
To: Paragon Enterprises, Inc. and the Brush Creek Ranch Development Team

From: Mike Kraemer, Kraemer Land Planning

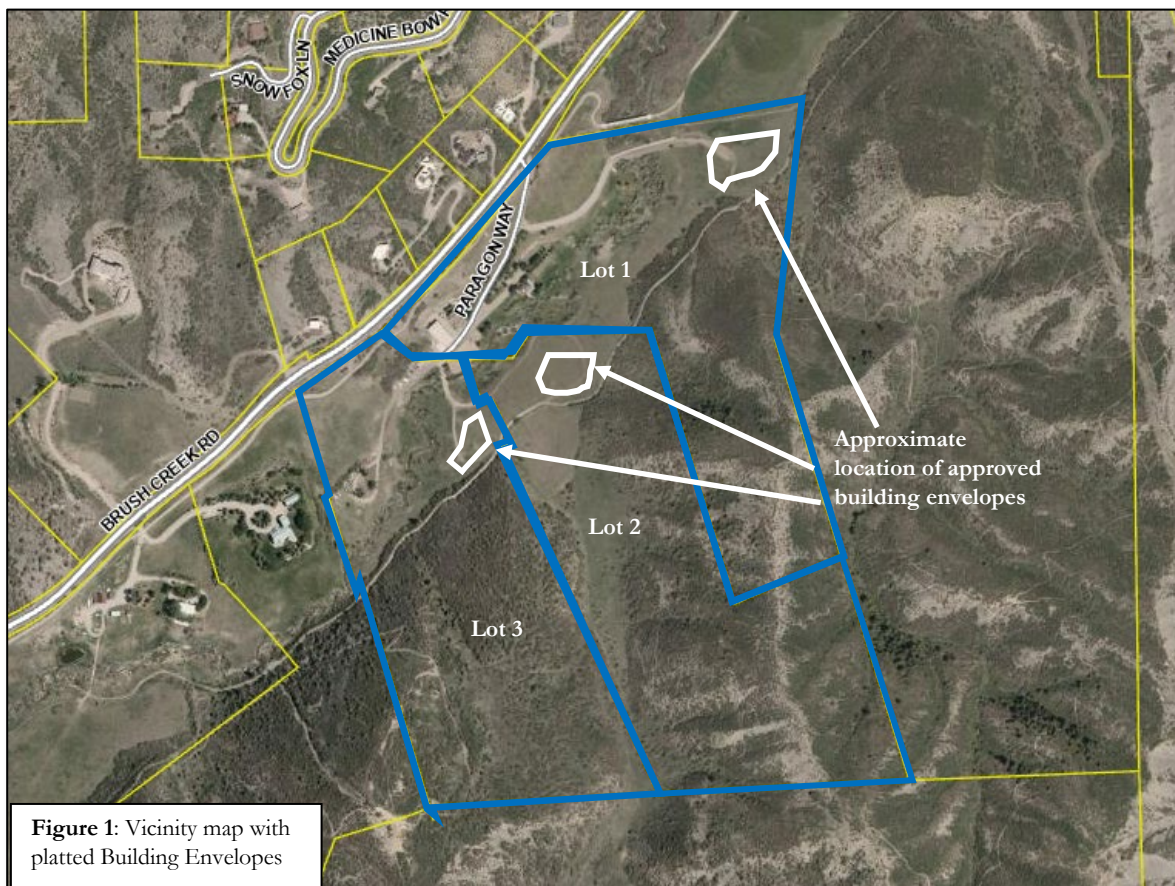
Date: January 21, 2026

Re: Brush Creek Ranch Lot Split Lots 1 & 2, and Lot 3 (aka Paragon Enterprises Outparcel) - Land Use Analysis

The focus of this analysis pertains to property history, applicable zone district limitations & allowances, land use process, timing, and expected fees for the above captioned properties. In preparation of this analysis, I relied on the following information:

- Archived land use and building permit records: Pitkin County Community Development Department;
- Pitkin County Assessor's website and Pitkin Maps and More Mapping Program;
- Survey issued by True North Colorado, LLC. dated 12.5.2025;
- Pitkin County Land Use Code.

A title policy was not available at the time of this review and should one become available, I am happy to review and update this report accordingly.



Property Background:

Brush Creek Ranch is comprised of three (3) separate properties known as the Brush Creek Ranch Lot Split, Lots 1 and 2 and a separate outparcel known as the Paragon Enterprises Parcel which has been identified internally by our team as Lot 3. The properties are all located within the LIR-35 Zone District and reside southeast of Brush Creek Road. All properties are located within the “rural area” of Pitkin County meaning they are outside the designated Urban Growth Boundary. Access to the properties is provided via Brush Creek Road and various access easement designations across Lot 2 and Lot 3. Lot 1 is developed with the Historic Wiese House, a barn, and a workshop. Lot 3 is currently under construction with a new single family residence.

