

Architectural Review Standards

MOUNTAIN SIDE HOMEOWNERS' ASSOCIATION
ARCHITECTURAL REVIEW COMMITTEE

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General Architectural Philosophy of Mountain Side

Mountain Side is a mountain community of single family and duplex homes. The overall architectural theme is to blend into the setting of the Rocky Mountains and native pines and aspen trees. There is minimal fencing in the community. Efforts are made to preserve the creeks and surrounding wetlands.

Scope of Architectural Review Standards

The Mountain Side Homeowners Association (HOA) Architectural Review Committee (ARC) has established this Architectural Review Standards document (Standards) as required by the Architectural Review provisions set forth in the Declaration of Covenants, Conditions, and Restrictions enacted December 16, 1982 (Declarations). These Standards supersede the Architectural Control Guidelines v2.3 dated May 2022.

The scope of these Standards includes the following:

- A reference for owners of single-family homes, duplexes, and vacant lots.
- Standards for all changes to exteriors of properties, including new construction, modifications or additions to existing structures, aesthetic changes, landscaping, fencing, and decks.
- Interpretation and implementation of Declarations.

Together, the following documents comprise all requirements owners and ARC must consider when planning an exterior modification or improvement. These requirements are accepted by every owner when title to their property is taken. All documents are posted on the [Mountain Side website](#).

No.	Document	Date Enacted
1	Preliminary Development Plan for Mountain Side P.U.D (PDP) And Amendments (various dates) - Note that Amendment 1 (2.a) dated July 1984 states that roofing material shall be according to Code.	May 11, 1982
2	PDP Amendment 6 to Section 9.02 regarding metal elements/accents	2025 - Pending
3	Declaration of Covenants, Conditions, Restrictions (Declarations)	Dec 16, 1982
4	Rules, Regulations, and Policies of Mountain Side HOA (Rules)	March 2024
5	Policy of Mountain Side HOA Regarding Antenna and Satellite Dishes	March 2024
6	Solar Panels Policy	May 2024
7	Architectural Review Standards (Standards)	2025

The ARC has taken great care to craft these Standards to align with all documents. Where there may be inadvertent differences in requirements or where the Declarations and Standards are contradictory, the Declarations shall prevail.

Architectural Review Committee

Members of the ARC are appointed by the HOA Board of Directors. The Committee's goals are to preserve a harmonious aesthetic in Mountain Side and to prevent changes that may negatively impact the aesthetic or values in Mountain Side.

In addition to the documents listed above, the ARC takes the following factors into consideration when evaluating a request.

- Impact to neighboring properties, including views/sightlines, proximity to property lines, purpose of use, etc. In some cases, input from neighbors may be solicited.
- Impact to natural surroundings, including open spaces, vegetation, streams, lake and/or wetlands.
- Professional architecture, survey, or engineering services appropriate for scope and scale of project. The ARC can require an architect, surveyor, or engineer to be retained at owner's expense.
- Knowledge of Town of Frisco (TOF) and Summit County codes and processes. The ARC is not responsible for details of all TOF or Summit County requirements or processes, but committee members can offer experience-based information where appropriate.
- Knowledge of state and local laws/regulations. The ARC does not provide legal advice, but committee members can offer references to state and local resources where appropriate.
- Overall harmony with neighborhood aesthetics and surrounding environment.

ARC decision making is by majority vote.

Previously approved and installed changes to homes in Mountain Side do not set precedents. State and local laws, Town of Frisco (TOF) codes, HOA Rules and Regulations, and Architectural Standards change over time. The ARC may take previous projects into consideration, but the ARC is not bound to approve a request (design, materials, colors, etc.) if a similar request was approved in the past.

ARC Process

Before beginning a project, owners must request ARC review. Owners are encouraged to submit applications well before the planned start of a project. The ARC endeavors to respond quickly, but some requests may require in-depth review, additional information, neighbors' input, etc. If the ARC does not provide an initial response within 30 days, then the request is considered denied.

The ARC process is independent of the TOF permitting process. For projects requiring TOF permits, homeowners must adhere to that process and secure the necessary permits. The ARC will review applications prior to permitting, but if changes are made during the permit process, then the ARC must receive and review final designs, materials, colors, etc.

