

# **ARROWHEAD MOUNTAIN DESIGN GUIDELINES AND REGULATIONS**

Adopted – March 6, 2001  
Amended – September 2, 2010

# **I. Preface**

These Design Guidelines have been created in order to ensure that all improvements at Arrowhead Mountain preserve the natural beauty of the mountain setting and maintain a unified design theme throughout the community. In accordance with the Declaration of Covenants, Conditions and Restrictions (CC&R's) for Arrowhead, Eagle County, Colorado, this document sets forth the design theme, specific design requirements and construction compliance regulations that apply to Arrowhead. These Design Guidelines shall be used by all Persons who are involved in any development, additions, landscaping, or changes and alterations at Arrowhead Mountain. The Design Guidelines shall be administered and enforced by the Design Review Committee (DRC) in accordance with procedures set forth in this document and the CC&R's.

This document has been adopted by the Design Review Committee and may be amended from time to time by the Design Review Committee. Before submitting plans, it is the responsibility of each Owner, Architect, contractor or authorized agent to obtain and review a copy of the most recently revised Design Guidelines.

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# 1 Designing Within the Mountain Environment

Arrowhead Mountain has been planned as a secluded mountain enclave set in a natural, ski-mountain environment. A small group (15) of prime single family homesites has been situated surrounding a 20 unit cluster home neighborhood. This new settlement will be built among the meadows, trails and the forests to blend into the mountain landscape, responding to its topography and climate, and appearing to be an integral part of the place.

The land plan is derived from the overriding objective to build in harmony with nature. Inspired by the national parks approach where the intent was to develop settings where people could spend part of their lives in “wild, scenic beauty...as a sanctuary from the turmoil and artificiality of the city.”

Many individuals have successfully built on that tradition in mountain communities throughout the country, and at Arrowhead Mountain there is a parallel intent – to create a place to live-on-the-mountain, enjoying the pleasures of a spectacular Colorado environment, while living in homes that seem to be a natural extension of the landscape.

This approach to design is spelled out on the following pages and incorporated in these design guidelines.

The Tradition – The Arrowhead Mountain design concept extends a distinctive Rocky Mountain architectural and landscape tradition. It evolved from four primary sources:

- The rustic buildings of pioneers.
- The Adirondack style, where the design to enhance the sense of living-in-the-woods led to highly developed log architecture and managed woodlands.
- The Arts and Crafts movement, which drew on traditions of craftsmanship developed over centuries here and in other cultures.
- The naturalistic approach to landscape design.

At Arrowhead Mountain the intent is to take the next step in that tradition – to develop a style of architecture and landscape that capture the spirit of those historic places, while meeting the needs of a new, different population and their homes in a contemporary resort community.

## 2 Definitions

Unless the context otherwise specifies or requires, use of the following words or phrases when used in these Design Guidelines shall have the following meanings:

### **Applicant**

An Owner or Owners representative who is authorized to represent and/or act upon any application materials or submittals.

### **Architect**

A licensed Architect in the State of Colorado is required for the design of all buildings.

### **Association**

The term “Association” shall mean and refer to the Arrowhead at Vail Association (AVA), a Colorado non-profit corporation, and its successors and assigns.

### **Board**

The term “Board” shall mean the Board of Directors of the Association.

### **Builder**

A person or entity engaged by an “Owner” for the purpose of construction any improvement with-in the Project. The “Builder” and “Owner” may be the same person or entity.

### **Building Coverage**

The total area of a Lot covered by building or buildings, measured at the ground surface. Building coverage is measured from outside of all exterior walls at ground level and shall include stairways, fireplaces, covered parking and walkways areas, porte-cocheres, and all cantilevered building areas. In effect, it is the area that is covered by buildings(s) and does not include roof overhangs, unenclosed walkways, usable areas under above-grade decks, or similar extensions. It excludes uncovered decks, porches, patios, terraces and stairways less than 30 inches above finished grade.