Executive Summary of Prior Land Use History:

Lots 1 and 2 were created through a unique “Lot Split” subdivision process available to large acreage properties in the 1990’s when density was reduced to an amount less than allowed in underlying zoning. The Lot Split Final Plat approval was granted in 1999 and contained notable regulations prohibiting further subdivision and a 7,500 sq. ft. floor area limit with the ability to increase this amount with further County review. Envelopes were platted for all three properties and the Wiese House was given an historic designation in exchange for an additional free market single family residential development right in the upper pasture on Lot 1. Envelope designations were an important part of this approval which essentially created a “planned development” for all three properties. Building, septic, well, horse corral/shed, access, and other envelopes were designated on the plat. A “recreation site” just south of the barn was also designated.

- BOCC Resolution No. 96-268 – Conceptual Subdivision
- BOCC Resolution No. 99-97 – Final Plat
- Brush Creek Ranch Lot Split - Final Plat BK53 PG37
- Brush Creek Ranch - Declaration of Covenants Rec. No. 443252

In 2001 Lot 3 successfully competed in the Rural Area Growth Management Quota System (GMQS) competition for a 7,500 sq. ft single family residence which included a Lot Line Adjustment with Lot 2 and a building envelope designation.

- Planning and Zoning Commission Resolution No. 32-2001
- Planning and Zoning Commission Resolution No. 02-2001
- Lot Line Adjustment Plat: BK60 PG62
- 1041 Hazard Review Site Plan BK60 PGs 63-64
- Restriction and Use Agreement, Rec. No. 467038

In 2005 land use applications were filed to amend the 1999 entitlements for changes to the platted envelopes on Lots 2 and 3 and for a Lot Line Adjustment between the properties. From review of the 2005 application submittal and Community Development Staff Memos,

it appears that floor area rights beyond 5,750 sq. ft. were surrendered on all three lots in exchange for County approval, which was granted by the Board of County Commissioners (BOCC). This approval and the amended Brush Creek Ranch Covenants restricted floor area to 5,750 sq. ft. for all structures including agricultural structures, with the exception of Lot 1, whereby the existing barn, the workshop, and the Wiese House were excluded from floor area tabulations.

- BOCC Resolution No. 105-2006
- Amended Brush Creek Ranch Plat BK84 PG1
- Amended Covenants Rec. No. 537758

In 2016 and 2018 Activity Envelope and Site Plan applications were filed for Lot 3, the Paragon Enterprises outparcel. Approvals were granted and the property is under construction.

- Administrative Decision No. 94-2016, Activity Envelope approval
- Activity Envelope Plan, BK117 PG4
- Administrative Decision No. 67-2018
- Activity Envelope and Site Plan, BK132 PG48

Water Rights:

The subject properties are either today or will be serviced by an onsite water well. It is my understanding that the State of Colorado will issue an exempt well permit for properties 35 acres or greater that have the ability to serve up to three residences per well. Outdoor irrigation might also be available from these wells.

Additionally, 1/10th of the Cozy Point Ditch water right for 0.5 cubic feet per second (cfs) and 1/10th of 0.4 cfs of water from the Upper Wiese Ditch appear to be available to the properties.

***All water rights should be reviewed, analyzed, and confirmed by a local water attorney.**

Table 1: LIR-35 Zoning Standards, Brush Creek Overlay Zone District, + Past Entitlements and Restrictive Covenants

