

WHISPERING PINES RANCH

ARCHITECTURAL DESIGN GUIDELINES

Whispering Pines Ranch
Architectural Review Committee

June 8, 1998
Revised January 24, 2001
Revised March, 2015; 2016; 2017; 2018; 2019; 2020; 2021

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PLANNING AND DESIGN PHILOSOPHY

Whispering Pines Ranch (the "Property") lies within Summit County, Colorado's high alpine environment. Views from the Property include vistas of the Gore Range, Lake Dillon and Keystone Ski Area. All Lots have immediate access to the world-class winter and summer recreational facilities at Keystone, Dillon and throughout Summit County.

Whispering Pines Ranch (WPR) was created as a planned residential community to take full advantage of the Property's location and environment. The planning and design philosophy of the Property is to encourage a harmonious and consistent quality and design expression throughout its boundaries, while allowing for individuality of architectural expression by its Owners.

It is in every Lot Owner's interest and is the intent of these Architectural Design Guidelines (the "Guidelines") that all new development and improvements constructed on the Lots attempt to develop responsive and indigenous architecture, incorporate native and natural materials, and employ sensitive siting of improvements. Buildings and any other type of new construction should not assert themselves at the expense of neighboring development, but rather relate to each other to form a harmonious community, which shares and supports a common interest and appreciation of the environment.

These standards, procedures and information herein are intended to formulate and define the means by which properties built at WPR can be compatible with each other and with their setting. They are binding upon all persons who at any time construct, reconstruct, refinish, alter or maintain any exterior improvement within WPR, or make any change in the natural or existing surface, drainage or plant thereof. The Guidelines that follow are the criteria for judgment and form the basis of control by the Architectural Review Committee (ARC). Compliance with the spirit of the Guidelines is crucial to the mutual enhancement and protection of the qualities of the Property and to all the Owners' commitment to the preservation of this ruggedly handsome area.

These Guidelines may change from time to time to reflect new experiences and to accommodate changing conditions without modifying the overall stated intent. Owners contemplating activities covered by these Guidelines should be sure they have obtained the most recent approved version.

A. INTRODUCTION/ GENERAL

1. Granting Clause

Per the Declaration of Protective Covenants for WPR at Dillon (the "Declaration"), the WPR Architectural Review Committee (the "Committee") hereby exercises its rights and establishes these Guidelines. Copies of the most recent Guidelines may be obtained from the Committee secretary or the

Management Company for WPR at Dillon Homeowner's Association (the "Association") in Summit County, Colorado. The Declaration will control if there are any discrepancies between these Guidelines and Declaration.

2. General Purposes

The Committee has made these Guidelines to maintain standards in the use and development of WPR and to guard against unnecessary and unreasonable interference with the view, natural beauty and ecological integrity of the Property, Lots and Houses therein. These Guidelines are subject to the Committee's supervision and approval and to the zoning and planning regulations of Summit County, Colorado, and applicable federal and state statutes, rules and ordinances. Although final judgment of any submission must remain discretionary to the Committee, the Committee will be guided in its decisions by the Guidelines defined below, which may be changed from time to time in the interests of protecting the real and aesthetic benefits of the Property. Each project is reviewed and approved based on the requirements of the most current Guidelines; whatever was constructed or omitted on existing homes does not necessarily set precedence for succeeding projects (i.e. chimney shroud or no chimney shroud).

3. Declaration of Covenants, Conditions & Restrictions

The terms defined in Article 3 (Definitions) of the Declaration shall control as to the definitions herein. As well, it is advisable that an Owner review and become familiar with Article 8 (Maintenance & Landscaping), Article 15 (Architectural Review Committee) and Article 20 (Protective Covenants) for information that could pertain to their project.

In particular, Section 15.1 of the WPR Declaration states that "No building, house, barn, corral, outbuilding, shed, playhouse, pen, doghouse, pool, hot tub, spa, tennis court, porch, patio, gazebo, excavation, landscaping, pit, cave, tunnel, bridge, dog run, fence, wall or any other structure of any kind shall be commenced, erected or maintained upon the Property, nor shall any exterior addition, change or alteration to any part of the Property be made until satisfactory and complete plans and specifications showing the design, nature, kind, shape, height, materials and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures, topography, and natural surroundings by the ARC...". This is applicable to any temporary or permanent amenity and/or structure.

4. Architectural Review Committee (ARC)

The Committee shall consist of three members as designated by the Board of Directors (the "Board") to review, study and approve or reject proposed improvements upon the Property. The Committee shall consist of a Chairman, a Secretary and one other committee member who shall be an Architect licensed

by the State of Colorado. In the event a Committee member is either the Owner, Architect or Contractor for the project being reviewed they shall recuse themselves from the Review Process so as not to create a conflict of interest.

The Chairman shall preside over all Committee meetings and be responsible for the coordination and direction of the Committee's work, and promulgation of its Guidelines and any amendments to it from time to time. The Secretary (or a representative of the Association's Management Company) shall keep the minutes of the Committee's proceedings and its records, and shall publish and disseminate such materials as may be necessary or desirable to guide Owners and enforce these provisions.

The Committee meeting is scheduled for the Third Wednesday of every month at the Association's Management Company office at 1:00 PM provided there are submissions to review. At the discretion of the Committee, the meeting may be conducted via video conference in lieu of a physical meeting. The submission materials must be received by the ARC Committee and the Management Company at least seven (7) calendar days prior to the meeting for which the project will be reviewed. In general, Committee meetings will be conducted as scheduled for New Construction and Addition/Remodel projects. At the discretion of the Committee and/or Board, other project types may be reviewed and approved via e-mail correspondence, independent of a scheduled meeting; the same is true for any interim design review of on-going submittals. The Committee and/or Board reserves the right to complete such independent and interim design reviews within seven (7) calendar days after receipt of a complete submittal or information as required and/or requested.

a. Submittal Requirements

Submission materials shall consist of e-mail pdf copies. All submissions shall include the fully completed set of the appropriate Architectural Design Guidelines Application forms (see Appendices) as well as required supporting drawings and information. For the drawings, provide one (1) half size set e-mail copy (pdf). For other materials (i.e. Application form, Color/Materials, etc.), provide one (1) e-mail copy (pdf). The Color/Material shall be a colored pdf and/or pictures; each item is to be keyed to the materials/colors as noted on the elevation drawings. The e-mail copy of submission materials is to be sent to both the ARC Committee and the Management Company.

At minimum, all submission material shall have the same date and have the Project Title, Owner's Name, the Property's physical address as well as the Property's Lot Number and name of submittal denoted on each piece of material. Submittal material will be returned and the Review Process will not commence until such information is provided.

If an Applicant plans to attend a meeting for any reason, an appointment must be made a minimum of seven (7) calendar days prior to the scheduled meeting date to insure that there will be a meeting that date.

All Committee review sign-offs and fees paid shall be valid for a period of one (1) year from the date of most recent review provided there are no changes to the design; depending on the amount of review fee left in the account, a Supplemental Fee may be billed to review any changes in the design for a delayed project that's starting back up within this period. If the Review Process or construction of an approved project has not commenced within said period, or if the total time from initial Sketch Plan Review Application to start of construction exceeds two (2) years, the Review Process must begin anew and be updated to (with corresponding fees paid) the most current Design Guidelines at that time. Per the Protective Covenants (Article 20 of the Declaration) "any construction activity on any Lot in the Property shall be completed and fully cleaned up within eighteen (18) months from its commencement or a variance shall be obtained from the ARC to allow for a longer period of construction upon proof of due diligence". In the event of any delay in the Review Process or Construction, the Owner shall submit a written notice of such to the Committee stating their intention of delay and anticipated time when they think the activity will resume. In the event the Committee does not provide written communication to the Owner and receive written acknowledgement back from the Owner within 30 days after review of an application, then it becomes an automatic approval for that application.

Applicants are strongly encouraged to attend any Committee meeting addressing their application, but the Applicant need not be present for the Committee to act. It's noted that the presence of Applicant (Owner, Architect and/or Contractor) at the Committee meetings can help foster a better understanding of the project and process through face to face dialogue with the hope that such will help minimize time spent on the reviews.

Following is the contact information of the Association's Management Company and of the Committee. Applications and submittals should be directed to the Committee and the Management Company as described above:

Association's Management Company

Whispering Pines Ranch ARC
c/o Summit Resort Group
Deb Borel
350 Lake Dillon Drive
PO Box 2590
Dillon, CO 80435
(970) 468-9137 – office; (970) 468-2556 – fax
DBorel@srgsummit.com – email

Association's ARC Committee

JWarchitecture, llc
Jerry Westhoff
8864 S. Indian Creek Street
Highlands Ranch, CO 80126
(970)389-0492 – office
jerry@jwarchitecture.net – e-mail

b. Right of Waiver

The Committee may waive or vary procedures or standards and criteria when conditions such as topography, location of property lines, trees, vegetation and other physical limitations, or architectural appropriateness require it.

c. Non-Liability of Committee and Board

Neither the Committee or Board or their respective successors or assigns shall be liable in damages to anyone submitting plans to them for approval, or to any Owner by reason of mistake in judgment, negligence or non-feasance arising out of or in connection with the approval or disapproval or failure to approve any plans and specifications. Every Owner or other person who submits plans to the Committee for approval agrees, by said submission, that they will not bring any action or suit against the Committee or Board to recover damages. Approval by the Committee shall not be deemed to constitute compliance with the requirements of any local building codes and it shall be the responsibility of the Owner and their representatives to comply therewith.

d. Submittal Fees

There are two fees for each project type (see APPENDIX 3) – the Review Fee (which is non-refundable) and the Compliance Deposit (which is refundable based on qualifications). A third fee – the Post-Construction Fee (non-refundable) – is required for New Construction and Addition/Remodel projects to cover the Post-Construction Review.

