uses and Improvements.
- b. Land Activity: Activities directly related to and accessory to the Agritourism use of Nutrient Farm including both active and passive recreational activities.
- c. Passive Recreational Activity: Passive Recreational Activities are encouraged throughout Nutrient Farm, including not limited to, trails, dirt, and paved tracks for activities such as hiking, running, biking, BMX, horse riding, grass and sports fields, dog parks, and other similar uses. Structures that are directly associated with such particulate uses, such as small weather protection shelters, may also be allowed as an Accessory Use and Improvement.
- d. Private Non-Motorized Recreational Event: Outdoor group events for competitive athletic or recreational non-motorized activities such as running, biking, obstacle courses, orienteering, snowshoeing, swimming, paddling and similar recreational uses, races and events, shall be allowed. Any large event of such a nature shall be handled as a Nutrient Farm Event.
- e. Recreational Adventure Tours: Organized recreational activities and tours may be offered by Nutrient Farm under this PUD as an accessory use to Agritourism. Said tours shall be subject to all necessary permitting and licensure and compliance with all law's rules and regulations.
- f. River and Water Activity: River and Water Activities will be encouraged throughout Nutrient Farm, where appropriate, including boat ramps and docks for launching of watercraft, mineral pools, hot tubs and hot springs, natural pools and ponds, swimming

ponds, and other water based activities. Structures that are directly associated with such particular uses may be allowed as an Accessory Use and Improvement.

- g. Winter Recreational Activity: During winter months, when most of the other outdoor recreational activities will be significantly limited, Winter Recreational Activities will be facilitated on Nutrient Farm. Such activities may include limited rope tow or carpet ski pulls, sledding/tubing, snowmobile trails, Nordic ski trails, fat-tire biking, ice skate ponds, warming huts, and other similar uses. Structures that are directly associated with such particular uses may be allowed as an Accessory Use and Improvement.

5. Passive Energy Systems

Nutrient Farm seeks to attain a footprint neutral, energy efficient profile for all operations. The following passive energy production and storage systems may be established on-site in order to meet such energy goals:

- a. Solar Energy System: As contemplated by and allowed by this PUD Guide, a system that converts the sun's radiant energy into thermal, chemical, mechanical, or electrical energy and includes the equivalent kilowatt ("kW") measurement of energy for systems other than photovoltaic.
 - 1) Solar Energy Systems may include Solar Electric Energy Systems, Solar Thermal Energy Systems, hybrid systems and other types of systems, and may be connected into the grid or may be off-grid systems.
 - 2) Solar Energy Systems may include all associated equipment including, but not limited to, inverters, electrical and thermal batteries, backup generators, safety/security fencing, pump houses, and Pits of Thermal Energy Storage ("PTES").
 - 3) Any such system that has a combined name plate DC rating of greater than 500 kW shall be deemed a Large System and shall comply with 7-1101.A. of the LUDC regarding signage accordingly.
 - 4) Any such system that has a combined name plate DC rating of 25 kW to 500 kW shall be deemed a Small System and shall comply with 7-1101.A. of the LUDC regarding signage accordingly.
 - 5) All Solar Energy Systems shall meet the Development Regulations and Standards – Infrastructure specified for Solar Energy Systems contained within this PUD Guide.
- b. Accessory Solar Energy System: All Accessory Solar Energy Systems shall comply with 7-1101. Of the LUDC except for 7-1101.B.2.d. Accessory Solar Energy Systems may include Solar Electric Energy Systems, Solar Thermal Energy Systems, hybrid systems and other types of systems may be allowed in accordance with this PUD and the LUDC where applicable. Said systems and may be connected into the grid or may be off-grid systems.
- c. Accessory Improvements for Solar Energy Systems: All associated equipment including, but not limited to, inverters, electrical and thermal batteries, and PTES.
- d. Geothermal Energy Systems: Systems that utilize the natural internal heat of the Earth to produce energy to warm buildings and other improvements may be established and operated in accordance with this PUD and the LUDC where applicable.

- e. Hydro-Electric Energy Systems: System that utilizes the energy of moving water and converts it to electric energy may be established and operated in accordance with this PUD and the LUDC where applicable.
 - f. Hydrogen and Methane Generation and Storage Systems: Systems that incorporate the production, use and storage of hydrogen and methane for electrical energy, through solar, wind or water energy systems, or anaerobic digestion, via compression or liquefaction and storage, may be established and operated in accordance with this PUD Guide and the LUDC where applicable.
 - g. Electric Power Generation Facility, Small or Large: As generally defined in the LUDC, any facility designed to generate electricity by the conversion of natural resources (via wood, solar photons, coal, natural gas, wind, water or the Earth's natural heat) may be established and operated in accordance with this PUD Guide and the LUDC where applicable. Per the LUDC, if the system generates more than 10 megawatts, it is considered a Large Electric Power Generation Facility.
 - h. Pit of Thermal Energy Storage ("PTES"): A pit, pond or containment area that stores thermal energy in the form of heated water to provide a stable energy supply for buildings or district heating. PTES may be constructed at grade, above or below ground, and may be established and operated in accordance with this PUD and the LUDC where applicable.
6. Accessory Uses and Improvements
- a. Accessory Uses and Improvements are uses, structures, or other improvements of any manner which are subordinate and incidental to the primary use of the subject property and located on the same lot or on a common lot serving the primary use. Accessory Uses and Improvements are allowed in any Development Area or Open Space Tract on the PUD Property subject to the allowances and restraints set forth in Table 4 set forth herein, and where otherwise applicable, the LUDC. The concept of Accessory Uses and Improvements shall extend to all the following considerations:
 - 1) Accessory Building: A subordinate building, permanent or temporary in nature, incidental to the principal use of the subject property. Accessory Buildings broadly include garages, carports, storage sheds and buildings, greenhouses, shelters, refuse or compost enclosures, storage/maintenance buildings, barns, mechanical rooms, and other such constructed buildings subordinate to and associated with the main use of the property.
 - 2) Accessory Dwelling Unit ("ADU"): A dwelling unit considered secondary to a primary dwelling unit for use as a complete independent living facility on the same parcel of land as a permitted principal uses and that meets dimensional and other requirements applicable to the principal use, which may be attached to or detached from the primary dwelling. All ADUs shall comply with the specific land use standards set forth within this PUD Guide.
 - 3) Accessory Guest House: A dwelling unit secondary to a primary dwelling unit for use as a separate residence on the same parcel of land as a permitted principal residence, which may be attached to or detached from the primary dwelling. Any Accessory Guest House must comply with the specific land use standards set forth within this PUD Guide.

- 4) Accessory Improvement: A subordinate improvement incidental to the primary building and use, including temporary or permanent non-structural improvements or disturbance that do not require a building permit.
 - 5) Accessory Structure: A subordinate structure such as a fence, hedge, or wall, located on the same lot as the principal structure, the use of which is incidental to the principal use.
 - 6) Accessory Use: A use that is customarily supportive, secondary, and subordinate to a principal use on the same parcel.
- b. All Accessory Uses and Improvements are presumptively allowed as directly associated with the primary use or structure of any property. Nevertheless, all such accessory uses and improvements shall comply with this PUD, the Garfield County Building Code, and any Garfield County Land Use and Development regulations that may apply to the same.
7. Temporary Improvements
 - a. Temporary Improvements are allowed in any Development Area or Open Space Tract in Nutrient Farm for all activities and events considered Nutrient Farm Events.
 - b. Temporary Improvements do not include Temporary Signs, Nurseries, Greenhouses, or other on-site Agricultural equipment storage buildings without foundations.
 - c. All Temporary Improvements shall abide by all applicable requirements of the Building Code.

III. DEVELOPMENT REGULATIONS AND STANDARDS – SITE PLANNING

A chief site planning goal of Nutrient Farm is to blend the Nutrient Farm development and operations into the surrounding rural, river, and mountain environment, and to minimize and mitigate the physical and visual impacts of development wherever practicable. Accordingly, the following Development Regulations and Standards are proposed to provide consistency in the development of the allowed land uses. All buildings, structures and improvements within Nutrient Farm are subject to the following regulations of this PUD Guide.

A. Site Design Standards

The purpose of this section is to identify the physical siting, the development characteristics, and standards for each Development Area of Nutrient Farm. Relief from these requirements and standards may be considered and acted upon by Garfield County through the applicable review process contained within the LUDC, including Deviation from Dimensional Standards, 4-120.

The lot standards and building setback restrictions are listed below on Table 3 – Zone District Dimensions – Lot Standards and Setbacks. Reduced rear yard setbacks for Accessory Buildings are allowed, and permitted encroachments for Projections and Minor Accessory Improvements and Encroachments for Accessory Structures are as indicated below. There is no setback requirement for Minor Accessory Improvements, as noted in this PUD Guide, provided all applicable Building Code requirements and the Clear Vision Area standards in section 7-303.1. of the LUDC are met.

1. Zone District Dimensions – Lot Standards and Setbacks

Table 3 – Zone District Dimensions – Lot Standards and Setbacks identifies the lot standards and building setback restrictions for primary buildings on each legal lot within the Development Areas and Private Open Space Tracts of Nutrient Farm.

Table 3 – Zone District Dimensions – Lot Standards and Setbacks						
Area/ Tract	Lot Size			Minimum Setbacks^{4, 5, 6, 7}		
	Minimum Lot Area¹ (Square Feet unless noted otherwise)	Maximum Lot Coverage²	Maximum Floor Area Ratio³	Front Yard	Rear Yard⁸	Side Yard⁹
1	21,780	35%	35%	25'	25'	10'
2	35 Acres	35%	35%	25'	25'	10'
3	21,780	35%	35%	25'	25'	10'
4	21,780	35%	35%	25'	25'	10'
5 ¹⁰	43,560	35%	35%	25'	25'	10'
	7,500	85%	50%	25'	7.5'/25'	10'
6	7,500	85%	50%	25'	7.5'/25'	10'
7	7,500	85%	50%	25'	7.5'/25'	10'
8	7,500	85%	50%	25'	7.5'/25'	10'
A-D	7,500	85%	50%	25'	7.5'/25'	10'

¹ Minimum Lot Area is as stated except as otherwise required by section 7-105., Adequate Central Water Distribution and Wastewater System of the LUDC. There is no Minimum Lot Area for Sewage Treatment Facilities as per section 7-1005. or for Water Reservoirs as per section 7-1103. of the LUDC. There is no additional minimum Lot Area for ADUs or the Accessory Guest House.

² Lot Coverage is defined by the LUDC as the portion of a lot that is covered or occupied by buildings and structures. Lot Coverage does not include areas such as driveways, parking areas or walkways or cantilever construction at least eight feet above the ground. It also does not include any pervious areas of a lot.

³ Floor Area Ratio (FAR) is defined by the LUDC as the Floor Area of the building(s) on a lot divided by the total lot area. Floor Area is the total habitable horizontal Floor Area of all floors in a building, measured from exterior wall to exterior wall, exclusive of an unfinished basement, attic, garage, storage area, and utility rooms.

⁴ Industrial uses are allowed in Development Areas 5-8 and these areas shall be considered analogous to Industrial Zoned property for purposes of the application of section 7-1001. of the LUDC. Section 7-1001.D.3. shall not apply to any adjacent property line located within the Nutrient Farm PUD boundaries, but shall apply to any adjacent property line outside of the PUD boundaries.

⁵ In those instances where a lot abuts two or more streets or roads, the Yard Designations of this PUD Guide shall apply.

⁶ A 25' minimum setback is required for any Large or Small Solar Energy System abutting an existing residential property outside of the Nutrient Farm PUD Property regardless of its front, rear or side yard setback designation.

⁷ A 25' minimum setback is required from the edge of a dedicated right-of-way or from the edge of a road for all other non-dedicated roads or streets.

- ⁸ The Rear Yard Setback for commercial, industrial or non-residential buildings, except for any Large or Small Solar Energy System, shall be 7.5'. The Rear Yard Setback for all residential Dwelling Units shall be 25' except for a Bunkhouse or On-Site Employee Housing Dwelling Unit which shall be setback based on its design. (I.e., If designed as a free-standing structure, the Rear Yard Setback shall be 25'. If the Bunkhouse or On-Site Employee Housing Dwelling Unit is integrated into the design of a commercial, industrial or non-residential building, the Rear Yard Setback shall be 7.5'.)
- ⁹ Except for any Solar Energy Systems, Side Yard Setbacks shall be as stated or ½ the building height, whichever is greater.
- ¹⁰ Development Area 5 – Working Farm – East may contain one residential lot for a Single-Unit and ADU or Bunkhouse. This lot shall be a minimum of 43,560 square feet in size, and is limited to a 35% maximum lot coverage, 35% maximum FAR, and a front yard setback of 25', a rear yard setback of 25' and a side yard setback of 10' as indicated above.

2. Accessory Buildings Rear Yard Setbacks

The Rear Yard Setback for an above grade Accessory Building, as defined by this PUD Guide, may be reduced to 7.5 feet in all Areas, and to 10 feet in all Areas when abutting an alley, provided the Clear Vision Area Standards 7-303.I. of the LUDC are met and all applicable requirements of the Building Code are met.

