

LAKOTA CANYON RANCH
MASTER HOMEOWNERS
ASSOCIATION

DESIGN REVIEW GUIDELINES



UPDATED SEPTEMBER 2020

DESIGN REVIEW GUIDELINES
LAKOTA CANYON RANCH

CONTENTS

1. INTRODUCTION

1.1 Lakota Canyon Ranch Vision..... 5
1.2 Design Review Purpose & Objectives..... 6

2. DESIGN REVIEW PROCESS

2.1 New Construction Process Overview..... 7
2.2 New Construction Submittal Requirements..... 8
2.3 All Other Improvements..... 9
2.4 Review Fees & Deposits..... 10

3. DESIGN SPECIFICATIONS

3.1 Materials..... 11
3.2 Colors..... 11
3.3 Site/Building Envelopes..... 11–12
3.4 Building Mass..... 12
3.5 Scale..... 12
3.6 Building Requirements..... 13
3.7 Manufactured Housing..... 13
3.8 Open Space..... 13
3.9 Building Height..... 13
3.10 Solar Design..... 14
3.11 Roofs..... 14

3.12	Dormers.....	14–15
3.13	Windows.....	15
3.14	Entries.....	15
3.15	Doors.....	16
3.16	Drainage.....	16
3.17	Gutters & Downspouts.....	16
3.18	Foundations.....	16–17
3.19	Walls.....	17
3.20	Retaining Walls.....	17–18
3.21	Chimneys and Vents.....	18
3.22	Fireplaces.....	18
3.23	Porches, Patios, Balconies & Decks.....	18–19
3.24	Accessory Buildings and Structures.....	19
3.25	Garages.....	19
3.26	Driveways.....	19
3.27	Fences.....	19–20
3.28	Pathways or Bridges.....	20
3.29	Mechanicals and Screening.....	20
3.30	Outdoor Elements.....	21
3.31	Lighting.....	21
3.32	Wildlife & Domestic Animals.....	22
3.33	Wildfire Management.....	22
3.34	Landscape Guidelines.....	22–23

4. COMPLIANCE

4.1	Maintenance.....	24
-----	------------------	----

4.2 Construction Management..... 24–26

4.3 Enforcement..... 26

DESIGN REVIEW PROCESS CHECKLISTS, REFERENCE, & SUBMITTAL FORMS

APPENDIX A

A.1. Preliminary Review Checklist..... 27

A.2. Final Review Checklist..... 28

APPENDIX B

Registration of Builders..... 29–30

APPENDIX C

Construction Management Plan..... 31–33

APPENDIX D

Sample Display Board..... 34

APPENDIX E

Change Request Form..... 35

APPENDIX F

Owner/Contractor Conformance Agreement Form..... 36

APPENDIX G

Design Review Application Form..... 37

APPENDIX H

Lakota Canyon Ranch Lot Design Parameters..... 38

INTRODUCTION

1.1 LAKOTA CANYON RANCH VISION

Nestled below the high mountain forests of the Rocky Mountains is the historic town of New Castle, home of the Lakota Canyon Ranch Community and Golf Course. Lakota Canyon Ranch is a picturesque confluence of mountains, breathtaking views, and a unique seclusion with uncharacteristic access to services. Home of the spectacular James Engh Golf Course, Lakota Canyon Ranch offers an intriguing combination of a residential community and world-class golf experience. Lakota Canyon Ranch Golf Club is the recipient of many national awards and top rankings.

James Engh has proven himself to be one of America's top golf course designers and has won "best new golf course in America" for his Sanctuary course in Castle Rock, Colorado and his course at Redlands Mesa in Grand Junction, Colorado. Jim has also been called by *Colorado Avid Golfer Magazine*, "America's hottest new golf course designer," and was awarded "2003 Designer of the Year" by *Golf Digest*.

As the golf course balances with the natural environment, the Lakota Canyon Ranch community is committed to preserving architectural continuity with the mountain spirit and landscape. It is important that each homeowner has an opportunity to understand and embrace this commitment of spirit, history, and environment. The Colorado mountain communities have developed an architectural style that is sensitive to the environment, producing structures built and decorated with the region's natural resources.

The Mountain style of architecture encompasses the theme for the Lakota Canyon Ranch and Golf Club. Mountain style represents a harmony of the great natural beauty of the environment and the inevitable and logical combination of local craftsmanship traditions and readily available indigenous materials. It represents a vernacular with a special intrinsic approach to the natural surroundings, spawned from the picturesque natural beauty of wooded mountains and vistas of mountain peaks. In an atmosphere of roaring rivers and high mountain lakes, it has emerged as a spectacular form of refined architecture.

Here, among the robust climate and at the foot of the Colorado River that threads its way through our mountain environment, homes will incorporate the distinct architectural elements of the Mountain styles. The heavy timber or log trusses and columns, fireplaces of regional stone, covered porches with articulated wood railings highlight this eloquent design.

The use of indigenous stone, wood siding or half-log applications, articulated wood railings at balconies and covered porches, with extended eaves form the desired architectural style of Lakota Canyon Ranch. The decorative potential of these structural elements, such as stone fireplaces with stone chimney caps, decorative workmanship to accent the natural wood, stone features, multiple roof lines varying in design and pitch with rusted corrugated metal, architectural-grade composition and asphalt shingles, can be integrated into an elegant Mountain home.

Each structure should embody the living history of this architectural style, collectively forming an indigenous environment with the spectacular natural beauty of Lakota Canyon Ranch.

1.2 DESIGN REVIEW PURPOSE & OBJECTIVES

It is the goal of Lakota Canyon Ranch to develop the community with an architectural style consistent with the Mountain lifestyle. Breathtaking views exemplify the special qualities of this property, together with a commitment to preserve the natural environment.

These Design Guidelines are a supplement to the Declaration of Covenants, Conditions, and Restrictions of Lakota Canyon Ranch recorded on 10/19/2004 by Reception No. 661954, and are intended to ensure all development respects the relationship between the association and owners to ultimately promote harmony in the Lakota Canyon Ranch community while preserving the natural beauty of the environment, including the surrounding mountain setting and spirit. The Design Guidelines address all improvements, alterations, and changes to lots and homes in the subdivision for the benefit of those who share in this spectacular community. The Guidelines help define the scope of architectural standards so that current and future owners understand and appreciate the design character and environmental sensitivity necessary to protect and enhance property values for years to come.

The Design Guidelines are not intended to limit creativity or create a “cookie-cutter” design approach; but rather, the Guidelines are intended to promote creative design to ensure architectural differences and variety exist between homes and multifamily dwellings, without detracting from the architectural character and integrity that distinguishes Lakota Canyon Ranch as the premier community in the area.

The Guidelines are adopted and implemented by the Board of Directors and will be amended from time to time. Variances may be granted as exceptions to these Guidelines on a case-by-case basis, and by the process of written request and approval. The Board has appointed a Design Review Committee (DRC) to administer the review and approval process and operate under these Guidelines according to the authority of the CCRs and article 4 thereof.

The objective of the DRC is to work supportively with owners and builders to develop a harmonious project that complements and fulfills the development goals of protecting the present natural beauty, native setting, and seclusion of home sites within Lakota Canyon Ranch for the benefit of all property owners. Due to specific lot topography and conditions, all standards are subject to a certain degree of flexibility as deemed appropriate by the DRC.

The DRC will use its best judgment to see that all improvements, construction, landscaping, and alterations of the land conform to these Guidelines and harmonize with the natural surroundings and existing structures as to external design, materials, color, site, height, grade, ground elevations, and other critical elements.

The owner must receive the express written approval from the DRC prior to the commencement of any building or improvements on the lot. Once written approval is granted, it is the ultimate responsibility of the owner to ensure their builder, architect, and/or contractors adhere to all aspects of the Design Guidelines, and the owner is responsible for ensuring the building or improvements are constructed in exact detail according to the plans as submitted and approved. Any deviation, in any detail, from the approved design and/or specifications must be submitted to the DRC in writing for prior written approval, and approval of the change request must be granted in writing before the change may be enacted. Every effort will be made by the DRC to review changes in an expeditious manner with consideration to avoid interruption of the construction process.