Minimum Lot Size:	35 acres
Lot Sizes (<i>per survey</i>):	
<i>Lot 1</i>	35.02 acres
<i>Lot 2</i>	35.28 acres
<i>Lot 3, Paragon Enterprises</i>	32.32 acres (<i>legally established non-conforming</i>)
Minimum Usable Open Space (<i>per residence</i>)	Not applicable
Net Lot Area	Not applicable
Floor Area Ratio (<i>FAR</i>):	Not applicable
Minimum Lot Width:	Not applicable
Subdivision:	Not available
Front Yard Setback:	
<i>Lot 1: Northern property line</i>	100'
<i>Lot 2: Western property line (access side)</i>	100'
<i>Lot 3, Paragon Enterprises: northern property line</i>	100'
Side Yard Setback:	
<i>Lot 1: west/ southwest and north property lines</i>	50'
<i>Lot 2: north and south property lines</i>	50'
<i>Lot 3, Paragon Enterprises: east and west</i>	50'
Rear Yard Setback:	
<i>Lot 1: east/ south property lines</i>	50'
<i>Lot 2: east property line</i>	50'
<i>Lot 3, Paragon Enterprises: south property line</i>	50'
Brush Creek Road Setback:	100'
<i>"Arterial Hwy"</i>	
Brush Creek Riparian Setback:	100' but per previous entitlements, platted Envelopes cannot be amended to encroach closer to Brush Creek.
Residential Height Limit:	Principal structure:
<i>Please see discussion on Scenic Viewplane restrictions.</i>	<i>Midpoint: 28'</i>
	<i>Ridge: 33'</i>
	<i>Overall: 40'</i>
	Accessory structures
	<i>Midpoint: 20'</i>
	<i>Ridge: 25'</i>
GMQS Exempt Gross Residential Floor Area:	Lot 1: 5,750 sq. ft. <i>Inclusive of <u>all</u> structures, basements, garages, and agricultural structures with the exception of the Historic Wiese House, the existing barn, and the existing workshop</i>

	<p>Lot 2: 5,750 <i>Inclusive of <u>all</u> structures, basements, garages, and agricultural structures</i></p> <p>Lot 3: 5,730 sq. ft. <i>Inclusive of <u>all</u> structures, basements, garages, and agricultural structures</i></p>
<p>Residential Floor Area Maximum <i>GMQS allotment or TDRs are <u>not allowed</u> per previous commitments, entitlements, and the Brush Creek Master Plan Overlay Zone District</i></p>	5,750 sq. ft.
<p>Exempt Agricultural Structure Allowances: <i>Lot 1</i></p> <hr/> <p><i>Lot 2</i></p> <hr/> <p><i>Lot 3 Paragon Enterprises</i></p>	<p><i>Existing barn allowed – possible redevelopment availability</i></p> <p><i>Existing workshop allowed – possible redevelopment availability</i></p> <hr/> <p><i>Agricultural Structures count as floor area per previous entitlements and LIR-35 zoning.</i></p> <hr/> <p><i>Agricultural Structures count as floor area per previous entitlements and LIR-35 zoning.</i></p>

Use:

The intent of the LIR-35 zone district is to provide for large lot residential development. Single family residential uses are permitted by right. Accessory residential uses such as garages, storage sheds, and artist studios are also permitted. Caretaker Dwelling Units (CDUs) require “Special Review”. Commercial uses are prohibited in this Zone District with the exception of commercial agricultural operations. Due to the Brush Creek Overlay Zone District and previous Brush Creek Ranch entitlements, the property cannot receive Transferable Development Rights (TDRs). Due to the 1990 Brush Creek Ranch Lot split subdivision entitlements and lot size minimums in the LIR-35 Zone District, further subdivision of this property is **not** possible.

Setbacks:

Activities permitted within a setback **and** within an approved Activity Envelope:

- ≤30 inches of grade change,
- ≤4 feet (ft) of grade change for landscape features such as berming,

- ≤6 ft of grade changes and retaining walls for driveway construction.
- Fencing up to 6 ft in height (subject to wildlife restrictions)

Height:

- The height limit for principal structures is 28' measured from most restrictive grade, historic or finished.
 - If a gabled (or peaked) roof design is used, the 28 ft maximum is measured to the mid-point of the roof and a 5 ft allowance for a maximum of 33 ft is permitted.
- Detached accessory structures (garages, carports, caretaker dwelling units, art studios, etc.) are limited to a maximum of 20 ft measured from most restrictive grade, historic or finished.
 - If a gabled roof design is used, the 20 ft maximum is measured to the mid-point of the roof and a 5 ft allowance for a maximum of 25 ft is permitted.
- Detached structures within 20 ft of a principal building can utilize the principal height limit.
- Roof attachments (antenna, flues, vents, but excluding chimneys) can't exceed 40 ft.

Floor Area and Growth Management Quota System (GMQS):

- Maximum gross floor area: 5,750 sq. ft.
- TDRs and/or GMQS allotments are not allowed.
- All structures tabulate towards the 5,750 sq. ft. floor area restriction including basements, garages, and agricultural structures – **except** for the existing barn, workshop, and historic Wiese House on Lot 1.
- Floor area exemptions are available for crawl spaces beneath the 1st usable floor of a building (including garage) and attics less than 5'6" (five foot six inches) in height.
- Overhangs less than 8 ft. and decks within 30 in. of grade are exempt.
- Decks 30 in. + above grade are exempt up to 15% of the *approved* floor area. For example, a 5,000 sq. ft. residence is afforded 750 sq. ft. of decks greater than 30 in.
- 2nd floor decks are tabulated as both overhangs **and** deck area.
- Decks covered with an overhang are exempt up to 8 ft.
- Floor area is measured to the outside of the stud wall with an 8" veneer (siding) allowance.
- Basements are measured to the middle of the foundation wall.