Steps:

1. Owner submits a request to Summit Resort Group (SRG), the Mountain Side property management company, using the attached Request Form. SRG Representative will send the request to ARC members.
2. ARC reviews requests. For larger, more complex requests (e.g. solar panel installation, deck construction, home addition, landscaping or fencing project), the ARC may conduct a detailed study which may include a site visit, legal consultation, and/or neighbor input.
3. The ARC will make one of the following decisions:
 - a. Approve the request.
 - b. Ask for additional information from owner and/or work with owner to adjust the plan to align with Standards.
 - c. Reject the request, citing reasons and noting possible changes to achieve an approved plan.
4. If a permit is required, the owner is responsible for the permit process with the Town of Frisco (TOF). Once the permit is granted, the owner must do the following:
 - a. Follow-up with ARC to fulfill the requirements of the HOA Rules, section 3. (See HOA Rules and Regulations section below).
 - b. If changes are made during the permitting process, owner must submit final design, materials, colors, etc. to ARC for review.

All improvements approved by the Committee must commence within one year from the date of approval. If not commenced within such time, then such approval shall be deemed revoked by the Committee, unless the Committee gives a written extension for commencing the work. Additionally, except with written Committee approval otherwise, and except for delays caused by strikes, fires, national emergencies, critical materials shortages or other intervening forces beyond the control of the Owner, all work approved by the Committee shall be completed within one year of commencement.

All communications are conducted through SRG.

Exterior Changes and Guidance

The ARC process must be completed for all exterior changes. The following table provides guidance on most types of exterior changes but may not be all-inclusive. Owners are asked to provide as much detail as possible when submitting a request. It's helpful to include drawings, photos, elevations, and details of materials to be used.

Exterior Change	Notes and Guidance
Paint/Stain and Colors	Colors shall be in harmony with other existing homes or colors like those originally used in Mountain Side. According to the PDP, "All exterior colors shall be earth tones of tan, brown, grey, and green. Trim colors shall blend with siding colors."
Materials and Finishes	Preference is given for natural materials such as - Wood siding - Stone - Stucco - Brick Some engineered, composite, or synthetic materials may be considered, but a level of quality, durability, and beauty is expected.
Metal elements and accents	Certain metal elements/accents are allowed as follows: - Roofing material - Deck elements including railings, balusters, stair stringers, stair treads, and support trussing - o Balusters must be square or circular; not ornate - Structural posts, beams, and trussing - Flashing, vent caps, chimney shrouds, and roofing trim
Roofing	The ARC will review materials and colors. TOF Codes shall prevail for roofing requirements.
Windows and Doors	The ARC will review requests to replace or add windows and/or doors. Window trim shall be wood, finished/painted metal, fiberglass, or high-quality vinyl-clad. Doors shall be wood or finished/painted metal or fiberglass.
Garage Doors	Garage doors shall be finished with siding material, paint, or a natural-appearing façade. The ARC will review garage door specs.
Landings, Steps, Patios, Balconies, and Decks	The ARC will review materials, colors, layouts, elevations, railings, sightlines, and impact on neighboring properties.

Lighting	The ARC will review changes to lighting, with preference for fixtures that are visually pleasing and complement the Mountain Side aesthetic. The TOF “Dark Sky” ordinance shall prevail for determining lighting functionality, which shall be appropriate for task and security while minimizing glare and light pollution. See link in References.
Installations	The ARC will review requests to install any of the following: - Attached hot tub - Fire pit - Permanent grill - Antenna or satellite dish (See Satellite Dish Policy) - Solar panels (See Solar Panel Policy) - Driveway - Fence - Holiday lights for more than 60 days past the holiday
Landscaping	The ARC will review major landscaping projects. See Landscaping section.
Fencing	The ARC will review all requests for fencing, temporary or permanent. Minimal fencing is used in Mountain Side. See Fencing section.

Disallowed Materials, Improvements, Items, and Actions

The following list is offered as guidance for owners. The ARC can prohibit items, materials, and improvements not explicitly listed here, based on its criteria and judgement.