DESIGN REVIEW PROCESS

2.1 NEW CONSTRUCTION PROCESS OVERVIEW

The following is an overview of the event sequence involving the DRC for new construction projects:

1. Owner submits application for Preliminary Review (see APPENDIX A.1 - Preliminary Review Checklist), including all Review Fees and Registered Builder Statement.
2. Upon receipt of Preliminary Approval letter from DRC, Owner may submit to Town for Building Permit. (No construction may take place without submitting all fees and deposits and receipt of a Final Approval letter from the DRC.)
3. Owner submits application for Final Review (see Final Review Checklist), including all Security Deposits, revised drawings and any remaining information the DRC requests following the Preliminary Review.
4. Upon Final Review Approval confirmation letter from DRC, DRC will perform pre-construction site inspection and Owner may begin the building construction process.
5. Once framing is complete, Owner will notify the DRC and Architect representative will perform second inspection (2 of 3): Initial Design Conformance Inspection.
6. Within at least 14 days before applying for Certificate of Occupancy with Town, Owner will notify DRC and Architect representative to perform Final Design Conformance Inspection (3 of 3).
7. DRC will issue Certificate of Compliance upon inspection approval. This should occur prior to the Town inspection and issuance of C.O.
8. Owner will notify DRC once landscaping is complete, and DRC will perform final inspection for compliance to approved landscape plan.
9. Once DRC verifies compliance and approval of construction and landscaping, deposits may be refunded (less any damages if applicable).

Completion Timeframe for Construction: 18 months from Final Review Approval date.

Completion Timeframe for Landscape: 18 months from Final Review Approval date (unless this occurs between November 15–March 15, in which case the landscape may be completed in the next growing season).

DESIGN REVIEW PROCESS

2.2 NEW CONSTRUCTION SUBMITTAL REQUIREMENTS

The Design Review process for the construction of a new home generally involves two meetings: **(1) Preliminary Review**, and **(2) Final Review**.*

1. PRELIMINARY REVIEW

At least two (2) weeks prior to the scheduled meeting, the following must be completed and submitted to the Management Company:

- 1) Design Review Submittal Form (APPENDIX G)
- 2) Registered Builder Statement (APPENDIX B)
- 3) Two (2) sets of 24" x 36" construction plans. At a minimum, construction plans and accompaniments **must include all items on the Preliminary Review Checklist** (APPENDIX A.1)
- 4) Same construction plans in electronic format
- 5) All Review Fees (Nonrefundable - Per Review Fees & Deposits – Sect. 2.4, p. 10):

\$1,000.00	Design Review Fee	Payable to Lakota Canyon Ranch HOA
700.00	Architect Review Fee	Payable to Lakota Canyon Ranch HOA
500.00	Road Impact Fee	Payable to Lakota Canyon Ranch HOA
300.00	Administration Fee	Payable to Integrated Mountain Management

2. FINAL REVIEW

At least two (2) weeks prior to the scheduled meeting, the following must be completed and submitted to the Management Company:

- 1) Two (2) sets of 24" x 36" final construction plans (to include any revisions/additions required from Preliminary Review). At a minimum, construction plans and accompaniments **must include all items on the Final Review Checklist** (APPENDIX A.2)
- 2) Final construction plans in electronic format
- 3) All Security Deposits (Refundable – Per Review Fees & Deposits – Sect. 2.4, p. 10):

\$5,000.00	Construction Deposit	Payable to Lakota Canyon Ranch HOA
\$5,000.00	Landscape Deposit	Payable to Lakota Canyon Ranch HOA
- 4) Owner/Contractor Conformance Agreement (APPENDIX F)
- 5) Lot must be staked including building envelope and lot corners

***If any required information for either Preliminary or Final Review is missing or incomplete, the DRC may reject the owner's submittal until such time as the required information is provided. This may cause delay as the Review may be postponed to the next scheduled monthly DRC meeting. Further, the owner may be subject to additional Review Fees for extra time involved by either the Architect or DRC if additional reviews become necessary.**

DESIGN REVIEW PROCESS

2.3 ALL OTHER IMPROVEMENTS

Overview

Any exterior modification to the lot and/or dwelling requires prior written approval from the DRC before the work may commence. Typically the DRC will meet on the first Monday of each month for the review process; however, for efficiency the DRC may review applications by email communications in between regular meetings when possible. To account for the DRC's time and administration involved in the review process, a review fee is required with every application (with the exception of some improvements as noted). Please refer to Review Fees & Deposits (Sect. 2.4, p. 10) for the fee amount associated with improvement type.

How to Submit:

1. **Complete the Application (APPENDIX G).** Include all supplemental information and specifications, such as drawings, dimensions, photographs, samples, and/or spec sheets, etc. Please provide as much detail as possible to facilitate an efficient review process.
2. **Remit Review Fee, if applicable (per Review Fees & Deposits – Sect. 2.4, p. 10).**
3. **Submit Application Package and enclose check, made payable to “Lakota Canyon Ranch HOA,” and mail to:**

Lakota Canyon Ranch HOA
c/o Integrated Mountain Management
PO Box 908
Glenwood Springs, CO 81602

Owners are also encouraged to scan and email the completed application to Integrated Mountain Management (lindsay.rosenfeld@integratedmtn.com).

4. **FOR STAIN APPLICATIONS, owner must stain a 3' x 3' sample of proposed colors on the house, outlined in masking tape (even if using same colors as existing). Please notify Management Company of the sample location and the DRC will verify the colors against the existing stain before approval will be issued.**

Review Timeframe:

The DRC has 30 days to provide a decision on an application.

Timeframe for Completion:

Once an application for an exterior modification is approved, the owner has **six (6) months** to complete the work. If the work cannot be completed within this timeframe, the owner will need to resubmit the application or request an extension in writing subject the DRC's approval. For completion timeframes for initial construction and landscaping, see New Construction Process Overview (Sect. 2.1, p. 7).

DESIGN REVIEW PROCESS

2.4 REVIEW FEES & DEPOSITS

NEW CONSTRUCTION

New Home Application Fees

(Nonrefundable, due upon submittal for Preliminary Review)

<u>New Home Application/Review Fee (Payable to Lakota Canyon HOA)</u>	\$ 1,000.00
<u>New Home Administration Fee (Payable to Integrated Mountain Management)</u>	\$ 300.00
<u>New Home Street/Road Impact Fee (Payable to Lakota Canyon HOA)</u>	\$ 500.00
<u>Architect Consultant Preliminary Review Fee (Payable to Lakota Canyon HOA)</u>	\$ 700.00 *

* The total Architect Fee will be determined by the Architect Consultant based on the amount of work required. The \$700.00 is the minimum due with the Preliminary Review submittal, and any remaining balance (if any) is due and payable upon receipt of the Architect's written review, which must be paid prior to the DRC's Preliminary Review meeting.

New Home Application Security Deposits

(Refundable, due upon submittal for Final Review)

<u>New Home Construction Security Deposit (Payable to Lakota Canyon HOA)</u>	\$ 5,000.00
<u>New Home Landscape Security Deposit (Payable to Lakota Canyon HOA)</u>	\$ 5,000.00

OTHER IMPROVEMENTS

Exterior Modifications Application Fees

(Nonrefundable, Payable to Lakota Canyon HOA, due upon submittal)

Exterior Staining	<u>\$ 25.00</u> **
--------------------------	---------------------------

** Review fee is waived for applications in which stain color is the exact same as existing, but application process (including 3' x 3' sample stain applied to home for verification) and prior written approval from the DRC is still required.

For Additions, Changes, or Improvements	\$ 50.00
--	-----------------

- Deck
- Patio Slab
- Driveway
- Fence

Other Exterior Modifications, such as	<u>\$ 150.00</u>
--	-------------------------

- Remodel
- Patio Cover or Pergola

DESIGN SPECIFICATIONS

3.1 MATERIALS

The key to maintaining a harmonious blend throughout the development is continuity in the use of materials on the home and the surrounding landscape, which will be considered in all reviews.

Lakota Canyon Ranch only allows use of natural materials of native stone, rock, and wood. Mountain structures typically use stone or rock at the base, evoking a sense of strength and mass, with upper levels made of wood.

Appropriate fabricated materials, including ornamental uses of wrought iron, carbon steel, patina copper and rusted corrugated metal, further capture the Mountain character.

Wood shingles may be used as accents but are not appropriate for any larger unbroken façade surfaces.

Lakota Canyon Ranch does not allow exterior finishes of brick, stucco, hardie board or other composite wood materials, cementitious materials, vinyl, or aluminum siding.

As innovations in high-quality alternative building materials become available, the Design Review Committee may consider such on a case-by-case basis taking into account the intent and likeness to indigenous materials in harmony with these Guidelines.

3.2 COLORS

Subtle earth tones are abundant in the woodlands and natural landscape of the Lakota Canyon area. These subdued colors should be applied in harmony with natural wood colors on all exterior applications. All exterior colors are subject to approval by the DRC.

