

DESIGN GUIDELINES
FOR
BLUE CREEK RANCH

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MASTER DESIGN GUIDELINES
FOR
BLUE CREEK RANCH

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DESIGN GUIDELINES FOR BLUE CREEK RANCH

The Design Guidelines for Blue Creek Ranch have been prepared to assist you in designing a high quality home at Blue Creek Ranch. The Guidelines contained herein apply to the development of a home and other improvements on your home site within Blue Creek Ranch. The purpose of the Guidelines is to foster a unique architectural language at Blue Creek Ranch, to promote harmonious residential design, to encourage sustainable development, and to protect and enhance property values. The recommendations and regulations contained herein also encourage a pattern of integrated landscape design and provide for the preservation of the native vegetation found at Blue Creek Ranch. The Design Guidelines are administered by the Design Review Committee (DRC), which includes experienced architectural, landscaping and development consultants. This committee is responsible for assisting you and your designer in the creation of your Blue Creek Ranch home.

The Design Guidelines apply to all construction, alteration, additions, grading, landscaping or removal of landscaping on any residential home site in Blue Creek Ranch. The preparation and application of these Guidelines is accomplished under the authority and direction of Article 4 of the Declaration of Covenants, Conditions and Restrictions for Blue Creek Ranch, filed with the Clerk & Recorder of Garfield County, herein referred to as the Declaration. If there is a discrepancy between this document and the Master Declaration, then the Master Declaration governs.

The DRC can be reached at the on-site development office at Blue Creek Ranch.

By mail: Design Review Committee
 Blue Creek Ranch
 3220 County Road 100
 Carbondale, Colorado 81623

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1. INTRODUCTION AND DESIGN THOUGHTS

1.1 INTRODUCTION

Blue Creek Ranch is a carefully planned residential community that contains small clusters of residences with large amounts of open space between them to preserve a site of remarkable natural beauty and to create a high quality neighborhood where both human and natural communities can flourish. The purpose of the Design Guidelines is to ensure that the full potential of Blue Creek Ranch is realized.

The aim of the Design Guidelines is to encourage design adapted to the climate, to encourage an aesthetic vision that is embedded in the Roaring Fork Valley and to foster harmony between buildings and their sites and among the buildings themselves. Presented in the pages that follow are standards that describe the design review process and provide direction and assistance to the owners with respect to design considerations. Variations to these Guidelines can only be made if it can be demonstrated to the DRC that the overall intent is being adhered to and the unique situation prevents the strict compliance contained herein.

1.2 ESTABLISHMENT OF AN AESTHETIC

The site of the Blue Creek Ranch community is anchored by the Roaring Fork River and its adjacent riparian areas, graced with an enormous number of trees, including the stately Ponderosas, and grounded by the historic ranching use of the property. These Guidelines are designed to maximize the enjoyment of these signature characteristics of Blue Creek Ranch for all property owners.

The introduced landscapes on each lot and the architectural statements made by each home represent a crucial element in the formation of the future character of the Blue Creek Ranch neighborhood. While there is no intention of providing a list of historically correct specific styles from which homeowners and builders must select their plans, there is an architectural language that these Guidelines strive to establish for Blue Creek Ranch.

The architectural precedents of the rural parts of the Roaring Fork Valley include a farming, ranching and mining vernacular that is both poetic and utilitarian- this provides a simple, rustic and elegant starting point for the architectural aesthetic at Blue Creek Ranch. At the same time, there are strong Victorian and Craftsman architectural traditions in the small towns of the valley and their familiar and accommodating attributes deserve consideration. Finally, there is the fact that we are living and building in the 21st century, therefore modern conveniences and building materials must be used to their best effect to create resource and energy efficient homes.

Please keep in mind that while the DRC wants to encourage contemporary interpretations of the regional vernacular, the reassuring reliability of less adventurous design is preferred over the clumsy novelty of poorly executed contemporary architecture. The Blue Creek Ranch Design Guidelines aim to encourage sensitivity to these regional styles while embodying the

architectural expression of a sustainable and sophisticated community. Generally, the use of traditional forms and massing combined with careful, and sometimes contemporary, detailing will achieve what the DRC envisions. Through sensitive application of these Guidelines, Blue Creek Ranch will become synonymous with naturally elegant living.

2. GREEN DEVELOPMENT

2.1 WATER RESOURCE STEWARDSHIP

Water is a precious resource in the entire arid West. Although Blue Creek Ranch is blessed with exceptional water rights, it is the goal at Blue Creek Ranch to use the least amount of water necessary to achieve a quality lifestyle and to preserve as much water as possible for the use and enjoyment of future generations. Following are baseline water conservation criteria for residences in Blue Creek Ranch:

- A. Specific irrigation criteria and methodologies are defined in Section 3. Landscape Guidelines.
- B. Garfield County requires the following minimum standards; applicants are encouraged to exceed this baseline.
 - 1. All showers shall be equipped with 2.5 gpm flow-restricting devices.
 - 2. All faucets, other than those for dishwashers, washing machines and bathtubs must be equipped with flow-restricting devices of 2.5 gpm on all aerators.
 - 3. All water closets are to be of a type designed to use no more than 1.6 gallons per flush.

2.2 ENERGY CONSERVATION AND SOLAR CONSIDERATIONS

This region of the Rockies receives a very high percentage of "sun days". Sensitivity to the solar characteristics of the site will enhance the living experience of the residents as well as minimize the pressure on non-renewable resources. Consideration of a few basic factors during the design process will create definitive results:

- A. Orient the residence such that patios, courtyards and windows receive maximum sun during the winter.
- B. Protect glass areas from unnecessary solar penetration during the summer.
- C. Include thermal mass and high resistance insulation in the building.
- D. Provide thermal pane glazing on windows.
- E. Consider the seasonal and daily characteristics of breezes in the Roaring Fork Valley.

3. SITE AND LANDSCAPE DESIGN GUIDELINES

These site design guidelines have been prepared to assist the lot owners in developing residential landscapes that maximize the qualities of their Blue Creek Ranch building site and help preserve and enhance the overall character of the community for the enjoyment of all residents and guests.

Blue Creek Ranch owes much of its uniqueness to the heavily wooded nature of its building lots and common areas and the protection of the existing vegetation is an important goal of the DRC and these Guidelines. Many important stands of natural vegetation are located on private lots and their preservation will be monitored carefully by the DRC. While the preservation of existing vegetation is extremely important, the DRC also recognizes that carefully planned introduced plantings will serve to soften the buildings, instill a more comfortable human scale to the site, moderate seasonal weather cycles, provide habitat for wildlife and enhance the visual appearance of the community. Therefore, the DRC has set forth numerous recommendations as well as specific landscape criteria to assure a gracious balance of intense landscape plantings, residential structures, existing vegetation and open spaces. These Guidelines are intended to promote creativity while giving the lot owner a conceptual pattern for how the home sites at Blue Creek Ranch can be landscaped to enhance the living environment and value of the entire community.

3.1 BUILDING ENVELOPES

- A. Building envelopes have been established for each lot within Blue Creek Ranch. The envelopes are dictated primarily by the building setback requirements of the Blue Creek Ranch PUD Zone Regulations although some envelopes are influenced by other factors, such as wetlands and floodplain conditions. All building envelopes are graphically shown on the final plat for Blue Creek Ranch, which provide for the specific survey location of the building envelopes. Prior to the preliminary review of proposed plans by the DRC, the lot owner shall be responsible for the staking of the lot, building envelope, and footprint of all proposed structures by a land surveyor licensed to practice in the State of Colorado.
- B. All structures shall be completely inside the approved building envelope. Landscape plantings, recreational surfaces, driveways, and landscape walls are allowed outside of the building envelope.
- C. It is unlikely that a building envelope may be modified. In the event such modification were attempted it would require the approval by Garfield County as well as the Blue Creek Ranch DRC. The building envelopes are bound by Garfield County Zoning Regulations and Garfield County Subdivision Regulations and would require a public hearing process to amend the configuration of a platted building envelope. All costs of any such modification shall be the responsibility of the lot owner. Any plat amendment, including a building envelope modification, shall be reviewed and approved by the DRC prior to submittal to Garfield County.