The Review Fee is due at the time of Application submittal (APPENDIX 5; APPENDIX 11) to the ARC. The purpose of the Fee is a retainer to cover the following expenses:

- \$100 per hour for the Committee member Architect to review the submissions (including interim design reviews) as they conform to the Guidelines, the construction as it conforms to the approved Construction Documents (Interim Construction Reviews) and Changes (item 15. Changes under Section B. Design Guidelines). The billing will be actual time required, billed at ½ hour increments.
- Consultations with the Committee member Architect. These charges will be actual time spent in consultation, billed at 15 minute increments. This includes interim/informal reviews.

In the event that the Review Fee is exhausted, a Supplemental Fee (in an incremental amount as denoted in APPENDIX 3) will be required and billed to the Owner in order to continue the overall process. **The Owner will be required to submit an initialed/signed/dated copy of the Submittal Fee Structure (APPENDIX 3) at the time of project application (APPENDIX 4; APPENDIX 5; APPENDIX 11) acknowledging that they understand that if the Review Fee is exhausted due to an excess of Architect time, the Supplemental Fee must be paid before any review and/or process will proceed any further. In the event of failure to pay any billed Supplemental Fee(s), the Committee reserves the right to deduct such amount(s) from the Compliance Deposit before releasing any portion.**

The purpose of the Compliance Deposit is to ensure compliance with the approved project, construction period regulations and to offset damage to public streets/improvements. This Deposit is due with project application submittals (APPENDIX 7 & APPENDIX 11) and will be held in trust by the Board until

the project is completed; see Submittal Requirements for construction activity deadline. The Board may use the Deposit to cure any noncompliance with its approval or these Guidelines and to repair any damage to public improvements caused by the Owner's contractor. The Deposit, or any remaining portion thereof, will be released within forty-five (45) calendar days after Post-Construction Review and Final Approval (APPENDIX 10) is issued. If the Deposit does not cover all of the expenses incurred, the Owner shall remedy this prior to sign off of Certificate of Occupancy. Any Compliance Deposit amount kept due to lack of compliance will be transferred into the retainer account.

e. Information Submitted By an Owner

Any Owner submitting plans for Committee approval shall be responsible for the verification and accuracy of all dimensions, grade, elevations and location of key natural terrain features for their Lot.

f. Re-submittal of Plans and Appeal

Should the Committee deny any Review Process submission, any resubmissions shall follow the same procedures as the rejected submittal. The Owner or their Architect shall reply in writing to Committee concerns during the Review Process. Any proposed exterior additions or changes to a residence not part of the original Construction Document approval shall be submitted for Committee review and approval. Any dispute between an Owner and the Committee shall be presented to the Board for mediation and arbitration.

g. Owner Representation

The Owner shall advise all their representatives (e.g. Architect, Engineer, Contractor, Subcontractors, and their employees) of the standards and procedures outlined in the Declaration and these Guidelines, including APPENDIX 1 through 12, and all such representatives shall abide by said documents.

h. Access to Property

By making an Application, Owners grant any Committee and/or Board member permission to access the subject Property to obtain information relevant to the submittal and to review construction progress and completion.

5. Modifications to Existing Homes and Lots

An application is required for any exterior modifications to an existing home or lot (other than routine maintenance and repair) which will result in material changes in the exterior appearance of an existing residence or lot. This includes improvements such as, but not limited to, stain/stain color, driveway replacement, fences, hot tubs, recreational equipment, modifications to landscaping and exterior building modifications (i.e. re-roofing, addition of new

windows, replacement of existing windows, addition or replacement of outdoor porch/deck/patio, solar panels, gutters, downspouts, lighting, etc.). Enclosing an exterior deck or entry area to become interior space shall be considered an Exterior Building Modification project and the corresponding fees/review process shall be applied accordingly. The review of modifications to existing homes will generally follow the procedures outlined elsewhere in the Guidelines. Specific requirements for approval and required submittals are detailed in APPENDIX 11 (EXTERIOR BUILDING MODIFICATION/ACCESSORY STRUCTURE APPLICATION) and APPENDIX 12 (LANDSCAPE/EXTERIOR RE-STAINING/FENCE/DRIVEWAY/ROOF/MISC. PROJECTS APPLICATION). Review fees and Compliance deposits for these types of projects are listed in APPENDIX 3.

In general the Board will review exterior re-staining, fence enclosure, driveway, roof and other miscellaneous projects submitted under such application (APPENDIX 12) only if there's no change in design and/or material; APPENDIX 11 is required otherwise for Committee review. The Management Company will help determine the appropriate application to be submitted based on the type of project.

In the event of Committee and/or Board after-the-fact review for any unauthorized projects, fees corresponding to the type of project will be required and billed to the Owner for payment accordingly.

6. Other Development Regulations

While these Guidelines constitute the primary tool for controlling development of WPR, other materials must also be considered during the design process. WPR is located in unincorporated Summit County and is part of the Soda Creek at Lake Dillon PUD (Planned Unit Development). Homes in WPR are also required to go through the normal Summit County review process. Prior to initiating construction, Owners are responsible for obtaining a building permit from Summit County. Other improvement projects such as decks, window replacement and hot tubs may require a permit from Summit County prior to such work; the Owner is responsible for verifying and complying with such local regulations.

7. Rental and Accessory Housing

The Declaration of Covenants, Conditions and Restrictions, the Second Amendment to the Declarations and the Soda Creek at Lake Dillon PUD address requirements with regard to the allowance of rental and accessory housing. As well it is advisable that an Owner consult with the Summit County Planning Department prior to initiating such an arrangement or project. Committee review and approval is required for any exterior modifications to an existing home or lot that is related to such arrangement or project.

B. DESIGN GUIDELINES

All requirements noted within this section, which are pertinent to any development or improvements on an Owner's Lot, shall be incorporated into the Review Process submittals in the form of general notes, details or drawings. Additions and remodels that affect the exterior appearance of the structure on the Lot are required to follow the same submission and review process as for new construction on a Lot. Submittal fees for such type projects are described in APPENDIX 3.

1. Overall Design and Professional Assistance

Owners are required to use a Registered Architect ("an architect licensed in the state of Colorado") who is familiar with high mountain practices of design for New Construction and Addition/Remodel projects.

At the discretion of the Committee, designers with extensive experience will be considered. The credentials of the designer must be submitted and approved prior to the Sketch Plan Review Application. The Committee reserves the right to charge a Special Fee (APPENDIX 3) in addition to the Review Fee if deemed necessary for the time required to approve or disapprove the designer. The Owner must submit the Special Fee and the Project Intent Application (APPENDIX 4) with their request detailing the information of the designer at least fourteen (14) calendar days prior to the Sketch Plan Review Application.

Registered Architects shall follow Summit County codes. High altitude mountain design processes and fundamentals shall be strictly adhered to. Final plans shall be stamped by a Registered Architect or Structural Engineer licensed by the State of Colorado.

"Off the Shelf" or stock plans which do not meet the expressed intent of these Guidelines are not acceptable design solutions for improvements. The Committee encourages individuality in exterior appearance. The use of high quality modular housing is subject to the sole discretion of the Committee based on adherence to the requirements and goals of these Guidelines. However it is particularly important for the manufacturer/designer to be able to demonstrate how they will adapt the proposed housing to the site conditions per the Architectural Design Guidelines requirements. For these types of projects, the Committee, as part of the Project Intent Application (APPENDIX 4), may request a Review of Designer Credentials fee (APPENDIX 3) and specific submittals of prior projects and capabilities that demonstrate the ability to meet these requirements; as well, the Committee may exercise the Supplemental Fee as needed for additional review time. For modular projects, there should be a lead designer/Architect responsible for providing a single set of integrated drawings/plans for the project during the submittal/review process.

2. Design and Configuration

- a. Special consideration will be given to the siting of development with emphasis on the relationship to the existing grades, preservation of natural Lot features, trees, plants and the relationship to neighboring Lots. All homes shall be sensitively sited to respect the orientation to and from existing Summit Cove and Soda Creek residences.
- b. Residences shall have exterior elevations, roofs and details that are coordinated and consistent in their architectural treatment. Care shall be given to proportion, scale and massing. Houses with an unfinished appearance are not permitted.
- c. Generally, simply pitched roofs (6:12 to 12:12) are encouraged because of their varied lines and snow shedding properties, as are roofs which utilize the gable configuration with sheds and dormers as complementary form devices. Flat and hip roofs should be used for linking purposes and as minor design elements for roofs with the gable configuration. Hip roofs are acceptable. Mansard and "A-frame" roof elements shall not be allowed.
- d. "Street-oriented" façade design or "theme" design transplanted from another time or area (e.g. hacienda, colonial, tudor) is not acceptable.

3. Building Height

Building height limits promote buildings in harmony with, and subservient to, the surrounding natural features. Consideration must be given to views from neighboring Lots. Building heights shall not exceed 35 feet, except those homes located in Blocks 16 and 17 of the Property shall not exceed 31 feet. All building heights shall be measured as defined in the Summit County Land Use and Development Code and denoted on the elevation drawings.