Semi-transparent stains are preferred. However, solid body stains will be considered in the Review Process. **Glossy finished surfaces are not permitted.**

Owners are required to keep the exterior stain in like “new” condition, which will involve periodic maintenance and re-staining. When re-staining owners must submit color samples to the DRC for prior written approval, even if using the original color. (Refer to Sect. 2.3, p. 9 for stain submittal process).

3.3 SITE/BUILDING ENVELOPES

All structures, including garages, must be located within the established building envelope. Any exceptions require a variance by written request and approval from the HOA.

Within the building envelope, location of structures should consider the following:

- Minimize disturbance to the site
- Protect special site features
- Orient the building to take advantage of views and solar access
- Take maximum advantage of topography
- Maintain awareness of neighboring structures and privacy

Environmental assets such as trees, boulders, natural topographic features, and vegetation should be regarded with care and protection during construction phases. These existing assets will embrace the new structures and help form a natural blending of a structure contiguous with the environment.

3.4 BUILDING MASS

Proper massing will embody a feeling that structures are part of the land, topography, and environment rather than dominating the landscape and departing from a synergistic relationship.

Dispersion of mass throughout a structure can be accomplished by several architectural techniques, such as

- Multiple roof lines, varying in pitch design and slope
- Utilization of dormers and gable ends to disperse mass at the roof
- A stepping back of roof and wall façades to give depth and interest to the structures and mitigate overwhelming massing
- Covered porches, balconies, and articulated wood or metal railing to add interest and break up wall massing

Large massing of vertical and horizontal wall surfaces should be avoided. Combinations of façade treatments such as stone, rock, rusted corrugated metal, and wood trim will help break up large surfaces.

Mountain architecture has an eloquent and ornamental theme that blends with nature. All structural elements have the potential to be ornamental. Utilization of the architectural techniques discussed in this section can effectively reduce the perception of inappropriate mass and scale.

3.5 SCALE

Structures without texture or pattern lack scale. A structure in the natural environment demands even more attention to scale so it does not impose on the natural beauty of the land.

Problems with scale typically show up when there are materials without three-dimensional relief, a lack of variety in materials, and/or lack of attention to details.

Appropriate textural treatments are very effective in softening a visual statement and blending a structure with the environment. Using material such as stone, rock, and wood creates interest and scale, as well as by articulating structural elements such as columns, posts, and beams.

3.6 BUILDING REQUIREMENTS

All dwelling units shall have a designated minimum and maximum of square feet of living space and maximum height. These standards are designated by specific plat and interpreted by the Town of New Castle and defined in APPENDIX H.

Maximum sizes of dwelling units and number of stories allowed on specific lots, allowable lot coverage, living levels allowed, maximum height, and special conditions and requirements are determined by the Town.

The DRC requires that the entirety of the building and/or structures must be contained within the defined building envelope as designated on the specific lot plat for the proposed building site, unless a variance is expressly granted otherwise by the Town and HOA.

3.7 MANUFACTURED HOUSING

Mobile or Modular Homes are prohibited; that is, a factory-built dwelling consisting of three or more walls and a floor; roof or ceiling; and pre-equipped with plumbing, electrical, and/or heating systems.

The DRC may consider component manufacturing on a case-by-case basis for reduction of construction time, which may allow for pre-assembled trusses or wall panels prior to delivery to the job site. Considerations will include quality, percentage of the structure arriving as completed sections, design character, and consistency with the overall aesthetic of the home and Lakota Canyon Ranch design standards.

3.8 OPEN SPACE

Open space is a valuable asset to the development as a whole and the individual environment of each lot. Buffers between adjacent properties can be created by undisturbed portions of the site. This serves to help maintain a unifying natural landscape throughout the Lakota Canyon Ranch development.

Open space areas shall be left in a natural state. Maintenance items such as litter and debris removal, tree trimming, and weed control will be necessary in these areas and are the responsibility of the property owner.

3.9 BUILDING HEIGHT

Building heights for each site are identified by the Town of New Castle. No structure shall exceed the maximum height limits as set forth thereof.

Height will be measured as defined by the Town of New Castle and Garfield County Guidelines.

3.10 SOLAR DESIGN

Mountain conditions may require solar considerations. Orientation, material choice, and architectural elements should be explored for maximum passive solar efficiency.

Passive collection elements such as thermal mass surfaces, which function for collection and redistribution of heat, should be incorporated into home designs. Solar collection at south-facing view windows should also be considered in conjunction with roof overhangs.

Active solar systems should blend in with the surrounding surface to which they are attached. Hardware components such as framing, rails, brackets, etc. shall be a dark, non-reflective color (or painted accordingly) so that no reflective metallic surfaces are visible. The DRC highly encourages solar panel trim edging, which also enhances the appearance. Solar panels should blend to the roof in a harmonious manner.

3.11 ROOFS

Pitches. In keeping with the Mountain style, main roof pitches are to be a minimum of 7:12 and a maximum of 14:12. There shall be multiple roof lines and pitches within these parameters. Shed roofs on homes will have a minimum pitch of 3:12. Flat roofs are not allowed in Lakota Canyon Ranch except on walk-out decks from second-level living spaces.

Design. Gable, Shed, or Barrel roof designs for the main roof are generally approved. The use of any of these roof elements must be complemented with the use of other roof elements and configurations to break up the continuous roof form and long, uninterrupted ridgelines. Generally a ridgeline of 30 feet or more will require other design elements to break it up. Smaller forms (such as Gable or Shed dormers) should be used to reduce roof mass, thereby providing depth and design for visual appeal. Gambrel, Flat, Mansard, and A-Frame designs are not acceptable.

Materials. Roof materials shall have a combination of pre-rusted corrugated metal and architectural grade asphalt/composition shingles. The color of the composition shingles must be approved during the Final Review process. Wood roof shingles are not allowed.

Flashing. Flashing should either match the color of the roof or may be aged or painted copper. Coated bright copper that does not weather or age to a dulled sheen is not permitted.

Eave Tails. As a heavy timber detail, eave tails must be a minimum of 8" x 10" and incorporate 10" long log eave tails at all major roof gables. Eave tails at subordinate roofs must be a minimum of 6" x 8" and incorporate 8" long log eave tails.

3.12 DORMERS

Dormers are an important element in the Mountain style of architecture, providing visual interest on large massive roofs.

When well executed, dormers create identifiable character. Roof overhangs, structural brackets, and window sashes create shadows which help break up the building's mass into smaller, more intimate forms.

Gable, Shed, or Barrel dormers are applicable to the Mountain style and add interest, scale, and depth to roof lines.

To maintain a heavy-timber appearance, homes will be required to have false beam ends and/or a decorative truss structure in the dormers. Dormer creativity is encouraged and will be considered on a case-by-case basis during the review process.

3.13 WINDOWS

Windows in Lakota Canyon Ranch should be vertically oriented. Generally 2 ¹/₂ times in height to width represents a vertical rectangular size appropriate to Mountain style. Any variance must be approved during the review process.

To maintain the current window theme in Lakota Canyon Ranch and the desired Mountain style, multiple (mulled) window panels and separating mullions is the required window style on all street-frontage elevation windows. These windows create depth and character to the home. Various patterns of window mullions can be considered.

The desire to maximize exterior views often creates a design requirement to use larger uninterrupted window panels. To take advantage of an exceptional view, larger non-reflective glass surfaces may be used, along with side-lite mulled accent windows to maintain the Mountain style. In general, floor-to-ceiling glass walls are not appropriate.

The exterior of windows must be trimmed in wood and stained with the approved trim color. Window cladding and color must also be approved. White or cream window cladding or mullions will not be approved.

3.14 ENTRIES

Mountain style entries tend to be protected by a large timber supported overhead porch-like element. This protective element enhances the significance of the entry.

The front entry of any dwelling provides opportunity to make a grand statement. This can be conveyed through scale, materials, fenestration (treatment of glass surfaces), hardware, or a combination thereof.

Beam and/or log work at the entry covering is expected, as a characteristic of the Mountain style.

3.15 DOORS

Entry doors should be wood with wood or stone trim. All front entry doors are encouraged to be natural wood. All glass panel designs in doors must be approved.

In some cases an energy-efficient front door may be appropriate, and as such a wood-grain appearance must be created. This can be achieved through the choice of a grain-finish and stain technique.

Exterior doors should be wide heavy boarded to give the door height and allowing it to hold up to the architectural “weight” of the structure.