Caretaker Dwelling Units (CDU):

- Are permitted on these properties, subject to Special Review approval and can be attached or detached to the principal residence.
- Must be separately enterable with separate mechanical spaces.
- Maximum 1,000 sq. ft. of net livable floor area (measured to inside of drywall)
- CDU's count towards floor area.
- The kitchen shall contain the following improvements:
 - Minimum of two-burner stove with oven,
 - Standard sink, and
 - Refrigerator plus freezer.
 - The oven must be able to bake and broil and be at least 5 cubic feet;
 - The sink must measure at least 14"W x 16"D x 5.25"H;
 - Refrigerator must be at least 5.3 cubic feet and include freezer of not less than .73 cubic foot.
 - A CDU floor plan must be submitted with the land use application.
- Occupants must qualify as employees by meeting the following requirements:
 - Must be employed a minimum of 1,500 hours per calendar year within the Roaring Fork Drainage, an average of 35 hours a week, 10 months a year; or 32 hours a week, 11 months a year.
 - Must work in a location within the RFR Drainage and must reside in the unit a minimum of nine (9) months out of the calendar year.
- No mandatory rental obligation or maximum rental rate.

Land Use Regulations:

Because Lot 3 is under construction, the focus of the following land planning regulations pertains only to Lot 1 and Lot 2:

Steep and Potentially Unstable Slopes:

The survey identifies topography with slope ranges including: 0-15%, 15 - 30%, 30 - 45%, and 45% and greater. Development Activity will need to avoid naturally occurring slopes greater than 30% which generally occurs within the 2005 platted Building and Septic Field Envelopes. The Land Use Code contains exceptions for when development can exceed 30% up to 45% and beyond when all usable areas are developed and the property was created with County approval before 1972. Because the property was subdivided in the 1990's, it does not qualify to exceed slopes greater than 45%.

Brush Creek Floodplain + Setbacks:

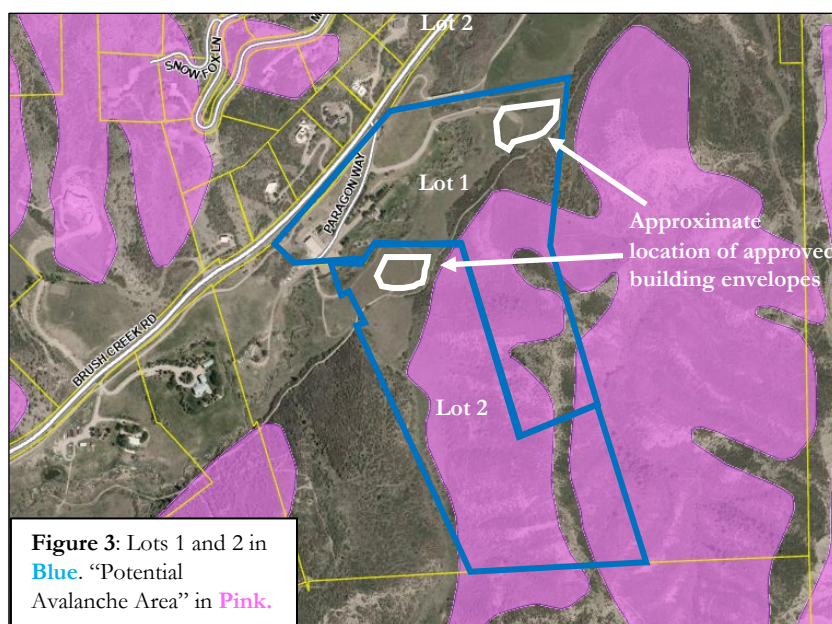
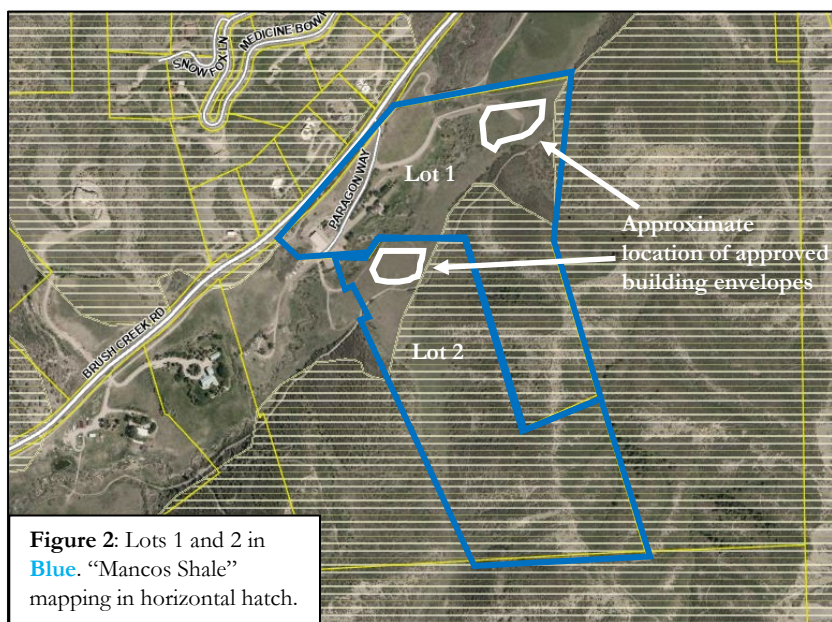
The approved building envelopes on Lots 1 and 2 avoid the Brush Creek 100 year floodplain. Because Lots 1 and 2 have platted building envelopes approved prior to 2006, the envelopes are not required to comply with the 100' stream setback measured from the high water mark. Note that neither of the envelopes on Lots 1 or 2 can be amended to encroach closer to the stream known as Brush Creek.