4. Exterior Walls and Windows

Walls should project a sense of strength and support. Extended flat wall planes should be avoided. Care should be taken in design to minimize unbroken wall planes over twenty feet (20') in length along any floor level. Cantilevers, Box-Bays, Insets and Offsets are among those forms acceptable. The wall openings should be placed in an informal yet ordered fashion, taking care to avoid random or unusual window patterns. Window types should be placed in large groupings (to avoid large uninterrupted glass areas) or puncture the solid wall at a few key locations. Window trim should match other materials used on the building façade. Window glass shall be non-tinted, clear and either double or triple glazed. Special energy efficient coatings are encouraged. Reflective glass is not acceptable. Window schedule, elevation drawings and pictures describing location/size/details, color chips/samples and product data shall be submitted along with the Exterior Building Modification Application and fees for

window addition or window removal projects (APPENDIX 3; APPENDIX 11). Window replacement projects are to be submitted under APPENDIX 12.

Materials allowed for exterior walls are logs, log siding, stone, shakes and shingles, wood siding, board and batten, metal siding (subject to the Committee's review of amount, visibility, reflectivity and appropriateness; should have a dull, matte finish) and textured stucco in natural tones. Stone shall be used on all exterior elevations. The minimum requirement for stone shall be 15% of exterior wall areas (total of all walls) or as approved by the Committee. Top edge of stone veneer shall be capped with stone (wood not allowed); if wood already exists, then it can match existing for new Addition/Remodel projects or can be replaced to match existing if damaged (i.e. rotted out). Additionally any three-story element such as those in walkout configurations shall have a minimum of 50% of the walk out portion of the home in stone. Synthetic stone may be used upon review and approval of the Committee. Log accents are acceptable. Stucco shall be limited to a maximum of 50% of exterior wall areas unless approved by the Committee. Total percentage each of stone, stucco and metal siding shall be denoted on the Preliminary and Final Plan submittals. Exposed concrete must be limited to 10" above final grade. Exterior materials not acceptable for exterior walls are plywood siding, synthetic siding, ferro cement siding, concrete block, and adobe. Drawings consisting of site plan and elevations showing the location and design along with a description/sample of material and color shall be submitted along with the Exterior Building Modification Application and fees for any siding material replacement projects (APPENDIX 3; APPENDIX 11).

5. Materials and Exterior Finishes

The goals of WPR design theme emphasize consistency and enhancement of the existing environment. In keeping with this goal, material and color selection should reflect an extension of the natural environment (e.g. stone and wood). Natural colors or transparent finishes should be used to seal and enhance the natural beauty of the materials. Large, unbroken wall planes of a single material should be avoided. Detailing, material selection, and depth to provide a pleasing and sensitive design shall break walls. Changes of building materials and colors shall occur at inside corners versus outside corners or in the same plane. Stepped fascias comprised of multiple layers of trim materials shall be used to provide relief. All exterior wood trim (fascias, corner boards, door/window openings, etc.) shall be minimum 2x material. All exterior column supports (decks, deck roof, bracing, etc.) shall be minimum 6x6 size.

6. Foundations

Foundations form the base on which the structure will be sited. Native stone and river rock are encouraged. Exposed concrete walls over 10" in height shall be faced with wood, sand blasted, stained, or surfaced with a textured stucco. Foundations shall be of concrete construction and designed by an architect or professional engineer, and must take into account the information generated by the soils report for the specific Lot. Phased foundations are discouraged.

7. TV Dishes and Antennas

Large satellite dishes and radio/TV antennas shall not be allowed. Satellite dishes are subject to Committee approval on a case-by-case basis. Satellite dishes, if provided, must be appropriately located and screened from view from adjacent lots and roadways.

8. Decks, Balconies and Railings

These elements enhance overall architecture by creating variety and detail. Long balconies should be avoided. Railing systems should be subtle and blend into the architecture. Avoid roofs dripping onto decks and balconies. Decks shall be designed to minimize unsightly supporting structures and to complement the total design. Drawings consisting of site plan, floor plan and elevations showing the location, size and design along with a description of materials/color shall be submitted along with the Exterior Building Modification Application and fees for deck projects (APPENDIX 3; APPENDIX 11).

9. Roofs

As noted above, roof forms are encouraged which are simple and utilize the gable configuration and complementary forms. Long unbroken planes and ridgelines of the roof over twenty feet (20') in length are discouraged. These need to be broken with dormers or associated elements. With the exception of flat connected roofs, roof slopes are encouraged to be a minimum of 6:12 to maximum of 12:12. No roofs shall be built over setback lines. Every attempt should be made to protect pedestrian and vehicular areas from shedding snow. Dormers and chimneys are encouraged as additional means to break up the roof form. Cold roofs are recommended to avoid ice damage.

Acceptable roof materials include fire retardant wood shingles and shakes (as allowed per County and/or Fire Department requirements), high-definition heavyweight composition shingles (minimum 30 year warranty), concrete tile, and metal roofs (subject to the Committee's review of visibility, reflectivity and appropriateness; should have a dull, matte finish). All roofs shall be of a material, color and texture approved by the Committee and has the appropriate fire rating per County and Fire Department requirements. Drawings consisting of roof plan and/or elevations showing the location along with a description/sample of material and color shall be submitted along with the Exterior Building Modification Application and fees for any roof material replacement (re-roof) projects where the material is changing (APPENDIX 3; APPENDIX 11); for any roof replacement (re-roof) projects where the material is the same (color can be the same or not) submit a description/sample of material and color with the Roof Application (APPENDIX 12).

10. Entry and Exterior Doors

The entry shall be a dominant feature. Garage walls, if adjacent, shall be set back a minimum of five feet (5') from the entry walls. Entry porches are encouraged with columns of stone, timbers or logs. Double doors or sidelights are also encouraged to bring the entry as the focal point of the house. The use of stone and other natural materials that complement other aspects of the design for walkways and pathways leading to the entry area are encouraged (see also section C.2 below). Solid core wood, plank, or metal doors are acceptable for exterior man doors; overhead garage doors which are primarily wood are preferred, but metal and glass materials are acceptable at the Committee's discretion when complementary to the overall design and finish of the house. Any stained materials must be of an approved color. Door designs complementary to the overall residence design are required. Any stained materials must be of an approved color. Door schedule, drawings and pictures describing location/size/details, color chips/samples and product data shall be submitted along with the Exterior Building Modification Application and fees for door addition or door removal (man and/or garage door) projects (APPENDIX 3; APPENDIX 11). Door replacement (man and/or garage door) projects are to be submitted under APPENDIX 12.

It is encouraged that garage doors be orientated away from the street. Single garage doors shall be used if they are facing the street. It is encouraged that garage doors be offset by a minimum of 18". If facing away from the street, double doors may be used.

11. Solar Design and Skylights

Solar panels and skylights, when used, shall be flat glass with frames colored to match adjacent surfaces. Preferred location for solar panels is on the roof designed as an integral part of and installed flush with the roof plane. Other locations may be acceptable provided they are an integral part of the architectural design and landscaping of a lot. Any exposed conduit, electrical panels, control boxes, etc. shall be stained to match the adjacent surface on which it is attached. Drawings and/or pictures consisting of site plan, roof plan and exterior elevations showing the location, size and design along with a description of materials/color and cut sheets of the product shall be submitted along with the Exterior Building Modification Application and fees for solar panel or skylight addition projects (APPENDIX 3; APPENDIX 11).

12. Exposed Metal, Vents and Gutters/Downspouts

All exposed metals such as fascias, flashing, wall vents, roof vents, metal enclosures, gutters/downspouts, electrical conduits/junction boxes and chimneys shall be primed and stained or pre-finished to match adjacent surfaces. Reflective or contrasting finishes are not acceptable. Vents shall be grouped wherever possible. Gutters/downspouts should be used sparingly due to freezing conditions; if used, they should be heated. For any gutter and/or downspout

replacement projects submit a description of locations and sample of material/color with the Roof Application (APPENDIX 12).

13. Size and Color

Minimum floor areas for single family homes in the Property, excluding basements, porches, decks and garages shall be 1,500 square feet of living space for one-story structures and 1,700 square feet of living space for multi-story structures (measured from the exterior face of exterior walls).

Exterior residence colors shall generally be muted in tone, low in contrast, and complementary to the natural surroundings; provided, that the Committee will consider all coloration schemes based on their architectural merit and compatibility to the community as a whole. A color board with chips, product name and number depicting color locations for the body, trim, accent walls, decks & railings shall be submitted along with the Exterior Re-stain Application (APPENDIX 12) for any exterior re-staining project (colors can be the same or not). If changing colors, a mock up/sample area stained on the house may be requested for a Committee and/or Board member to review before work commences. Changes of color shall occur at inside (versus outside) corners.

14. Chimneys and Natural Gas Fireplaces

Chimneys and fireplace flues can be strong design elements that help to add visual relief to the roof design. The chimney or flue must be enclosed by a chimney shroud and be in a material compatible with materials and finishes of the exterior walls and roof of the residence. Spark arresters must be used on all chimneys and flues. All exposed exterior sheet metal should be primed and stained or pre-finished to match adjacent surfaces. Wood burning fireplaces are prohibited in the Property; however, the use of natural gas fireplaces is encouraged. Gas fireplaces may be vented up through the roof or through a sidewall.