Screen doors shall be wood framed and ornamental hardware is encouraged without reflective surfaces. Doors other than the main entry door may be wood, aluminum, or metal clad and trimmed in wood or stone. Screen and storm doors at the front/street side entry of the residence are not allowed.

3.16 DRAINAGE

All structure and lot drainage associated with construction of a dwelling, whether temporary or permanent, shall not be allowed to drain onto any adjacent properties or under sidewalks.

Any piped drainage (i.e., downspouts tied to underground drain pipe or foundation drains) must be run into a dry sump or to daylight as lot contours allow within the property boundary.

Owners will need to check with the Town of New Castle for drainage requirements. Although the DRC will review the proposed lot drainage, there will be no assessment made as to the owner’s compliance with any regulatory Town, County, and/or State requirements regarding lot drainage. Any penalties or fines attributed to unacceptable drainage and subsequent damages, if any, shall be the sole responsibility of the owner.

3.17 GUTTERS & DOWNSPOUTS

If exposed, gutters and downspouts are to be either patina or aged copper, or painted metal in muted color to match roof, fascia, siding, or trim elements. Otherwise, they should be concealed with eaves and structural columns or trim. Gutters of galvanized steel are not acceptable.

3.18 FOUNDATIONS

All exposed foundation walls greater than 12 inches shall be covered in stone. Stone selection should be indigenous to the Colorado mountain areas.

Stone provides a solid visual base for the structures and accommodates steps in building foundations on sloping sites. This also provides the opportunity to extend the architecture into the landscape with stone retaining walls.

3.19 WALLS

The Mountain vernacular is largely identified by walls and siding material, which also contribute to scale and interest. Several types of siding and wall constructions are consistent with this unique and eloquent theme. As a general rule, Mountain style will utilize anything structural to be used decoratively to enhance the appearance of the home.

Walls should be of substantial depth and character to balance the structure. Stone foundation walls or partially stoned walls in combination with a weathered and appropriate siding material are encouraged.

Stone wainscot of a 3-foot-high minimum is required along street frontages. Minimum front elevation returns to the sides of 8 feet are required, as appropriate to the site.

Half-log siding, peeled or unpeeled log (typically spruce or pine), board and batten siding, stone walls, clapboard and brainstorm siding, or slab siding may be appropriate in the proper context and when combined traditionally with other Mountain elements.

Log structures utilizing both square and round logs are appropriate when combined with other essential Mountain features. If logs are used, chinking in combination with various siding materials can add interest, character, and authenticity to walls.

Accenting with large timbers, planks, and/or large full logs will break façade surfaces and add character and scale. Horizontal and vertical combinations along large façades serve to add interest and break up monotony, thereby adding scale to large areas.

Glass walls may be appropriate in some instances, and may be considered on a case-by-case basis. Walls must be structurally sound.

3.20 RETAINING WALLS

Retaining walls should reflect a natural extension of the land and its surroundings. Stone or boulder retaining walls are preferred. Manufactured landscape stones may be used upon DRC approval.

In rare occurrences a different material may be required for structural integrity, subject to the DRC's review and approval. In such cases, the owner would be required to provide engineer-stamped documentation upon completion.

Railroad tie, concrete, brick, or stucco retaining walls are not approved for Lakota Canyon Ranch.

Retaining walls should not exceed 4 feet in height at any one rise. Terraced walls that do not exceed 4 feet at each rise may be used only within appropriate contexts. Natural planted areas should occur between terraced walls.

All exposed retaining walls and/or where landscape beds are outlined with rock must be constructed or faced with stone or boulders. Lava rock is not acceptable in Lakota Canyon Ranch.

3.21 CHIMNEYS AND VENTS

Chimneys are symbolic of the warmth of hearth and home. They can be aesthetically pleasing and help break up rooflines. Chimneys also provide a vertical balance to a generally horizontal structure. Elements of strength and permanence are established in chimney design.

Mountain architecture is represented in natural stone chimneys that usually match the stone foundations in treatment and style, and this is encouraged in Lakota Canyon Ranch.

Natural stone caps are encouraged and should be supported by elevated corner stones. Vents and flue caps should be concealed within the stone or metal chimney cap.

Chimneys must have downdraft deflectors, spark arrestors, and roof saddles.

3.22 FIREPLACES

Fireplaces and wood-burning stoves are subject to requirements of the Town of New Castle. For air quality reasons, gas fireplaces should be considered as an alternative to wood burning.

3.23 PORCHES, PATIOS, BALCONIES, AND DECKS

Outdoor-living spaces are typical of Mountain architecture and encouraged. Decks, porches, verandas, and patios should be considered exterior rooms that take advantage of the outdoors.

Decks should be thought of as porches on traditional structures. Porches, decks, and patios should be covered and supported with columns of heavy timber, log, or stone at these minimum sizes:

- Columns shall be at a minimum of 8" x 8"
- Logs shall be a minimum of 10" diameter
- Beams shall be a minimum of 6" x 10"

Railings of log, timber, or ornamental metal shall be used at all porches, verandas, decks, and balconies regardless of elevation off of grade. Cable railings may be considered on a case-by-case basis, and only on the rear of a residence that overlooks the golf course. **Cable railings are not allowed on the front of the home.**

Deck surfaces of wood, stone, concrete, or aggregate are recommended. Other surfaces such as Trex or similar wood-composite materials may be considered by the DRC during the review process.

All street frontage porches, decks, or patios must have a minimum 36" high railing. Patios or decks that face Clubhouse Drive, common areas, parks, or the golf course must have a minimum 36" high railing.

3.24 ACCESSORY BUILDINGS AND STRUCTURES

Detached accessory buildings or structures, including barns, sheds, and other outbuildings are not permitted in Lakota Canyon Ranch.

Breezeways and porte cocheres will be reviewed on a case-by-case basis but are generally not considered appropriate for the development.

3.25 GARAGES

Garages should complement the architecture of the home. Departure of style, size, or materials from the residence is not appropriate.

The garage must be attached and part of the home structure. A detached garage will not be approved.

Garage doors should appear to be individual doors for each bay. This means that double-width doors should have an applied wood façade that looks like two separate doors, which can visually be achieved in different ways. Ornamental hardware as a façade can help with the visual appearance of double doors. Overhead or swinging doors are appropriate within these Guidelines. Garage roof lines should be subordinate in height to the main roof and consistent in pitch.

3.26 DRIVEWAYS

Driveway surfaces should be concrete. Asphalt and other alternative surfaces for driveways may be considered on a case-by-case basis. Gravel is not an approved driveway surface.

Access for construction shall be permitted only over the approved driveway for the lot.

3.27 FENCES

Rear yard fences are permitted on most lots. **Fences are not permitted in Whitehorse Village.** Fencing for lots that face the golf course may be considered on a case-by-case basis. Fence submittals must include a plat indicating where the fence will be placed in relation to lot lines, and the exact linear footage of each section of the fence. Corner lot pins must be in place for DRC verification of lot lines prior to approval. Fence specifications are as follows:

- Fence to begin no more than from the mid-point of the house to the back
- 3-rail split rail design
- Cedar wood material, untreated to allow to gray naturally (preferred), or treated with clear coat only

- 2" x 4" welded wire is permissible, on the interior side of the fence only, and not to extend above top rail
- Railing must provide for connection to adjoining properties (if applicable)

3.28 PATHWAYS OR BRIDGES

When a pathway is cut into the landscape without regard to its visual effects, the environment can be jeopardized. The width, alignment, and materials are critical; therefore, pathways should be as narrow as possible, winding to create surprise and mystery, and should be paved with a material that is consistent with the overall surroundings.

Existing terrain, vegetation, rock outcroppings, and other natural features should be preserved and incorporated into the site design. Fences or low lying walls may be used to define gateway entries. Decorative features, if used, should derive their appearance from the architecture and landscape design.

3.29 MECHANICALS / SCREENING

Screening overview. Screening serves an important function in the collective environment of any residential community. Air conditioning units, venting, and other non-aesthetic elements necessary to the function of a home shall be screened on multiple sides around the unit, as awareness of each owner's adjacent property views will afford reciprocal benefit in this environmentally sensitive area. Under most circumstances mechanicals are not permitted on the roof.

Utilities. All utilities (excluding gas meter) must be enclosed in wooden boxes conducive to the house exterior siding, except where prohibited by the utility company.