- D. Combining of two or more lots may be accomplished through a plat amendment processed under the jurisdiction of Garfield County. Any plat amendment, including a building envelope modification, shall be reviewed and approved by the DRC prior to submittal to Garfield County. If a property owner elects to combine two or more lots, the newly created lot cannot be resubdivided later.

3.2 DRIVEWAYS

A. Design

1. Driveway alignments shall be sensitive to terrain and vegetation features.
2. Garage entrances should not face the adjacent roadway. Straight driveway alignments from the street to the garage entry are strongly discouraged, although the DRC recognizes that straight alignments will be required for some lots.
3. Driveways shall be a maximum of 16 feet in width at the property line, including radiused corners at the intersection with the street.
4. Driveways within the property shall be a maximum of 12 feet in width except as approved for parking, turn out and turn around areas.

B. Construction

1. To assist in the control of storm runoff, driveway surfaces are encouraged to be constructed of porous type paving materials. Although earth-toned concrete is allowed, porous type paving systems are preferred. Approved materials include:
 - a. Interlocking concrete pavers (in earth-toned colors).
 - b. Brick pavers.
 - c. Granite or other natural stone cobbles.
 - d. Gravel in approved types and colors with adequate weed barrier underlayment and edging.
 - e. Grasscrete style concrete (unitized or monolithic).
 - f. Concrete and patterned concrete (in earth-toned colors).
2. Drainage from driveways shall be directed across landscaped areas to appropriate drainage easements or roadside drainage swales. This provides greater opportunity for runoff water to be absorbed into the soil and to benefit from the cleansing properties of vegetation. Discharge of driveway runoff onto public roadway surfaces shall be avoided.
3. Culverts are required where driveways cross drainage swales. At a minimum, these culverts shall be galvanized metal cut to match existing grade. Stacked rock and plantings at the sides of each end of the culvert are strongly encouraged.
4. The cost of all driveway construction, including any required drainage structures, shall be the sole responsibility of the lot owner.

3.3 PARKING REQUIREMENTS

A. Minimum Required Parking:

1. Every dwelling unit within Blue Creek Ranch is required to provide four (4) parking spaces on the same lot as the dwelling unit served, except Lots 40-48, which are required to have three (3) parking spaces.
2. Enclosed parking spaces required by Section 4.11 of these Design Guidelines shall be counted towards satisfying the minimum on lot parking requirements of this section.
3. The minimum parking space size shall be 9 feet by 18 feet.

B. Recreational Vehicles:

1. No boats, trailers, recreational vehicles, construction vehicles or equipment, as described in Section 3.29 of the Master Declaration, shall be stored on a lot unless completely contained within an enclosed structure or completely screened from view as approved by the DRC.

3.4 DRAINAGE AND GRADING

A. General Guidelines:

1. No design, construction or post construction activity shall be allowed to alter or interfere with or direct the natural course of any drainage and runoff, nor construct any improvement, place any landscaping (other than grasses or other low ground cover), or allow the existence of any condition whatsoever which shall alter the drainage pattern or runoff from its natural flow on or across the lot of another. This includes all irrigation ditches existing or being constructed by the Declarant within Blue Creek Ranch.
2. A lot owner's designer shall become familiar with the platted irrigation, utility, or other easements that influence the lot. Within these easements no grading, structure, planting, or other improvement shall be permitted which may damage or interfere with the installation and maintenance of utilities or drainage, or which may change the direction of flow or obstruct the flow of water in and through drainage channels or irrigation ditches in the easement. Any planting or improvement within an easement is the sole responsibility of the lot owner and is at risk of being damaged or destroyed by construction and maintenance that may occur from time to time within that easement.
3. Whenever possible, runoff from roofs, patios, courtyards, parking areas and driveways shall be reintroduced into the soil within the boundaries of the lot. All efforts to introduce water into the sub-soil should be reviewed by a licensed soils engineer.

B. Grading:

1. Undulating, soft and natural earth forms are allowed to create privacy, screening and visual interest on the site. Sharp, dike-like berms will not be allowed.
2. Landscape retaining walls are encouraged where excessive cut or fills are required. Retaining walls shall not be higher than four (4) feet without a minimum 48" step back in the wall. Materials for retaining walls shall be stone.

C. Drainage Away from Blue Creek

1. Wherever possible, including the regrading of the natural contours of a building site, runoff from maintained landscape areas shall be directed away from Blue Creek, irrigation ditches and wetlands.
2. This criteria is desired for the purpose of directing runoff water which may carry diluted fertilizers, pesticides and herbicides into Blue Creek Ranch's internal drainage swale which will help to "clean up" surface runoff before it enters the natural stream flows of the Roaring Fork River and wetlands.

3.5 FENCES AND PRIVACY WALLS

- A. Fences, walls and barrier devices may be used for privacy and screening purposes but must be integrated with the total residential design. Generally, fencing and privacy walls should be related to the containment only of those areas of a lot that are classified as High Intensity Planting as defined in Section 3.15 of these Design Guidelines. All fences, walls and barriers must also meet guidelines promulgated by the Colorado Department of Wildlife. All fences, walls and barrier devices shall require DRC approval prior to construction. See Section 3.30 of the Master Declaration.
- B. Privacy fencing, if any is approved by the DRC, will only be allowed within building envelopes.
- C. Dogs are required to be fenced.

3.6 UTILITY EQUIPMENT

- A. Each lots' site utilities shall be installed underground. They shall be routed to minimize damage to existing vegetation and grading. Wires, poles, aerials, antennae, and other facilities (except in section 3.6.C below) for the transmission or reception of audio or visual signals or electricity and utility meters or other utility facilities will not be allowed.
- B. To the greatest extent possible, utility meters shall be hidden or screened.

- C. Satellite dishes of 18 inches or less in diameter shall be mounted on a structure and discretely located to minimize their visual impact. Location shall be approved by DRC.
- D. Heating, air conditioning, air movement, refrigeration equipment or solar devices located on the ground or on the residence shall be screened from view consistent with residential design.
- E. All above-described screening must be approved prior to the installation of the referenced equipment and/or devices or the installation of the screening.

3.7 SEPTIC TANKS

- A. Septic tank sizing must conform to Garfield County standards. Size and location must be indicated on all site plans.
- B. Septic tank lids must be in an accessible location that is not susceptible to damage during typical septic tank pumping and maintenance.

3.8 SWIMMING POOLS, TENNIS COURTS AND RECREATIONAL SURFACES

- A. Pools are strongly discouraged due to a high water table. If deemed necessary by lot owner, then applicant shall furnish testing and design by a Colorado licensed soils engineer. All pool equipment shall be screened from view and located to minimize any noise pollution to adjacent residences.
- B. Above-ground pools are expressly prohibited.
- C. Basketball courts and backboards will be considered if the applicant can demonstrate that said basketball hoop and backboard is screened from neighbors' views and the basketball hoop and backboard and paved recreation surface shall be screened from the adjacent roadway. The paved surface must include an internal drainage system within the pavement to reintroduce storm water runoff into the soil beneath the paved area.

3.9 SIGNS AND ADDRESS IDENTIFICATION

- A. All signs shall be of design and materials approved by the DRC.
- B. Allowed Signs:
 - 1. Driveway entry signs to a maximum of two (2) square feet, including mailboxes.
 - 2. A maximum of two (2) signs shall be allowed during construction for general contractor, architect and landscape architect, with a maximum size of four (4) sq. ft. each.

3. Directional and safety signs installed by the Declarant or the Homeowner's Association.
4. One temporary real estate sign per lot shall be allowed, with a maximum size of four (4) sq. ft.

3.10 EXTERIOR LIGHTING

The intent of Blue Creek Ranch is to allow for the minimum lighting necessary to provide for the safety, security and enjoyment of outdoor living, while not interfering with the natural darkness of the mountain sky nor disrupt the enjoyment of surrounding building sites.

The following guidelines address the common types and locations of lights and sets limits on numbers of fixtures, wattage of lamps, etc. A lighting design that is not in strict compliance with these Guidelines shall not be approved as a part of the normal review process; however, in an effort to encourage creative solutions to exterior lighting tasks, the DRC will assess each proposed design on a case-by-case basis. If requested in writing, the DRC will review mock-ups of the proposed lighting on site, prior to permanent installation.