15. Changes

It is very common for the design of a project to be refined during the construction process. Any changes after approved submittals require review and approval by the Committee before the work commences. Owners are required to contact the ARC prior to initiating such changes with a written description itemizing each change. Submittal requirements and the review process will vary depending upon the nature of proposed changes at the discretion of the ARC; there will be a charge against the Review Fee for submittal review of changes. Forfeiture (partial or complete) of the Compliance Deposit will be a consequence for proceeding with changes during the construction period prior to approval by the Committee. In the event that the Review Fee is exhausted, a Supplemental Fee (in an incremental amount as denoted in APPENDIX 3) will be required and billed to the Owner. **The Owner will be required to submit an initialed/signed/dated copy of the Submittal Fee Structure**

(APPENDIX 3) at the time of project application (APPENDIX 4; APPENDIX 5; APPENDIX 11) acknowledging that they understand that if the Review Fee is exhausted due to an excess of Architect time, the Supplemental Fee must be paid before any review and/or process will proceed any further. In the event of failure to pay any billed Supplemental Fee(s), the Committee reserves the right to deduct such amount(s) from the Compliance Deposit before releasing any portion.

C. SITE DEVELOPMENT GUIDELINES

These Site Development Guidelines, together with the Design Guidelines, form the basic visual and planning direction necessary to maintain the natural setting and integrate residential development into it. The preservation of open space, common area and indigenous vegetation, combined with sympathetic residential design and site planning, are overriding Committee goals.

1. Setbacks and Side Yards

Setback distances, or building envelope, for residences shall be as set forth in the WPR Declarations and the Summit County Development Code. All building elements, including decks and overhangs, shall not encroach lot setbacks; the building envelope line shall be depicted on the floor plan, roof plan and foundation drawings. The Committee, on an individual basis, will judge all other setbacks for improvements within the Lots and Property. Each building location will be analyzed as to its visual impact, relationship to views and neighbors, safety, general use, access, architectural importance and landscape preservation. Preservation of scenic vistas for the benefit of all owners is of concern to the Committee.

2. Fence Enclosures, Fences, Walls, Barrier Devices, and Retaining Walls

Fences, walls, and barrier devices may be selectively used for privacy and screening purposes if incorporated into the total design, and are required to detain a dog within the property (an electronic, buried, continuously functioning invisible fence is an allowable option).

Fences for enclosing a yard (fence enclosure) shall be open of natural split wood construction (vertical posts/horizontal rails/gates), maximum 4' high (to the top rail) with 2 or 3 horizontal rails. If providing welded wire mesh (i.e. for detaining dogs), then it shall be installed on the inside face of the fence and the size of rectangular mesh opening to be 2" wide x 4" high. It's preferred the top edge of mesh is no higher than the top rail of fence but can extend maximum 12" above the top rail if necessary. Yard fences shall not be located beyond the front of the residence; if the house is located in a cul-de-sac the front fence shall follow the arc of the street's edge. Privacy fences shall be meant for shielding and screening, not to enclose. The design should be integrated with the design of

the residence, shall not exceed 6' in height and shall be constructed of materials consistent with materials and colors used on the residence.

Retaining walls should be made of native stone, stained or sandblasted concrete or treated landscape timbers/logs of a color complementary to the natural surroundings. All retaining walls, or any portion thereof, in excess of four feet (4') in total height shall be engineered per County requirements.

A site plan drawing showing the location of fence and gates along with a description of height, design and material/color shall be submitted along with the Fence Application (APPENDIX 12) for fence enclosure projects. Privacy fences, retaining walls and any other type of fence projects are considered an Exterior Building Modification Application with fees (APPENDIX 3; APPENDIX 11). The Application will be reviewed for design, appropriateness, size and construction of such improvements in relation to the proposed residence and neighboring Lots, however it is the Owner's responsibility to ensure that such improvements are installed within their property boundaries. Those features used solely for property line delineation are not acceptable.

3. Garage and Parking Spaces

Garages should integrate with the building design. For single family homes, a minimum of four (4) permanent parking spaces, two (2) of which is garage space, must be provided on site except where an enclosed storage area of not less than 5' x 10' is constructed. With such storage, a one (1) car garage and three (3) exterior parking spaces are permitted. Maximum road and parking gradients must comply with the Property development plan and County requirements. Driveways may be constructed of concrete or asphalt; materials used to create paving patterns are subject to Committee approval. For driveway re-design or addition projects, an Exterior Building Modification Application and fees will be required if the original footprint and/or drainage is going to be modified (APPENDIX 3; APPENDIX 11); if the only modification is material replacement, then a Driveway Application is the only requirement (APPENDIX 12). It should be noted that shared driveway easements may be a plat requirement for cul-de-sac lots. Snow storage areas per County requirements shall be delineated on the site plan. Construction access is limited to the Lot's approved driveway.

Trailers, motorhomes, trucks, boats, boat trailers, tractors, vehicles other than automobiles, campers not on a truck, snow removal equipment and garden or maintenance equipment shall be kept in a closed structure from view. Camping type vehicles and/or trailers cannot be used for personal occupation on the property (either pre-, during or post-construction). No automobile repair work shall be performed anywhere within a Lot except in enclosed areas or in cases of emergency. Construction equipment and machinery, other than what is being used for current construction, shall not be stored on the Lot. Pod containers are allowed on a temporary basis for moving purposes only (10 calendar days maximum) and shall be located on the driveway.

4. Electric Meters and Garbage Areas

These and other related utilitarian features will be screened, buried, located, or enclosed from view, planned as a part of the total design of an individual residence or group of residences where applicable, and subject to Committee approval. With gas readily available, propane tanks are prohibited. Any exterior mechanical equipment shall be incorporated into the overall design and properly screened from view.

5. Revegetation, Landscaping and Berms

The Committee encourages the "normal condition" except where there is an extension of the living area. This "natural condition" is defined as a combination of indigenous plant material, trees, topsoil, rock formations and natural terrain and features that existed before construction on and around the Lot. A complete landscape plan and schedule is required for the Construction Document Review and Approval Application (APPENDIX 7). A Landscape Application is required for addition, remodel, replacement or deletion of plantings landscape projects (APPENDIX 12). See APPENDIX 1 for Landscaping Minimum Requirements and Consideration. Installation and maintenance of the plant material and other landscape related Lot improvements are an Owner's responsibility. The minimum requirements must be maintained - any tree or shrub which dies must be immediately replaced with a similar size and species. Landscaping can be revised, modified or added to but it can never be less than the minimum required. Any new landscaping shall be contained within the property lines of the Lot.

Landscaping should generally consist of returning the Lot to a natural state through the use of natural grasses, flowers and small plantings. Consistent with this philosophy, landscape berms are generally discouraged. High water consumption plantings such as sod are strongly discouraged.

6. Signs and Address Identification

Address identification is subject to Committee approval. Each home shall have address numbers placed in a position on the house that is plainly legible and visible from the street fronting the Property; these numbers shall contrast with their background. The location of address identification shall be indicated on the drawings for the Construction Document Review and Approval Application. Owner name signs are permissible as well, subject to Committee approval. Freestanding construction signs with a 6 square feet maximum face are also acceptable for single-family homes per Committee approval; the Committee on a case-by-case basis shall review larger construction signs for larger development projects. All construction signs may be placed upon a Lot at groundbreaking at a location approved by the Committee and shall be removed immediately upon issuance of the Certificate of Occupancy.

No other homeowner or property identification signs, temporary road signs, or other signs or devices to attract attention are permissible, excepting standard real estate "for sale" and "open house" signs, without Committee approval.

7. Natural Drainage and Grading

No Owner shall interfere with or direct the natural course of any drainage and runoff nor construct any improvement, place any landscaping or allow the existence of any condition which will alter the natural drainage pattern or runoff into or across the land of another, except to the extent such alteration is approved in writing by the Committee and applicable public authorities. Lot improvements should be planned to minimize grading which substantially alters the existing topography. Any new grading shall be contained within the property lines of the Lot. The maximum cut of any bank should be 1.5 to 1. All grading must have prior approval of the Committee.

The drainage plan for the Property details drainage patterns for the entire parcel. Any modifications to individual site drainage must comply with said plan. Runoff from impervious surfaces, such as roofs and paved areas, shall be directed away from entries and public areas to natural or improved drainage channels or absorbed into naturally vegetated areas. No curbs or gutters shall be installed without Committee approval. All drainage structures shall be constructed of natural materials and placed to provide positive drainage. If a culvert is required for driveway access from the street, such shall be provided at the Owner's expense.

8. Existing Trees

Trees shall not be cut or tree roots disturbed without Committee approval. Trees adjacent to the construction area shall be fenced and protected during the construction period, and the fencing shall remain in place until the outside work is substantially complete. There shall be no storage of building materials outside the fenced-in areas. Trees and other vegetation are valued and shall be preserved whenever reasonably possible, subject to selected removal with Committee approval to enhance view corridors. The Committee will consider if trees meeting or exceeding the minimum plant size requirements that are preserved within the Lot could be counted in meeting the minimum planting requirement (APPENDIX 1); such trees shall be clearly delineated in terms of location, number, size and species on the landscape plan and schedule. The specifications and contract between an Owner and their contractor shall clearly define the intent of preserving plant life. All trees felled for construction shall be promptly removed or treated to prevent bark beetle infestation. Fallen, dead, beetle or mistletoe infected trees shall be removed from the Lot. Nailing to trees is not allowed.