From our site visit this past fall, it appears that there are improvements in and around Brush Creek. Please note that if land use applications are filed and government planners visit the property, these improvements could be called into question and required to be removed.

Geologic and Avalanche Hazards:

According to adopted geohazard mapping, the approved building envelopes are not located within any Pitkin County mapped geohazard areas, however, are in close proximity to Mancos Shale subsoils, **Figure 2**. It is recommended that Kumar and Associates is engaged for a subsoil study to confirm subsoil conditions and offer construction recommendations, as needed.

Both Lots 1 and 2 contain a “Potential Avalanche Hazard Area”, **Figure 3**, just within the eastern property boundaries. Though the avalanche mapping does not encumber platted building envelopes, Pitkin County will require an avalanche report from a specialist to verify: 1) if an avalanche hazard exists; and 2) if mitigation of the avalanche hazard is necessary. It has been our experience that “potential” avalanche mapping does not automatically mean the hazard is present on the property or that mitigation is required.



Wildfire:

The approved Building Envelopes are located within a **Severe Wildfire Hazard Area**, but mapped in close proximity to a **Low Hazard Area**. The Pitkin County Land Use Code requires a wildfire report from a certified wildfire specialist. We work often with Jonathan Lowsky of Colorado Wildlife Sciences and recommend we reach out for a proposal. **Severe Wildfire Hazard** construction requirements are impactful to buildings and can be expensive. If a **Low Hazard Area** can be verified, it would reduce these expenses.

Severe Wildfire conditions of approval will be required for future development and documented in the Site Plan land use decision. Likely conditions of approval might include:

- Class A roof assembly and Class A coverings. Wood shakes or shingles are prohibited.
- A minimum of 20,000 gallons of onsite water storage or verification with the fire district that appropriate water pressures from the public water system can satisfy requirements.
- All structures will require sprinklering.
- Minimum 10 feet of defensible space.
- Heavy timber/non-combustible deck framing.
- 1 hour fire resistant walls.
- Tempered glazing on all structures

Wildlife:

Both Lots 1 and 2 are mapped within **Elk Winter Range and in close proximity to Elk Severe Winter Range and Elk Migration Corridors**. These habitats are regulated by Pitkin County with the strictest requirements for **Elk Severe Winter Range**. The Land Use Code requires a ¼ mile (1,320 ft) buffer for structures from Elk Severe Winter Range, which from a rough measurement, neither of the envelopes for Lots 1 or 2 currently achieve and is quite problematic. Jonathan Lowsky of Colorado Wildlife Sciences studied Lot 3 (Paragon Enterprises Parcel) and provided a wildlife report with the 2016 land use application which resulted in an approval. We recommend we reach out for a proposal for a wildlife study for both Lots 1 and 2.