The DRC accepts no liability for any costs or hardships associated with the mock-up presentation for alternative lighting solutions that are found to be unacceptable by the DRC. All such findings shall be at the sole and final discretion of the DRC.

A. Types of Lighting

1. **Safety Lighting:** Lighting of vehicular and pedestrian circulation areas that are used only when receiving guests or circulating outdoors. Motion-detector lighting is encouraged for this use.
2. **Security Lighting:** Bright illumination lighting intended for use during emergency situations only. It must be circuited and controlled separately from other lighting.
3. **Visual Enjoyment Lighting:** Illumination of exterior living areas such as patios and entry areas is allowed in limited amounts and may be used only during waking hours. Downward directed lighting is required for this use.

There is an overlap of function between visual enjoyment lighting and safety lighting, but due to the differences in the frequency and duration of use and the objective of minimizing unnecessary lighting, these two different lighting functions must be circuited and controlled separately.

B. Design Standards

1. **Wattage:** The maximum wattage of any exterior light fixture shall be a total of 75 watts.
2. **Mounting:** Unless otherwise approved by the DRC, exterior lights shall be mounted as follows:
 - a. In the ground or on a post not exceeding 18" above ground.
 - b. In or upon a wall not exceeding 66" above ground.

- c. Attached to vegetation, if affixed in a manner that will not allow fixtures to sway and mounted at a height not exceeding 66" above the ground.
 - 3. Shielding: Light sources (lamps or bulbs) of all exterior lighting must be completely shielded from view from any normal standing, sitting or driving view angles from any neighboring property, roadway or Common Area. No light shall spill onto a neighboring lot.
 - 4. Uplighting is prohibited.
 - a. Uplights mounted below a roofed patio area and fully shielded may be allowed. Such fixtures that cause light spill into the sky will not be approved.
 - 5. Downlights:
 - a. Light must be shielded to prevent all light above 45 degrees. No visible light source will be allowed.
- C. The DRC reserves the right to reject any exterior light if, in its sole discretion, it appears excessive, inappropriate, or not in conformance with the lighting philosophy of Blue Creek Ranch.

3.11 GENERAL LANDSCAPE DESIGN CONSIDERATIONS

It is the intent of the DRC to establish a pattern of landscape design that is most cultivated near the roads and homes but then transitions seamlessly back to the native landscaping towards common areas and at the backs of lots. All of the landscaping shall use a palette of native or hardy plantings as outlined in the Appendices.

- A. Blue Creek Ranch contains two distinct types of landscape—the pasture areas and the riparian areas. Each of these need to be addressed in different ways in order to enhance and complement their inherent qualities. Generally, the pasture lots, 1-14 and 40-48, are only restricted to high intensity and transitional planting zones. However, lots 9-14 are required to maintain the slope down to the ditch and pond at the south side of the lot in the native area planting. Riparian zone lots 15-36 are required to leave a minimum of 50% of their lot in a native state. The required street trees in the riparian zone must be either Ponderosa Pine or Narrowleaf Cottonwood.
- B. In order to enhance the neighborhood and create a beautiful streetscape, each lot is required to plant a minimum of two (2) trees between the street side of the building envelope and the edge of the easement containing the road and utilities. Corner lots may be required by the DRC to plant two (2) trees on each street frontage.
- C. Recommended plant lists are included in the Appendix to assist the owner's designer. It is required that a landscape architect or designer familiar with the local growing conditions and appropriate plant palette be utilized to develop the landscape plan for each lot at Blue Creek Ranch. The recommended plant lists are intentionally limited to create harmony throughout the Community Area.

- D. The DRC assumes no responsibility in the survival of plants approved in any landscape plan and it is the sole responsibility of the lot owner to maintain all plant material in a manner characteristic to the plant species and to promptly replace all plants that die or fail to achieve a healthy and characteristic form. Microclimate conditions created on each site by the proposed structures, earth forms and landscape plantings play heavily in the selection of appropriate plant materials.
- E. Planting designs for each lot shall endeavor to be sympathetic to and integrated with the plantings of adjacent lots and Common Areas so as to minimize the visual presence of property lines.

3.12 PRE-CONSTRUCTION LOT MAINTENANCE

Each lot owner shall be responsible to maintain any unoccupied lot in such a manner as to minimize fire hazard, control wind and water erosion and to minimize the presence of noxious weeds and dust. The DRC shall have the authority to enter the property and conduct such seeding or maintenance measures as may be required to bring the lot into compliance with these terms. The lot owner shall be assessed the cost of performing these tasks.

3.13 PRESERVATION OF EXISTING VEGETATION

- A. Wetlands: All areas designated as wetlands on any Blue Creek Ranch final plats shall be preserved in their present natural character and condition.
 - 1. No removal of trees and shrubs shall be allowed within the areas designated as wetlands.
 - 2. No filling or excavation of any kind shall be allowed in areas designated as wetlands.
 - 3. No activity within the wetlands that will modify or in any way change the character of the wetlands shall be allowed.
- B. **No naturally existing tree or shrub shall be removed from a lot without the approval of the DRC.** Removal of some existing trees will be allowed by the DRC but only after being presented with adequate evidence that there is no reasonably desirable alternative design of the site or the residence that would better preserve the existing plants. When it is determined that a naturally existing tree or shrub should be removed, it is strongly encouraged that the naturally occurring tree or shrub be moved to another location within the lot whenever possible. If transplanting is not possible then some mitigation, at the sole discretion of the DRC, will be required based on the impact to the neighborhood of the lost vegetation.

- C. In the event that a lot owner, contractor or other representative damages or destroys an existing tree or shrub without DRC approval, they will be assessed a penalty based on the maximum allowable value based on the Rocky Mountain Regional Standard of Tree Values published by the International Society of Arboriculture. This penalty will be used to mitigate the lost tree or shrub at a site of the DRC's choosing, but not necessarily on the violator's lot.
- D. When working around trees that are not approved for removal one or several mitigation measures may be required by the DRC. These measures may be required above and beyond the building envelope fencing required in Section 6.6.
 - 1. Construction fencing of trees at their drip line.
 - 2. If, in the DRC's judgment, access is required within the drip line of existing trees, then a double layer of ¾" sheathing covering the ground may be required to minimize root damage by machines, materials, and workmen.
 - 3. Root fertilization and spraying of a tree's canopy to put the tree to "sleep."
 - 4. Any other measure that the DRC may deem necessary.
- E. An additional builder's deposit of \$10,000, above the standard deposit required in Section 6.1 of the Guidelines, may be required of builders working in situations that the DRC regards as particularly sensitive regarding the preservation of existing vegetation.

3.14 IRRIGATION

- A. **Irrigation Systems Required:** All lots shall be required to install an underground, automatic timer controlled irrigation system as approved by the DRC. The irrigation system shall be installed within 180 days from the issuance of the certificate of occupancy. Any landscaping bond, if applicable, shall include the cost of the required irrigation system.
- B. **Restricted Use of Irrigation Water:** In acknowledgement of the limited supplies of water in the arid West and wise water stewardship, irrigation shall be limited to a schedule to be established by the HOA for each irrigation zone.
- C. **Temporary Irrigation:** Landscape areas planted with native or drought resistant plants outside the above restricted areas will be allowed an establishment period of up to two years for grasses and wildflowers and up to four years for trees and shrubs during which time these areas may be irrigated by sprinkler or drip systems or hand watering for the purpose of assisting in the initial establishment of these plantings.
- D. **Types of Irrigation Systems:**
 - 1. Intensely planted areas of lawn and flower and shrub beds will require sprinkler-type systems.

2. Drip type systems are recommended for watering of trees and shrubs outside of the intensely landscaped areas. The drip system will deliver water directly to the root zone to maximize the efficient utilization of water.
- E. All irrigation systems, temporary or permanent, must be included on the landscape plan and reviewed and approved by the DRC prior to installation.