3. Allowed Setback Encroachment – Projections and Minor Accessory Improvements

Every part of a required setback shall be unobstructed from grade level to the sky except that certain architectural elements, building features and minor Accessory Improvements may encroach into the required yard setbacks as specifically allowed in Table 4 below:

Table 4 Allowed Setback Encroachment – Projections and Minor Accessory Improvements			
Type of Feature	Amount of Allowed Setback Encroachment		
	Front Yard	Rear Yard	Side Yard
Architectural Feature (cornice, sills, etc.)	1 foot	1 foot	1 foot
Roof Eave	18 inches	18 inches	18 inches
Fire Escape and Balcony (Not a passageway.)	4 feet	4 feet	18 inches
At-Grade Uncovered Porch, Slab, Walk, Steps, Trails	No Restriction	No restriction	No restriction
Porch and Deck (Less than 30 inches in height)	No Restriction	No restriction	No restriction
Minor Accessory Improvements	No Restriction	No restriction	No restriction

The following Minor Accessory Improvements may be located within any required yard setback provided all applicable Building Code requirements and the Clear Vision standards in section 7-303.1. of the LUDC are met.

- a. Driveways and uncovered parking areas, and associated retaining improvements

- b. Landscaping, and reclamation, weed and/or forest management improvements
 - c. Raised landscaping planter areas and garden beds
 - d. Signs, including a Ranch Sign, per the requirements of this PUD Guide
 - e. Mailboxes and newspaper tubes
 - f. Minor utilities and infrastructure improvements
 - g. Right-of-Way or street lighting
 - h. Light bollards/fixtures
 - i. Flag poles that do not exceed the maximum height allowed by this PUD Guide
 - j. Bus shelters
 - k. Sheds and small shelters for inclement weather, provided that the sheds/shelters are located in the rear yard a minimum of five feet from all property lines and the maximum size of the shed/shelter does not exceed 200 square feet of floor area, nor eight feet in height. Sheds/shelters larger than 200 square feet or taller than eight feet in height must be located outside of the required setbacks.
 - l. Residential hot tubs, provided that the hot tubs are located a minimum of five feet from all residential property lines and privacy buffering/screening is provided to all adjoining residential properties.
 - m. Any structure if buried below natural grade and the finished grade provides a smooth transition into the natural grade.
 - n. Typical non-structural residential recreational amenities including play sets, sandboxes, tree houses, benches, picnic tables, grills, dog houses and other similar non-structural residential recreational amenities that do not adversely impact the open character of the setback.
 - o. Art
4. Allowed Setback Encroachment – Accessory Structures

Accessory Structures or uses, such as Fences, Hedges, Walls may be located within any required yard setback provided the height requirements of Table 6 – Allowed Heights – Accessory Structures (I.e., Fences, Hedges and Walls) and the Clear Vision Areas standards in section 7-303.1. of the LUDC are met.

5. General Restrictions and Measurements – Lot Design

a. Frontage Requirement

Unless otherwise provided by this PUD Guide, each lot shall have a minimum of 25 linear feet of frontage on a public dedicated street, or a public or private road right-of-way providing access. This linear frontage shall not apply if access is obtained through a private access easement (i.e., a driveway or other means of access) across an adjacent lot, parcel, or tract providing access to a public dedicated street or road right-of-way or a private street or road.

b. Yard Designations

Through Lots: On lots extending from one public street or road right-of-way or private street or road to another paralleling public street or road right-of-way or private street or

road, the street or road serving as the primary point of entry and access to the lot shall be considered the front yard for purposes of determining front yard setbacks. This setback requirement does not apply to private access easements serving as a secondary paralleling access to a lot. All structures or other improvements built on these lots must meet the Clear Vision Area Standards 7-303.I. of the LUDC and any applicable Building Code requirements.

Corner Lots: On lots bordered on two contiguous sides by perpendicular streets or road rights-of-way, or two private streets or roads providing access, the required front yard setback shall be observed along the street or road serving as the primary point of entry and access to the lot. This setback requirement does not apply to private access easements. All structures or other improvements built on these lots must meet the Clear Vision Area Standards 7-303.I. of the LUDC and any applicable Building Code requirements.

Lots Without Street Frontage: In those instances where a lot is accessed from a public dedicated street or road right-of-way through a private access easement across an adjacent lot, parcel, or tract, and has no direct street or road right-of-way frontage, the following shall apply: The front yard will be that area of the lot towards which the primary structure is facing; the rear yard will be the direct opposite; and the side yards will be those remaining.

6. Additional Standards

In addition to the Development Regulations and Standards of this section, the PUD Guide's Nutrient Farm Land Use Table and Nutrient Farm Land Use Definitions have established additional standards for a variety of land uses. They have been indicated by an asterisk (*) on the Nutrient Farm Land Use Table and include, and in some instances, supersede, Article 7 Standards of the LUDC. All applicable standards of the PUD Guide's Table 2 – Nutrient Farm Land Use Table, and Nutrient Farm Land Use Definitions must be met, or if not addressed therein, all applicable Article 7 Standards of the LUDC must be complied with.

B. Height Standards

All buildings and structures in Nutrient Farm are limited in height by this PUD Guide and shall be measured according to the means of discerning height per LUDC provisions currently in effect at the time of this PUD. Relief from the following height limitations may be considered and acted upon by Garfield County following the applicable review procedures of the LUDC, including Deviation from Dimensional Standards 4-120.

1. Allowed Heights – Buildings, Accessory Buildings, Accessory Improvements and Temporary Uses, Structures and Improvements

Except for the Farm House and any associated Accessory Guest House or other Accessory Buildings or Improvements in Development Area 2, all building heights within Nutrient Farm are limited by the land use which they are associated with rather than by the Development Area in which they are located. (I.e., An Agriculture building is limited to 40 feet in height regardless of the Development Area it is located in.) The Farm House single-family home is limited to 40

feet in height, and all other buildings, Accessory Guest House, and Accessory Building and Improvements in Development Area 2 are limited to a maximum height of 35 feet. Table 5 lists the allowed heights for the remaining buildings, Accessory Buildings and Temporary Uses, Structures and Improvements within the general land use categories of Nutrient Farm.

Table 5 Allowed Heights Buildings, Accessory Buildings, Accessory Improvements and Temporary Uses and Temporary Improvements	
Land Use^{1, 2}	Maximum Height^{3, 4} (Feet)
Agriculture and Animal Related Uses	40
Residential Uses	
Dwelling Units: Accessory (ADU) and Single-Unit (Single-Family)	25
Dwelling Unit: Bunkhouse and On-Site Employee Housing ⁵	25/40
Public/Institutional Uses ⁶	40
Commercial Uses ⁷	40
Industrial Uses	40
Utilities ^{8, 9, 10}	40
Accessory Building ¹¹	25/40
Temporary Improvement	25/40

¹ Signs and Accessory Structures are not subject to the above height limitations, but are limited in height by the applicable provisions contained in this PUD Guide and Table 10 – Nutrient Farm Allowed Signs Design Requirements and Table 6 – Allowed Heights – Accessory Structures.

² All improvements within Private Open Space Tracts A-D shall be limited to 25 feet in height.

³ Parapet walls may exceed building height limitations by four feet.

⁴ Chimneys, stacks, vents, cooling towers, mechanical equipment, elevator cupolas, and similar non-habitable building appurtenances serving as focal points that are integrated into the design of the building are exempt from the above Table’s height limitations.

⁵ Bunkhouse Dwelling Units and On-Site Employee Housing Dwelling Units are limited to 25 feet in height if designed as a free standing residential structure or limited to 40 feet in cumulative height if integrated into the design of a non-residential building.

⁶ Aircraft Landing Strip and/or Helistop building heights shall be limited to 40 feet in height unless otherwise required by the applicable provisions of the Federal Aviation Administration (“FAA”) and/or the LUDC. No County review process is required for the increase in height.

⁷ Recreation, Outdoor – Winter Mountain Activities associated with ski/snowboard tows or magic carpet heights shall be limited to 40 feet in height unless greater heights are required by the Colorado Passenger Tramway Safety Board (“CPTSB”). No County review process is required for the increase in height.

⁸ Utilities and associated facilities are limited to 40 feet in height unless otherwise required based on industry standards or by the LUDC. No County review process is required for the increase in height.

⁹ Solar Energy Systems, ground-mounted: The solar collector arrays are limited to a maximum of 15 feet in height. Associated buildings and infrastructure improvements are limited to 40 feet in height.

¹⁰ An Accessory Solar Energy System is limited to 15 feet in height and shall meet the design requirements of 7-1101. of the LUDC except for capacity as noted in this PUD Guide and the Nutrient Farm Land Use Definitions of this PUD Guide.

- ¹¹ The maximum height of an Accessory Building or Accessory Improvement is determined by correlation to the primary land use it is associated with. (I.e., A residential storage shed is limited to 25 feet in height while a commercial storage shed is limited to 40 feet in height.)

2. Allowed Heights – Accessory Structures (I.e., Fences, Hedges and Walls)

New Accessory Structures such as Fences, Hedges and Walls may be located within any Development Area and Private Open Space Tract of Nutrient Farm, and within any required yard setback provided the height requirements of Table 6 below, 7-303.I; Clear Vision Area Standards of the LUDC, and any applicable Building Code requirements are met. The maximum height of an Accessory Structure is limited to the primary land use it is associated with, (i.e., a residential dwelling's rear yard fence is limited to six feet in height), except that any Accessory Structure located in the Private Open Space Tracts are limited to eight feet in height. The height standards specified in this section do not apply to retaining walls.

All existing Accessory Structures may continue to be used, maintained, and repaired but may not be increased or expanded if deemed by Garfield County to be legal non-conforming in regard to the standards of this PUD Guide or the LUDC.

Table 6 – Allowed Heights – Accessory Structures (I.e., Fences, Hedges and Walls)			
Land Use	Maximum Height (Feet)		
	Front Yard	Rear Yard	Side Yard
Agriculture and Animal Related Uses	8	8	8
Residential Uses			
Dwelling Units: Accessory (ADU), Bunkhouse, Accessory Guest House, On-Site Employee Housing, and Single-Unit (Single-Family)	3	6	6
Public/Institutional Uses ^{1, 2}	6	6	6
Commercial Uses ^{3, 4, 5}	6	6	6
Industrial Uses ⁶	6	6	6
Utilities ⁷	6	6	6

¹ Fences, Hedges and Walls associated with a sports or recreational field are limited to six feet in height unless taller heights are required based on industry accepted standards for public safety purposes. (I.e., Fences for baseball dugouts or backstops.) No County Administrative Review is required for the increase in height.

² Fences, Hedges and Walls associated with a Private Aircraft Landing Strip and/or Helistop are limited to six feet in height unless taller heights are required by the FAA or the LUDC. No County Administrative Review process is required for the increase in height.

³ Fences, Hedges and Walls associated with a Campground/RV Park are limited to six feet in height unless otherwise required by the Colorado Department of Public Health and Environment, Division of Environmental Health and Sustainability, 6 Colorado Code of Regulations Section 1010-9; specifically concerning Campgrounds and Recreational Areas. No County Administrative Review process is required for the increase in height.

⁴ Fences, Hedges and Walls associated with Motor Sports Centers, Outdoor Recreation – River Activities, Outdoor Recreation – Water Activities, Outdoor Swimming Pools, Ponds or other water bodies are limited to six feet in height unless taller heights are required by the LUDC,

Building Code or other governmental agency for public safety purposes. No County Administrative Review process is required for the height increase.

- ⁵ Fences, Hedges and Walls associated with Outdoor Recreation – Winter Mountain Activities such as skiing or snowboarding, are limited to six feet in height unless taller heights are required by CPTSB, other governmental agency or the LUDC for public safety purposes. No County Administrative Review process is required for the increase in height.
- ⁶ Fences, Hedges and Walls associated with Industrial Uses and the related structures and facilities, are limited to six feet in height unless taller heights are required by the LUDC, Building Code or other governmental agency for public safety purposes. No County Administrative Review process is required for the increase in height.
- ⁷ Fences, Hedges and Walls associated with Utilities and the related structures and facilities, are limited to six feet in height unless taller heights are required by the LUDC, Building Code or other governmental agency for public safety purposes. No County Administrative Review process is required for the increase in height.

3. Wildlife Fencing

In order to blend in with the natural environment and minimize any potential impacts to wildlife, the following additional fencing standards shall apply to the Property:

- a. Wildlife friendly fencing shall be used, unless necessary to protect orchards and other agricultural production areas.
- b. Fencing that is necessary to contain pets and children within private yards for safety purposes is allowed and encouraged.
- c. Decorative fencing shall be designed to allow for wildlife movement.
- d. Laydown fencing constructed in cooperation with CPW shall be allowed within any Development Area or Private Open Space Tract of Nutrient Farm.

4. Relief Procedures

Requests to exceed the allowed heights of this PUD Guide and Table 5 Allowed Heights – Buildings, Accessory Buildings, Accessory Improvements and Temporary Uses, Structures and Improvements may be considered and acted upon by Garfield County through the applicable review procedure of the LUDC, including Deviation from Dimensional Standards 4-120.