Prohibited Materials	- Vinyl siding - Vinyl garage doors - Painted stone, brick, or concrete - Some synthetic or non-natural materials, based on use, durability, beauty, and/or harmony with Mountain Side aesthetic.
Prohibited Improvements	- Gazebos - Arbors - Permanent furniture - Windmills or wind turbines - Swimming pools - Free-standing hot tubs - Rooftop decks - Permanent dog runs - Pet cages or kennels - Detached structure such as a garage, office, shed, or storage - New fencing - Retaining walls or patio walls - Outdoor kitchens
Prohibited Items	- Wind chimes - Permanent play structures, climbing structures, and slides - Permanent zip lines and slack lines
Prohibited Actions	- Building a new large earthen berm - Altering a stream's flow - Any ground disturbance within 25 feet of water

Like-for-Like Changes

If an owner is repairing or replacing exterior items with like-for-like materials, colors, and design, then the change does not have to go through ARC process. Examples of like-for-like changes include the following:

- Repainting in the same color, provided that the color is in Mountain Side-approved scheme
- Repairing item(s) with the same design, materials, and colors as existing
- Replacing glass

Like-for-like changes must...

1. Meet all criteria (same materials, colors, and design as existing), and
2. Materials, colors, design, and items must be allowed and not on the prohibited list. For example, an owner may not replace a vinyl garage door with a vinyl garage door. Also, owners must repaint in earth-tones of brown, tan, grey, or green.

If a change does not meet both criteria above, then the owner must submit a request to the ARC.

Landscaping

Major landscaping changes that are not part of an original, approved plan must go through the ARC process. The request shall describe all proposed landscape projects including removing, adding, or changes to the following:

Vegetation	- Trees – specifically, removing any tree 6” or more in caliper size (diameter 12” above soil) and plans for planting/replacing trees - Irrigated turf grass - The HOA/ARC supports owners’ individual choice to keep green lawns or to remove turf and replace with water-wise native plants, pollinators, and grasses.
Improvements/Structures	- Patios - Decks - Stonework - Retaining Walls - Vehicle parking areas

Landscaping projects that do not require ARC review include the following:

- Perennial plant replacement
- Minor improvements or additions to existing gardens
- Seasonal addition of plants (e.g. spring/summer annuals).
- Planting additions/replacements in accordance with a previously approved landscape plan.

- Irrigation system installation or repair. The ARC recommends EPA Certified Water Sense sprinkler systems and EPA Certified QWEL irrigation professionals.
- Seasonal decorations if removed within 60 days following the holiday.

Landscaping Maintenance

All landscaping shall be maintained in a neat and attractive condition. Minimum maintenance requirements include watering, mowing, pruning, and removing weeds, noxious grasses, trash, and dead/dying plants. Owners must also adhere to these rules:

- Slash shall not be left in yards longer than 30 days.
- Berms must be maintained by property owners, along with other landscaping. Property lines extend to the top of the berm. No common maintenance is provided by the HOA on the berms.
- Creek shores must be maintained by property owners, along with other landscaping. Property lines go to the middle of the creek. No common maintenance of the creeks is provided by the HOA.
- Trees shall be trimmed to maintain their health.
- All trees removed greater than 6" caliper, including dead/dying trees, must be replaced. A reasonable exception may be made if the property is in compliance with minimum TOF revegetation requirements.
- Trees within 25ft of structures must be evaluated by each owner periodically for potential fire mitigation through trimming, relocation, or removal.
- Rock bed areas shall be maintained in an attractive manner, with weeds and leaves removed.
- Grass lawns must be cut regularly.
- Most cool season grass in our community should not be cut shorter than 3". Cool season grasses will grey/ brown in the warmest weeks of the summer.
- Owners with private sprinkler systems will follow the county mandated irrigation schedule.

Fencing

In general, new property fencing is prohibited. Some exceptions for split rail fences have been approved around the exterior boundary of Mountain Side and on vacant lots.