3.15 TYPICAL PLANTING TREATMENTS

A. High Intensity Plantings

1. High Intensity Plantings shall be limited to 2,500 sq. ft. Kentucky Bluegrass or other water intensive lawn shall be limited to 1,500 sq. ft. Low grow seed mix or other drought tolerant grasses are allowed in larger areas with less irrigation.
2. High Intensity Planting includes manicured lawns and other irrigated ground covers, flowerbeds, intense shrub beds and deciduous and evergreen trees. This area would be irrigated with permanent underground sprinkler systems and would represent the highest irrigation water consumption on a Blue Creek Ranch lot. These plantings should be utilized in areas where they will have the greatest visual and environmental impact upon the residents of a lot. High Intensity Plantings would be appropriate in close proximity to the residence and other high use areas of the site such as patios and/or porches.
3. Due to the limited palette of adaptable herbaceous plants, the DRC strongly encourages the use of annual and perennial flowers to add color and beauty to the landscape.
4. See Appendix A for a list of suggested plants and ground covers appropriate for use in the High Intensity Planting areas.

B. Transitional Plantings:

1. The purpose of the Transitional Planting Areas is to reduce the consumption of irrigation water while maintaining a strong impact of landscape plantings. These grasses may be mown and maintained in a semi-manicured character although they will generally turn brown and dormant during the hotter and drier portions of the summer season. Grasses and ground covers in the Transitional Planting Areas will not be allowed irrigation water following an initial establishment period.

Trees and shrubs are the most important element of the Transitional Planting Area because of the ability to create significant landscape impact with only moderate consumption of irrigation water. All tree and shrub plantings in this area shall be irrigated by "drip" type irrigation systems. All irrigation lines will be installed underground. Individual plant emitters may be located at the surface.

2. See Appendix B for a list of suggested plants and ground covers appropriate for use in the Transitional Planting Areas.

C. Natural Plantings:

1. Areas of Natural Plantings, whether existing or introduced, are those areas that will receive no irrigation water following the initial establishment period. With the guidance of the DRC, Natural Planting Areas introduced on a lot will blend into other Natural Areas on neighboring lots and Common Areas to create a cohesive pattern of vegetation without the reinforcement of property boundaries.

Some lots will have areas of existing vegetation that will be classified as Natural Planting Areas. In some cases, these existing areas may require some remedial planting efforts to restore a healthy and diverse stand of native plants. Representatives of the DRC may provide some guidance in the restoration of existing areas of native vegetation. Most introduced natural areas will be characterized by native grasses, wildflowers, a few native brush species, and Cottonwoods and Ponderosas.

2. Appendix C contains lists of plant materials suitable for use in the Natural Planting Areas.

3.16 INSTALLATION AND MAINTENANCE

A. Performance:

1. Each lot shall be fully landscaped in compliance with plans approved by the DRC within the first growing season following the issuance of the certificate of occupancy. Generally, if the certificate of occupancy is issued before September 1, then the lot shall be landscaped in the current growing season, otherwise it shall be the following season.
2. The DRC may approve extensions of this performance period due to weather conditions that are not conducive to the survival of the plantings.

B. Maintenance:

1. The lot owner shall diligently maintain the landscape plantings in a manner that is consistent with the normal character of the plants. This shall include cooperation with the Association to minimize fire hazard through appropriate mowing and irrigation schedules and removal of dead branches and brush.

C. Maintenance Practices Restricted:

1. Fertilization:
 - a. Only natural, organic-based fertilizers shall be used on home lawns and gardens. A list of suggested fertilizers will be available at the offices of the DRC.
 - b. A maximum of three applications of fertilizers are allowed annually.
2. Pesticides and Herbicides:
 - a. A list of allowed products or chemical formulas will be available in the offices of the DRC. Guidelines for the warranting of use and application methods will also be available.
 - b. These shall be applied no more than twice annually and only when justified by the actual existence of or a professionally verified future threat to the health of the plants on a lot.
 - c. All chemicals shall be prohibited from areas within 20 feet of the normal high water line of the river or other water body on the lot or Common Areas. The DRC may require more stringent limitations on some lots depending on a lots drainage patterns and vegetational conditions.

D. Wetlands Protection:

No criteria established above in any way alters the restrictions of Section 3.13 of these Design Guidelines. Existing wetlands shall be preserved without interference from any landscape maintenance activities except for fire hazard elimination activities that the DRC may specifically require in wetland areas during unusually dry weather conditions.

E. Association Authority to Remedy:

1. The Association has the authority to, upon the recommendation of the DRC, enter upon a lot and undertake such maintenance measures as may be required for the landscaping to meet the minimum quality of appearance, health and fire safety that is consistent with the character of Blue Creek Ranch.
2. The Association may then levy a Reimbursement Assessment against such lot owner for all costs and expenses incurred by the Association in completing such landscape maintenance work, including any costs and expenses of collection and attorney's fees.

4. ARCHITECTURAL DESIGN GUIDELINES

The Rocky Mountains are historically known for rustic architecture characterized by simple forms, indigenous materials and heavily textured finishes. In particular, the architecture at Blue Creek Ranch should be a unique blend of form and massing drawn from ranching and mining buildings, combined with gracious, human scaled spaces and inspired integration of modern amenities and materials. The DRC envisions an architectural language at Blue Creek Ranch that clearly acknowledges regional precedents, responds to the local climate, respects the particular lot and uses materials in an expressive and appropriate manner.

The following recommendations and design criteria are presented to assist the owners and their designers in implementing the rustic sophistication that will generate Blue Creek Ranch's unique "sense of place".

4.1 BUILDING HEIGHT

- A. Maximum Height: The maximum building height at Blue Creek Ranch shall be 25 feet.
- B. Method of Measurement: (Defined by Garfield County Zoning Regulations). The distance, measured vertically, from the undisturbed or natural ground surface at the mid-point between the front and rear wall of a building to the top of a flat roof or mansard roof or to the mid-point between the eave line and the peak of a gable, hip, shed or similar pitched roof.

4.2 SCALE AND MASSING

The homes at Blue Creek should exhibit the straightforward massing seen in rural architecture. In order to achieve this, larger houses may need to be broken down into a series of smaller, discreet elements.

- A. Maximum Square Footage

For Lots 2-14 and 40-48, 3,200 maximum square footage without a variance. For Lots 15-39, 4,000 maximum square footage without a variance.

These totals do not include garage, patio or porch square footage.

- B. Base, Wall, Roof

There should be a clear expression of base, wall and roof in each mass. Each element should have its own clear function, careful detailing and material expression.

C. Vertical Proportion

Particularly for homes in the riparian areas amongst the trees, the buildings' main elevations should express a distinctly vertical proportion. This will help lessen a building's footprint on the site and establish an appropriate relationship with the surrounding forest.

D. Porches and Entries

Porches and other outdoor living spaces are strongly encouraged. Porches are particularly appropriate on the street elevation. Double height or "grand" entries will not be permitted. Entries should be visible from the street and framed or protected by architectural elements that give it an intimate scale such as porches and covered patios.

4.3 BASE – FOUNDATIONS

Foundations shall clearly express their heaviness in order to ground the structure. This can be achieved through materials—stone, stucco, etc. Grounding can also be achieved through form—battered or stepped walls for instance, or detailing such as a water table trim or a wainscote treatment.

A. Exposed Concrete

1. No more than 12" of exposed concrete will be allowed.

B. Engineered Foundations

1. All improvements shall require the submittal of an engineering report addressing soils and geology conditions, foundation design and drainage prepared by a registered professional engineer.
2. All lot development, including improvement construction, shall be conducted in accordance with the engineer's stipulations.

4.4 WALL - EXTERIOR BUILDING MATERIALS

In order to achieve a rustic and crafted architectural expression, the exterior finishes at Blue Creek Ranch should be used to express a strong sense of their materiality. The individual pieces and, when appropriate, their manner of assembly should be evident in their use.

A. Exterior Walls:

1. Natural stone (stone native to this region is encouraged) as a base or entire walls and for chimneys, columns, retaining walls and fences. All masonry shall be built to grade.

2. Stucco shall be hard coat only (no latex or synthetic stucco is allowed). All stucco shall be built to grade unless there is a masonry base.
3. Wood siding, wood shingles and heavy timber (including logs).
4. Metal sheets or shingles.
5. A limited amount of stained cement board may be allowed.
6. No more than two types of masonry are recommended on the exterior of structures.
7. A maximum of four types of materials will be permitted on exterior walls exclusive of windows and doors.