Requests for to exceed the allowed heights of Table 6 – Allowed Heights – Accessory Structures (I.e., Fences, Hedges and Walls) may be reviewed and approved by Garfield County through the Administrative Review process per section 4-103. of the LUDC and provided the following are met:

- a. The structure is required to maintain the functional nature of the agricultural use or the other existing uses on the Property.
- b. The structure does not in any manner adversely impact the operation of any adjacent public rights-of-way or roads.
- c. The structure does not adversely impact the natural lighting of visual corridor of adjacent properties.
- d. The structure will not obstruct critical traffic areas along roadways.

C. Off-Street Parking and Loading Standards

In order to accommodate the many unique indoor, outdoor and Temporary Uses, and minimize the amount of site disturbance and hard surfaces on Nutrient Farm, the following Off-Street Parking and Loading standards have been developed for Nutrient Farm which shall supersede section 7-302. of the LUDC when such standards differ, unless otherwise stated herein.

Relief from these Off-Street Parking and Loading Standards and the remaining applicable LUDC requirements pertaining to parking shall be considered and acted upon by Garfield County following the applicable provisions of the LUDC.

1. Off-Street Parking Requirements – Residential Uses

Residential uses within Nutrient Farm shall meet section 7-302. Off-Street Parking and Loading Standards LUDC except for LUDC Table 7-302.A. Minimum Off-Street Parking Standards By Use. The following Table 7 contains the residential off-street parking requirements for Nutrient Farm and supersedes Table 7-302.A. of the LUDC:

Table 7 – Off-Street Parking Requirements – Residential Uses	
Type of Residential Use	Amount of Required Off-Street Parking Spaces
Dwelling Unit, Accessory Unit	1 Space per Unit
Dwelling Unit, Bunkhouse*	1 Spaces per Bedroom
Dwelling Unit, Accessory Guest House*	1 Spaces per Unit
Dwelling Unit, On-Site Employee Housing*	1 Space per Bedroom
Dwelling Unit, Single-Unit (Single-Family)	2 Spaces per Unit

2. Off-Street Parking Requirements – Non-Residential Uses

The following provisions supersede section 7-302. Off-Street Parking and Loading Standards of the LUDC, including Table 7-302.A., unless otherwise stated below.

a. Enclosed Buildings and Open Air/Un-Enclosed Uses

1) Shared Permanent Parking Arrangement:

- As an experiential farm resort, Nutrient Farm guests are encouraged and expected to engage in multiple activities during their visit. Parking estimates have been developed based upon visitor projections, timing (many of the uses are seasonal) and the combined needs of all uses; as well as maximum occupancy of all uses combined.
- Nutrient Farm estimates that a maximum of 842 spaces will be required to serve all PUD uses in the configuration shown on the Conceptual Access, Circulation and Parking Plan, attached to this PUD Guide as Exhibit C, and incorporated herein accordingly. The parking spaces provided for under this Plan are located in multiple parking lots and in multiple Development Areas of Nutrient Farm.

- Sufficient space for a minimum of 842 permanent parking spaces in shared surface parking configurations have been provided A minimum of 842 permanent parking spaces in shared surface parking configurations have been provided for all the permanent non-residential enclosed uses and for all the outdoor agricultural, education, recreational and entertainment activities in Nutrient Farm – namely activities and uses that are not conducted in an enclosed building. The five public parking spaces for LoVa Trail users have been incorporated into the Conceptual Access, Circulation and Parking Plan.
- The parking lot locations may be modified based on field conditions at the time of site-specific review in order to meet the design requirements specified in this PUD, provided such modifications remain consistent with the purpose and intent of the subject Plan.
- Any additional use or change of use for the indoor or outdoor activities in Nutrient Fam, or modification of existing allowed use, shall be reviewed and acted upon by Garfield County, and may be assessed additional parking requirements should the above amount is determined to be insufficient to meet the additional parking needs necessitated thereby.

2) Dimensions and Surfacing:

- Permanent parking and loading stalls, lots, aisles, and access drive widths, and the dimensional requirements of 7-302. of the LUDC shall be met unless specifically exempted herein or otherwise allowed by the County. Moreover, the Clear Vision Area requirements of 7-303.I shall be adhered to.
- Nevertheless, in order to preserve the natural, agricultural character of the area, and avoid unnecessary permanent disturbances, parking areas are encouraged to be established on native earth/grass or gravel surfaces and not striped. Accordingly, it is an express goal of this Guide to minimize site disturbance in the PUD area and promote water absorption, when feasible.
- Earth/grass and gravel require continual maintenance in high use areas (i.e., heavy truck traffic or turning movements), so concrete or heavy road base may be used in the future in such areas. Paving shall be at the discretion of Nutrient Farm. All such areas shall conform to the geometric requirements of the LUDC and all applicable permits shall be obtained from the County for the concrete paving.

3) Timing:

- As each building and/or use is constructed, the associated parking area, at a minimum, shall be constructed to accommodate all parking associated with such improvement. Additional parking areas may be constructed but are not required.

4) Campground/Recreational Vehicle (“RV”) Park:

- All Campground/ RV Park parking shall meet the regulations of 7-905. of the LUDC and the Colorado Department of Public Health and Environment, Division of Environmental Health and Sustainability, 6 Colorado Code of Regulations Section 1010-9 specifically concerning Campgrounds and Recreational Areas.

3. Temporary Parking Plan

- a. In addition to the above permanent parking spaces, a short-term, non-permanent Temporary Parking Plan will be implemented in support of all Nutrient Farm Events, including music/entertainment performances, with an expected attendance of 350 persons or more.
- b. Unless otherwise specified and approved, temporary parking spaces will be located entirely on the Property, not within the CR 335 right-of-way.
- c. Temporary spaces will not be formalized with paving or striping, but rather with signage, cones and flagging to delineate the spaces, and parking attendants will be utilized to help guide guests to these temporary parking areas.
- d. For such Nutrient Farm Events, either Uniform Traffic Control or Certified Traffic Control supervision at the CR 335/Bruce Road intersection, as well as at all CR 335 access into the Property at peak entry and exiting times, will be provided.
- e. The Temporary Parking Plan is allowed in Development Areas 3, and 5-8 of Nutrient Farm.

4. Off-Street Loading Requirements – Enclosed Buildings

- a. Enclosed buildings or structures that are designed to receive and/or distribute materials and merchandise by trucks shall provide and maintain off-street loadings spaces in sufficient number to meet their need.
- b. If tractor-trailers are used, then Table 7-302.B. Off-Street Loading Requirements of the LUDC shall be met.

D. Reclamation, Weed Management, Landscaping, other Forest Management Standards

Nutrient Farm is a sustainable holistic working farm with the goal of obtaining and maintaining formal organic and biodynamic certifications in the near future. Thus, Nutrient Farm will strive to maintain the rural mountain character of the land and minimize any non-natural activities that would jeopardize this goal.

1. Owner/Developer Standards

The following Standards are hereby established and reserved by the Owner/Developer:

- a. Landscaping, and other vegetation improvements such as forest management, defensible space/wildfire mitigation, wetland mitigation, weed management, and revegetation are allowed by the Owner/Developer anywhere on the Property, including the Private Open Space Tracts and within any public or private trail/recreational easements, provided any required Garfield County review and approval is obtained prior to commencement of these activities.

- b. All landscaping improvements shall be maintained by the Owner/Developer, except for any landscaping improvements associated with the LoVa Trail which shall be constructed and maintained by others.
 - c. The Owner/Developer reserves the right to implement weed management efforts in the CR 335 right-of-way and within the 25 foot LoVa Trail easement on the Property, and to dictate appropriate means of such weed and pest control in accordance with this PUD Guide and any and all agreements with the County, or any other entity in regard to the same.
 - d. Accordingly, all weed and pest control efforts, fire suppression or any other related management activity along such subject areas shall only utilize natural, holistic agricultural methods for such efforts, and shall not implement any chemical or spraying management unless first expressly approved by the Owner/Developer in advance writing.
 - e. Accordingly, in light of said prohibition, Owner/Developer assumes all maintenance and implementation responsibility for weed control and management of the Property, including within the CR 335 right-of-way and LoVa Trail easement, and no chemicals, or other manufactured materials may be dispersed, sprayed, dropped, planted or placed on the Property, by Owner/Developer or any other party.
 - f. This prohibition expressly includes mitigation for insects, weeds, fungus, bacteria, viruses, soil erosion, fire suppression (except water) and similar measures.
2. Reclamation

The Reclamation Standards and requirements contained within section 7-208. and 4-203.E.18. of the LUDC shall apply to any development that requires a Land Use Change Permit, including divisions of land; as well as the installation of a new OWTS or the replacement of any OWTS; driveway construction that requires a County Access Permit or Colorado Department of Transportation (“CDOT”) Access Permit; and preparation areas as more fully described in the LUDC.

All areas disturbed during these activities shall be restored to a naturally appearing state in order to blend in with the adjacent undisturbed topography and to prevent soil erosion.

In addition, a Reclamation Plan for the Vulcan Ditch irrigation improvements and a Reclamation Plan for the overall PUD Property have been prepared, submitted, reviewed and adopted as part of this PUD proposal. All disturbed areas will be stabilized and revegetated according to the above sections of the LUDC and the Reclamation Plans recommendations.

3. Weed Management Plan

A Weed Management Plan for the Development Areas of the Property has been prepared in accordance with the standards set forth above. The Weed Management Plan includes an inventory of County and State listed noxious weeds or invasive species targeted for statewide eradication, and contains recommendations to manage and control weeds on the Property. The recommendations include a variety of natural, cultural, biological and mechanical techniques for effective management.

The Owner/Developer hereby assumes all the right and responsibility to undertake Weed Mitigation efforts within the CR 335 ROW and LoVa Trail alignment, and within the 25 foot LoVa Trail easement on the eastern portion of the Property. The Owner/Developer shall implement the Weed Management Plan upon recordation of this PUD Guide to prevent and control the proliferation of noxious weeds in the Development Areas of the Property, the CR 335 right-of-way and within the LoVa Trail easement.

4. Landscaping

a. Land Uses

All land uses, except for Dwelling Unit, Single-Unit (Single-Family), ADUs, Accessory Guest House, Bunkhouses, On-Site Employee Housing, and Industrial uses, shall comply with the Landscaping Standards contained in section 7-303. of the LUDC.

However, the LUDC standards shall apply to Industrial uses seeking a setback reduction beyond that specified by Table 3 – Zone District Dimensions – Lot Standards and Setbacks of this PUD.

b. Public and Private Streets and Roadways

To create visual community character, the following minimum landscaping material shall be installed by Owner/Developer along all new public and private rights-of-way, and private streets and roadways at the time they are constructed. However, no landscaping shall be required along CR 335, the agricultural access roads, nor within the Private Open Space Tracts within Nutrient Farm.

The Clear Vision Area Standards 7-303.I. of the LUDC shall be met, and all disturbed areas shall be recontoured to approximate a natural appearance and revegetated with native grass seed, mulch, flowers, shrubs, or other appropriate groundcover to prevent soil erosion.

The Owner/Developer may install additional landscape material if so desired.

Deciduous Trees: Deciduous Trees, a minimum of 1-1/2 inches in caliper, measured at a point four inches about the ground, shall be installed to define the streetscape and provide buffer from the roadway. A minimum of one tree for every 75 lineal feet of public right of way shall be installed. Trees may be provided at a consistent spacing or clustered to add visual interest. Additional trees may be installed at the discretion of the Owner/Developer.

Coniferous Trees, Shrubs and Vines: Coniferous trees, shrubs and vines may be utilized to add diversity and visual interest to the streetscape. All Coniferous Trees shall be a minimum of four feet in height measured from the top of the root ball to the top of the tree; all shrubs shall be a minimum of one foot in height at the time of planting; and all vines shall be a minimum 1 gallon container size. Coniferous trees, shrubs and vines may be installed at the discretion of the Owner/Developer. There are no minimum numerical installation requirements for coniferous trees, shrubs or vines.

c. Private Parks and Open Space

All Private Parks and Open Space areas, specifically excluding the Private Open Space

Tracts A-D, shall be landscaped. The Clear Vision Areas requirements of 7-303.I. of the LUDC shall be met, and all disturbed areas shall be recontoured to approximate a natural appearance and revegetated with native grass seed, mulch, flowers or other appropriate groundcover to prevent soil erosion. The following minimum landscaping material shall be installed at the time improvements are constructed on the associated Park and Open Space area. The Owner/Developer may install additional landscape material if so desired.

Deciduous Trees: One Deciduous Tree, a minimum of 1-1/2 inches in caliper, measured at a point four inches about the ground, shall be installed for every 2,000 square feet of park area.

Coniferous Trees: One Coniferous Tree, a minimum of four feet in height measured from the top of the root ball to the top of the tree, shall be installed for every 4,000 square feet of park area.