All changes to, additions to, or new fences must be requested through ARC process. The ARC requires the following:

- Application must be accompanied by an updated survey provided by the Applicant including post, gate locations, waterways, and wetlands setbacks.
- Written consent of the adjoining neighbors to the proposed location of the fence

- Assessment of impact to vegetation, streams, and/or lake. TOF code related to building in proximity to wetlands applies.
 - o Development and/or soil disturbance is prohibited by the Town of Frisco Code Section 180-6.7. (“Development prohibited. Development and soil disturbance are generally prohibited in or within 25 feet of all waterbodies and wetlands.”).

The following table provides guidance on eligible lots as well as types and materials for fencing.

Interior Lots located in and bounded by Bill’s Ranch Rd, 5 th Ave, McKee’s Way, and Hunter Circle (lots 10 – 25)	Fences are disallowed.
Perimeter Lots – Duplexes and patio homes on perimeter of development (lots 1-9, 35-40, 600, 610)	Some exceptions have been made for fences on perimeter or vacant lots. Fences may be allowed in back and side yards only (not front yard of developed properties), depending on property lines and position of home. Generally, fences are permitted from the midpoint of home around back property line.
Fence Type and Materials	Split rail only. Solid privacy fencing of any height is disallowed. Mesh lining for split rail fencing must be reviewed by ARC
Fence Height	Maximum 4 feet

New Building or Additions/Extensions

This section refers to new home construction on vacant lots, demolition and new build, and/or additions or extensions to existing homes. New buildings and/or additions shall align with the design characteristics of Mountain Side. Owners shall refer to the PDP for details.

All plans shall be submitted for ARC review. Requests shall include the following:

- Square footage and description of building (numbers of bedrooms, bathrooms; purpose of addition/extension)
- Plot map showing property lines, setbacks, easements, and building position
- Exterior design renderings and elevations of all sides
- List of all materials and colors
- Landscape drawing, including placement of trees/shrubs, walkways, patios, decks, parking areas, etc.

Exceptions

The ARC process does not apply for the following changes:

- Modifications to the interior of a residence which do not materially affect the external appearance or structure.
- Repair of exterior items in kind (See Like-for-Like section)

Appeal Process and Limited Variance

Right to Appeal

An Owner whose plans have been disapproved or conditionally approved may appeal any decision of the Committee to the Committee and then to the Board of Directors if the Committee does not change its position. The Board of Directors shall review the decision of the Committee pursuant to the criteria set forth in the Declarations and Architecture Review Standards. Any decision of the Committee may be overruled and reversed on appeal by a majority of the Directors by a written decision setting forth the reasons for the reversal when the Directors conclude that the Committee's decision was inconsistent with the criteria set forth in the Declarations and Architecture Review Standards.

Variances

The Committee may grant reasonable variances or adjustments from any conditions and restrictions imposed by the Architecture Review Standards in order to overcome practical difficulties and unnecessary hardships arising by reason of the application of the conditions and restrictions contained in this document.

HOA Rules and Regulations: ARC Processes

After permits are issued and final ARC approval is granted, Owners are asked to comply with Section 3 of Rules document: Procedure for Architectural Approval for Modifications to Sites.

	Rule	Owner
A.	Copies of all applications for building permits and inspection for code compliance.	Send documents to SRG Representative
C.	Personal letter of request for modifications by the record Owner	Complete ARC Application and send to SRG Representative. The form is attached below.

D.	Personal guarantee by the Owner stating that all work performed will be completed satisfactorily and in a timely manner.	Sign statement as part of ARC Application and send to SRG Representative. The form is attached below.
E.	Upon completion of project, an inspection by member of the ARC and/or the Managing Agent will be conducted. Owner will be contacted prior to this inspection.	Member(s) of the ARC will work with owner to compare the finished project with the original/approved application.

Permitting

The owner is responsible for securing all required permits before beginning a project.

Mountain Side HOA and ARC are not responsible for permits.

These Standards do not replace any architecture, engineering, construction management, inspection, building code, or permit requirements enforced by the Town of Frisco (TOF), Summit County, or the State of Colorado.

Approval by the Committee is in addition to and not in lieu of compliance with the permit process, building code requirements of the TOF, and the requirements of the Preliminary Development Plan, 1982 (PDP).