B. Doors and Windows:

Windows shall have a vertical proportion, generally 1:1.6 or greater.

1. Double pane windows with a low-e coating to reduce heat loss shall be a minimum requirement.
2. Glazing shall be insulating units of clear, obscure or bronze tinted glass. Stained or etched glass may be placed inside or outside of primary glazing.
3. Windows greater than 24" in either direction shall have divided light sashes. The muntins shall be exterior to the glass.
4. Frames, sash, muntin bars and trim shall be wood with natural, semi-transparent or painted finish or with colorfast cladding.
5. Trim shall be required around all doors and windows, unless the DRC accepts untrimmed windows as an integral part of a design aesthetic. It should have a sufficient thickness to stand proud of the surrounding materials by a minimum of 3/4".
6. Front doors shall have a minimum of 15% glazing.

4.5 ROOF - CONFIGURATION AND CONSTRUCTION

The roof defines a homes' sense of shelter. Roofs should have a strong structural presence, ample overhangs to protect from sun and snow and a shape that naturally shelters entries, garage doors, porches and patios. Roofs should be simple and structurally understandable without too much clutter from unnecessary hips and valleys or overly fussy dormer layouts.

A. Roof Pitch

1. All roofs should be sloped with a pitch between 6/12 and 12/12 for primary roof elements. Secondary roof elements including entries, porches, breezeways and dormers, may be a minimum pitch of 3/12.
2. Only gable and hipped configurations are permitted for primary roof elements. Attached shed configurations may be permitted for secondary roof elements.

B. Roof Overhangs

All roofs should have a minimum 12" overhang on all sides.

C. Roof Materials:

1. Cedar shingle or cedar shake
2. Concrete tiles
3. Slate
4. Non-reflective metal (subject to review and approval of DRC)
5. Fiberglass/asphalt shingles in limited "thick" styles with a minimum 40-year warranty and a minimum weight of 340 pounds per 100 square feet and minimum thickness of 3/8". This type roofing material requires specific approval of the DRC.)
6. Earth tone and natural colors are encouraged for roofing. All colors are subject to DRC review.

D. Roof Glazing

Clerestories, monitors and skylights may be permitted, provided they are compatible with the overall design of the structure. Darkly tinted glazing must be used on all skylights to reduce light spill from interior spaces.

E. Roof Penetrations

1. Vents and mechanical equipment shall be screened from view and centralized as much as possible and grouped with other roof elements or masses.
2. Roof saddles and downdraft preventors are required for all chimneys.

F. Construction Standards

1. Well-insulated roofs are encouraged as a matter of energy conservation and maintenance control. Roof construction shall be either a "cold roof" or "super insulated" design. All roofing shall be "Class C" fire retardant materials or better.
2. Roof designs that inherently divert snow and runoff away from entries, garage doors and other areas of activity are encouraged. When snow diverters and/or retainers are required, such devices shall be integrated into the design of the roof as much as possible.

4.6 COLOR PALETTE

- A. Exterior wall and roof colors shall harmonize with the site and surrounding structures. The predominant tones should tend toward muted, earthy hues. Bold or dramatic earthy colors may be used provided they are used sparingly.

- B. The natural colors and qualities of materials are considered the most desirable by the DRC, however natural, translucent and opaque stains and sealers are allowed and paint in limited amounts will be permitted. Generally, paint is more appropriate for homes in the pasture area and less desirable in the riparian area.
- C. All colors must be submitted to the DRC on the materials on which they will be used for approval by the DRC.

4.7 SOLAR APPLICATIONS

The use of passive and active solar design elements and orientation of the residence to maximize winter solar heat gain will reduce winter energy demands and is strongly encouraged. Any equipment or mechanical elements shall be discretely and tastefully integrated into the architectural and landscape design of the site to minimize visual impacts on neighbors.

4.8 FIREPLACES AND SOLID FUEL STOVES

In order to protect against the degradation that occurs in air quality as a result of the utilization of wood-burning devices, the following restrictions are imposed within Blue Creek Ranch.

- A. No open-hearth solid fuel fireplaces will be allowed anywhere within any new dwelling units located within Blue Creek Ranch.
- B. All dwelling units within Blue Creek Ranch will be allowed one (1) new wood-burning stove as defined by the laws of the State of Colorado (C.R.S. 25-7-401 et seq., and the regulations promulgated thereunder.)
- C. All dwellings will be allowed an unrestricted number of natural gas burning fireplaces or appliances.

4.9 PATIOS AND COURTYARDS

Maximum enjoyment of the Roaring Fork Valley climate can best be captured by well-designed outdoor spaces. Patios and courtyards should be integrated into the design of the residence with special care for proper orientation to the sun, summer breezes and the creation of desirable summer and winter microclimates. Internal drainage systems should also be incorporated into any paved patios and courtyards to reintroduce storm water runoff into the soils within the paved surface.

4.10 GARAGES

Three-car garages are discouraged. Use of the storage barns is encouraged to replace the need for a third bay.

1. Each lot shall provide enclosed vehicular parking spaces. The minimum size of each space shall be 9 feet by 18 feet.
2. Only single car garage doors will be allowed. No door wider than 10 feet.
3. Garages shall be oriented such that entry doorways are not seen from adjacent roadways wherever possible. If garage doors must face the adjacent roadway, then they shall be a minimum of 18' behind the front face of the home.
4. Garages should be detached or appear detached from the residence in order to reduce the massing of the main building. However, they shall be aesthetically consistent and integrated with the residence through architectural elements such as open or enclosed walkways, trellises, walls or fences.
5. Garage doors must be a natural material--stained wood, rusted metal, etc.--painted sheet metal doors will not be accepted.

4.11 STORAGE

Firewood, garbage, refuse, pet foods and other materials shall be stored safely and in totally enclosed structures so as not to be unattractive to neighbors or attractive to rodents and other animals. The DRC encourages that these storage areas be integrated into the residential structure.

4.12 RADON GAS AND CARBON MONOXIDE

Although no studies have been conducted on the site regarding radon gas, the DRC recommends that each individual lot within Blue Creek Ranch be tested by a competent professional for the presence of radon gas. If a radon gas ventilation system is determined to be desirable, the designer of the residence should be notified to include it in the structure's design. Carbon monoxide detectors are also encouraged.

5. DESIGN REVIEW PROCESS

The members of the Design Review Committee are the heart of the Blue Creek Ranch design review process. The Guidelines lay out the rules of the process and the intent of the aesthetic. But the good judgment of the DRC members shall be the final word on all design matters.

The design review process is also governed by Article 4 of the Master Declaration. If there is a discrepancy between this document and the Master Declaration, then the Master Declaration governs. The developer and the Design Review Committee reserve the right to change the Design Guidelines at any time for any reason. Each owner will be notified by mail if the Guidelines are revised. However, it is the responsibility of each owner to insure they are using the most current Guidelines at the time they begin design.

5.1 DESIGN REVIEW PROCESS

Improvements to the property requiring approval of DRC shall be submitted to the DRC in accordance with the following procedures.

The DRC shall conduct reviews of plans during regular meetings or at such other times as deemed appropriate. The DRC shall respond in writing within ten (10) working days after the review, but not more than thirty (30) days after the submittal is complete. Results of reviews will not be discussed over the telephone with applicants, owners or their consultants. Any response the owner or applicant may wish to make in response to a decision of the Committee must be made to the DRC in writing.

5.2 REVIEW FEES

A review fee of \$1000.00 will be required at the time of application to the DRC. This fee may change from time to time at the discretion of the DRC. The fee is expressly for the purpose of covering administrative costs of the DRC and for paying the professionals hired by the DRC to review all applications. A submittal to the DRC is not complete until the then current Review Fee has been submitted to the DRC.

5.3 SUBMISSION OF PLANS

- A. Submission of Plans: Prior to submission of building plans to the County for a building permit when applicable and prior to commencement of work to accomplish any proposed Improvements to Property, the Person proposing to make such Improvement to Property ("Applicant") shall submit to the DRC at its offices such descriptions, surveys, plot plans, drainage plans, elevation drawings, construction plans, specifications, and samples of materials and colors as the DRC shall reasonably request showing the nature, kind, shape, height, width, color, materials and location of the proposed Improvement to Property.
- B. Receipt: The Applicant shall be entitled to receive a receipt for the same from the DRC or its authorized agent.