9. Stakeout

The location of each improvement within the buildable area will be reviewed at Pre-Construction Review and should be consistent with applicable regulations of Summit County. In reviewing the proper location for each improvement, the Committee shall consider the location of existing and future improvements on adjacent Lots and other monetary or aesthetic considerations.

Wood or steel stakes shall be used to identify all significant corners of the Lot as well as of the planned improvements. The main floor elevation of the structure shall be clearly marked on the stakes. All existing trees shall be tagged with plastic tape of differing colors signifying removal and preservation. No trees, shrubs, or groundcover shall be removed before the Committee's stakeout review. Driveway locations shall be staked at each side of the drive at 25-foot intervals from the access road or driveway to the residence. All other improvements shall also be staked at this time. Preservation fencing or rope shall define the proposed fencing.

10. Outdoor Lighting

All outdoor lighting is subject to Committee approval. Lighting of parking areas or walkways to houses may be necessary. Lights should be functional and enhance the overall appearance of a residence; however the lighting elements must be full cut-off luminaries per County requirements. No exterior lighting in which the direct source is visible from a neighboring property or which produces excessive glare to pedestrian or vehicular traffic shall be permitted. Lighting colors other than white is subject to Committee approval. The location of all exterior lighting shall be indicated on the drawings for the Construction Document Review and Approval Application. A Miscellaneous Projects Application is required for addition or replacement of exterior lighting projects (APPENDIX 12).

11. Accessory Structures

Accessory structures must receive Committee approval prior to installation. The design, nature, kind, shape, size, height, materials and location as to harmony of external design and location in relation to surrounding structures, topography and natural surroundings will be taken into consideration for the review of accessory structures. Greenhouses are recognized amenities but must meet County Code and these Guidelines. Depending on the type of accessory structure project, drawings consisting of site plan, floor plan and elevations showing the location, size and design along with a description of materials/color shall be submitted along with the Accessory Structure Application and fees (APPENDIX 3; APPENDIX 11). Temporary shelters, tents (other than for children's use), prefabricated sheds and metal storage units are not acceptable.

12. Fire Protection Requirements

The entire Property is located within the Lake Dillon Fire District. All development on the Property shall meet all fire protection requirements of the District.

13. Underground Utilities

Utility lines (e.g. water, sewer, electric, gas, CATV) from individual structures must be placed underground and comply with the utility plan for the Property.

D. REVIEW AND CONSTRUCTION APPROVAL PROCESS

For good reason the Committee signs off as "Reviewed" on Project Intent, Sketch Plan and Preliminary Plan as denoted on each of the application forms; only at the Construction Document application does the Committee sign off as "Approved". Doing this leaves the door open not only for changes by the Applicant but also for the Committee's review; it's a fluid process during the four steps and both parties should have the ability to move back and forth between them as needed. If the Committee didn't pick up on something in a previous review, there's nothing to preclude them from bringing it up in a subsequent review until Construction Document is signed off as approved.

For New Construction and Addition/Remodel projects, the overall review and approval process consists of seven steps as follows:

1. Project Intent

This is the first stage of the process and is important as an introduction to the project. It does not require a meeting or fee unless there is a Committee determination of the need for review of Designer Credentials, but does request basic Lot information and the Owner and Architect/Designer to acknowledge that they have a copy of the current Guidelines and that they understand the Review/Approval Process. The "Project Intent Application" (APPENDIX 4), a check for the Special Fee for Designer (if applicable) and a copy of the Lot's Plat drawing must be received at least fourteen (14) calendar days prior to the Sketch Plan Review Application. The Owner and/or Architect may request a specific appointment to meet at the site with one of the Committee members (there will be a charge against the Review Fee for this service). A copy of the most current Architectural Design Guidelines may be requested from the Association's management company.

2. Sketch Plan Review

This is a sketch plan of the proposed home and site. It must include all four elevations, as the home will be placed on the site including the preliminary grading plan. The "Sketch Plan Review Application" (APPENDIX 5), check for the Review Fee (APPENDIX 3) and the submittal materials as listed on the Application

must be received at least seven (7) days prior to the meeting for which the project will be reviewed. In the event of future changes and/or updates to the Guidelines, the most current Guidelines at the time of this submittal will remain in effect till completion of the project unless there's a delay in the Review Process (re: section A.4.a. Submittal Requirements).

3. Preliminary Plan Review

This step is required prior to construction drawings being completed and must include the "Preliminary Plan Review Application" (APPENDIX 6) and the submittal materials as listed on the Application. All must be received at least seven (7) days prior to the meeting for which the project will be reviewed. This step must be completed prior to construction drawings being completed.

4. Construction Document Review and Approval

This is the final step of drawing approval. The "Construction Document Review Application" (APPENDIX 7) and the submittal materials as listed on the Application must be received at least seven (7) days prior to the meeting for which the project will be reviewed. This submittal must also include a check for the Compliance Deposit and Post-Construction Fee (APPENDIX 3). Final architectural and structural plans shall be stamped by a Registered Architect or Structural Engineer licensed by the State of Colorado.

CONSTRUCTION DOCUMENTS must be approved in writing by the Committee prior to submission to the Summit County Building Department for a building permit. **Any changes to the exterior design after Construction Document approval must be approved by the ARC prior to initiating such changes (see item 15. Changes under section B. Design Guidelines).**

5. Pre-Construction Review

This is the final step prior to construction. This is completed when the site is staked for excavation and all existing trees are marked for removal or preservation. The Committee member Architect may review the site after the Committee has been advised of the above being completed; a "Pre-Construction Review Checklist" (APPENDIX 8) will be issued accordingly. The Owner or Representative and Contractor shall be present during this review. **Any changes to the exterior design after Construction Document approval must be approved by the ARC prior to initiating such changes (see item 15. Changes under section B. Design Guidelines).**

6. Interim Construction Review

The Committee member Architect will periodically visit the construction site to monitor compliance with the approved Construction Documents and the "Construction Period Regulations" (APPENDIX 2); an "Interim Construction Review Checklist" (APPENDIX 9) will be issued accordingly. **Any changes to the exterior**

design after Construction Document approval must be approved by the ARC prior to initiating such changes (see item 15. Changes under section B. Design Guidelines). The Owner will be required to submit an initialed/signed/dated copy of the Submittal Fee Structure (APPENDIX 3) at the time of project application (APPENDIX 4; APPENDIX 5; APPENDIX 11) acknowledging that they understand that if the Review Fee is exhausted due to an excess of Architect time, the Supplemental Fee must be paid before any review and/or approval process will proceed any further. In the event of failure to pay any billed Supplemental Fee(s), the Committee reserves the right to deduct such amount(s) from the Compliance Deposit before releasing any portion. This Review can be completed without the Owner or Representative being present. It is required of the Owner to review these Regulations with the contractor building the house and remains the responsibility of the Owner to maintain these Regulations at all times. The Interim Review will take place as many times as necessary to ensure compliance with the Regulations and Construction Documents. **The Owner/Contractor will be given one warning of any violation of the Construction Period Regulations. If the violation has not been corrected within 48 hours of the warning, there will be a fine of \$100 per violation assessed against the Compliance Deposit.**

7. Post-Construction Review and Final Approval

This is the final step of the process and takes place when the Owner wishes to receive their Certificate of Occupancy from the County. It is requested that everything be in place for this review to take place, which includes all landscaping, driveway and exterior work including cleanup of the site. This review must take place on site and can be completed without the Owner or Representative being present. The Committee must, however, receive written notice from the Owner before this review is to take place. The Committee member Architect will review the project after receiving such notice; a "Post-Construction Review & Final Approval Checklist" (APPENDIX 10) will be issued accordingly. If it is in the winter months when some portions of exterior work cannot be completed (i.e. landscaping, driveway, staining, etc.), the Owner shall provide proof to the Committee via copy of bond or letter of credit with Summit County for completion of such work; the Committee member Architect will review the work after receiving notice from the Owner that it is completed and will issue final approval accordingly provided the work is in conformance with the approved Construction Documents. See Submittal Fees for procedures pertaining to the release of the Compliance Deposit upon final approval. Upon receipt, the Owner shall acknowledge agreement by returning a signed/dated copy of the Final Approval Checklist to the Committee for the WPR files.

Within one (1) week after each Review Process meeting, the ARC will provide the Owner and design team a signed/dated copy of the Application along with minutes of the meeting. The meeting minutes will include a checklist of outstanding issues that should be addressed prior to the next step of review; a completed copy of this checklist is to be one of the submittal items for the subsequent Review Process indicating that all the items have been picked up.

The same will be true for the Interim Construction Review as well – a signed/dated copy of the Checklist will be provided to the Owner within one (1) week after the site visit.

Proposed designs that have not responded to ARC concerns or are otherwise inconsistent with the Guidelines will either be denied or tabled to a subsequent meeting. In either case, within one (1) week after the Review Process meeting, the ARC will provide the Owner and design team a written explanation of why the project was not approved.

As stated earlier, these Guidelines provide a framework for the Committee to review process and approve construction in the Property. An Owner must comply with the procedures to secure necessary approvals, as well as meet all Summit County building code requirements. An Owner should reply in writing to any concerns expressed by the Committee during the Review Process.

It's noted that the ARC approval is associated with the Owner, not the Property. In the event the Property is sold after the ARC approval of a project and before new work commences (or while new work is underway) the new Owner agrees to abide with that approval and Guideline requirements unless they notify in writing to the ARC of other intentions or changes. Review fees may be incurred depending on the scope of changes. This is applicable for all project types whether New Construction, Addition/Remodel or Modifications to Existing Homes/Lots.