Shrubs: One shrub, a minimum of one foot in height at the time of planting, shall be installed for every 1,000 square feet of park area.

5. Irrigation

Irrigation of new landscaping is not required, but is allowed. Landscape and lawn irrigation may be provided by the potable water system, raw water open or closed systems from the Vulcan Ditch. Temporary hand or truck watering to help establish the landscaping is also allowed.

6. Forest Management and Wildfire Mitigation

Forest management efforts undertaken by the Owner/Developer shall be allowed anywhere on the Property in order to improve the overall forest health, improve wildlife habitat, diversify the forest, and reduce the potential for wildfire. Forest management efforts include, but are not limited to, removal of dead or diseased trees, tree limbing, tree thinning, new tree and shrub planting, and other similar efforts. No formal plan or approval is required by Garfield County prior to these activities.

Wildfire mitigation strategies are encouraged for all construction and development within Nutrient Farm. The Property is located within the Colorado River Fire Rescue (“CRFR”) jurisdiction. All development on the Property shall comply with any wildfire hazard mitigation/defensible space requirements of the CRFR at the time of building permit for each individual building or structure. Additional wildfire hazard mitigation/defensible space improvements may be conducted at the discretion of the Owner/Developer at any time in consultation with the CRFR anywhere on the Property.

All disturbed areas shall be recontoured to approximate a natural appearance and revegetated with native grass seed, much, or other appropriate groundcover to prevent soil erosion. All Forest Management and Wildfire Mitigation measures shall abide by section 7-203. Protection of Waterbodies of the LUDC and shall not take place within any delineated wetlands on the Property without the approval of Garfield County and/or the U.S. Army Corps of Engineers (“Corps”), if required.

E. Trails, Pathways and Walkways

Trails, Pathways and Walkways

A number of public and private trails, pathways and walkways made available for the use and enjoyment of the public will be constructed on the Nutrient Farm Property. The final alignment of the trails, pathways and walkways will be based on field conditions or other design considerations. Any applicable County Building Code, State or Federal design standards shall be met and any necessary approvals shall be obtained prior to the construction of the trails.

1. Public Trail – LoVa Trail

The LoVa Trail will run east to west through Nutrient Farm in the general location shown on the PUD Plan Map.

Pursuant to an express easement agreement for the LoVa Trail, said trail shall be located within the oversized CR 335 right-of-way and contained within a 25 foot public trail easement on the eastern portion of the Property across the Colorado River.

In addition, a public easement area sized to accommodate five parking spaces for LoVa trail users is included in a parking lot to the south of CR 335. This parking lot is also for Nutrient Farm guest parking and shall be privately constructed, owned, and maintained by the Owner/Developer. The five public parking spaces may be re-located to another parking area near the LoVa Trail and CR 335 at the discretion of the Owner/Developer.

Public use of the LoVa Trail within the PUD area shall be subject to and at all times adhere to the express terms and conditions of the LoVa Trail easement granted to the public by the Owner/Developer.

The LoVa Trail and all associated trail improvements in the CR 335 right-of-way and 25 foot easement shall be constructed by the properly designated public entity holding primary responsibility for such construction. Owner/Developer shall not be responsible for such LoVa Trail construction in any regard.

It is the responsibility of the trail constructor to abide by any applicable Garfield County development standards, and obtain any applicable permits from Garfield County or other entities. The construction, use, maintenance, repair and replacement of the trail and improvements, including, but not limited to, surfacing, paving, trailhead signs, trailhead kiosks, benches, landscaping, revegetation, fencing, lights, striping, snow and debris removal, and other similar improvements and activities, shall be the responsibility of the trail constructor and not the Owner/Developer.

Notwithstanding the forgoing, the Owner/Developer reserves all rights and assumes all responsibility to undertake Weed Mitigation efforts within the CR 335 right-of-way and LoVa Trail alignment and within the 25 foot LoVa Trail easement on the eastern portion of the Property.

2. Private Trails, Pathways and Walkways

The private trails, pathways and walkways within Nutrient Farm shall be constructed, maintained, and owned by the Owner/Developer. No public trail easements or land dedications are required in any manner to be provided to Garfield County or other public entity for such trails.

Private trails include access from CR 335 to the Colorado River, trails in the various Development Areas, and multiple recreational trails on the southern portion of the Property in the Outdoor Adventure Parks and campground area.

All private trails are intended for non-motorized uses and do not include the motorized off-road trails in the Adventure Parks.

Notwithstanding anything to the contrary, any private trail may be dedicated to Garfield County if the Owner/Developer so desires and the County duly accepts such dedication.

The construction timing of all internal private trails, pathways and walkways in Nutrient Farm is at the discretion of the Owner/Developer, or as required in connection with the construction of any buildings, structures, or other improvements they are to serve.

The width and surfacing of the trails, walkways and pathways are indicated below and shall be sufficient to serve the intended use.

The specific Reclamation requirements of this PUD Guide shall be met for any private trails. Any necessary County, State or Federal approvals shall be secured prior to the construction of any private trails, if directly applicable.

Table 8 – Private Trails, Pathways and Walkways Design Standards		
Type	Use	Design¹
Trail	Recreational trails, Campground trails	Natural or wood chip surface 2-4 feet wide
Pathway	Recreational trails, Adventure Farm	Crusher fines surface or similar 4-8 feet wide
Walkway	Near public areas, buildings, parking lots	Concrete or gravel surface 5-10 feet wide

¹ The above design standards may be modified at the discretion of the Owner/Developer based upon topographic or other physical conditions of the land or any Federal, State or Local requirements. Any necessary review and approval shall be obtained from Garfield County, but no modification to this PUD Guide is required.

The construction, use, maintenance, repair and replacement of the private trails and any associated improvements, including, but not limited to, surfacing, paving, trailhead signs, trailhead kiosks, benches, landscaping, revegetation, fencing, lights, striping, snow and debris removal, and other similar improvements and activities, shall be the responsibility of the Owner/Developer.

F. Exterior Lighting Standards

To minimize light pollution and conserve energy while providing adequate lighting for safety and security, all exterior lighting fixtures in Nutrient Farm, except those exempted below, shall meet the following design standards, which standards encompass and supersede those of the LUDC.

All existing lighting fixtures on the Property are permitted to remain in place until such time as alterations to those buildings, structures or improvements which they are associated with or are located on are undertaken.

1. Design and Location Standards

- a. All exterior lighting shall be downcast, and the bulbs fully shielded or arranged in a manner so that direct rays of light will not shine directly onto other properties.
- b. A maximum of 40 feet in height is allowed for all lighting sources except those associated with temporary holiday decorative displays or those required by State or Federal regulations.
- c. Lighting bollards/fixtures that are free-standing may be located within any required setback provided that the bollard/fixture location is setback from the property line at least equal to the total height of the bollard/fixture.

2. Exempt Lighting

The following types of lighting are exempt from the above standards:

- a. Emergency lighting by police departments, fire departments or other governmental agencies for public safety purposes.
- b. Walkway, ramp, stairs, exit, parking, street or other safety lighting required by the Building Code or other governmental agencies.
- c. Low voltage landscape, walkway and building lights provided they are downcast, or the bulbs shielded from view to the extent practical.
- d. Holiday or seasonal decorative lighting.
- e. Sign lighting in accordance with the provisions of this PUD Guide and the applicable provisions of Article 11 of the LUDC.
- f. Lighting of National, State or Local municipal flags or public art with a maximum of two fixtures of 80 watts each.
- g. Temporary lighting associated with a Private Event provided the temporary lighting complies with the Private Event definition and regulations of this PUD Guide.
- h. Outdoor movies, sign projections, digital displays, and electronic message signs are exempt from these Exterior Lighting Standards and are explicitly allowed per this PUD Guide.

3. Prohibited Lighting

The following lights are specifically prohibited within Nutrient Farm:

- a. Any light that imitates, conflicts, or causes confusion with traffic, warning or emergency signals.
- b. Search lights, beacons or lasers unless used in formally approved Nutrient Farm Events

and shall not be visible from adjacent properties.

- c. Blinking, flashing, moving, flickering, changing color or intensity lights are prohibited unless associated with holiday or seasonal lighting. This does not include outdoor movies, live performances, sign projections, digital displays, or electronic message signs which are explicitly allowed per this PUD Guide.

4. Relief

Relief from these standards shall be considered and acted upon by Garfield County per the appropriate review process contained within the LUDC.

G. Sound Standards

Nutrient Farm provides for a number of potential outdoor recreational, entertainment/music and commercial land uses. In order to minimize any potential sound impacts to adjacent properties, future sound studies shall be provided to the County for review and approval for site specific development or use requests that could potentially necessitate mitigation means at the time of County review of those requests.

Such development may include such contemplated uses as the Motor Sports Center and the Outdoor Music and Entertainment areas.

The sound level of noise from the proposed land use shall be modelled from the emanating source to properties located outside of the PUD area.

The sound levels shall meet all applicable County requirements and Colorado Revised Statutes § 25-12-103 et seq. requirements.

Sound mitigation techniques shall be utilized by the Owner/Developer, as needed, in order to minimize any potential impacts to adjacent properties; and may be specified as requirements via any County approval related to such development and uses.

H. Specific Land Use Standards

The following section contains special standards and regulations that apply to specific land uses. Not all land uses in Nutrient Farm have special regulations, but when they have been established, they are stated in this section and compliance is required.

1. Accessory Dwelling Unit (“ADU”)

An ADU has been defined by this PUD Guide and is subject to the following:

- a. One ADU is allowed in Development Areas 1, 3, 4, and 5 if a single family residence is constructed.
- b. One ADU which is subordinate to the Single Unit (primary) dwelling unit allowed per legal lot and must meet the requirements of section 7-701 of the LUDC except that there is no minimum lot area or minimum lot size for an ADU beyond the minimum lot area or

minimum lot size requirements specified in Table 3 Zone District Dimensions – Lot Standards and Setbacks of this PUD Guide.

2. Animal Keeping

Animal Keeping is a unique land use that has been defined by the Nutrient Farm Land Use Definitions. That definitions and the following standards shall supersede the LUDC definition of Animal Sanctuary and section 7-601. of the LUDC regarding an Animal Sanctuary:

- a. Facility. Animals shall be contained on the property within a fenced corral, pasture area or within an enclosed building.
- b. Noise. No noise shall emanate off-site from the Property boundary in excess of the Residential Zone District Standards contained in Colorado Revised Statutes § 25-12-103, except as permitted by Colorado Revised Statutes § 25-12-103(2) and (3).
- c. OWTS Required. The OWTS shall be capable of handling all feces and urine waste from the building in which animals are kept, or the feces and urine waste shall be stored in a sealed container capable of being pumped for disposal by a commercial hauler to dispose of such waste at an approved Solid Waste Disposal Site.
- d. Drainage Impacts. Any fenced corrals or pastures for keeping animals will be required to demonstrate that drainage will not affect off-site water supplies or water quality.

3. Food Truck

A Food Truck is a unique land use which has been defined by the Nutrient Farm Land Use Definitions and must meet the following standards:

- a. Food Trucks are allowed anywhere within Nutrient Farm.
- b. All Food Trucks shall be located on the Nutrient Farm Property and permission from the Nutrient Farm Property Owner must be given for their placement.
- c. A Food Truck shall not be located within any street or highway right-of-way, driveway or aisle way; nor obstruct pedestrian or vehicular traffic, or obstruct motorists' vision at access points.
- d. Any signs advertising a Food Truck shall comply with the Sign Regulations contained within this PUD Guide.
- e. Trash containers shall be provided and provisions for trash control and removal shall be made.
- f. Any applicable required local or State permits, such as Colorado Department of Health permits for food service, must be obtained.

4. Accessory Guest House

An Accessory Guest House is a unique land use which has been defined by the Nutrient Farm PUD Guide and must meet the following standards:

- a. One Accessory Guest House is allowed in Development Area 2 and is for residential or Home Office/Business Use only.

- b. The Accessory Guest House must be subordinate to the Single Unit (primary) dwelling unit on Lot 2 and the Guest House shall be limited to a maximum of 3,000 square feet of habitable living area which is exclusive of any garage, mechanical or other unfinished or non-heated areas.
- c. The Accessory Guest House may be free standing or integrated into the design of the main Single Unit (primary) dwelling unit on Lot 2, but must have a separate entrance from the main Single Unit (primary) dwelling unit.
- d. There is no minimum lot area or minimum lot size for an Accessory Guest House beyond the minimum lot area or minimum lot size requirements specified in Table 3 Zone District Dimensions – Lot Standards and Setbacks of this PUD Guide.
- e. The Accessory Guest House shall not be sold off separately from the main Single Unit (primary) dwelling unit on Lot 2.

5. Nutrient Farm Event

A Nutrient Farm Event includes a variety of entertainment, recreational, educational, and celebratory events as defined by the Nutrient Farm Land Use Definitions. Associated Temporary Uses, Temporary Buildings, Temporary Structures and Temporary Improvements such as tents, tables, check-in areas, restrooms, water stations/fountains, vendor tents and carts, food trucks, lighting, decorations, and other similar structures, supporting facilities, structures and improvements associated with such events and activities are permitted. Any applicable local, State or Federal permits will be obtained for the Nutrient Farm Event, including those for any Temporary Use, Temporary Building, Temporary Structure or Temporary. Temporary Signs and Nutrient Event Signs are allowed for Nutrient Farm Events and must meet the Signage Standards contained within this PUD Guide.