If County approval is granted, the following conditions of approval can be expected:

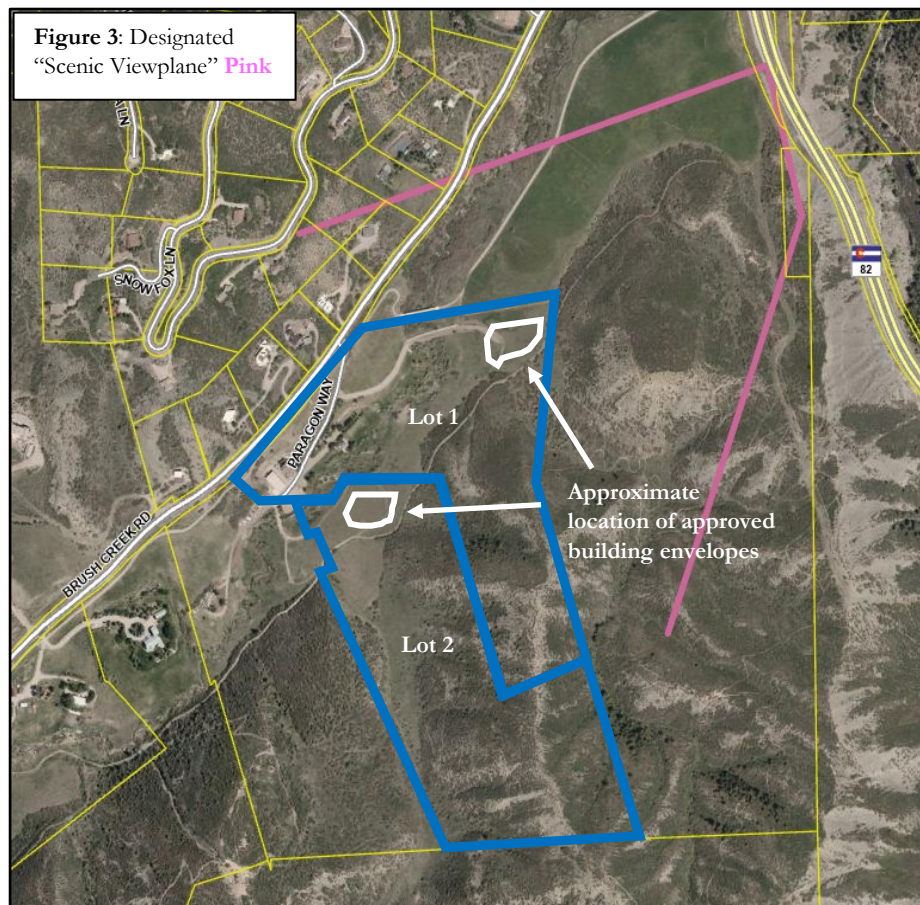
- Possible screening between structures and Elk Winter Range.
- Any dogs kept at the property will either need to be leashed or when off leash, kept within a kennel to dissuade disruption to big game animals.
- Possible winter construction limitation from Dec. 1st to March 31st.
- Wildlife friendly fencing with 3 rails/strains or less.
- Pond construction must be wildlife friendly with appropriate side slopes and traction liners.
- Bear proof trash containers.

Scenic View Protection

The subject property is within a Scenic View Protection Area as viewed from Brush Creek Road and Hwy 82. It is also located within a “Designated Viewplane” which is a unique designation that does not affect many properties throughout the County, **Figure 3**. Land Use Code Section 7-20-120(d)(2) regulates Designated Viewplanes and states the following:

“(2) The proposed development shall avoid the location of structures within the Scenic View Protection Areas, and shall avoid the location of structures within any Viewplane identified in the State Highway 82 Corridor Master Plan and Down Valley Comprehensive Plan if possible. If location outside the Scenic View Protection Area and defined Viewplanes is not practicable, then the proposed development shall not be located on the highest ground or most visible portion of any site as viewed from those corridors listed in subsection (b) above.”

It has been my experience that if the location of buildings outside the Viewplane is not possible, or if other development locations on the property are not viable, the County has requested height reductions for structures to achieve compliance with this Code section. Because this topic is a sensitive design issue, it is recommended that Z Group Architects and Kraemer Land Planning schedule a meeting with the County Community Development Office to discuss alternatives before design begins in earnest.



Structures are not allowed to project above a ridgeline, which shouldn't be an issue for either property but will need to be verified with height poles. The structure will be required to utilize natural earth tone colors and materials and non-reflective roofing. Color and material representations will be needed for the land use submittal.

Driveways and Access Roads:

Local jurisdictions regulate driveway access design. The intention of these regulations is two-fold: 1) to provide safe passage for private property use; and 2) to allow safe passage for emergency vehicles e.g. fire trucks and ambulances. The following design criteria will be required to upgrade the existing access road:

- Minimum 16' width;
- Maximum 10% grade than may increase to 12% under special circumstances;
- 2% grade for the 1st 30' of the driveway approach;
- Additional pull-offs at 400' increments;
- Minimum turning radius and adequate auto court firetruck turnaround near residence.