LANDSCAPING MINIMUM REQUIREMENTS AND CONSIDERATIONS

A. MINIMUM REQUIREMENTS

The following are minimum landscape requirements for WPR. These requirements have been adopted to help create privacy between homes and enhance the overall feel of the community. It is the responsibility of all Owners to increase the value of their own property as well as surrounding properties and landscaping is a critical part of that responsibility. These requirements are applicable for new, remodel of or addition to landscape projects. It is the Owner's responsibility to ensure that the landscape plan is in conformance with the County and/or Fire Department current fire mitigation requirements prior to commencement of work; suggested links for additional information are <http://www.summitcountyco.gov/1150/Defensible-Space> and <https://www.nfpa.org/Public-Education/By-topic/Wildfire/Preparing-homes-for-wildfire>

Xeriscaping is encouraged by the EAST DILLON WATER DISTRICT. Saving water is a priority. Sod lawns are discouraged. Areas disturbed by construction must be revegetated with drought resistant grasses and wildflowers. Artificial turf may be allowed but only in the backyard of limited size (not to exceed 15% of the backyard area in square feet); a site plan drawing showing the location/extent of area, pictures of the intended location, product data (describes the material, method of installation, maintenance requirements, etc.) and sample shall be submitted along with the Landscape Application (APPENDIX 12). Backyard area is defined as the rear portion of yard between the rear walls of house and the rear property line.

MINIMUM PLANTING REQUIREMENTS (the following should be used as only a guideline and a minimum landscape approval shall be at the sole discretion of the Committee based on the lot)

- 5' to 6' nursery grown Colorado Blue Spruce or Englemann Spruce (SIX trees total)
- 7' to 10' nursery grown Colorado Blue Spruce or Englemann Spruce (THREE trees total)
- FIVE – minimum 1.5" caliper and FIVE – Groupings of a minimum of three in a group of Narrow Leaf Cottonwood or Aspen (TWENTY trees total)
- 5 gallon shrubs placed on the predominant sides of the house (FIFTEEN shrubs total)

ADDITIONAL NOTES

1. All disturbed areas of construction must receive a minimum of 4" of top soil and must be re-vegetated with drought resistant grass/wildflower mix. Slopes greater than 2:1 shall be covered with an erosion control blanket.

2. All planting materials must be irrigated with a drip irrigation system to conserve water and increase plant survival.
3. Landscape plans must be submitted to the Committee for approval.
4. All planting material shall be guaranteed from the date of installation per County requirements (typically 2 years). Any tree or shrub which dies must be immediately replaced with a similar size and species.
5. There shall be a minimum of three feet of material such as cobble rock or mulch placed from the face of the foundation around all sides of the house that does not have driveway or sidewalk. This material shall be placed on a fabric or weed resistant material.
6. Informalized groupings and even distribution of landscaping are encouraged as shown below.
7. See section B.10. Entry and Exterior Doors for path and walkway suggestion.

B. CONSIDERATIONS

1. Landscaping and Plant Materials

These considerations are intended to protect and preserve the existing landscape and native species. The Owner and their Architect must respect the location of existing trees in preparing plans for improvements to the Lot. The Committee will consider if trees meeting or exceeding the minimum plant size requirements that are preserved within the Lot could be counted in meeting the minimum planting requirement; such trees shall be clearly delineated in terms of location, number, size and species on the landscape plan and schedule. New plantings should be selected to blend into the natural mountain landscape and be indigenous to the Rocky Mountain area.

New plantings should be informally grouped together, evenly distributed (within reason) and shall be contained within the property lines of the Lot. Maintenance of existing native landscaping and additional plantings shall avoid an appearance of a manicured lawn. No grading should occur within the area of trees to be retained. Trees located close to the excavation and construction zone should be fenced for protection. All plant materials should be located to avoid drainage of ice and snow falling from roof surfaces. Beware that the distance can be significantly reduced between the structure and the crown of grown trees 10 years after planting.

2. Landscape Plan and Re-vegetation

The Owner shall include a landscape plan drawing and schedule whether as part of the Construction Document Review and Approval Application (APPENDIX 7) or as a part of their Landscape Review Application (APPENDIX 11). The plan should list and describe techniques and plant types to be used to permanently re-vegetate and stabilize all areas disturbed during construction. See the Submittal Fee Structure (APPENDIX 3) for any fees that may be required for exterior landscape projects.

3. Plant Materials List

The following is a list of plant materials, which are indigenous to the area and grow well at this climate and altitude:

Trees

- Limber Pine – *Pinus flexilis*
- Narrow Leaf Cottonwood – *Populus angustifolia*
- Willow – *Salix* sp.
- Quaking Aspen – *Populus tremuloides*
- Englemann Spruce – *Picea engelmanni*
- Thin-leaf Alder – *Alnus tenuifolia*
- Colorado Spruce – *Picea pungens*

Ground Cover

- Ajuga
- Kinnikinnick – Bear Berries
- Silver Mound
- Purple Leaf Wintercreeper
- Holly-grape

Shrubs

- Japanese Barberry – *Berberis thunbergii*
- Red Twig Dogwood – *Cornus stolonifera*
- Alpine Currant – *Ribes alpinum*
- Peking Cotoneaster – *Cotoneaster augustifolia*
- Snowberry – *Symphoricarpos alba*
- Service Berry – *Amelanchier alnifolia*
- Blueleaf Honeysuckle – *Lonicera korolkowii*
- Shrubby Cinquefoil – *potentilla fruticosa*
- Canadian Buffaloberry – *Sherpedia canadensis*
 - Potentilla, Golddrop
 - Potentilla, Jackman
 - Potentilla, Katherine Dyke

Seed Mix

- Grasses (@200 pounds per acre)
 - 50% by weight Baron Kentucky Bluegrass
 - 25% by weight Pennfine Perennial Ryegrass
 - 25% by weight Fortress Red Creeping Fescue

Perennials

- Partial List
 - Yarrow
 - Alyssum
 - Columbine
 - Indian Paintbrush
 - Daisy
 - California Poppy
 - Iris
 - Iceland / Oriental Poppy
 - Two Row Sedum

CONSTRUCTION PERIOD REGULATIONS

These Regulations shall be a part of the construction plans and specifications for each residence. All contractors and Owners shall abide by these Guidelines, these Regulations, and applicable sections of the Declaration with respect to construction on a Lot.

The Owner or the Architect must receive final approval from the Committee and obtain a building permit from Summit County prior to commencing construction.

1. Construction Limits

The Architect shall provide a detailed plan of construction limits along all property lines on the Lot at the time of Construction Document Review and Approval submittal. The plan shall be implemented with snow fencing, rope and barricades or like material prior to construction and shall be maintained and remain in place during the entire construction period. The plan shall include size and location for a construction material storage area, limits of excavation, drive areas, parking, chemical toilet location, temporary structures, dumpster, fire extinguisher, utility trenching, erosion/sediment control and construction design.

2. Temporary Structures and Storage Areas

The use of temporary construction shelters shall be approved in writing by the Committee prior to installation. Request for approval must address a structure's size, configuration and location. All temporary structures shall be removed immediately upon issuance of the Certificate of Occupancy. Designated storage areas per the approved construction limits plan shall be fenced. The contractor shall maintain and store construction materials, trash and equipment in these designated fenced areas. The maximum size of trailer allowed on site is 8' x 24' for use as a construction office and/or storage only.

3. Daily Operation, Chemical Toilets and Fire Extinguishers

Daily construction working hours shall be 7:00 am to 7:00 pm, Monday through Friday and 8:00 am to 5:00 pm on Saturday and Sunday. The contractor shall provide a chemical toilet in a Committee approved location during the entire construction period. A fire extinguisher is required to be in a highly visible location during the entire construction process. Work is discouraged on the days of nationally recognized holidays.

4. Excavation

Excess excavation material may be stored within a snow-fenced area for up to two weeks before removal from the Lot. Excess topsoil for future landscaping may be stored within the snow-fenced area for longer periods provided it is promptly used when construction dictates. Excavation material shall not be

placed in common area, roads or other Lots. Any excess excavation material should be disposed of in an authorized location. Excavation, except for utility trenching, shall be on the Owner's Lot.

5. Debris and Trash Removal

Daily cleanup of the construction site is mandatory, including what may blow over into adjacent properties. Proper disposal of refuse and storage material is the contractor's responsibility. Debris and trash shall be removed on a regular basis to the County dump. Burning of trash or construction debris is prohibited.

6. Vehicles, Parking and Construction Access

All vehicles will be parked in the designated area shown on the construction limits plan so as not to inhibit traffic or damage surrounding natural landscape. Vehicles shall not be left on the Property's roads overnight. The only approved construction access during the construction period will be over the approved driveway for the Lot unless the Committee approves an alternative access point.

7. Blasting, Restoration and Repair

Blasting plans must be reviewed and approved by the Committee before commencement. Proper safety and protective actions shall be used. Damage to any property other than the Owner's shall be promptly repaired at the expense of the person or entity causing the damage.

8. Dust, Noise and Odor

The contractor must control construction dust, noise and odor. Radios, tape players, etc. must not disturb adjacent Owners. The contractor is responsible for watering, screening or oiling dust problem areas.

9. Signage

One freestanding construction sign is allowed per Lot, not to exceed 6 square feet of total surface area unless the Committee approves a larger sign for larger scale projects. No signs shall be placed on or nailed to trees. The sign must list the project name, the Lot's physical address and the Lot number at the top; it may also contain the name, address and phone number of the Owner, Architect, contractor and lender. Sign to be located within the property lines.