Nutrient Farm Events may take place inside an enclosed building or outdoors. All outdoor Nutrient Farm Events are limited to the hours of 7:00 am to 10:00 pm, seven days a week, and will abide by the applicable noise/sound standards of the LUDC and this PUD Guide and the lighting requirements of this PUD Guide. Dust shall be controlled on-site using water trucks or other dust-suppressant methods, as needed. Trash receptacles shall be provided in sufficient number and shall be distributed on-site in order to prevent the accumulation of uncontained rubbish. All Nutrient Farm Events with an expected attendance of 350 persons or more shall comply with the Temporary Parking Plan contained within this PUD Guide. There is no limit to the number of Nutrient Farm Events held each year.

6. Temporary Improvement

A Temporary Improvement is a unique land use that has been defined by the Nutrient Farm Land Use Definitions and is subject to the following:

- a. Temporary Improvements including temporary supporting facilities are allowed anywhere in Nutrient Farm for all activities and events considered Nutrient Farm Events.
- b. Temporary improvements including temporary supporting facilities may be erected seven days before the activity or use begins, and shall be removed within two days of the when the activity or use for which the improvement or facility was placed has ended.

- c. All Temporary Improvements and supporting facilities shall abide by all applicable requirements of the Building Code.

I. Signage Standards

The purpose of the following Signage Standards is to encourage signs that communicate identification of Nutrient Farm and its constituent activities and uses; or other related information, in a manner that complement the natural and agricultural nature of Nutrient Farm.

Nutrient Farm is a cohesive agricultural community revolving around a working farm and its residential, recreational, and commercial tourist related activities. Accordingly, there is a direct need for unique signs and standards to help provide guidance and information to residents and guests regarding the various Development Areas, Private Open Space Tracts, and land uses within Nutrient Farm, and to otherwise assist the public in navigating through the Property.

1. General Provisions and Applicability

a. Sign Types, Definitions and Regulations

Unique sign types, definitions, regulations, and design standards for Nutrient Farm are contained in this PUD Guide and in Table 10 – Nutrient Farm Allowed Signs Design Requirements, attached as Exhibit F, and shall expressly supersede the LUCD Article 11: Signs and Article 15: Definitions.

The unique sign types and definitions are contained within this PUD Guide, and the specific regulations and design standards for all signs are as noted in this PUD Guide and in Table 10 – Nutrient Farm Allowed Signs Design Requirements.

The unique sign types, definitions, and design standards have been identified with an asterisk (*). Unless specifically addressed in this PUD Guide or Table 10, all other sign definitions and standards are per the LUDC.

Any modification or deviation from the Signage Standards of this PUD Guide, or LUDC when not addressed in this PUD Guide, is prohibited unless approval is obtained per Article 11 of the LUDC. No modification to the Nutrient Farm PUD Guide is required.

b. Applicability and Permit Requirement

These Signage Standards apply to the display, construction, placement, alteration, use, maintenance, and location of all signs in Nutrient Farm. All signs within the Nutrient Farm Property require a Sign Permit from Garfield County prior to installation unless specifically listed as an Exempt Sign or Temporary Sign by this PUD Guide, and provided all applicable Building and/or Electrical Codes, and applicable provisions of this PUD Guide or referenced LUDC criteria are met.

c. Sign Area and Height Measurements

The area of a sign shall be measured as the sum of all Sign Faces, except when a sign has two parallel displaced faces, in which case only one Sign Face shall be considered as the total sign area for that sign. Two Sign Faces shall be considered and counted towards the total sign area for three or four-sided free standing signs. The height of a sign shall be measured per the LUDC currently in effect.

d. Sign Location

Section 11-202. General Sign Standards of the LUDC shall be complied with; except 11-202.A.1. which is not applicable as there is no limit to the total number or type of signs allowed within a Development Area, Private Open Space Tract, unsubdivided parcel, or on an individual lot. Signs may be located within any required setback provided all Building Code and Safety Standards of section 11-202.C. of the LUDC are met.

2. Sign Types and Definitions

The specific types of signs identified with an asterisk (*) below have been explicitly defined and/or regulated by this PUD Guide and supersede those of Article 11 and the definitions of the LUDC.

Area Identification Sign:* A sign used to identify the name of one of the Development Areas or Private Open Space Tracts in Nutrient Farm and to provide information regarding the various activities and uses located within.

Building Identification and Commemorative Signs:* A type of sign that includes a building name, date of construction, monumental citations, and commemorative tablets when carved into stone, concrete or similar material or made of bronze, aluminum or other permanent-type construction and located as an integral part of the structure.

Business Sign:* A sign used to identify and direct attention to the business, service or profession, or activities conducted on-site.

Campground/Recreational Vehicle (“RV”) Park Sign:* A sign containing words, symbols, graphics or maps used to provide information regarding the various activities, uses, and locations within the Campground/RV Park or Small Camping Facility, including all signs required by the State of Colorado per 6 Code of Colorado Regulations 1010-9 concerning Campgrounds and Recreational Facilities.

Construction Sign:* A temporary sign identifying a subdivision, development, or property improvements by a builder, contractor, other person furnishing materials, labor, or services to the premises.

Directional Sign:* A sign that displays the name of a single or multiple Development Area, Private Open Space Tract, use or activity in the Nutrient Farm PUD boundaries and identifies its vehicular access point from County Road 335 or from another road, Development Area, or Private Open Space Tract.

Electronic Message Sign:* A sign that contains changing messages or images consisting of electronically illuminated segments and/or a series of grid lights, including cathode ray, LED, plasma, LCD, fiber optic, or other electronic media or technology, including Digital Display Signs and other similar types of digital or electronic message signs. Electronic Message Signs are allowed within Development Areas 3, and 5-8.

Exempt Sign:* Exempt Signs are as listed in this PUD Guide and allowed within all Development Areas and Private Open Space Tracts.

General Parking and Circulation Sign:* Signs required by the Colorado Department of Transportation (“CDOT”), by the Manual on Uniform Traffic Control Devices (“MUTCD”), as well as signs necessary to designate parking, emergency vehicles, delivery, loading and other general parking signs, including pedestrian and vehicular directional signs, delivery-type signs and bus stop signs.

Grand Opening Sign:* A type of Temporary Sign announcing the opening of any new use, tenant, or building.

Information Sign:* A sign, symbol, or other graphic used to provide information or direction related to the business, use or activity on the property including, but not limited to, signs specifying the hours of operation, “open” and “closed” signs, “delivery” information signs, “no smoking” signs, and other similar types of signs.

Joint Identification Sign:* A sign that serves a common or collective identification for two or more uses, businesses, or tenants on-site.

Menu Display Box:* A sign for the express purpose of displaying a menu.

Nutrient Farm Event Sign:* Any sign, banner, pennant, valance, or advertising display constructed of light materials, with or without frames, intended to be displayed for a limited period of time that is used in connection with an event or activity considered to be a Nutrient Farm Event.

Recreational Trail Sign:* A sign containing words, symbols, graphics, or maps used to identify a public or private recreation trail, or to provide trail direction or distance information, located anywhere within Nutrient Farm and used to identify on and off-site recreational trails.

Subdivision Entrance Sign:* A sign used to identify the name and/or address of a residential subdivision.

Temporary Sign:* Any sign, banner, pennant, valance, or advertising display, constructed of light materials, with or without frames, intended to be displayed for a limited period of time.

Wayfinding Sign:* A pedestrian-scale sign containing words, symbols, graphics or maps used to provide direction or distance information to various activities and uses within the Nutrient Farm PUD boundaries.

Welcome Sign:* A sign used to identify the Nutrient Farm community, or other community name if re-named in the future.

Window and Door Sign:* A sign used to identify, advertise or display a product, service or event in words, symbols or graphics on a business window or door.

3. Exempt Signs and Standards

The following Exempt Signs are allowed within all Development Areas, Private Open Space Tracts, unsubdivided parcels, and individual legal lots of Nutrient Farm. No Sign Permit is required, provided any applicable Building and/or Electrical Code regulations and the requirements of sections 11-102. Exempt Signs and Standards and 11-202. General Sign Standards of the LUDC are complied with; except 11-202.A.1. which is not applicable as there is no limit to the total number of Exempt Signs or type of Exempt Signs allowed within a Development Area, Private Open Space Tract, unsubdivided parcel, or on an individual lot.

The specific types of Exempt Signs, identified with an asterisk (*) below, have been explicitly defined and regulated by this PUD Guide that supersede the general Exempt Sign requirements and standards of this PUD Guide and section 11-102. and the definitions of the LUDC.

- a. Government Signs and Notices
- b. Signage for Hazardous or Dangerous Conditions
- c. Building Identification and Commemorative Signs* – There is no limit on the number of Building Identification and Commemorative Signs provided the cumulative total does not exceed the maximum sign area as shown on Table 10 – Nutrient Farm Allowed Signs Design Requirements is met.
- d. Structural Maintenance and Changes to Advertising Copy
- e. Residential Signs
- f. Vehicle Signs and Advertising Devices – including, but not limited to, Food Trucks
- g. Art Display
- h. Directional Traffic Signs
- i. Signs Identifying a Place of Religious Assembly
- j. Ideological Signs
- k. Address Numbers
- l. Athletic Scoreboards
- m. Flags of any nation or government
- n. Balloons and other inflatables
- o. General Parking and Circulation Signs* – General Parking and Circulation Signs may be no larger than what is required or allowed by the Manual on Uniform Traffic Control Devices (MUTCD).
- p. Government Signs posted or required by Local, State or Federal Governments for the purpose of regulating or directing traffic; for the benefit of public health, safety and welfare; or any other signs required by law.
- q. Information Signs* – Information Signs are limited to three square feet in sign area, and six feet in height if free standing, or limited to the height of the wall on which it is placed if wall mounted
- r. Campground/Recreational Vehicle (RV) Park Signs* – Campground/RV Park Signs may be free standing or wall mounted, and shall be limited to ten feet in height and not larger in size that what is required by State Regulations.

- s. Recreational Trail Signs* – Recreational Trail Signs may be free standing or wall mounted, and shall be limited to ten square feet in sign area and ten feet in height. Trailhead kiosks may contain up to ten square feet in sign area, per Sign Face.
- t. Wayfinding Signs* – Wayfinding Signs may be free standing or wall mounted, and shall be limited to 32 square feet in sign area and to ten feet in height.
- u. Window and Door Signs* – The total amount of Window and Door Signage shall not exceed 25 percent of the total glass area of each window or door.

4. Temporary Signs and Standards

The following Temporary Signs are allowed in all Development Areas, Private Open Space Tracts, parcels, and individual lots of Nutrient Farm. Unique types of Temporary Signs have been denoted with an asterisk (*) and defined and regulated in this PUD Guide. All Temporary Signs must comply with Table 10 – Nutrient Farm Allowed Sign Design Requirements herein which supersedes the height and sign area standards of section 11-103. Temporary Signs and Standards, and 11-203. Sign Table of the LUDC.

All Temporary Signs must abide by the installation and removal time frames of section 11-103. of the LUDC unless superseded when specifically addressed below. All Temporary Signs must also abide by section 11-202. General Sign Standards of the LUDC except for section 11-202.A.1. which is not applicable as there is no limit to the total number or type of Temporary Signs allowed within a Development Area, Private Open Space Tract, unsubdivided parcel, or individual lot in Nutrient Farm.

Construction Signs, Grand Opening Signs, and Nutrient Farm Event Signs are unique Temporary Signs denoted with an asterisk (*) below and are specifically defined and regulated by this PUD Guide and by Table 10.

Temporary Signs do not require a Sign Permit provided the applicable terms herein are met and all Building and Electrical Code requirements are complied with.

- a. Construction Sign* – There is no limit to the number of Construction Signs provided the cumulative sign area total does not exceed the maximum sign area of Table 10 – Nutrient Farm Allowed Signs Design Requirements for each construction project.
- b. Political Campaign Sign
- c. Real Estate Sign
- d. Garage Sale Sign
- e. Community Event and Non-Profit Fund Raising Signs
- f. Temporary Decorations and Displays
- g. Grand Opening Sign* – Grand Opening Signs may be installed no more than 21 days prior to the Grand Opening and shall be removed within two days after the Grand Opening has ended.
- h. Nutrient Farm Event Sign* – Nutrient Farm Event Signs may not contain any illumination except that Projected Signs, Digital Display Signs, or Electronic Message Signs, as defined and regulated by this PUD Guide, are allowed as Nutrient Farm Event Signs. Nutrient Farm Event Signs may be placed no more than 21 days before the activity or event begins, and shall be removed within two days of when the activity or event for which the sign was placed has ended.