Air Conditioning Units. Screening of AC units must be incorporated into the landscape design during the review process. Evaporative coolers are discouraged but will be reviewed on a case-by-case basis subject to appropriate screening. **Window AC units are not allowed.**

Satellite Receivers. Only satellite receivers less than one meter in diameter are acceptable. Satellite receivers should be installed in a location that minimizes visibility from the street, adjacent lots, and golf course to every reasonable extent. Visibility of the equipment and wiring should be minimized.

Radon mitigation or other devices. Tubing for radon mitigation or any other devices to be installed with exterior visibility are subject to prior approval by the DRC. If PVC is used, it must match the color of the home.

Solar panels. Active solar systems should blend in with the surrounding surface to which they are attached. Hardware components such as framing, rails, brackets, etc. shall be a dark, non-reflective color (or painted accordingly) so that no reflective metallic surfaces are visible. The DRC highly encourages solar panel trim edging, which also enhances the appearance. Solar panels should blend to the roof in a harmonious manner.

3.30 OUTDOOR ELEMENTS

Exterior features such as hot tubs or built-in barbecues may be permitted if incorporated within the deck, rear porch, or balcony areas. They should not be visually commanding or inappropriately demonstrative. Outdoor swimming pools are not acceptable in the development.

Shade structures such as gazebos or pergolas must be contained within the building envelope and under 300 square feet in size, without their square footage counting against the maximum allowable square footage for the lot. Architecture of such structures shall be harmonious with the Mountain style home design and subject to review and approval on a case-by-case basis by the DRC.

Yard art and substantial play structures such as swing sets or jungle gyms shall be reviewed on a case-by-case basis by the DRC. Any such submission must conform to the materials and architecture of Lakota.

3.31 LIGHTING

Appropriately designed lighting adds finishing touches to successful architectural and landscape design. It is important to realize this potential but maintain the overriding goal of this is to encourage “dark skies” and limit light pollution. **Exterior light fixtures must receive DRC approval.**

“Dark sky” and down-facing light fixtures are required. This will reduce glare and provide ambient light. This can be achieved by soffit lighting, recessed lighting, and/or down-light style fixtures. Exterior lighting where the direct light source is visible or producing excessive glare is not permitted. Sodium, mercury vapor, or bare bulbs are not allowed.

Light sources shall be muted, white or pale yellow in color. LED lights must be low level. Colored lights are not allowed except as seasonal ornamental lights, of which may be illuminated only from Thanksgiving until January 31 of each year. Seasonal lighting must be removed after the permitted lighting period.

With the exception of low-level down lighting along the driveway, lighting is prohibited outside the building envelope.

Only low-level lighting of home addresses is permitted. It will identify homes and can enhance the architectural character. Subtle application of downward “dark sky” lighting created with incandescent, low voltage quartz halogen, or low-level LED lights may define pathways and landscape but must be approved by the DRC.

Lights and light fixtures that have a light reduction makeup or coating may deteriorate over time and increase light intensity. These lights and fixtures may need to be replaced to reduce brightness to the original lower intensity.

Up-lighting of trees and/or landscaping is prohibited. This type of lighting creates an unnatural and imposing atmosphere.

3.32 WILDLIFE & DOMESTIC ANIMALS

Personal dog kennels or runs within the building envelope are permitted subject to DRC approval. Dog runs must be screened and located in a sensitive and considerate location and fenced per Sect. 3.27, pp. 19–20. Invisible fencing systems are encouraged.

Landscape planning should be sensitive to indigenous wildlife and habitat. Wildlife migration through Lakota Canyon is to be anticipated. Property owners are responsible to assure that domestic animals do not interfere with this migration. Owners should be aware of the presence of wildlife throughout Lakota Canyon Ranch.

3.33 WILDFIRE MANAGEMENT

Wildfire management and mitigation is the responsibility of each owner, not only for their respective property but as a community participant in Lakota Canyon Ranch. A Wildfire Hazard and Mitigation Response Plan is outlined in Exhibit C of the Declaration of CCRs.

Simple considerations in the landscape will embrace effective wildfire management techniques, such as a 30-foot safety zone around all structures in all directions.

Vegetation management by each property owner on developed and vacant lots is an essential element of wildfire management. It is the responsibility of each owner to control the buildup of excess fuel on lots. This includes keeping debris removed, grasses cut low, and dry vegetation removed. Lawns must have sprinkler systems and vegetation should receive adequate watering during the summer season, and within parameters set by state and local authorities during water restrictions.

Wood shingle roofs are not permitted. Gutters should be seasonally cleaned, and spark arrestors and screens must be used at all chimneys, vents, and flues.

Stockpiling of flammable materials or debris is not permitted in Lakota Canyon Ranch. Onsite burning is also prohibited.

3.34 LANDSCAPE GUIDELINES

Overview. The intent of landscape design in Lakota Canyon Ranch is to harmoniously blend the homes and grounds into this spectacular setting. The choice of native plant materials will help ensure thriving growth. Plant materials should be selected to do a variety of jobs, both functional and aesthetic. Mature sizes compatible with existent species should be considered when selecting new landscape material. Inappropriately selected landscape materials can cause erosion and flooding.

Preferred landscape materials include plants, grasses, and trees that grow naturally in this environment and are locally available. Within the lot lines, landscape material should be used to make a smooth transition from wild and natural to domestic. Materials should be selected which do not appear overly manicured. Landscaping can be used to define outdoor spaces from the onsite and

offsite view, establish a background and foreground, and knit together the natural environment, site, and home.

Multiple native plants, ornamental flowering plants, and local shrubs are highly encouraged. Lawns are suggested along street frontages. All lawn areas must have an underground sprinkler system and will be limited in total size for each property. Drip systems, or bubbler irrigation is appropriate for shrub, tree, and other landscape watering if installed in a manner that provides low visibility.

Professional xeriscape designs are permissible, and must include multiple green plantings with a drip line. Xeriscape does not mean “zero scape.” The DRC encourages creativity and interest in the use of xeriscaping principles incorporating a harmonious blend of softscape and hardscape.

Landscape Requirements:

1. Street frontage of home: Sod is encouraged from mid-lot forward to the sidewalk.

2. Trees:

Single-family home lots must have minimum of 8 new trees:

- Minimum 5 evergreens: 3 at 8-foot-tall minimum, 2 at 6-foot-tall minimum
- Minimum 3 deciduous: All must be minimum 3-inch trunk diameter

Duplex lots must have minimum of 5 new trees per unit (total 10):

- Minimum 2 evergreens at 8-foot-tall minimum
- Minimum 3 deciduous: All must be minimum 3-inch trunk diameter

Any dead trees must be removed, and replaced if needed to meet minimum tree requirement. The DRC should be notified before removing and/or replacing any trees.

COMPLIANCE

4.1 MAINTENANCE

In accordance with Section 3.3 of the Declaration of CCRs, property maintenance shall be the responsibility of the respective property owner, which may include but is not limited to landscape maintenance, weed mitigation, repair of building damage or deterioration, and general upkeep. This shall be monitored by Management and the Board and enforced on behalf of the Association per the Enforcement Policy.

4.2 CONSTRUCTION MANAGEMENT

Construction management is an essential part of any development. It is the goal of Lakota Canyon Ranch to minimize the disturbance, retain as large amount of undisturbed area as possible, and to protect adjacent properties. All Contractors and Owners shall abide by these regulations.

The Owner or Contractor shall provide the Lakota Canyon Ranch Design Review Committee with a Construction Management Plan as part of the Final Design Review Package. **The Plan shall consist of a narrative and graphic material in sufficient detail to address the checklist of considerations as stated in APPENDIX C.**

In addition to the items included on the Construction Management Plan provided to the DRC, Owners are responsible for ensuring their Contractors also adhere to the following during the course of construction:

Permits. The Owner or contractor is responsible for obtaining all required permits.

Improvement Survey. After staking the foundation a survey is made by a licensed surveyor to certify that all improvements are within the Building Envelope and that they match the approved plans.

Daily Operation. Normal working hours for each construction site shall be 7:00 a.m. to 7:00 p.m. Monday through Saturday. Construction noise is not permitted on Sundays.

Blasting. Prior to commencing any blasting, proper safety and protective actions shall be used according to Garfield County standards and regulations. The blasting contractor is responsible for all blasting damage to any pre-existing structures within a half-mile of the site. All applicable OSHA regulations and guidelines must be strictly observed at all times.

Restoration and Repair. Damage to any property, by the Owner(s) and/or Contractor(s), including streets, sidewalks, curbs or any other surface shall be promptly repaired by the Owner and at the expense of the Owner employing the person or entity causing the damage.

Dust and Noise Control. Every effort shall be made to control dust and noise emitted from a construction area. The Contractor shall be responsible for controlling excessive dust and noise.