While these standards are applicable to all driveway designs, the local governments understand development in mountainous terrain can be difficult and can sometimes offer relief if a hardship can be demonstrated.

Sewer and Water:

It is presumed that both properties will be served by a new onsite wastewater treatment system (OWTS). OWTS design can typically be handled by septic design professionals or local civil engineering firms and must be located within the designated Septic Envelope or Activity Envelope. Because both lots are more than 35 acres, it is presumed that a water well will provide domestic water service. Please note that a minimum of a 100' setback is needed between water wells and an OWTS which can be increased based on the size of the OWTS. 600' is needed between neighboring wells.

Ponds:

With appropriate legal water rights, there may be opportunity to construction a pond(s) on the property. All ponds must be within an approved Activity Envelope and must be constructed to a "wildlife friendly", which include:

- Must have at least two (2) banks with side slopes of at least 3:1, preferably 5:1, to allow for ingress and egress of wildlife.
- If a liner is used, a minimum of eighteen (18) inches of topsoil should be used on top of the liner.

- Shallow benches (littoral shelves) are required along the edge of the pond to allow for ingress and egress of wildlife and to create wetland habitat beneficial for amphibians and waterfowl.
- If stocked with any non-native non-salmonoid species, a CPW stocking permit is required.
- If stocked with any fish species, the inlet and outlet are required to be equipped with 1/4" screens to prevent fish passage into nearby waterways.
- The pond illumination or lighting is prohibited.
- The pond is required to be inspected by a Zoning Officer or Colorado Parks and Wildlife prior to filling with water.

Wiese House Historic Designation:

The Wiese House is burdened by an historic designation from the 1999 land use entitlements in exchange for an additional free market single family residential development right on Lot 1. This designation limits exterior building improvements to those consistent with the Pitkin County Historic Guidelines. Exterior materials, fenestration, roofing, architectural articulations, and details including railings, venting, soffits, windows, roofing, are all regulated by this designation and cannot be replaced or changed without approval by the Historic Preservation Officer and the Pitkin County Community Development Department. If there are structural elements that require replacement or other elements of the building that are failing, Pitkin County has in the past approved replacement in kind to protect the integrity of the building. Building interiors are not regulated by historic designation.

Process:

Development of Lots 1 and 2 requires an administrative **Activity Envelope & Site Plan Review** and approval prior to building permit submittal. Site Plan review confirms development complies with the approved Activity Envelope and that the proposed structure complies with the requirements of the Land Use Code, including access, utility alignment, Scenic View Protection requirements, landscaping, and conformance with zone district dimensional requirements. This requires responses to all Land Use Code criteria and the following schematic design drawings:

- 1) Architecture from Z Group Architects;
- 2) Civil engineering plans; and
- 3) Landscape Architecture from Connect 1/Lionheart.

Process time for a Site Plan land use application from date of submittal is typically **10-12 months and costs approximately \$8,000 x 2 (Separate fees for Lot 1 and Lot 2) in County review fees**, which does not include consultant fees to develop the application. Once the Site Plan is approved and recorded, the building permit application process can be initiated. A three (3) year vested right is established with an Activity Envelope/Site Plan approval which

protects the property from future zoning changes during the vesting period. Outside vesting, the property is subject to the code in effect. During times of Code change uncertainty, vested property rights are very valuable.

Costs and Fees

Construction costs in Aspen/Pitkin County have increased significantly in the past 36 months, however, market conditions are showing costs may be stabilizing or coming down. New single family residential construction can range from \$1,000-\$5,000/sq. ft. Additions and remodels are likely to range from \$500 to \$1,000 depending on quality of construction, materials used, and structural needs. Pitkin County Community Development requires fees and exactions that should be considered for a remodel, addition, or redevelopment and are outlined below using a \$1,500/sq. ft. amount, as an example:

5,750 sq. ft. of Heated Floor Area:

- Permit review fees: 2.7% x valuation of project (\$/sq. ft.). This does not include land costs. \$1,500/sq. ft. valuation yields a permit review fee of **\$232,875.**
- At permit pick up the following exactions are paid:
 - **Road Impact Fee:** approximately **\$16,311.**
 - **Affordable Housing Impact Fee:** Heated residential floor area of 5,750 sq. ft. or less is not assessed an Affordable Housing Impact Fee.