10. Erosion and Sediment Control

Per the erosion control and re-vegetation plan for the Lot, the contractor shall minimize erosion by utilizing an interim drainage system to control water on site, stabilize the soil and re-vegetate the Lot as quickly as possible. The erosion/sediment control system shall be maintained and remain in place during the entire construction period.

11. Prohibitions on Property

The following are prohibited in the Property:

- a. Oil changing of vehicles and equipment without proper receptacles and removal procedures.
- b. Concrete equipment cleaning or concrete dumping without proper cleanup and restoration.
- c. Careless treatment of existing trees or preservation areas.
- d. Removing any rocks, trees, plants, topsoil, etc. from any portion of the Property other than the Owner's.
- e. Exceeding 25 miles per hour on any Property roads or driveways.
- f. Careless use of cigarettes or flammable items.
- g. Dogs on site must follow county ordinance.
- h. Use of spring surface or irrigation water for any purpose.
- i. Use of illegal drugs.

**WHISPERING PINES RANCH
SUBMITTAL FEE STRUCTURE**

As of March, 2021 the Board has established the fee structure for project types as follows:

- _____ A. New Construction (APPENDIX 4, 5, 6, 7, 8, 9 & 10)
 - 1. \$2,700 Review Fee
 - 2. \$3,000 Compliance Deposit
 - 3. \$150 Post-Construction Fee
 - 4. \$500 Supplemental Fee (incremental amount)

- _____ B. Addition/Remodel (APPENDIX 5, 6, 7, 8, 9 & 10)
 - 1. \$2,200 Review Fee
 - 2. \$2,500 Compliance Deposit
 - 3. \$150 Post-Construction Fee
 - 4. \$500 Supplemental Fee (incremental amount)

- _____ C. Exterior Building Modification/Accessory Structure (APPENDIX 10 & 11)
 - 1. \$350 Review Fee
 - 2. \$500 Compliance Deposit
 - 3. \$150 Supplemental Fee (incremental amount)

- _____ D. Landscape/Exterior Re-stain/Fence/Driveway/Roof/Misc. Projects (APPEN. 12)
 - 1. \$0 Review Fee (the Board reserves the right to defer a project to the ARC for review/approval if they determine the scope of work is beyond their purview; Appendix 11 Application, Review Fee & Compliance Deposit will be required accordingly)

- _____ E. Review of Designer Credentials
 - 1. \$250 Special Fee (if required)

See section A. INTRODUCTION/GENERAL, item 4. Architectural Review Committee, sub-item d. Submittal Fees for explanation of the Supplemental Fee and section B. DESIGN GUIDELINES, item 1. Overall Design and Professional Assistance for explanation of the Special Fee.

By initialing on the blank line next to the description above for their type of project application and signing/dating below the Owner acknowledges their understanding and responsibility of each fee & deposit during the Review, Construction and Change processes (see pages 8, 16/17 & 23/24).

OWNER: _____ DATE: _____

**WHISPERING PINES RANCH
PROJECT INTENT APPLICATION**

Submittal Due Date: _____ Date Received: _____

Project: _____ Lot: _____ Block: _____

Physical Address: _____

Anticipated Project Construction Start Date: _____

OWNER'S INFORMATION:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ E-mail: _____

ARCHITECT/DESIGNER INFORMATION:

Name: _____

Address: _____

Phone: _____ E-mail: _____

Colorado State Registered Architect? Yes _____ No _____

Designer Credentials (if not a Registered Architect): _____

ATTACHED:

- Check for Special Fee for Designer if applicable (APPENDIX 3)
- Copy of Lot's Plat drawing (8 1/2 x 11 or 11x17)
- Initialed/signed copy of Submittal Fee Structure (APPENDIX 3)

ACKNOWLEDGED:

- Possess copy of current Architectural Design Guidelines
- Understand the Review/Approval Process

OWNER: _____ DATE: _____

ARC REVIEWED: _____ DATE: _____

**WHISPERING PINES RANCH
SKETCH PLAN REVIEW APPLICATION**

Project: _____ Submittal Due Date: _____
Lot: _____ Block: _____ Meeting Date: _____
Physical Address: _____ Date Received: _____
_____ Date on Drawings: _____
_____ Date of Guidelines: _____

Owner's Name: _____
Phone: _____ Fax: _____
Address: _____
_____ E-mail: _____

Owner's Representative: _____
Phone: _____ Fax: _____
Address: _____
_____ E-mail: _____

Architect: _____
Designer: _____
Contact Person: _____
Phone: _____ Fax: _____
Address: _____
_____ E-mail: _____

Refer to the Design Guidelines under section A. Introduction/General for information on submittal requirements with regard to number of copies, format, how it should be sent and where it should be sent to. All drawings must be a minimum of 1"=10'-0" engineer scale and 1/8"=1'-0" architectural scale. See APPENDIX 3 for Submittal Fee Structure.

SUBMITTAL MATERIAL:

- ▲ Sketch Plan Review Application
- ▲ Check for Review Fee
- ▲ A copy of topographical survey drawing for the Lot by Registered Surveyor showing all existing conditions (grading, utilities, trees, obstructions, etc.)
- ▲ Site plan drawing showing location/orientation of the house, decks and all proposed improvements. It must show all grading (existing & proposed), all existing conditions (utilities, trees & obstructions), driveway location, parking and trees to be saved & removed
- ▲ Floor plan drawings (all levels)
- ▲ North, South, East & West exterior elevation drawings showing existing & proposed grades
- ▲ Pictures (color) of existing conditions – minimum of 4 at proposed location of new work (Addition/Remodel projects only)
- ▲ Any additional drawings or information requested by the ARC
- ▲ Any material that the Applicant feels relevant to the design of the house
- ▲ Initialed/signed copy of Submittal Fee Structure (APPENDIX 3)

OWNER: _____ DATE: _____

ARC REVIEWED: _____ DATE: _____

**WHISPERING PINES RANCH
PRELIMINARY PLAN REVIEW APPLICATION**

Project: _____ Submittal Due Date: _____
Lot: _____ Block: _____ Meeting Date: _____
Physical Address: _____ Date Received: _____
_____ Date on Drawings: _____

Owner's Name: _____
Phone: _____ Fax: _____
Address: _____
_____ E-mail: _____

Owner's Representative: _____
Phone: _____ Fax: _____
Address: _____
_____ E-mail: _____

Architect: _____
Designer: _____
Contact Person: _____
Phone: _____ Fax: _____
Address: _____
_____ E-mail: _____

Refer to the Design Guidelines under section A. Introduction/General for information on submittal requirements with regard to number of copies, format, how it should be sent and where it should be sent to. All drawings must be a minimum of 1"=10'-0" engineer scale and 1/8"=1'-0" architectural scale.

SUBMITTAL MATERIAL:

- ▲ Preliminary Plan Review Application
- ▲ Site plan drawing showing location/orientation of the house, decks and all proposed improvements. It must show all grading (existing & proposed), all existing conditions (utilities, trees & obstructions), driveway location, parking, snow storage areas, construction staging (materials & vehicles) and trees to be saved & removed
- ▲ Schematic landscape plan drawing showing locations, types & numbers of all new trees & shrubs
- ▲ Floor plan & roof plan drawings (all levels) showing major dimensions & building envelope
- ▲ North, South, East & West exterior elevation drawings showing existing & proposed grades, heights of all major ridges, wall/roof materials, fenestrations & decks
- ▲ Schematic color and material board
- ▲ Copy of completed ARC Sketch Plan Review checklist

ARC REVIEWED: _____ DATE: _____

**WHISPERING PINES RANCH
CONSTRUCTION DOCUMENT REVIEW & APPROVAL APPLICATION**

Project: _____ Submittal Due Date: _____
Lot: _____ Block: _____ Meeting Date: _____
Physical Address: _____ Date Received: _____
_____ Date on Drawings: _____

Owner's Name: _____
Phone: _____ Fax: _____
Address: _____
_____ E-mail: _____

Owner's Representative: _____
Phone: _____ Fax: _____
Address: _____
_____ E-mail: _____

Architect: _____
Designer: _____
Contact Person: _____
Phone: _____ Fax: _____
Address: _____
_____ E-mail: _____

Refer to the Design Guidelines under section A. Introduction/General for information on submittal requirements with regard to number of copies, format, how it should be sent and where it should be sent to. All drawings must be a minimum of 1"=10'-0" engineer scale and 1/8"=1'-0" architectural scale. See APPENDIX 3 for Submittal Fee Structure.

SUBMITTAL MATERIAL:

- Δ Construction Document Review Application
- Δ Check for Compliance Deposit
- Δ Check for Post-Construction Fee
- Δ Site Plan
- Δ Construction Limits Plan
- Δ Final Landscape Plan
- Δ Floor Plans & Roof Plan(all levels)
- Δ Exterior Elevations Drawings
- Δ Structural Foundation & Framing Plans
- Δ Final Color/Material Board
- Δ Construction Schedule
- Δ Acknowledge that design & drawings is 100% complete
- Δ Copy of completed ARC Preliminary Plan Review checklist

PLEASE NOTE: FINAL PLANS SHALL BE STAMPED BY A REGISTERED ARCHITECT OR STRUCTURAL ENGINEER LICENSED BY THE STATE OF COLORADO. ANY CHANGES TO THE EXTERIOR DESIGN AFTER CONSTRUCTION DOCUMENT APPROVAL MUST BE APPROVED BY THE ARC PRIOR TO INITIATING SUCH CHANGES.