Regular watering of the site is required. The volume of onsite radio and/or other music sources must be controlled by the General Contractor.

Excavation. The design shall encourage a balanced site excavation. Any excess excavation material shall be removed from Lakota Canyon Ranch. The material shall not be placed in common areas, roads or other home sites or on any common property unless approved by the Property Owner and the DRC. Owners found in violation will be subject to the Enforcement Policy.

Debris and Trash Removal. Owner shall ensure that Contractors clean up all trash and debris on the construction site at the end of each day. Trash and debris shall be removed from the site when necessary to a dumping site located off the Lakota Canyon Ranch property.

Lightweight material, packaging, and other items, shall be covered or weighted down to prevent wind from blowing such materials off the construction site. Owner and Contractors are prohibited from dumping or burying trash anywhere on the site or on Lakota Canyon Ranch property, unless such an area has been expressly designated and authorization has been granted.

During the construction period, each construction site shall be kept neat and be properly policed to prevent it from becoming a public eyesore, or affecting other sites or common areas. Any clean-up cost incurred by the Association in enforcing these requirements will be billed to the Owner. Dirt, mud, or debris resulting from activity on each construction site shall be promptly removed from public or private roads, open spaces, and driveways or other portions of the Lakota Canyon Ranch property.

Each construction site must have a designated wash-out area within the Construction Zone or Building Envelope for contractors and suppliers to clean their equipment. The cleaning of equipment and the effluent must remain within that specific area. The equipment cleaned in any area other than the designated area may result in the enforcement process or repair of such damage as directed by the DRC, and the cost thereof assessed to the Owner.

Signage. Temporary construction signage shall be limited to one sign per site, not to exceed 6 square feet of total surface area. This sign will be free standing and the design and location of such a sign shall be approved by the DRC. The sign shall be single-sided and may include the builder's name and phone number, architect's name and phone number, and Owner's name and phone number. "For Sale" signs will be permitted on a case-by-case basis by the DRC.

Fire Extinguisher. A minimum of one serviceable 1016 ABC-rated dry chemical fire extinguisher shall be located on each construction site in a conspicuous location.

Flammable Items. Careless use of cigarettes and storage of flammable liquids or items shall not be permitted.

Pets. Contractors, subcontractors and their employees are prohibited from bringing pets to any job sites Lakota Canyon Ranch property.

Firearms. Discharging firearms is prohibited throughout the Lakota Canyon Ranch property.

Inspections. Members of the DRC or authorized Representative are permitted to inspect the job site at any time to ensure that construction is consistent with the approved plans and that the construction site is clean. Any deviation from the approved design will be brought to the attention of the Property Owner, who shall be responsible for corrective action unless such change(s) are expressly granted approval from the DRC through a written Change Request (APPENDIX E). If

change(s) are not approved or corrected, the Owner shall be subject to the remedies of the Association's Enforcement Policy.

Utilities. Utilities should be designed and constructed for the most extensive use that can reasonably be foreseen. All utilities should be designed and installed according to Garfield County and Town of New Castle regulations. In order to avoid damage from rocky sub-soils in the area, all pipe and wiring should be bedded over and under with at least 4 inches of sand or pea gravel. Location tape should be provided above all buried utilities at a depth of approximately one foot. A separate location tape should be provided for each pipe or wire in a common trench. Accurate as-built drawings shall be prepared by the Contractor to tie the location of all underground utilities to permanent reference points. Copies shall be submitted to the governing utility or regulatory agency upon completion of the construction review process.

Owner and Contractor shall abide by the above construction guidelines. If any deviations are not remedied immediately upon notice, the Owner will be subject to enforcement as summarized in Sect. 4.3 of these Guidelines, which may include the assessment of fines that may incur on a daily basis until remedied.

4.3 ENFORCEMENT

The Lakota Canyon Ranch Master Association Board of Directors is authorized to carry out enforcement actions in accordance with its Enforcement Policy (i.e., Resolution of Lakota Canyon Ranch Master Association, Inc. Regarding Policies and Procedures for Covenant and Rule Enforcement, 8/28/2018), pursuant to the Lakota Canyon Ranch Master Association Declaration of CCRs Section 12.4 and the Colorado Common Interest Ownership Act (CCIOA).

In an instance of violation, the Owner will be notified of the issue and required action. If the issue is construction related, the Association may require construction to cease until the violation is cured. Architectural violations may be considered "repetitious" per the Enforcement Policy, and therefore upon written notice may be subject to **a daily fine up to \$100 per day**. In the event the Owner requests a hearing with the Lakota Canyon Board of Directors, the Owner must comply with the Board's decision.

The Owner is ultimately responsible for ensuring compliance with the governing documents, including these Design Guidelines, and will bear responsibility for any violations or fines that may incur.

APPENDIX A.1

NEW CONSTRUCTION REVIEW CHECKLISTS

PRELIMINARY REVIEW CHECKLIST

(See Sect. 2.1–2.2, pp. 7–8 of Design Review Guidelines for Complete Submission Details.)

- All Preliminary Reviews must be submitted to HOA Property Manager a minimum of two weeks prior to next scheduled DRC meeting. (The DRC usually meets the 1st Monday of the month).
- Submit Application/ Review Fees and Deposits for new home construction. (Sect. 2.4, p. 10 of Design Review Guidelines)
- Provide two sets of drawings in 24" x 36" format at Industry Standard Level. Also submit drawings and information in an electronic format.

Items to include:

- Site Plan (To show positioning of the Home.)
- Contour Survey (Provided by a Certified Surveyor showing the Site Utilities, Existing Grades, Property Lines and Building Envelope.)
- Building Elevations (4 Side Minimum noting Exterior Materials to be used.)
- Floor Plans
- Roof Plan with Roof Pitches Shown
- Horizontal & Vertical Dimensions
- List All Materials Being Used (driveway, exterior lighting, stone, roofing, etc) **
- List Window & Door Sizes, Styles, Materials**
- List Any Fascia & Siding Materials Being Used**
- List Any Deck & Railing Considerations**
- List Construction Staging & Management Plans

**** Color samples must be provided for all items.**

If the “Preliminary Review” submission does not include all of the above items, the submission will not be scheduled for a review date with the Design Review Committee until missing information is provided.

APPENDIX A.2

NEW CONSTRUCTION REVIEW CHECKLISTS

FINAL REVIEW CHECKLIST

(See Sect. 2.1–2.2, pp. 7–8 of Design Review Guidelines for Complete Submission Details.)

- All Final Reviews must be submitted to HOA Property Manager two weeks prior to next scheduled DRC meeting. (The DRC usually meets the 1st Monday of the month).
- Submit Application/ Review Fees and Deposits for new home construction. (Sect. 2.4, p. 10 of Design Review Guidelines)
- Provide two sets of **final** Design, Construction Drawings in 24" x 36" format at Industry Standard Level. Also submit drawings and information in an electronic format.
- Final Review submission must include a Sample Board (Approx. 18" x 36"—see APPENDIX D) that includes all house stains**, roofing materials, window cladding, picture of lighting fixtures proposed, stone samples. Photographs and specification sheets should accompany the sample board.

Items to include where applicable:

- Site Plan(s) with Utility Locations and Drainage/Grading Plan (Also showing positioning of the Home.)
- Landscape Plan with Drawing and list of Trees and Plants
- Building Elevations (4 Side Minimum noting Exterior Materials to be used.)
- Floor Plans
- Roof Plan with Roof Pitches Shown (Note Height of Structure per Design Guidelines Requirements.)
- Horizontal & Vertical Dimensions
- List All Materials Being Used (driveway, exterior lighting, stone, roofing, etc.)
- List Window & Door Sizes, Styles, Materials
- List Fascia & Siding Materials Being Used
- List Any Deck & Railing Considerations
- List Construction Staging & Management Plans

**** Stain colors to be shown on like kind of wood**

If the “Final Review” submission does not include all of the above items, the submission will not be scheduled for a review date with the Design Review Committee until missing information is provided.

REV. 2018

APPENDIX B

REGISTRATION OF BUILDERS

LAKOTA CANYON RANCH MASTER HOMEOWNERS ASSOCIATION
DESIGN REVIEW COMMITTEE (DRC)

REGISTERED BUILDER STATEMENT

Within the scope of the authority of the Design Review Committee (DRC) pursuant to the Declaration of Covenants, Conditions, and Restrictions ("Declaration") – Section 4 for Lakota Canyon Ranch, Sect. 4.9 Registration of Builders – The Association requires each Builder constructing or substantially renovating a new residence to register with the Association prior to the Owner's application process.