Construction Requirements

Construction must be done in a safe, professional manner and in compliance with all permit requirements.

TOF laws and regulations for days and times allowed for construction activity, requirements for construction fencing, and parking for construction and personal vehicles must be heeded.

The Owner's Contractor shall carry Builder's Risk and/or liability insurance.

Any damage to another property caused by construction activity will be promptly repaired at the expense of the project owner or covered by Contractor's insurance.

The owner (or owner's contractor) is responsible for collecting and removing all construction waste. Mountain Side community dumpsters are not to be used for construction waste. The temporary use request for a dedicated project waste dumpster and/or a portable toilet can be included in a project Request. Their temporary placement may be coordinated with an ARC Representative.

Mountain Side Condo parking lots shall not be used for construction vehicle parking or construction materials staging or storage.

The Owner or Construction Contractor is responsible for all required project inspections.

Enforcement: ARC Process and Property Condition

If an owner fails to comply with the ARC process, the Association shall follow the Enforcement Policy. Enforcement will be in compliance with Colorado law and the Association's Enforcement Policy.

The Association may also send a cease-and-desist letter to stop work, if no approvals have been given.

All owners are expected to maintain their property. This includes, but is not limited to, replacing old materials, repairing or replacing rotten or broken materials, painting/staining to protect siding, repairing or replacing cracked/sunken driveways, adhering to code and safety requirements, tending to landscaping, and generally keeping a tidy, pleasing appearance in alignment with Mountain Side aesthetics.

The Mountain Side HOA Enforcement Policy defines violations and consequences for violations. Poor property conditions are considered violations. Notices will be sent to owners where the property is in disrepair and/or landscaping is neglected.

References

Mountain Side

Mountain Side web site: <https://srghoa.com/location/mountain-side/>

The following documents are posted on the Mountain Side web site.

Mountain Side Preliminary Development Plan (PDP) with Amendments

The PDP describes materials in the community, as well as detailed information on individual lot setbacks. The PDP is registered with Summit County, document #243734. It can be found on the Mountain Side web page.

- HOA Governing Documents & Policies
 - o HOA Declarations
 - o HOA Rules & Regulations
 - o HOA Satellite Dish Policy
 - o HOA Solar Panel Policy
 - o HOA Enforcement Policy

Town of Frisco

TOF Codes:

<https://library.municode.com/co/frisco>

TOF Building Permit Applications site:

<https://www.frisco.gov/forms-permits/building-permit-applications/>

TOF Building and Planning permit process is described here:

<https://www.frisco.gov/departments/community-development/application-permitting-process/>

Summit County

Summit County Building Permits site:

<https://www.summitcountyco.gov/380/Building-Permits>

Architectural Review Request Form

Request Made by: _____

Date: _____

Project Address: _____

Project Type: _____

Owner Name: _____

Owner Mailing Address: _____

Owner Contact Information: Phone: _____ E-mail: _____

Project Description/Scope of Work:

Expected Contractor(s) to be used: _____ Contractor Licensed? _____

Expected Construction, Start Date: _____ Completion Date: _____

Permit Status (if required): _____

Attach plans, surveys, colors, materials, specs, and all other required documentation as listed in the ARC Standards document.

Submit this form via e-mail to:

Kevin Lovett

Summit Resort Group

Klovett@srgsummit.com

Mountain Side Owner Attestation

I understand the approval of the ARC must be attained before I can proceed with my project.

I have read the ARC Standards, and I will comply with all requirements.

I understand that the ARC may request additional information prior to reviewing the request.

I understand that approval by the ARC does not constitute approval by the Town Building Department and that I may be required to obtain a building permit.

I agree to commence and complete improvements promptly after receiving approval from the ARC. I agree that if I do not start or complete the project within the time specified, I will submit a request for extension. The project may continue only with approval of the extension.

I agree that the ARC may compare my actual project with the approved design, the Declarations/Covenants, and the Architectural Review Standards, and I will comply with requests for information or adjustments so that the project adheres to the approved design.

Owner's Signature: _____

Date: _____