- C. Authority to Require Additional Information: The DRC may require submission of additional plans, specifications, or other information prior to approving or disapproving the proposed Improvement to Property.
- D. Complete Submission: Until receipt by the DRC of all required materials in connection with the proposed Improvement to Property, the DRC may postpone review of any materials submitted for approval.

5.4 CRITERIA FOR APPROVAL

- A. Criteria for Approval: The DRC shall approve or disapprove any proposed Improvement to Property, at its sole discretion, for any reason that it deems reasonable including pure aesthetic value.
- B. Conditional Approval: The DRC may condition its approval of any proposed Improvement to Property upon the making of such changes therein as the DRC may deem appropriate.

5.5 OUTLINE OF REVIEW PROCEDURE

- A. Pre-Design Meeting
- B. Preliminary Submittal
- C. Posting of Property
- D. Preliminary Review and Action by DRC
- E. Final Submittal
- F. Final Review and Action by the DRC
- G. Applicants Delivery of Notice of Completion

5.6 PRE-DESIGN MEETING

Prior to preparing plans for any proposed improvement, it is strongly recommended that an owner and/or his architect meet with the DRC to discuss proposed plans. The intent of this informal meeting is to offer guidance prior to preparation of preliminary plans.

5.7 PRELIMINARY SUBMITTAL

The Preliminary Plan submittal package shall consist of the following:

- A. Site Plan at an appropriate scale (not less than 1/16" = 1'-0") showing the location of buildings, building envelope, building setback dimensions, the residence and all buildings or other structures, driveway, parking areas and a grading plan and drainage plan, including existing and proposed topography and preliminary landscape plan. Preliminary landscape plan may be combined on Site Plan.
- B. Schematic floor and roof plans at no less than 1/8" = 1'.
- C. Schematic exterior elevations (all sides) with both existing and final grade lines at same scale as floor plans.
- D. Indication of materials and colors, samples preferred.
- E. Design Review Fees in the amount specified by the DRC.
- F. Any accessory improvements contemplated on the lot must be shown on the Preliminary Submittal.
- G. Any drawing, materials or samples requested by the DRC.
- H. Staking: The applicant shall provide preliminary staking with minimum 3' stakes at the corners of the residence or major improvement and at such other locations as the DRC may request. Main floor elevation should be clearly marked on each stake.
- I. Any other design tools such as a massing model or perspective sketches that may be required to fully illustrate the design to the DRC.

5.8 POSTING OF THE SITE

As soon as submission is complete, the lot owner shall be required to place a notice (sign provided by DRC) on the lot stating that drawings have been submitted for proposed improvements on the site and such drawings will be available for review by other Blue Creek Ranch property owners at the DRC office during the period stated on the notice. Written comments may be submitted by other Blue Creek Ranch property owners to the DRC regarding a posted lot within ten (10) calendar days of the date of posting the notice. The date of the last day for receipt of comments shall be noted on the posted notice.

5.9 PRELIMINARY REVIEW

Upon receipt of the comments and additional information or staking requested in writing by the DRC, the DRC will review the submittal for conformance to these Design Guidelines. In order to make the review as complete and helpful as possible, the owner and/or owner's designer will meet with the DRC at the next regular meeting. Following the meeting, the DRC will provide a written response to the Owner.

5.10 FINAL SUBMITTAL

After preliminary approval has been obtained, the following documents are to be submitted to the DRC for final review.

- A. An approximate time schedule indicating commencement and completion dates of construction, completion of landscape work and anticipated occupancy date.
- B. Final site plan showing the location of the building envelope, including setback dimensions, the residential structure, other buildings and landscape structures, driveways, parking areas, recreational surfaces, proposed grading and drainage, utility connections, and finish floor elevations including garage.
- C. Final floor and roof plans at a scale not less than $1/4" = 1'0"$.
- D. All exterior elevations at a scale of not less $1/4" = 1'0"$ with both existing and proposed grades shown.
- E. Complete landscape plan at same scale as site plan, showing areas to be irrigated, types of irrigation, proposed planting locations and other site features included on the site plan. A list of the proposed plantings showing size at installation, common name and botanical name of plant material.
- F. Cross section of structure indicating existing and proposed grades.
- G. Exterior building corners of the proposed residence or other structures and improvements shall be staked on the site for the DRC's inspection.
- H. Actual samples of all materials to be utilized in the structure and color samples of all finishes on actual pieces of the materials over which they will be applied.

5.11 FINAL REVIEW

When all requirements of the final submittal have been received, the DRC shall conduct a final review and meeting with the owner or owner's designer. Following the final meeting, the DRC will provide a written notice of the results of the review to the applicant. Following DRC approval, only upon receipt of such written approval may the lot owner take said written approval to Garfield County to apply for a building permit where applicable, or commence construction of the Improvement to Property.

5.12 FAILURE OF THE DESIGN REVIEW COMMITTEE TO ACT

Any request of a proposed Improvement to Property shall be deemed approved, unless disapproved or a request for additional information or materials is transmitted to the Applicant by the DRC within thirty (30) days after the date of receipt by the DRC of all required material.

5.13 RESUBMITTAL OF PLANS

In the event of any disapproval by the DRC of either a preliminary or a final submission, a resubmission or the plans should follow the same procedure as an original submittal. After the first resubmission, an additional Review Fee may be required with each subsequent resubmission as required by the DRC.

5.14 SUBSEQUENT CHANGES

Additional construction, landscaping, or other improvements and/or any changes either during construction or after completion of an approved structure must be submitted to the DRC for approval prior to making such changes and/or additions.

5.15 COMPLETION OF WORK AFTER APPROVAL

- A. Completion of Work After Approval: Following the approval of any proposed Improvement to Property by the DRC, the proposed Improvement shall be completed by such Owner:
 - 1. As promptly and diligently as possible but in no event in excess of the time periods set forth below.
 - 2. In substantial conformance with all plans and specifications and other materials presented to the DRC.
 - 3. In accordance with any and all conditions imposed by the DRC.
- B. Completion within 18 months from the date of approval or within such time period as the DRC may otherwise prescribe. Failure to comply with the terms and conditions of this provision shall constitute noncompliance with the terms and provisions of the Declaration and the DRC and the Association shall have the right to invoke all rights and remedies provided to the Association hereunder, including, but not limited to, the imposition of fines and penalties in accordance with the Declaration.
- C. Construction Period Exception: During the course of actual construction of any permitted structure or Improvement to Property, and provided construction is proceeding with due diligence, the DRC shall temporarily suspend the provisions contained in this Declaration as to the property upon which the construction is taking place to the extent necessary to permit such construction, provided that, during the course of any such construction, nothing is done which will result in a violation of

any of the provisions of this Declaration upon completion of construction and nothing is done which will constitute a nuisance or unreasonable interference with the use and enjoyment of other property.

5.16 INSPECTION OF WORK IN PROGRESS

The DRC or its authorized representatives may inspect all work in progress and give notice of noncompliance. Absence of such inspection and notification during the construction period does not constitute either approval of the DRC with work in progress or compliance with these Design Guidelines.

5.17 COMPLETED WORK

- A. Notice of Completion: Upon completion of the Improvement to Property, the Applicant shall give written Notice of Completion to the DRC. Until the date of receipt of such Notice of Completion, the DRC shall not be deemed to have notice of completion of such Improvement to Property.
- B. Inspection of Work: The DRC or its duly authorized representative shall have the right to inspect any Improvement to Property prior to or after completion. The right of inspection shall terminate fourteen (14) days after the DRC shall have received a Notice of Completion from Applicant, provided that no notice of non-compliance is given.
- C. Notice of Satisfactory Completion of Improvement to Property: After inspection of the Improvement to Property, the DRC will issue a Notice of Satisfactory Completion of Improvement to Property if the Improvements were completed in conformity with the plan, description, and materials furnished to and approved by the DRC, and any conditions imposed by the DRC. Upon such receipt of Notice of Satisfactory Completion of Improvement to Property, the Applicant may proceed to request a certificate of occupancy from the County.