5. Allowed Signs

In addition to the specific Exempt Signs and Temporary Signs listed above in this PUD Guide, Table 9 – Allowed Signs Table lists the unique signs allowed in each Development Area and Private Open Space Tract of Nutrient Farm.

Table 9 – Allowed Signs Table									
Sign Type	Development Area								Tracts
	1	2	3	4	5	6	7	8	
Area Identification*					X	X	X	X	X
Building Identification and Commemorative*	X	X	X	X	X	X	X	X	
Business* ¹		X	X		X	X	X	X	
Construction*	X	X	X	X	X	X	X	X	
Directional*			X		X	X	X	X	X
Exempt*	X	X	X	X	X	X	X	X	X
Joint Identification*			X		X	X	X	X	
Menu Display Box* ²					X	X	X	X	
Subdivision Entrance* ³	X		X	X					
Temporary*	X	X	X	X	X	X	X	X	X
Welcome* ⁴							X	X	X

¹ Business Signs are allowed for each business or tenant.

² One Menu Display Box is allowed for each Eating or Drinking Establishment, Winery, Brewery, Cidery and Distillery.

³ One Subdivision Entrance Sign is permitted for each primary entrance into the subdivision. In those instances where there are multiple subdivision entrances, additional Subdivision Entrance Signs are permitted. Subdivision Entrance Signs may also be permitted on any individual lot or common area.

⁴ Welcome Signs shall be free standing. A maximum of two Welcome Signs are allowed in Nutrient Farm.

A distinct, singular ranch-style Entry Feature for Nutrient Farm shall be allowed as an Accessory Improvement to the farm, along the primary entrance corridor to the farm. It may span over the Nutrient Farm Road in its entry, may contain the “Nutrient Farm” name on it, and shall be allowed to be up to 25 feet in height and located within any required setbacks. All applicable Building Code requirements shall be met.

The ranch-style Entry Feature shall not be considered to be signage in accordance with this PUD Guide.

6. Nutrient Farm Allowed Signs Design Requirements

The design requirements for each of the above type of sign are contained in Table 10 – Nutrient Farm Allowed Signs Design Requirements attached as Exhibit F to this PUD Guide. In addition to these design requirements, and all other applicable provisions of these Signage Standards must be met. Multiple signs and multiple types of the same sign are allowed in each Development Area, Private Open Space Tract, unsubdivided parcel, individual lot, and/or street frontage according to the specific terms of this PUD Guide.

7. Illumination, Digital Displays and Projected Signs

a. Illumination

Lighting may be used to illuminate any permanent sign within Nutrient Farm, but is not required. Internally illuminated signs and externally illuminated signs are allowed. Conventional electricity or solar power may be used to illuminate the signs. The lighting source may be integrated into the design of the sign but is not required.

All external sign lighting shall be downcast and have shielded bulbs so that the light source is obscured from view to the extent practical, and so that all direct rays are confined to the sign on which the lighting is located.

All applicable Lighting Standards of this PUD Guide shall be met as well as those contained in section 11-202. of the LUDC.

Outdoor movies, sign projections, digital display signs, or electronic message signs are exempt from any illumination requirements.

b. Digital Display Signs or Electronic Message Signs

Digital Display Signs and Electronic Message Signs are allowed anywhere within Development Areas 3, and 5-8 of Nutrient Farm and may be used for any of the Development Area's allowed signs and regulated accordingly. (I.e., An Electronic Message Sign may be used as a Business Sign and shall comply with sign face size and height standards for a Business Sign.) Digital Display Signs and Electronic Message Signs may be used as Permanent or Temporary Signs. Digital Display Signs and Electronic Message Signs are specifically defined and regulated by this PUD Guide.

c. Projected Signs

Signs may be projected onto a building or structure's wall surface so long as the sign is located completely on the wall surface for which it is intended to be located, and does not create glare for adjacent properties or hazardous conditions for pedestrians or traffic. Signs are allowed to be projected in Development Areas 3, and 5-8 of Nutrient Farm and shall be regulated according to the type of sign they are. (I.e., A Business Sign may be projected and shall be regulated in sign face size and height as a Business Sign.) Both Permanent and Temporary Signs may be projected.

8. Prohibited Signs

The following signs are prohibited within Nutrient Farm:

- a. Billboards.
- b. Signs that move, rotate, blink, flash, and vary in light intensity or color. This does not include balloons, inflatables, outdoor movies, Projected Signs, Digital Display Signs, or Electronic Message Signs which are explicitly allowed per this PUD Guide.
- c. Signs that use neon, luminescent paint, mirrors or other reflective materials.

- d. Signs that create an obstruction for traffic or create any hazard for motorists, cyclists, or pedestrians according to 11-202.C.3.a.-c. of the LUDC.
- e. Signs with auditory messages or sound.

IV. DEVELOPMENT REGULATIONS AND STANDARDS – INFRASTRUCTURE

A. Access and Circulation

1. County Road 335/Colorado River Road Right-of-Way Dedication

CR 335/Colorado River Road bisects the Nutrient Farm Property. There is no record of its formal dedication to the County as a public right-of-way within the Nutrient Farm boundaries.

An 80 foot right-of-way for CR 335 within the Property is shown on the PUD Plan Map and shall be dedicated to the County for public use, via a separate document, after the dedication details are finalized and the Nutrient Farm PUD is recorded.

The County shall continue to assume all maintenance responsibilities for CR 335, and no improvements to CR 335 are warranted or proposed by the Owner/Developer associated with the public dedication.

The Owner/Developer reserves the right to provide Weed Mitigation efforts within that portion of the CR 335 right-of-way on the Property, in accordance with the natural maintenance standards for such weed management adopted and implemented in this PUD Guide.

2. Design Standards

Legal access to Nutrient Farm shall be along CR 335, and shall be formalized for all areas of the Property accordant with the formal public dedication of CR 335 to the County.

A Conceptual Access, Circulation and Parking Plan (“Plan”) for Nutrient Farm has been attached to this PUD Guide as Exhibit C, incorporated herein as if adopted and referenced in full. All access, circulation and parking improvements shall be in general conformity to this Plan.

Multiple public and private streets, roads and driveways will be constructed by the Owner/Developer to provide access to various portions of the Property and its uses.

The Plan shows the locations of the 80 foot right-of-way for CR 335 and two new 50 foot public rights-of-way to be constructed and dedicated to the County off of CR 335 to serve the new residential lots in Development Areas 1 and 3.

The 50 foot public rights-of-way shall be constructed and dedicated to the County only in connection with the development of the residential subdivisions in Development Areas 1 and 3.

The three residential lots in Development Areas 4 and 5 will take access off of the existing Riverbend Drive.

All other private streets, roadways, driveways and associated improvements in Nutrient Farm shall be owned, constructed and maintained by Owner/Developer, or its designees or successors in interest, unless and until the roads are dedicated and accepted by Garfield County for public maintenance.

All roads within Nutrient Farm shall be designed to provide adequate, safe and efficient access and circulation for the Property.

A 25 foot minimum setback from the edge of a dedicated right-of-way or from the edge of road for all other non-dedicated roads or streets have been established by Table 3 – Zone District Dimensions – Lot Standards and Setbacks of this PUD Guide.

The following road design standards that shall supersede those of Table 7-107: Roadway Standards of the LUDC in an effort to minimize site disturbance and hard surfaces within the PUD Property.

Minor modifications to the location of the roads and/or parking areas shown on the Plan is permitted without the need for a modification to this PUD Guide provided that general conformity with the Plan is maintained, all design and other applicable standards of this PUD Guide are met, no hazardous conditions are created, no additional vehicle trips generated, or CDOT approval is required. If such modifications do not meet such conformity, a minor PUD modification approval will be required to implement such changes.

a. Private Roads

All private roads within the PUD shall consist of two 12½ foot gravel lanes with a two percent (2%) crown section and two foot (2') deep ditches, as necessary. These roads shall be designed with a 12 percent (12%) maximum grade and 80 foot minimum centerline radius, and shoulders and ditches will be used only in select locations, as needed.

Concrete or heavy road base may be preferred in the future for some of these private roads, or portions of them, due to heavy traffic, turning movements, etc., at the discretion of the Owner/Developer.

Any necessary County approvals for the surfacing shall be obtained in advance.

b. Residential Areas 1 and 3 Rights-of-Way

Two 50 foot rights-of-way will be constructed to the above standards to serve Residential Areas 1 and 3 as an element of the subdivision process for creating the lots in such residential areas.

The 50 foot rights-of-way in Development Areas 1 and 3 shall only be constructed and dedicated to the County in connection with the development of the residential subdivisions in Development Areas 1 and 3. Such rights-of-way may also be designated as a private road if the County approves of the same at the time of subdivision of Area 1 and 3.

c. Internal Agricultural Roads

There are no design standards for the internal agricultural access roads in and around the farm areas because they are strictly for private agricultural purposes and no public use is planned for the same. Said roads shall remain rural in nature and will consist of unimproved, native earth or gravel, as warranted with use.

d. Campground and RV Areas

LUDC section 7-905. and all applicable Campgrounds and Recreation Areas roadway design requirements contained within 6 Colorado Code of Regulations 1010-9, Department of Public Health and Environment, Division of Environmental Health and Sustainability, shall be met.

Small Camping Facilities shall only be regulated by the LUDC.

3. Traffic Study

- a. A Colorado Department of Transportation (“CDOT”) Level III Traffic Impact Study (“Traffic Impact Study”) has been prepared by SGM for Nutrient Farm. The Traffic Impact Study concludes that CR 335 and the surrounding roadway system will continue to operate safely and at an acceptable level of service with the development of Nutrient Farm. Said Traffic Impact Study is incorporated herein by reference and shall be adopted and implemented in its entirety as an element of this PUD Guide.
- b. The ultimate projected traffic volumes from Nutrient Farm on Bruce Road at the Colorado River bridge do warrant a new CDOT Access Permit which shall be applied for in connection with the development of relevant aspects of the PUD Property.
- c. Actual road improvement fees will be determined and paid at the time of development according to the LUDC, as stated in the Development Agreement.
- d. Based upon the full build-out of Nutrient Farm, the CR 335 estimated 2040 total traffic volume west of Park Drive will exceed Minor Collector roadway standards. Nonetheless, this is all contemplated maximum capacity, and even if the maximum scope of development for Nutrient Farm is realized, future shoulder widening west of Park Drive to Bruce Road readily suffice to bring CR 335 up to County Major Collector roadway standards.
- e. No density attributed to the latent density bank for the PUD can be utilized or even proposed for use unless and until all necessary application materials and studies, including an updated Traffic Impact Study, are provided to Garfield County under the auspices of all stages of its zoning and subdivision land use review procedures and policies. Any necessary permits will be obtained, road improvements constructed, and fees remitted to Garfield County at that time.

- f. Moreover, generally, any future use or expansion of any uses/buildings beyond that included in this PUD Guide and shown on the PUD Plan Map shall be reviewed and approved by Garfield County per the applicable development review and permitting process at the time of proposal. All necessary studies and reports, including any updates to the original Traffic Impact Study, shall be submitted to the County for review and approval.
- g. Any additional infrastructure, road improvements, and/or impact fees associated with the new use or expansion shall be remitted to Garfield County at that time.

B. Water Systems

Per section 4-203. of the LUDC, the SGM Water Adequacy Report has confirmed the adequacy of the water supply for the intended uses reflected in this PUD, to be distributed as further described in the Central Water Distribution and Wastewater Systems Report by SGM. Adequate legal and physical water from the Vulcan Ditch, Riverbend Wells, Coal Ridge Pump and Pipeline and associated Coal Ridge Reservoir exist for the proposed uses.

The Vulcan Ditch has historically provided irrigation water to the Property from Canyon Creek and will continue to do so. Surface water from the Vulcan Ditch will be routed into settling ponds, filtered and treated to supply potable water to the existing Farm House in Area 2, to the Working Farms – East and West, and to the recreational and commercial/industrial activities in Development Areas 7 and 8. The Vulcan Ditch water supply will also serve all outdoor uses such as landscaping, open space areas, grass fields and recreational ponds.

The ultimate design and treatment requirements will depend on the water system designation—public or private for the various uses. All Local and State required drinking water standards shall be followed for all water supply systems on the Property.

The existing Farm House in Development Area 2 does not have a source of potable water. The residence will utilize the Vulcan Ditch pipeline and stored water.

A new well will be constructed to serve the residential lot/home in the Working Farm – East.

RWSC has issued an initial will serve letter, subject to further review and negotiation at the time of subdivision providing for the new residential lots (containing single-family and possibly ADU structures) in Development Areas 1, 3 and 4.

Notwithstanding the foregoing, if feasible connection to the RWSC system is not attained between RWSC and the Owner/Developer, despite good faith efforts towards the same, such lots may be redesigned and/or relocated within such Development Areas, or even to other Development Areas of Nutrient Farm, and designed with water service planned via other allowed legal means such as residential wells.

Any redesign or relocation of the residential lots will require a PUD modification approval and subdivision prior to creation.

Any future use or expansion of any uses/buildings beyond that included in this PUD Guide and shown on the PUD Plan Map shall be reviewed and approved by Garfield County per the applicable development review and permitting process.