(To be completed by Builder)

BUILDER INFORMATION:

Builder Name

Builder Company Name

Builder Phone

Builder Email Address

Builder Company Mailing Address

Builder Signature

REGISTERED BUILDER STATEMENT: (Initial each)

1. I certify that I am a licensed general contractor authorized to work in New Castle, CO. _____

2. I agree to obtain a Builder's Risk Insurance Policy covering all improvements to be constructed on the Lot or Unit, with the benefits payable to the Owner, and that I will deliver copies of the Policy to the DRC and the Owner (as deemed applicable by DRC) during Pre-Construction Meeting. _____

3. I agree to allow the Owner to obtain a credit report and/or financial statement of Builder, if requested by Owner. _____

Builder Registration Form – 1 of 2 _____

4. I agree to furnish the Owner with such other information about Builder as Owner may reasonably request.

5. GC agrees to provide at least five (5) of the most recent clients for whom the GC has constructed homes or other structures, and expressly authorizes each of said clients to speak to representatives of the DRC and/or Owner regarding Builder's performance for that client, and further authorizes the DRC to pass on any such performance information to the Owner.

Recent Client Information

Client Name	Client Address	Client Phone	Completion Year
1.			
2.			
3.			
4.			
5.			

APPENDIX C

CONSTRUCTION MANAGEMENT PLAN

Construction management is an essential part of any development. It is the goal of Lakota Canyon Ranch to minimize the disturbance, retain as large amount of undisturbed area as possible, and to protect adjacent properties. All Contractors and Owners shall abide by these regulations.

The Owner or Contractor shall provide the Lakota Canyon Ranch Design Review Committee with a Construction Management Plan (Plan) as part of the Final Design Review Package. **The Plan shall consist of a narrative and graphic material in sufficient detail to address the following considerations:**

Construction Zone / Limits of Construction. The physical limits of all construction and all construction-related activity shall be indicated on the Plan. All construction activity, storage of all construction materials, temporary construction trailer and sanitary facilities, dumpsters and other construction equipment or facilities shall be located within the limits of the Construction Zone. Vehicle parking areas must be addressed in the Construction Management Plan.

Protection of Existing Vegetation. Methods for protecting existing vegetation, particularly vegetation within the Limits of Construction, shall be indicated in the Plan. All protective measures shall be implemented prior to initiating construction.

Location of Construction Trailer. No more than one temporary construction trailer shall be permitted on a job site. Trailers shall be located within the designated Limits of Construction. All temporary structures shall be removed immediately after the Certificate of Occupancy permit is issued.

Temporary Sanitation Facilities. Job sites shall be equipped with sanitary facilities. All temporary structures shall be removed after the Occupancy Permit is issued.

Construction Schedule. The Contractor shall provide a construction schedule with start, end and major "milestones" identified. The schedule shall be updated if there are major delays.

Tree Clearing. The Plan shall include identifying those trees that must be removed to allow for development and any tree thinning for woodland management. No trees shall be removed from the site until the Plan is approved. Clear cutting of part or the entire site will not be permitted. Final approval for tree cutting will be made by the Design Review Committee in the field.

Storage of Construction Materials and Equipment. Storage areas shall be designated according to the approved Plan prior to commencing construction. The Contractor will be responsible for the maintenance of these areas.

Vehicles and Parking. All vehicles will be parked within the Construction Zone (as designated on the Plan) and so as not to inhibit traffic. Changing oil in vehicles and equipment without proper receptacles and removal procedures is prohibited.

□ Construction Access. The only approved construction access will be over the approved alignment for the driveway. In no event shall more than one construction access be permitted onto any lot.

In addition to the items included on the Construction Management Plan provided to the DRC, Owners are responsible for ensuring their Contractors also adhere to the following during the course of construction:

Permits. The Owner or contractor is responsible for obtaining all required permits.

Improvement Survey. After staking the foundation a survey is made by a licensed surveyor to certify that all improvements are within the Building Envelope and that they match the approved plans.

Daily Operation. Normal working hours for each construction site shall be 7:00 a.m. to 7:00 p.m. Monday through Saturday. Construction noise is not permitted on Sundays.

Blasting. Prior to commencing any blasting proper safety and protective actions shall be used according Garfield County standards and regulations. The blasting contractor is responsible for all blasting damage to any pre-existing structures within a half-mile of the site. All applicable OSHA regulations and guidelines must be strictly observed at all times.

Restoration and Repair. Damage to any property, by the Owner(s) and/or Contractor(s), including streets, sidewalks, curbs, vegetation, or any other surface shall be promptly repaired by the Owner and at the expense of the Owner employing the person or entity causing the damage.

Dust and Noise Control. Every effort shall be made to control dust and noise emitted from a construction area. The Contractor shall be responsible for controlling excessive dust and noise. Regular watering of the site is required. The volume of onsite radio and/or other music sources must be controlled by the General Contractor.

Excavation. The design shall encourage a balanced site excavation. Any excess excavation material shall be removed from Lakota Canyon Ranch. The material shall not be placed in common areas, roads or other home sites or on any common property unless approved by the Property Owner and the DRC.

Debris and Trash Removal. Owner shall ensure that Contractors cleans up all trash and debris on the construction site at the end of each day. Trash and debris shall be removed from the site when necessary to a dumping site located off the Lakota Canyon Ranch property.

Lightweight material, packaging, and other items, shall be covered or weighted down to prevent wind from blowing such materials off the construction site. Owner and Contractors are prohibited from dumping or burying trash anywhere on the site or on Lakota Canyon Ranch property, unless such an area has been expressly designated and authorization has been granted.

During the construction period, each construction site shall be kept neat and be properly policed to prevent it from becoming a public eyesore, or affecting other sites or common areas. Any clean-up cost incurred by the Association in enforcing these requirements will be billed to the Owner. Dirt, mud, or debris resulting from activity on each construction site shall be promptly removed from public or private roads, open spaces and driveways or other portions of the Lakota Canyon Ranch property.

Each construction site must have a designated wash-out area within the Construction Zone or Building Envelope for contractors and suppliers to clean their equipment. The cleaning of equipment and the effluent must remain within that specific area. The equipment cleaned in any area other than the designated area may result in the enforcement process or repair of such damage as directed by the DRC, and the cost thereof assessed to the Owner.

Signage. Temporary construction signage shall be limited to one sign per site, not to exceed 6 square feet of total surface area. This sign will be free standing and the design and location of such a sign shall be approved by the DRC. The sign shall be single-sided and may include the builder's name and phone number, architect's name and phone number, and Owner's name and phone number. "For Sale" signs will be permitted on a case-by-case basis by the DRC.

Fire Extinguisher. A minimum of one serviceable 1016 ABC-rated dry chemical fire extinguisher shall be located on each construction site in a conspicuous location.

Flammable Items. Careless use of cigarettes and storage of flammable liquids or items shall not be permitted.

Pets. Contractors, subcontractors and their employees are prohibited from bringing pets to any jobsites Lakota Canyon Ranch property.

Firearms. Discharging firearms is prohibited throughout the Lakota Canyon Ranch property.

Inspections. Members of the DRC or authorized Representative are permitted to inspect the job site at any time to ensure that construction is consistent with the approved plans and that the construction site is clean. Any deviation from the approved design will be brought to the attention of the Property Owner, who shall be responsible for corrective action unless such change(s) are expressly granted approval from the DRC through a written Change Request (APPENDIX E). If change(s) are not approved or corrected, the Owner shall be subject to the remedies of the Association's Enforcement Policy.

Utilities. Utilities should be designed and constructed for the most intensive use that can reasonably be foreseen. All utilities should be designed and installed according to Garfield County and Town of New Castle regulations. In order to avoid damage from rocky sub-soils in the area, all pipe and wiring should be bedded over and under with at least 4 inches of sand or pea gravel. Location tape should be provided above all buried utilities at a depth of approximately one foot. A separate location tape should be provided for each pipe or wire in a common trench. Accurate as-built drawings shall be prepared by the Contractor to tie the location of all underground utilities to permanent reference points. Copies shall be submitted to the governing utility or regulatory agency upon completion of the construction review process.

Compliance. Owner and Contractor shall abide by the above construction guidelines. If any deviations are not remedied immediately upon notice, the Owner will be subject to the Association's Enforcement Policy, which may include the assessment of fines that may incur on a daily basis until remedied.