ARC APPROVAL: _____ DATE: _____

**WHISPERING PINES RANCH
PRE-CONSTRUCTION REVIEW CHECKLIST**

Project: _____ Start Date: _____
Lot: _____ Block: _____ Site Visit Date: _____
Physical Address: _____ Date on Drawings: _____

Owner's Name: _____
Phone: _____ Fax: _____
Address: _____ E-mail: _____

Contractor: _____
Phone: _____ Fax: _____
Address: _____ E-mail: _____

The Committee member Architect will review the site after the Committee has been advised of the items below being completed; a copy of this "Pre-Construction Review Checklist" will be issued accordingly. The Owner or Representative and Contractor shall be present during this review.

REVIEWED ITEMS:

- _____ Construction Period Regulations Received by Owner and Contractor Reviewed
- _____ Copy of completed ARC Construction Document Review checklist
- _____ Construction Limits Fencing
- _____ Lot Corners Identified
- _____ Building and Driveway Locations Staked
- _____ Top Soil & Excavation Stockpile Storage Areas Established
- _____ Parking/Equipment Areas Established
- _____ Construction Material Storage Area Established
- _____ Snow Fencing Placed Around Protected Trees
- _____ Toilet and Dumpster Locations
- _____ Existing Trees Flagged for Removal or Saving
- _____ Site Construction Trailer Location
- _____ Construction Sign Size & Location
- _____ Erosion and Sediment Control Defined

PLEASE NOTE: ANY CHANGES TO THE EXTERIOR DESIGN AFTER CONSTRUCTION DOCUMENT APPROVAL MUST BE APPROVED BY THE ARC PRIOR TO INITIATING SUCH CHANGES (SEE ITEM 15. CHANGES UNDER SECTION B. DESIGN GUIDELINES).

Comments: _____

OWNER/REPRESENTATIVE: _____ DATE: _____

ARC REVIEWED: _____ DATE: _____

**WHISPERING PINES RANCH
INTERIM CONSTRUCTION REVIEW CHECKLIST**

Project: _____ Site Visit Date: _____
Lot: _____ Block: _____
Physical Address: _____

Owner's Name: _____
Phone: _____ Fax: _____
Address: _____
_____ E-mail: _____

Contractor: _____
Phone: _____ Fax: _____
Address: _____
_____ E-mail: _____

The Committee member Architect will periodically visit the construction site to monitor compliance with the approved Construction Documents and the "Construction Period Regulations" (APPENDIX 2); a copy of this "Interim Construction Review Checklist" will be issued accordingly. This review can be completed without the Owner or Representative being present. It is required of the Owner to review the Regulations with the contractor and remains the responsibility of the Owner to maintain the Regulations at all times. **The Owner/Contractor will be given one warning of any violation of the Construction Period Regulations. If the violation has not been corrected within 48 hours of the warning, there will be a fine of \$100 per violation assessed against the Compliance Deposit.**

REVIEWED ITEMS:

- _____ Site Clean/Excess Soil Removed
- _____ Material Orderly
- _____ Construction Limits Being Maintained
- _____ Protection of Existing Trees Being Maintained
- _____ Workers Parking in Designated Area
- _____ No Loud Radios
- _____ Correction of any Previous Violations
- _____ General Compliance to Construction Period Regulations
- _____ General Compliance to Approved Construction Documents (fenestrations, materials, color, decks, roofs, chimneys, etc.)

PLEASE NOTE: ANY CHANGES TO THE EXTERIOR DESIGN AFTER CONSTRUCTION DOCUMENT APPROVAL MUST BE APPROVED BY THE ARC PRIOR TO INITIATING SUCH CHANGES (SEE ITEM 15. CHANGES UNDER SECTION B. DESIGN GUIDELINES).

Comments: _____

ARC REVIEWED: _____ DATE: _____

**WHISPERING PINES RANCH
POST-CONSTRUCTION REVIEW & FINAL APPROVAL CHECKLIST**

Project: _____ Completion Date: _____
Lot: _____ Block: _____ Site Visit Date: _____
Physical Address: _____

Owner's Name: _____
Phone: _____ Fax: _____
Address: _____ E-mail: _____

Contractor: _____
Phone: _____ Fax: _____
Address: _____ E-mail: _____

This is the final step of the process and takes place when the Owner wishes to receive their Certificate of Occupancy from the County. It is requested that everything be in place for this review to take place, which includes all landscaping, driveway and exterior work including clean-up of the site. This review must take place on site and can be completed without the Owner or Representative being present. The Committee must, however, receive written notice from the Owner before this review is to take place. The Committee member Architect will review the project after receiving such notice; a copy of this "Post-Construction Review & Final Approval Checklist" will be issued accordingly. Final approval is also required for any project submitted under APPENDIX 11.

REVIEWED ITEMS:

- _____ Site Clean and all Construction Material/Equipment Removed
- _____ Re-vegetation and Landscaping Complete
- _____ General Compliance to Approved Construction Documents (fenestrations, materials, color, decks, roofs, chimneys, etc.)

Comments: _____

Authorized to Release Compliance Deposit? Yes _____ No _____

Explanation if Not: _____

OWNER: _____ DATE: _____

ARC APPROVAL: _____ DATE: _____

WHISPERING PINES RANCH
EXTERIOR BUILDING MODIFICATION/ACCESSORY STRUCTURE APPLICATION

Submittal Due Date: _____ Date Received: _____ Meeting Date: _____

Project Type: _____ Lot: _____ Block: _____

Physical Address: _____

OWNER'S INFORMATION:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ E-mail: _____

PROJECT INFORMATION:

Estimated Start Date: _____ Estimated Completion Date: _____

Contractor: _____

Comments: _____

Refer to the description below and the Design Guidelines under the respective type of project for submittal requirements. The ARC will review projects submitted under this application; submittals can be directed to both the Management Company & the ARC Committee as noted in Section A. Introduction/General.

SUBMITTAL MATERIAL:

- ▲ Exterior Building Modification/Accessory Structure Application
- ▲ Check for Review Fee (APPENDIX 3)
- ▲ Check for Compliance Deposit due at time of submittal (APPENDIX 3)
- ▲ Initialed/signed copy of Submittal Fee Structure (APPENDIX 3)
- ▲ Copy of Plat drawing for the Lot (where applicable)
- ▲ EXTERIOR BUILDING MODIFICATION or ACCESSORY STRUCTURE or SIDING REPLACEMENT – Drawings showing the location, size & design along with a description of materials/color
- ▲ DRIVEWAY REDESIGN or ADDITION – Site Plan drawing of design with description of design/materials
- ▲ WINDOW/DOOR ADDITION or REMOVAL – Drawings/information as described in the section
- ▲ SOLAR PANELS/SKYLIGHTS – Drawings of location with product data
- ▲ ROOF REPLACEMENT (CHANGE OF MATERIAL) - Drawings/information as described in the section
- ▲ DECKS - Drawings/information as described in the section
- ▲ FENCES/RETAINING WALLS - Drawings/information as described in the section
- ▲ Pictures (color) of existing conditions – minimum of 4 at proposed location of new work

OWNER: _____ DATE: _____

ARC APPROVAL: _____ DATE: _____

WHISPERING PINES RANCH

LANDSCAPE/EXTER. RE-STAIN/FENCE/DRIVE/ROOF/MISC. PROJECTS APPLICATION

Date Submitted: _____ Date Received: _____

Project Type: _____ Lot: _____ Block: _____

Physical Address: _____

OWNER'S INFORMATION:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ E-mail: _____

PROJECT INFORMATION:

Estimated Start Date: _____ Estimated Completion Date: _____

Contractor: _____

Comments: _____

Refer to the description below and the Design Guidelines under the respective type of project for submittal requirements. In general the Board will review projects submitted under this application; submittals can be directed to the Management Company as noted in Section A. Introduction/General. Miscellaneous Projects pertain to hot tubs, recreational equipment, etc.

SUBMITTAL MATERIAL:

- ▲ Landscape/Exterior Re-stain/Fence/Driveway/Roof/Misc. Projects Application
- ▲ Review Fee not required (the Board reserves the right to defer a project to the ARC for review/approval if they determine the scope of work is beyond their purview; Appendix 11 Application, Review Fee & Compliance Deposit will be required accordingly)
- ▲ RE-STAINING – Description, sample of colors, depiction of locations
- ▲ LANDSCAPE – Landscape Site Plan drawing with list/description of plants
- ▲ FENCE ENCLOSURE – Copy of Plat drawing for the Lot & Site Plan drawing showing location of fence & gates along with a description of height, design & materials/color
- ▲ DRIVEWAY REPLACEMENT – Site Plan drawing with description of materials
- ▲ ROOFING or GUTTER/DOWNSPOUT REPLACEMENT– Description, sample of material/color, depiction of locations
- ▲ WINDOW/DOOR REPLACEMENT – Drawings/information as described in the section
- ▲ EXTERIOR LIGHTING – Description of locations & product data of style/type/color
- ▲ MISC. PROJECTS – Verify submittal requirements with the Management Company
- ▲ Permit number for those projects that require County Building Permit
- ▲ Pictures (color) of existing conditions – minimum of 4 at proposed location of new work

OWNER: _____ DATE: _____

BOARD APPROVAL: _____ DATE: _____