5.18 VARIANCES TO DESIGN GUIDELINES

- A. Committee Power to Grant Variances: The DRC may authorize variances from compliance with any of the provisions of these Design Guidelines, when circumstances such as topography, natural obstructions, hardship, aesthetic or environmental consideration may require such variance. Such variances must be evidenced in writing and shall become effective when signed by at least a majority of the members of the DRC.
- B. Compliance with Other Jurisdictions: If any such variance is granted, no violation of the provisions of these Design Guidelines shall be deemed to have occurred with respect to the matter for which the variance was granted; provided, however, that the granting of a variance shall not operate to waive any of the provisions of these Design Guidelines for any purpose except as to the particular property and particular provision hereof covered by the variance, nor shall the granting of a variance affect

in any way the Owner's obligation to comply with all governmental laws and regulations affecting the property concerned, including, but not limited to, zoning ordinances and setback lines or requirements imposed by any governmental authority having jurisdiction.

6. CONSTRUCTION REGULATIONS

The following Construction Regulations are established to assure the preservation of the natural landscape, to minimize the impacts on the waterways of Blue Creek Ranch site and to avoid undue disturbance to other residents of Blue Creek Ranch. All owners and builders shall be bound by these regulations and any violation by a builder shall be deemed to be a violation by the owner of the lot.

6.1 BUILDER'S BOND

Each builder, prior to beginning any construction, shall post a cash bond in the amount of \$10,000. In the event of action by the Association or the DRC to remedy any violation of these regulations, the cost of such remedy shall be charged against the bond. Following issuance by the DRC of a Notice of Satisfactory Completion of Improvements to Property or Notice of Conditional Satisfactory Completion of Improvements to Property, any funds held by the Association in said Builder's Bond shall be released to builder within fourteen (14) days of issuance of Notice of Satisfactory Completion or Notice of Conditional Satisfactory Completion.

6.2 CERTIFICATION OF WORKMAN'S COMPENSATION COVERAGE

Prior to commencement of construction or the making of any improvements on a lot, the general contractor and all subcontractors shall provide the DRC with certification that they and all their employees are either properly registered under the State of Colorado Workman's Compensation Scheme or are the subject of a bona fide exemption. In both cases, certification may be of such standard forms as have been adopted by the State of Colorado.

6.3 PRE-CONSTRUCTION CONFERENCE

- A. Prior to commencing construction, the Builder shall meet with the DRC to review construction procedures and to coordinate the activities of the Builder in Blue Creek Ranch.
- B. After successful completion of all reviews and approvals required by Blue Creek Ranch Design Guidelines and prior to commencing construction, the Builder shall:
 - 1) provide a completed Construction Activities Information Form (available at the DRC office) to the Association;
 - 2) file the Builder's Bond with the Association;
 - 3) file a Certification of Workman's Compensation Coverage with the Association;
 - 4) complete the Pre-Construction Conference with the DRC; and
 - 5) request a Blue Creek Ranch Construction Permit Sign for posting on the site.
- C. The Blue Creek Ranch Construction Permit Sign must have been issued and posted at the site adjacent to the County Building Permit before any construction activity can take place on the site.

6.4 OCCUPATIONAL SAFETY AND HEALTH ACT COMPLIANCE (OSHA)

All applicable OSHA regulations and guidelines must be strictly observed at all times.

6.5 TEMPORARY STRUCTURES

Any Owner or Builder who desires to bring a construction trailer, field office or the like to Blue Creek Ranch shall first apply for and obtain written approval of the DRC. To obtain such approval, he/she shall submit a copy of the site plan with proposed locations of the construction trailer or field office, the portable toilet, trash receptacle or other construction related structures or equipment noted thereon. Such temporary structures shall be removed upon completion of construction.

6.6 FENCING

- A. Any natural vegetation located on the lot and not approved for removal by the DRC shall be fenced in a manner that will prevent construction equipment and other vehicles from damaging the plant material in any way.
- B. Construction sites adjacent to Blue Creek or any water bodies at Blue Creek Ranch shall have installed sediment control fencing as necessary to avoid any sediment to be eroded onto or into the water bodies. Failure to protect sediment erosion will result in the DRC to draw from the Builder's Bond for any necessary clean up and to strictly enforce this regulation.
- C. The entire building site shall be fenced with black or green construction fencing. This will reduce liability issues, contain trash and debris, limit impacts to native vegetation and generally isolate the negative impacts of construction activity. The fencing shall be erected prior to the beginning of construction, including excavation, and it shall be maintained and repaired throughout the construction process. Construction fencing extents shall be indicated on site plans; generally they shall be limited to within 10' of the building envelope or as necessary to preserve vegetation.

6.7 DEBRIS AND TRASH REMOVAL

- A. Owners and Builders shall clean up all trash and debris on the construction site daily. The trash and debris shall be removed from the construction site at least twice a month to a legally established dumping site off the Blue Creek Ranch site. Lightweight material, packaging and other items shall be covered or weighted down to prevent wind from blowing such materials off the construction site. Owners and Builders are prohibited from dumping, burying or burning trash anywhere on the lot. During the construction period, the construction site and routes to the construction site shall be kept neat and clean and policed so as not to become an undue visual distraction.

B. The DRC shall call upon the Builder's Bond to strictly enforce this regulation.

6.8 SANITARY FACILITIES

Each Owner or Builder shall be responsible for providing adequate sanitary facilities for the construction workers on the site. Portable toilets or temporary toilet facilities shall be located on the site as approved by the DRC. These temporary facilities shall be maintained regularly to prevent obnoxious odors or unsightly appearance.

6.9 VEHICLES AND PARKING AREAS

Construction crews will not park on, or otherwise use, any part of other lots. Private and construction vehicles and machinery shall be parked only in such areas designated by the DRC and in such a manner that is not damaging to existing vegetation on or adjacent to the lot. No parking is allowed on subdivision access roads.

6.10 EXCAVATION MATERIALS

Excess excavation not utilized in the site grading shall be hauled away from Blue Creek Ranch.

6.11 BLASTING

No blasting or impact digging shall be allowed without the approval of the DRC. The DRC's only responsibility is to require evidence that the proposed activities are necessary and will be under the guidance of a qualified consultant, and shall have no liability for the blasting.

6.12 RESTORATION OR REPAIR OF OTHER PROPERTY DAMAGES

Damage and scarring to any property, open space or other lot, including, but not limited to roads, driveways, drainage ditches, utilities, irrigation ditches, vegetation and/or other improvements, resulting from construction operations, will not be permitted. If any damage occurs, it must be repaired and/or restored promptly and any expenses are those of the Builder, and, in the event of default by the Builder in meeting these obligations, the lot owner who has retained the builder shall be responsible. Should the lot owner fail to make such repairs, the DRC may draw upon the Builders Bond to make such repairs.

6.13 CONSTRUCTION ACCESS

The only approved construction access during the time a residence or other improvements are being built will be over the approved driveway for the residence.

6.14 MISCELLANEOUS PRACTICES

All Owners will be absolutely responsible for the conduct and behavior of their agents, representatives, builders, contractors, and subcontractors in Blue Creek Ranch. The following practices are prohibited in Blue Creek Ranch:

- A. Changing oil on any vehicle or equipment on the site itself.
- B. Allowing concrete suppliers and contractors to clean their equipment other than at locations included in the approved site plan.
- C. Removing any rocks, plant material, topsoil, or similar items from any property of others within Blue Creek Ranch, including construction sites, except in accordance with DRC approvals.
- D. Discharging any type of firearms on the property or creating any other unduly loud or offensive noises.
- E. Using disposal methods or units other than those approved by the DRC.
- F. Careless disposition of cigarettes and other flammable material. [Note: At least one 10-pound ABD-rated dry chemical fire extinguisher shall be available in a conspicuous place on the construction site at all times.]
- G. Careless treatment or removal of any plant materials not approved for removal by the DRC.
- H. Allowing excessive dust or noise on the construction site. Radios and other audio equipment will not be allowed to play at levels that are disruptive to the neighbors.
- I. No pets, particularly dogs, may be brought into Blue Creek Ranch by construction personnel. In the event hereof, the Association, the DRC or the Developer shall have the right to contact the authorities to impound the pet, to refuse to permit the Builder or subcontractor involved to continue work on the project, or to take such other action as may be permitted by law, the Declaration of Covenants, Conditions and Restrictions, or Design Guidelines.