Lot 1: It is possible that the historic Wiese House on Lot 1 might tabulate towards this fee if full build out happens in the future. Confirmation from the Pitkin County Community Development Department is needed on this topic and once confirmed, this report can be updated.

- **Use Tax Fee:** 10% of project valuation x 0.005. A \$1,500/sq. ft. valuation yields a fee of **\$4,312.**

Renewable Energy Mitigation (REMP): fees can be substantial depending on R-values, quality of construction, exterior energy uses, and if onsite renewable energy devices (photovoltaic) are used to offset energy use. If you desire a precise amount, please let me know and I can calculate potential fees, however, they would be very approximate due to unknown energy inputs. **Please note that exterior energy uses are capped at 200m BTUs per year, which limits snowmelt and other exterior uses such as pools, spas, outdoor gas fireplaces, and heat tape.**

Need to Know Development Restrictions:

- Through various land use approvals and other instruments, development of all three (3) properties is restricted to the platted building, septic, barn, and other various envelopes.
- Amending these envelopes will prove challenging due to prior commitments made in the 2005 land use application. All efforts should be made to keep development including access drives, landscaping, grading, OWTs, and well within designated envelopes. If extenuating circumstances arise during design, envelope changes can be evaluated at that time. That said, there may be opportunity to amend the Lot 1 Building Envelope to the north up to the 50' side yard setback if additional room is needed.
- Due to the previous negotiated entitlements for all 3 properties, 5,750 sq. ft. of floor area is the maximum allowed for all 3 properties, with the exception of Lot 1. This amount cannot be increased with TDRs or a GMQS allotment.
- Agricultural structures are **not** exempted from floor area calculations on Lot 2 or Lot 3 (Paragon Enterprises Parcel). The existing barn and workshop on Lot 1 do not tabulate towards allowable floor area.
- Given the existing barn and workshop do not tabulate towards allowable floor area on Lot 1, there is the possibility that the barn and workshop could potentially be rebuilt using the same floor area within the same existing Envelope with no increase in size. Confirmation with the County Community Development Office is needed on this topic.
- The historic Wiese House does not tabulate towards the allowable floor area on Lot 1.
- The Wiese House exterior is regulated by an historic designation. Interior improvements are not.
- The two-track access drive connecting Lot 1 and Lot 2 should not become a primary access to Lot 2. The Lot 2 access envelope by way of Lot 3 is the approved access location for Lot 2 and should be utilized for design.
- Any improvements outside designated envelopes could be called into question by the County during the land use application process and Staff site visit. It is my experience that the County Staff will pay close attention to any unapproved improvements in and around Brush Creek and its designated 100 year floodplain.
- Because both building envelopes for Lots 1 and 2 are located topographically below the Wiese Ditch, Pitkin County regulations require that the ditch is either lined or culverted.
- The "Recreation Site" identified on the Brush Creek Ranch amended plat is limited to the following uses: riding arena, picnic areas, volleyball field, playing fields, and similar recreational activities. Buildings and/or covered structures are not allowed.

Potential Land Use Code Changes

Within the past three years, Pitkin County started community conversations about Land Use Code amendments that would reduce maximum allowable house size, GMQS exemptions, and TDR rights. These conversations were in response to purported increases in energy use and general community opposition to the perceived impacts of large homes. The following is being considered:

- Reduction of the current TDR value of 2,500 sq. ft. to a lesser amount. 1,000 sq. ft. and 500 sq. ft. have been discussed.
- Reduction of the current 9,250 sq. ft. maximum house size to a lesser amount estimated around 8,250 sq. ft.
- Elimination of Urban Growth Boundary floor area exemptions relating to basement and garages.
- Floor area reductions based on steep slopes.
- Reduction of the 5,750 sq. ft. Growth Management Exemption to a possible lesser amount.

Land Use Code changes could be initiated in 2026, however, no firm dates have been identified. I am monitoring possible future changes and am keeping clients abreast, as needed and upon request. **To secure rights, the County has accepted the submission of a complete land use application as protection from future zoning changes. Though not guaranteed, it is expected they will continue this policy into the future.**

Conclusion:

This report is based on a review of facts and regulations pertaining to Brush Creek Ranch Lots 1 and 2 and the Paragon Enterprises outparcel known as Lot 3. Local land use regulations are subjective and provisions and standards may vary over time or with changes in staff or elected officials. Additionally, the County's continued discussions of potential Land Use Code changes make it difficult to predict future development potential. Therefore, no warranty of facts, opinions, or interpretations contained herein is either expressed or implied by Kraemer Land Planning.

Thank you,



Mike Kraemer
Kraemer Land Planning