C. Wastewater Disposal Systems

Wastewater disposal systems will be provided as described in the Central Water Distribution and Wastewater Systems Report and OWTS Engineering Report and on the Water and Sewer Plan prepared by SGM, which are included as crucial elements of this PUD proposal and reviewed as a key element of approval of this PUD.

RWSC has issued an initial wastewater will serve letter, subject to further review and negotiation at the time of subdivision providing for the new residential Lots (containing single-family and possibly ADU structures) in Development Areas 1, 3 and 4.

Notwithstanding the foregoing, if feasible connection to the RWSC system is not attained between RWSC and the Owner/Developer, despite good faith efforts towards the same, such Lots may be redesigned and/or relocated within such Development Areas, or even to other Development Areas of Nutrient Farm, and designed with waste water service planned via other allowed legal means such as residential OWTS.

Any redesign or relocation of the residential lots will require a PUD modification approval and subdivision prior to creation.

Any future use or expansion of any uses/buildings beyond that included in this PUD Guide and shown on the PUD Plan Map shall be reviewed and approved by Garfield County per the applicable development review and permitting process.

The Farm House in Development Area 2 currently utilizes a private OWTS and shall continue to do so.

All other uses within the remaining Development Areas and Private Open Space Tracts will utilize individual or collective wastewater treatment systems designed specifically for the land use they are to serve. All wastewater systems shall be designed per applicable Garfield County and the CDPHE regulations.

D. Utilities

Utilities will be provided to the future land uses based on their location and individual power needs. This includes connections to nearby existing public conventional energy systems and the construction of multiple new private renewable energy systems.

Xcel Energy has provided confirmation of capacity and willingness to serve all areas of the Property with utility service as needed.

All uses in the Development Areas may be served primarily by multiple private renewable energy systems constructed on the Property specifically designed to serve them. These include, but are not limited to, solar, solar thermal, solar electric, geothermal, wind, and hydro-electric energy systems.

In addition, each single-family home/lot may construct its own Accessory Solar System per the terms of this PUD Guide.

All new utility lines shall be placed underground unless such placement is impractical or infeasible, in accordance with section 7-106C.1. of the LUDC.

All necessary utility easements and drainage easements shall be located and dedicated per section 7-106.C of the LUDC at the time of future subdivision or via separate instrument at the time of site plan or building permit review, or as needed.

In order to preserve the pristine organic environment of Nutrient Farm, pivotal to the nature of its operations, no wireless meters or antennas, including utility meters, and cellular service antennas, may be installed on the Property by any party without the prior written permission of the Owner/Developer.

Sources of electro-magnetic radiation and electro-magnetic pollution are to be highly scrutinized and minimized throughout the Property.

E. Solar Energy Systems

Solar Energy Systems may be constructed in Nutrient Farm as ground mounted or roof mounted systems providing clean sustainable energy to Nutrient Farm.

Solar Energy Systems may be constructed on the northern portion of Development Area 6, on Development Area 3, and potentially on Development Area 5, as needed, to provide on-site generated heat and electricity for the buildings in Nutrient Farm. The Nutrient Farm Solar Energy Systems shall not supply any properties outside of the PUD's boundaries.

Solar collectors will be mounted facing south to maximize solar exposure and efficiency.

Any Small or Large Solar Energy Systems that utilize Solar Thermal collectors will collect incoming sunlight rather than reflecting it.

The ground mounted collectors shall be less than 15 feet tall, located outside of the Colorado River floodplain, and set back a minimum of 25 feet from any adjacent existing residential property outside of the Nutrient Farm PUD boundaries.

Associated pipes, pump houses, energy buildings and other system components will be constructed including a Pit of Thermal Energy Storage (PTES). Said components shall be limited in height per PUD Table 5 regarding Utilities.

A fence, per the provisions of this PUD Guide, will be installed around any Solar Energy System and PTES for safety purposes.

Trees shall be planted in natural groupings within the 25 foot setback to any existing residential property outside of the Nutrient Farm PUD boundaries regardless of the front, rear or side yard setback designation, and around the remaining perimeter of the system to help it blend into the natural terrain.

Native grass seed shall be sowed underneath the solar collection system. Should the system ever be removed, or reduced in size, all disturbed areas shall be revegetated with native grass seed and, if needed, the ground re-contoured to approximate natural grade.

All Solar Energy Systems shall comply with 7-1101.A. of the LUDC regarding signage. Informational signage may be installed around the Solar Energy System to educate the public about the renewable energy system.

Solar Energy Systems may be constructed in other Development Areas of Nutrient Farm according Table 2 – Nutrient Farm Land Use Table and all applicable provisions and review process of this PUD Guide.

F. Fire Protection

The Property is located within the Colorado River Fire Rescue (“CRFR”) jurisdiction. All development on the Property shall meet all fire protection requirements of the CRFR. The CRFR has preliminarily reviewed the general road design for Nutrient Farm, and all CRFR road design standards shall be met with formal design and construction of the future roads. All fire flow needs shall be met through potable and raw storage or water supplies and infrastructure sizing.

V. DEVELOPMENT REGULATIONS AND STANDARDS – RESOURCE PROTECTION

A. Soils and Geohazard Evaluation

A Soils and Geohazard Evaluation (“Evaluation”) has been prepared by RJ Engineering and Consulting for the areas on the Property intended for development. Said Evaluation is incorporated herein by reference and its recommendations shall be implemented as a part of any subsequent development review.

Prior to issuance of a building permit, further site-specific geotechnical investigations shall be performed to determine if any potential geotechnical hazards exist in a certain area so that any proper engineering mitigation is designed. All future improvements shall abide by the Drainage and Erosion requirements of section 7-204. of the LUDC and the Natural and Geological Hazard standards of section 7-207. of the LUDC. Notwithstanding the foregoing, section 7-207.F.2 of the LUDC shall only be applicable to residential or lodging development within Nutrient Farm. All other types of non-habitable uses may be allowed on 30 percent slopes. However, all development in such 30 percent slopes shall remain subject to the study requirements of 7-207.F.1 for any development on slopes over 20 percent.

The Colorado Division of Reclamation, Mining and Safety has approved the Coal Ridge No. 1 Mine, Permit number C-1984-1985, SL-03 Phase III Bond Release application, and in doing so, released the Owner/Developer from reclamation liability and terminated the Colorado Division of Reclamation, Mining and Safety jurisdiction of the lands associated with the Coal Ridge Mine No. 1.

B. Floodplain and Protection of Waterbodies

The Colorado River runs through the northern portion of the Nutrient Farm Property. The Property immediately adjacent to the Colorado River is within the Floodplain Overlay District and contains areas within the designated 100-year floodplain.

Sparse and discontinuous wetlands/riparian vegetation exists along the bank of the Colorado River. No wetlands extend beyond the immediate vicinity of the Colorado River's channel.

Development near the Colorado River within the Floodplain Overlay District shall abide by the Floodplain Overlay Regulation of sections 3-102. and 3-301., and the Floodplain Specific Site Plan requirements of 4-203.O.1. of the LUDC.

In addition, any improvements near the Colorado River shall abide by the requirements of section 7-203. Protection of Waterbodies of the LUDC, if applicable. This includes the required setbacks for structures and activities near a waterbody and compliance with all applicable State and Federal regulations and permitting requirements including, but not limited to, Section 404 of the Federal Clean Water Act administered by the Corps.

C. Wildlife Protection

The SGM Wildlife Impact Analysis Report ("Report") has been prepared for the Property and incorporated herein by reference.

Per the recommendations of the Report, in order to minimize any potential impacts to wildlife and improve the overall quality of wildlife habitat on the Property, the following measures shall be implemented:

1. Garbage

- All garbage on the Property shall be secured from bears and other animals.
- All agricultural garbage shall be placed in bear-proof trash containers or removed from non-bear proof trash containers each day and stored in an enclosed building until the day of disposal/trash pick-up.
- All commercial or industrial uses' garbage shall be placed in bear-proof trash containers or removed from non-bear proof trash containers each day and stored in an enclosed building until the day of disposal/trash pick-up. This includes garbage in the Campground/RV area as well as any permanent and temporary garbage containers in Development Areas 5-8.
- All residential garbage shall be placed in bear-proof trash containers or in non-bear proof trash containers which are stored inside an enclosed building until the day of disposal/trash pick-up.

2. Compost Piles and Dumps

- All compost piles shall be bear-proof and secured from animals.
- Centralized composting piles may be located in the Working Farm – East and West Development Areas related to Agriculture activities, Agricultural Products, Storage, Distribution and Sale at Point of Production/Sale Off-Site activities, and Commercial and Industrial uses.

- Individual residential compost piles are allowed.
 - Dumps, both centralized and individual, are prohibited on the Property.
3. Fences
- Fences, including wildlife friendly fences, shall be installed per the terms of this PUD Guide.
 - Any orchards on the Working Farm – East and West shall be within fenced areas.
 - Nut, fruit and berry producing trees are discouraged on residential lots.
 - Fences to contain children and pets are encouraged.
4. Pets
- Dogs and cats shall not be allowed outside of fenced yards unless under leash control. Loose dogs and cats are prohibited outside of individual residential fenced yards or any designated Dog Park on the Property.
 - Pets shall not be fed outdoors on the individual residential lots. This does not apply to the feeding of animals on the Working Farm – East and West, Commercial or Industrial Development Areas on the Property.
5. Bird Feeders
- Bird feeders, including humming bird feeders, are discouraged during spring and summer, and prohibited during the fall months of September through the end of November. Bird feeders, including humming bird feeders, may be used during the winter—from December through mid-March. Any bird feeders, including humming bird feeders, shall be brought into an enclosed building overnight.
6. Signs
- Signs shall be installed in the Campground/RV area to educate the public about black bears and other wildlife in the area.
7. Exterior Lighting
- All outdoor lighting on the Property shall utilize downcast fixtures and the bulbs shielded from view per the terms of this PUD Guide. Outdoor lighting shall cease at midnight.
8. Hours of Operation
- All commercial outdoor activities, including outdoor recreational activities and outdoor Private Events, shall cease at 10:00 pm. All outdoor activities shall then be brought into an enclosed building. (This does not include any agricultural operations in the Working Farm areas.)
9. Weed Management Plan
- The Weed Management Plan for the Property shall be implemented.
 - Individual residential lot owners shall be responsible for the control of noxious weeds on their property and shall follow the recommendations of the Weed Management Plan. Non-organic chemicals are prohibited.
10. Wildlife Mitigation Plan

- A Wildlife Mitigation Plan shall be developed and implemented in cooperation with CPW after the review and approval of the Nutrient Farm PUD Guide. This may include mitigation measures to reduce the impacts to elk and mule deer, leaving taller stubble heights in pastures for more grazing opportunities, the use of some lay-down fences, and development of wintertime water sources and assistance with water sources development on nearby BLM lands.

VI. IMPLEMENTATION

A. Development Agreement and Phasing Plan

Development of the Nutrient Farm Property will take place in three phases over approximately nine years. A Phasing Plan outlining the general schedule and priority phasing of development as contemplated in this PUD is shown below.

The Owner/Developer and the County shall enter into a Development Agreement concurrently with this PUD Guide to provide details allowing for the phased land development of Nutrient Farm.

Notwithstanding the existing development plans, it is understood that factors such as financial concerns, development constraints, shifting operational priorities etc. may affect the phasing and/or implementation of certain uses provided for herein. Moreover, changes to the Phasing Plan will not affect or alter any public improvements related to the development of the Property.

Accordingly, the Phasing Plan may be modified at any time by Owner/Developer, subject to a major PUD modification review, and shall be approved provided that the modification proposed does not fundamentally alter the purpose and nature of the PUD to provide for a working, experiential farm resort.

Table 10 – Nutrient Farm Phasing Plan										
Area	Name/Use	Phase 1			Phase 2			Phase 3		
		2023	2024	2025	2026	2027	2028	2029	2030	2031
1	Residential Subdivision (5 Lots)				X	X	X	X	X	X
2	Residential Subdivision (1 Lot)		X	X						
3	Residential Subdivision (10 Lots)/Solar Energy Systems		X	X	X	X	X	X	X	X
4	Residential Subdivision (2 Lots)				X	X	X	X	X	X
5	Working Farm – East/Solar Energy Systems (1 Residential Lot)	X	X	X	X	X	X			
6	Working Farm – West/Solar Energy Systems	X	X	X	X	X	X	X	X	X
7	Commercial/Industrial Park				X	X	X	X	X	X
8	Outdoor Adventure Parks		X	X	X	X	X	X	X	X

Phase 1: East and West Working Farms and Development Area 3 Agricultural and Animal Related Uses, agricultural accessory/retail, and Agricultural Products, Processing, Storage, Distribution and Sale at Point of Production, Agricultural Products, Processing, Storage, Distribution and Sale Off-Site improvements and Solar Energy Systems; Development of Area 2 residence; and commencement of the Outdoor Adventure Park improvements. The construction of the Farms irrigation systems, associated accesses, parking, utilities, and infrastructure improvements will be constructed in association with the buildings/structures in these Areas.