6.15 HOURS OF CONSTRUCTION OPERATION

Daily working hours for each construction site shall be 7:00 AM to 7:00 PM Monday through Saturday. No construction work shall be permitted on Sunday, except for work limited to the interior of residences and which shall not create a disturbance to neighbors. Additionally, such interior construction shall not occur on Sundays without the consent of the DRC. Further, no construction that involves high noise levels shall be permitted prior to 8:00 AM or after 6:00 PM. The DRC may in special circumstances provide variances to these hours so long as it can be shown the variance shall not create a disturbance to neighbors.

APPENDIX A

SUGGESTED PLANT LIST For HIGH INTENSITY PLANTING AREAS

Minimum tree plantings for pasture areas required by Section 3.11 of these Design Guidelines shall be selected from the following list of Evergreen and Deciduous trees and shall conform with the below listed Minimum Size at the time of planting.

Botanical Name	Common Name	Suggested Minimum Size
<u>EVERGREEN TREES:</u>		
Abies concolor	Concolor Fir	10'
Picea pungens	Colorado Blue Spruce	10'
Pinus aristata	Bristlecone Pine	8'
Pinus cembroides edulis	Pinon Pine	6'
Pinus contorta	Lodgepole Pine	10'
Pinus nigra	Austrian Pine	10'
Pinus Ponderosa	Ponderosa pine	10'
Pinus sylvestris	Scotch Pine	8'
Pseudotsuga menziesii	Douglas Fir	6'
<u>DECIDUOUS TREES:</u> Shade Trees		
Acer platanoides	Norway Maple	2 1/2"
(Varieties: Columnar, Deborah, Emerald Lustre, Emerald Queen, Schwedler and other locally available varieties.)		
Acer rubrum	Red Maple	2"
Acer saccharinum	Silver Maple	3"
Betula nigra	River Birch	2 1/2"
Fraxinus americana	Autumn Purple Ash	2"
Fraxinus pennsylvanica	Marshall Seedless Ash	2 1/2"
(Varieties: Patmore and Summit)		
Gleditsia triacanthos inermis	Honeylocust	2"
(Use in protected areas only, Varieties: Imperial, Skyline, Shademaster)		
Populus angustifolia	Narrowleaf Cottonwood	3"
Populus alba	Silver Poplar	3"
Populus deltoides	Siouxland Cottonwood	2"
Populus tremuloides	Aspen	2"
Tilia cordata	Littleleaf Linden	2"
(Varieties: Greenspire and Glenleven)		
Acer ginnala	Amur Maple	1 3/4"

Malus var.	Crabapples	2"
(Varieties: Dolga, Hopa, Radiant and other locally available varieties.)		
Prunus armeniaca	Moorpark Apricot	1 1/2"
Prunus cerasifera	Flowering Plum	2"
(Varieties: Newport and Thundercloud)		
Prunus maacki	Amur Chokecherry	1 1/2"
Prunus padus	Mayday Tree	1 1/2"
Prunus virginiana 'Shubert'	Shubert Chokecherry	2"
Sorbus aucuparia	European Mountain Ash	2"
(Use only in protected locations)		

EVERGREEN SHRUBS

		5 Gal.
Juniperus chinensis	Pfitzer Juniper varieties	
Juniperus sabina	Savin Juniper varieties	
Juniperus horizontalis	Horizontal Juniper varieties	
Picea glauca conica	Dwarf Alberta Spruce	
Pinus mugho	Mugo Pine	
Pinus mugho pumiio	Dwarf Mugo Pine	

DECIDUOUS SHRUBS

		5 Gal.
Acer ginnala	Amur Maple	
Amelanchier alnifolia	Saskatoon Serviceberry	
Amelanchier canadensis	Shadblow Serviceberry	
Caragana frutex	Russian Peashrub	
Cercocarpus ledifolius	Curleaf Mountain Mahogany	
Cercocarpus montanus	Mountain Mahogany	
Cornus sericea	Dogwood Varieties	
(Varieties: Red Twig, Colorado Red Osier, Kelsey's Dwarf and Yellow Twig)		
Cotoneaster acutifolia	Peking Cotoneaster	
Cotoneaster apiculata	Cranberry Cotoneaster	
Cotoneaster horizontalis	Rock Cotoneaster	
(Use in protected locations)		
Euonymus alatus compacta	Dwarf Burning Bush	
Forsythia intermedia	Lynwood Gold Forsythia	
Lonicera tatarica	Tatarian Honeysuckle varieties	
Ligustrum vulgare	Common Privet varieties	
Mahonia aquifolium	Oregon Grape Holly	
(Use in protected locations only)		

Physocarpus opulifolius (Varieties: Dwarf, Golden and Common)	Ninebark varieties
Potentilla fruticosa var.	Potentilla varieties
Prunus besseyi	Western Sandcherry
Prunus cistena	Purpleleaf Sandcherry
Prunus tomentosa	Nanking Cherry
Prunus virginiana	Green Chokecherry
Rhus var. (Containment must be considered with some varieties)	Sumac varieties
Ribes alpinum	Alpine Currant
Ribes odoratum	Yellow Flowering Currant
Rosa foetida bicolor	Austrian Copper Rose
Rosa harisonii	Harrison Yellow Rose
Rosa hugonis	Father Hugo's Rose
Rosa rugosa	Rugosa Rose
Salix purpurea 'Nana'	Artic Blue Willow
Shepherdia argentea	Silver Buffaloberry
Spiraea bumaida (Varieties: Anthony Waterer and Froebel)	Spiraea varieties
Spiraea vanhoutter	Bridalwreath Spirea
Symphoricarpos orbiculatus	Red Coralberry
Symphoricarpos ablus	Snowberry
Syringa vulgaris	Common Lilac (purple and white)
Vibenum dentatum	Arrowwood Vibenum
Vibenum lantana	Wayfaring Tree Vibenum
Vibenum lentago	Nannyberry Vibenum
Vibenum opulus 'Roseum'	Snowball Vibenum
Vibenum opulus	European Cranberry Bush
Vibenum trilobum	American Cranberry
Vibenum trilobum 'Alfredo'	Dwarf American Cranberry

GROUND COVERS:

Arcostaphylos ura-ursi	Kinnikinnick
Cerastium tomentosum	Snow-in-Summer
Cornus canadensis	Creeping Dogwood
Dianthus deltoides	Maiden Pink
Dianthus plumarius	Cottage Pink
Euonymus fortunei 'Coloratus'	Purple Wintercreeper
Fragaria sp.	Wild Strawberry
Mahonia repens	Colorado Grape Holly
Potentilla verna	Spring Cinquefoil

APPENDIX B

**SUGGESTED PLANT LIST
FOR
TRANSITIONAL PLANTING AREAS**

<u>Botanical Name</u>	<u>Common Name</u>	<u>Suggested Minimum Size</u>
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To be developed.

APPENDIX C

SUGGESTED PLANT LIST FOR NATURAL PLANTING AREAS

<u>Botanical Name</u>	<u>Common Name</u>
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EVERGREEN TREES:

Juniperous utahensis	Utah Juniper
Pinus cembroides edulis	Pinon Pine
Pinus ponderosa	Ponderosa Pine

DECIDUOUS TREES:

These trees are suggested only where natural moisture availability is high, such as adjacent to a pond or irrigation ditch or in a low area where surrounding runoff collects frequently.

Populus angustifolia	Narrowleaf Cottonwood
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SHRUBS:

Artemesia tridentata	Big Sage
Cercocarpus ledifolius	Curlleaf Mountain Mahogany
Cercocarpus montanus	Mountain Mahogany
Prunus virginiana	Green Chokecherry
Quercus gambelii	Gamble Oak (Scrub Oak)
Rhus aromatica	Fragrant Sumac
Rhus glabra cismontana	Dwarf Smooth Sumac
Rosa foetida bicolor	Austrian Copper Rose
Shepherdia argentia	Silver Buffaloberry