APPENDIX D

SAMPLE DISPLAY BOARD

Sample Display Board for New Construction Final Review must include all exterior building materials listed and labeled accordingly, including

- Type of wood
- Stain colors with manufacturer's specs
- Stone samples
- Light fixtures
- Roofing sample (asphalt shingle and pre-rusted corrugated metal)
- Garage door sample
- Entry door material & color

Example:



APPENDIX E

DESIGN REVIEW CHANGE REQUEST FORM

LAKOTA CANYON RANCH MASTER HOMEOWNERS ASSOCIATION DESIGN REVIEW CHANGE REQUEST FORM

Within the scope of the authority of the Design Review Committee (DRC) pursuant to the Declaration of Covenants, Conditions, and Restrictions (“Declaration”) – Section 4 for Lakota Canyon Ranch, Sect. 4.18 Improvements Must Conform to Approvals – The Association requires all exterior improvements to conform in entirety to approved application and plans; therefore, each change to any specification of such plans must be submitted by written request of the owner and approved in writing by the DRC prior to implementation of such change.

Owner Name

Subject Property Address

Phone

Email Address

Owner Signature

I, _____, the owner of the subject property address listed above, submit the following change request for the DRC to consider as an amendment to the approved plans dated and signed off on _____. I understand that such change may not be implemented, nor is deemed to be approved, unless expressly granted in writing by the DRC, and that failure to obtain written approval by the DRC constitutes a violation of the CCRs and Design Guidelines for Lakota Canyon Ranch Master HOA and may be subject to enforcement process as outlined in the Covenant Enforcement Policy.

APPENDIX F

OWNER/CONTRACTOR CONFORMANCE AGREEMENT

I have read and received a copy of the current version of the Design Guidelines and agree to operate within its parameters. _____

I have read and understand the **Construction Management** section of the Design Guidelines (APPENDIX C) and will abide by the approved Plan throughout the course of construction. _____

I will ensure the street and site are cleaned at the end of each workday, including sweeping the street and properly discarding of any debris. _____

I will operate only within approved construction hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday and will refrain from any noise-emitting construction activity on Sunday. _____

If there are any changes in the field to the approved plans in any detail, I will submit a written change request immediately (APPENDIX E) for the DRC's prior written approval before enacting the change. _____

I understand the DRC and its representatives may perform conformance inspections at any time, which will at a minimum include the following benchmarks: 1. pre-construction, 2. initial conformance, 3. final conformance, and 4. landscape. _____

I will notify the DRC for the Final Conformance Inspection when exterior elements have reached substantial completion and no less than two weeks prior to applying for Certificate of Occupancy. _____

I understand that the building construction must be completed within 18 months of Final Review Approval Certificate. _____

I understand that the landscape must be completed within the first growing season after completion of the exterior of the residence (if the residence is completed between November 15 and March 15). _____

I understand that any violations found will be subject to Lakota Canyon HOA's Covenants and Enforcement Policy, which may include the assessment of fines on a daily basis. _____

As the owner of the subject property I understand that compliance with the Design Guidelines and approved plans is my ultimate and sole responsibility. _____

Property Address

Owner Name

Owner signature

Date

Builder signature

Date

APPENDIX G

LAKOTA CANYON RANCH DESIGN REVIEW APPLICATION FORM

The following application must be completed in entirety, accompanied by supplemental information as applicable to the proposed improvement (plat and/or drawings with accurate dimensions, surveys, colors, samples, photographs, materials, spec sheets, etc.). Once all required information is provided, the Design Review Committee makes every effort to review each application expeditiously, however please allow for a 30-day review process. Once approval is granted, improvements must be completed within 6 months, otherwise resubmittal is required.

APPLICATION WILL NOT BE REVIEWED UNTIL PAYMENT IS DEPOSITED FOR ALL APPLICABLE FEES. REFER TO *REVIEW FEE & DEPOSIT SCHEDULE* (SECT. 2.4, P. 10 OF DESIGN GUIDELINES).

FEE AMOUNT PAID \$ _____ DATE _____ CHECK# _____

PRIOR TO COMMENCEMENT OF WORK, WRITTEN APPROVAL MUST BE GRANTED BY THE DESIGN REVIEW COMMITTEE. THE OWNER BEARS RESPONSIBILITY FOR COMPLIANCE, INCLUDING CONDUCT AND WORK OF CONTRACTORS, AND TO ENSURE THAT IMPROVEMENTS ARE CONSTRUCTED IN ACCORDANCE WITH THE APPROVED APPLICATION SPECIFICATIONS AND WITH ALL PROVISIONS OF THE DESIGN GUIDELINES.

ANY DEVIATION FROM THE APPROVED APPLICATION SPECIFICATIONS REQUIRES APPROVAL OF SUCH CHANGE(S) PRIOR TO ENACTING. OWNER ACKNOWLEDGES AGREEMENT BY SIGNING THIS FORM, AND UNDERSTANDS THAT NONCOMPLIANCE MAY RESULT IN ENFORCEMENT ACTIONS AS PROVIDED IN THE CCRS AND ENFORCEMENT POLICY, AND THAT ANY NONCOMPLIANCE OR PROPERTY DAMAGE CAUSED BY CONSTRUCTION WILL BE THE OWNER'S RESPONSIBILITY AND EXPENSE TO REMEDY.

SUBJECT LOT/
PROPERTY ADDRESS _____

OWNER INFORMATION:

Owner Name _____
Email _____ Phone _____
Mailing Address _____

BUILDER INFORMATION:

Builder Name _____
Email _____ Phone _____

SUMMARY OF IMPROVEMENTS:

****OWNER SIGNATURE _____ DATE _____**

****By signing this application, I acknowledge that I have read applicable sections of the Lakota Canyon Design Review Guidelines and CCRs and understand my responsibilities pursuant to this application.**

APPENDIX H

LAKOTA CANYON RANCH LOT DESIGN PARAMETERS

	Max Height	Max Height (Golf Course Side)	Max Height (Street side)	Front Setback	Rear Setback	Side Setback	Min Living Space	Max Living Space	Parking Spaces
BLOCK C Single Family/Lots 1-24	30'	N/A	N/A	30'	20'	10'	1600 sf	4500 sf	3
BLOCK O Single Family/Lots 1-12	30'	N/A	N/A	25'	30'	10'	2000 sf	4500 sf	3
All Duplex Lots	30'	N/A	N/A	25'	25'	10'	1500 sf per unit	2500 sf per unit	2 per unit
BLOCK F Single Family/Lots 1-21	30'	N/A	N/A	30'	20'	10'	1600 sf	4000 sf	3
BLOCK G Single Family/Lots 1-21	30'	N/A	N/A	30'	20'	15'	2500 sf	6000 sf	3
BLOCK H Single Family/Lots 1-19	22'	N/A	N/A	25'	25'	10'	1600 sf	4000 sf	3
BLOCK H One Story/Lots 20-32	22'	N/A	N/A	25'	25'	10'	1600 sf	4500 sf	3
BLOCK H Two Story/Lots 20-32	30'	N/A	N/A	25'	25'	10'	1600 sf	5000 sf	3
BLOCK I Single Family/Lots 1-18	30'	N/A	N/A	40'	40'	20'	2000 sf	N/A	3
BLOCK I Single Family/Lots 19-27	30'	N/A	N/A	25'	20'	10'	1600 sf	N/A	3
BLACKHAWK DR Single Family/Lots 1-10	30'	N/A	N/A	30'	30'	10'	1600 sf	4500 sf	3
BLACKHAWK DR Single Family/Lots 11-22	30'	N/A	N/A	30'	20'	10'	1600 sf	4500 sf	3
SPUR DR Lots 3-5, 24-28	30'	N/A	N/A	20'	20'	7.5'	1600 sf	4500 sf	3
SPUR DR Lots 1-2, 6-18	35'	35'	26'	20'	20'	7.5'	2000 sf	4500 sf	3
SPUR DR Lots 19-23, 29-34	35'	26'	35'	20'	20'	7.5'	2000 sf	4500 sf	3
WHITETAIL DR Lots 13-18	30'	N/A	N/A	25'	20'	7.5'	1300 sf	2000 sf	3
WHITETAIL DR Golf Course side	30'	N/A	N/A	25'	20'	7.5'	2000 sf	4500 sf	3
WHITETAIL DR Street side	30'	N/A	N/A	25'	20'	7.5'	1600 sf	4500 sf	3

- Maximum Heights are measured to top of ridge (refer to New Castle Building Regulations).
- Living Space is calculated upon above grade space.
- All setbacks represent minimums (individual lot setbacks are designated on Final Plat).