Phase 2: Continuation of East and West Working Farms and Development Area 3 Agricultural and Animal Related Uses, agricultural accessory/retail, Agricultural Products, Processing, Storage, Distribution and Sale at Point of Production, Agricultural Products, Processing, Storage, Distribution and Sale Off-Site improvements, and Solar Energy Systems; continuation of the Outdoor Adventure Parks improvements; beginning of Commercial/Industrial Park improvements; and commencement of construction of five residential lots in Area 1, two residential lots in Area 4, and one residential lot Area 5 subdivisions. Notwithstanding the forgoing, one of the residential lots in Area 4 or 5 may be developed with a residence in Phase 1 to house the Nutrient Farm ranch manager and/or employees, if needed.

Phase 3: Continuation of Commercial/Industrial Park and Outdoor Adventure Park improvements, and Solar Energy Systems in Development Areas 6 and 3; continuation of Area 1 five residential lots; development of up to ten residential lots in Development Area 3; and continuation of the development of Area 4 two residential lots.

Implementation of the private Weed Management Plan shall commence upon recordation of the PUD Guide. As each phase is begun and each building or improvement is constructed, associated access, parking, utility and infrastructure improvements will be installed concomitantly with such associated development. Reclamation, revegetation, and landscaping will be implemented per the terms of this PUD Guide in order to maintain the community character for Nutrient Farm.

Private trails may be constructed at any phase in the discretion of the Owner/Developer. All private trails in Nutrient Farm shall be constructed and maintained entirely by the Owner/Developer unless an alternative approach is finalized with any local governmental entities, quasi-governmental entities or non-profit entities. Private trails will only be open to public use per the direction and restraints dictated by Owner/Developer.

The LoVa Trail will be publicly dedicated, and constructed and maintained by local governmental entities, quasi-governmental entities or non-profit entities, not by the Owner/Developer.

The installation and maintenance of irrigation and infrastructure systems, and the implementation of the Weed Management Plan are on-going operational improvements across the entirety of Nutrient Farm, and may be implemented to any degree at any phase herein.

B. Recordation

The following documents are attached to and incorporated into the Nutrient Farm PUD Guide, which shall be recorded with the Garfield County Clerk and Recorder in relation to the Property:

Exhibit A: Nutrient Farm Legal Description

Exhibit B: Nutrient Farm PUD Plan Map

Exhibit C: Nutrient Farm PUD Conceptual Access, Circulation and Parking Plan

Exhibit D: Table 2 – Nutrient Farm Land Use Table

Exhibit E: Nutrient Farm Land Use Definitions

Exhibit F: Table 10 – Nutrient Farm Allowed Signs Design Requirements

It is understood and acknowledged that multiple studies were conducted and reports produced and submitted as part of the Nutrient Farm PUD application review process. Said reports have been reviewed and accepted by Garfield County, as specifically considered in relation to the review and approval of this PUD Guide.

Nevertheless, in the interests of efficiency, and in recognition that conditions and factors considered in such reports could change in the future, said reports are not attached to or specifically incorporated into the Nutrient Farm PUD Guide.

Instead, such reports are merely incorporated herein by reference. The reports shall remain as key referential records in the Garfield County Planning File for this PUD Guide, and shall be referenced during any future site specific development of the Property, and updated and/or modified if necessary and appropriate via such future review processes.

VII. GENERAL PROVISIONS

A. Enforcement

Garfield County shall be responsible for interpreting and enforcing this PUD Guide, at law or in equity, without limitations on any power or regulation otherwise granted by law. The provisions of this PUD Guide shall run in favor of the residents, occupants, or landowners of the Property, but only to the extent expressly provided in, and in accordance with, the terms of this PUD Guide. Provisions not expressly stated as running in favor of the residents, occupants or landowners of the Property shall run in favor of Garfield County.

Notwithstanding the forgoing, nothing in this PUD Guide shall be interpreted to require Garfield County to bring an action for enforcement or to withhold permits, nor shall any other provision of this PUD Guide be interpreted to permit the purchaser of a lot to file an action against Garfield County.

B. Breach of Provisions

If at any time, any provision or requirements stated in this PUD Guide have been breached by the Owner/Developer, Garfield County may withhold approval of any or all site plans or plat maps, or the issuance of any or all grading or building permits or occupancy permits applied for on the Property, until such breach has been remedied; provided, however, that Garfield County shall not take affirmative action on the account of such breach until it shall have first notified the Owner/Developer in writing and afforded the Owner/Developer a reasonable opportunity to remedy the same.

C. Binding Effect

This PUD Guide shall run with the land and be binding upon the Owner/Developer, their respective successors, representatives and assigns, and all persons who may hereafter acquire an interest in the Property or any part thereof, with the exception that provisions of this PUD Guide may be

modified through an amendment in accordance with the procedure stated in this PUD Guide and the LUDC. This PUD Guide shall be recorded in order to put prospective purchasers or other interested persons on notice as to the terms contained herein.

D. Amendments

Article 6 of the LUDC includes procedures and requirements for review of all Planned Unit Developments as does this PUD Guide and Development Agreement in relation to the Phasing Plan. The Owner/Developer shall be on notice of these requirements and their potential impact should modifications to this PUD Guide be desired.

Modifications to the provisions of this PUD Guide shall be reviewed and acted upon by Garfield County as a PUD Zoning Amendment, subject to the PUD Guide and accompanying Development Agreement and the County's procedures for zoning amendments and the requirements for findings under the Planned Unit Development Act of 1972 at CRS section 24-67-106(3)(b), unless such amendment is determined to be minor in nature in accordance with the provisions outlined in the LUDC.

E. Notices

All notices required by this PUD Guide shall be in writing and shall be either hand-delivered or sent by certified mail, return receipt requested, postage pre-paid, as follows:

Notice to County:	Board of County Commissioners 108 8th Street, Suite 101 Glenwood Springs, Colorado 81601
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Notice to Owner/Developer:	Nutrient Holdings LLC Post Office Box 560 New Castle, Colorado 81647
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F. Entire PUD Guide

This PUD Guide contains all provisions and requirements incumbent upon the Owner/Developer relative to the Nutrient Farm Planned Unit Development, except as modified by subsequent action of the Board of County Commissioners in accordance with the procedures set forth in this PUD Guide, the LUDC and the Colorado Planned Unit Development Act (CRS Section 24-67-106) for amending planned unit developments.

G. Effective Date

To be legally effective and binding, this PUD Guide must be recorded by the Garfield County Clerk and Recorder. The date of such recording is referred to herein as the "Effective Date."

H. Legality of Provisions

In the case one or more of the provisions contained in this PUD Guide, or any application thereof, shall be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions contained in this PUD Guide and the application thereof shall not in any way be affect or impaired thereby.

I. Signature Page

IN WITNESS WHEREOF, Garfield County and the Owner/Developer have executed this PUD Guide as of the effective date noted above.

BOARD OF COUNTY COMMISSIONERS
OF GARFIELD COUNTY, COLORADO

John F. Martin, Chairman

ATTEST:

Jean Alberico, Clerk and Recorder

NUTRIENT HOLDINGS LLC

Andrew P. Bruno, Member

ATTACHMENTS

Exhibit A: Nutrient Farm Legal Description

Exhibit B: Nutrient Farm PUD Plan Map

Exhibit C: Nutrient Farm PUD Conceptual Access, Circulation and Parking Plan

Exhibit D: Table 2 – Nutrient Farm Land Use Table

Exhibit E: Nutrient Farm Land Use Definitions

Exhibit F: Table 10 – Nutrient Farm Allowed Signs Design Requirements

EXHIBIT "A"

Nutrient Holdings LLC, a Colorado limited liability company

Legal description according to the title insurance commitment issued by Commonwealth Title Company of Garfield County, Inc., File No. 2103068, having an effective date of November 30, 2022

Parcels A and C

Township 5 South, Range 90 West, 6th P.M.:

Section 35: That portion of the N½SE¼, NE¼SW¼ lying Southerly of the centerline of the Colorado River.

Township 6 South, Range 90 West, 6th P.M.

Section 6: All that part of Lot 4, lying southerly of the centerline of the Colorado River as described in deed recorded May 28, 1974 in Book 459 at Page 535 in the office of the Clerk and Recorder of Garfield County, Colorado

Excluding the following parcels of property described in the Rule and Order entered in the District court for Garfield County, Colorado, in Civil Action No. 6635, entitled Board of County Commissioners, et al. v. Daryl Gean Richardson, et al., recorded November 8, 1982 in Book 437 at Page 383 as Reception No. 255941

Parcel No. 143-B

A tract or parcel of land No. 143-B of the State Department of Highways, Division of Highways, State of Colorado, Project No. I 70-1 (12), 89 Sec. 2 in the SW¼ of the NW¼, in the SE¼ of the NW¼ and in the NE¼ of the SW¼ of Section 35, Township 5 South, Range 90 West of the Sixth Principal Meridian, in Garfield County, Colorado, said tract or parcel being more particularly described as follows:

Beginning at a point on the centerline of the Colorado River from which point the NW corner of Section 35, Township 5 South, Range 90 West of the 6th P.M. bears North 27°13'30" West a distance of 2,615.7 feet; thence North 73°59' East along the centerline of the Colorado River, a distance of 162.8 feet; thence South 70°43' East along the centerline of the Colorado River, a distance of 640.8 feet; thence South 48°26' East, along the centerline of the Colorado River, a distance of 223.6 feet; thence South 33°52' East along the centerline of the Colorado River, a distance of 119.8 feet; thence along the arc of a curve to the left having a radius of 4,483.7 feet, a distance of 1,080.9 feet, more or less, to the POINT OF BEGINNING (the chord of this arc bears North 67°23'30" West a distance of 1,078.3 feet)

PARCEL No. 143-C

A tract or parcel of land No. 143-C of the State Department of Highways Division of Highways, State of Colorado, Project No. I 70-1 (12) 89 Section 2, in the NE¼ of the SW¼ of Section 35, Township 5 South, Range 90 West of the 6th P.M. in Garfield County, Colorado, said tract or parcel being more particularly described as follows: Beginning at a point on the thread of the Colorado River in the NE¼ of the SW¼ of Section 35, Township 5 South, Range 90 West, 6th P.M. from which point the S¼ corner of Section 35 bears South 21°36'30" East a distance of 2,796.8 feet; thence South 11°47' West a distance of 104.9 feet; thence South 59°02' East a distance of 176.3 feet; to the thread of the Colorado River; thence North 33°52' West along the thread of the Colorado River, a distance of 232.9 feet, more or less, to the Point of Beginning.

Parcel B

Township 5 South, Range 90 West, 6th P.M.:

Section 33: All that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying Southerly of the centerline of the Colorado River;

Section 34: All that portion of the S $\frac{1}{2}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying Southerly of the centerline of the Colorado River;

Section 35: W $\frac{1}{2}$ SW $\frac{1}{4}$, that portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ lying Southerly of the Colorado River.

Township 6 South, Range 90 West, 6th P.M.:

Section 5: Lot 4

Section 6: Lots 1, 2 3 and the Northerly 15 acres of the SE $\frac{1}{4}$ NW $\frac{1}{4}$

EXCEPTING FROM THE ABOVE DESCRIBED LANDS the following:

1. All that portion platted as Riverbend Subdivision Filing No. 1 as shown on Reception No. 281326
2. All that portion platted as Riverbend Subdivision Filing No. 2 as amended as shown on Reception No. 281329 and No. 299710
3. All that portion platted as Riverbend Ranchettes Final Plat as shown on Reception No. 290481
4. All that portion conveyed to the Board of County Commissioners of Garfield County, Colorado, by Deed recorded August 31, 1979 in Book 534 at Page 416 as Reception No. 297140
5. All that portion platted as Riverbend Subdivision Filing No. 5 as shown on Reception No. 517550
6. All that portion platted as Cedar Ridge Subdivision as shown on Reception No. 501840
7. All those portions described as Parcel No. 143; Parcel No. 143-A; and Parcel No. 143-B in the Rule and Order of the Garfield County District Court in Civil Action No. 6635 and recorded in Book 437 at Page 383 as Reception No. 255941
8. All that portion of the lands described in the deeds recorded in Book 906 at Page 790 as Reception No. 464984, Book 863 at Page 424 as Reception no. 447796, and Book 1712 at Page 990 as Reception No. 679354. All as recorded in the office of the Clerk and Recorder of Garfield County, Colorado.

Parcel D

Township 6 South, Range 90 West, 6th P.M.:

Section 5: S $\frac{1}{2}$ SW $\frac{1}{4}$

Section 6: Lot 5 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Lot 6 (NW $\frac{1}{4}$ SW $\frac{1}{4}$), SE $\frac{1}{4}$ NW $\frac{1}{4}$ except the North 15 acres, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 8: N $\frac{1}{2}$ N $\frac{1}{2}$

Legal description according to the title insurance commitment issued by Commonwealth Title Company of Garfield County, Inc., File No. 2103068, having an effective date of November 30, 2022

Timothy Barnett PLS 38404