### **Building Envelope**

An area designated on the approved final plat drawings recorded with Eagle County within which the required Homesite has been designated.

### **Building Height**

Building Height (exclusive of chimneys) shall be measured from any point around the building at existing or finished grade (whichever is more restrictive) to the midpoint of the highest sloping roof above. Height measurement of buildings with stepped roofs will be at the discretion of the DRC. Refer to Figure 9.

### **Cluster Homes**

The term “Cluster Homes” shall refer to any group of attached or detached single family units with integrated private garages and a consistent architectural design in a consolidated neighborhood or neighborhoods.

**Compliance Deposit**

The deposit that the Owner is required to deliver to the Arrowhead Design Review Committee prior to commencing a Construction Activity.

**Construction Site**

A site upon which Construction Activity takes place.

**Construction Activity**

Any site disturbance, construction, addition or alteration of any building, landscaping, or any other improvement on any Site.

**Construction Vehicle**

Any car, truck, tractor, trailer or other vehicle used to perform any part of a Construction Activity or to transport equipment, supplies or workers to a Construction Site.

**Declarant**

The term “Declarant” shall mean and refer to Vail/Arrowhead, Inc., a Colorado corporation, its successors and assigns other than individual lot purchasers.

**Design Guidelines**

The review procedures, restrictions, and construction regulations adopted and enforced by the Design Review Committee as set forth in this document and as amended from time to time by the Design Review Committee.

**Design Review Committee (DRC)**

The committee appointed by the Declarant described in the Covenants, Conditions, and Restrictions (CC&R’s) as the “Design Review Committee”. The Design Review Committee shall review and either approve or disapprove proposals and/or plans and specifications for all Construction Activity within the Arrowhead Mountain Homesites.

**Excavation**

Any disturbance of the surface of the land (except to the extent reasonably necessary for planting of approved vegetation or soil testing), including any trenching which results in the removal of earth, rock, or other substance or any grading of the surface.

**Fill**

Any addition of earth, rock, or other materials to the surface of the land, which increases the natural elevation of such surface.

**Gross Floor Area**

The total floor area of a building which includes basements, covered parking, storage and mechanical area (for Metropolitan District tap fee purposes) as measured from outside wall to outside wall. See also the definition for “Maximum Gross Floor Area” which applies to Lot Diagrams, Homesite Features and these Design Guidelines.

**Homesite**

The portion of a Lot, as described in Section 3.1.1 of this document which encompasses the area in which all improvements must be built as specified on the Lot Diagram for each Lot.

**Improvement**

Any changes, alterations, or additions to a Lot including any excavation, fill, residence or buildings, outbuildings, roads, driveways, parking areas, walls, retaining walls, stairs, patios, courtyards, landscape plantings, fences, signs, and any structure of any type or kind.

**Lot Analysis Sheet**

The term "Lot Analysis Sheet", shall refer to the drawing prepared for each individual Lot. Each Lot Analysis Sheet specifies the required Homesite area, specific building heights, suggested driveway access, skier access, views and any additional special restrictions pertinent to the development of the Lot.

**Maximum Gross Floor Area**

"Maximum Gross Floor Area", means the sum of the gross horizontal areas of all floors of a building measured from the outside of framing walls, including but not limited to, lofts, stairways, fireplaces, halls, habitable attics, bathrooms, closets, and storage or utility/mechanical areas; and not including crawl space, basements, garages or areas designed for parking or loading within the building. The DRC fee and review is based on this square footage. Basements which have any exposed exterior walls within windows and/or doors shall be included in the Maximum Gross Floor Area calculations for these guidelines. The area within a basement will be included in the calculation of Maximum Gross Floor Area when the floor area above such level is greater than or equal to four (4) feet above existing grade. The area will be included for a depth of fourteen (14) feet. Maximum Gross Floor Area for each lot is as stated in the Arrowhead PUD.

**Minimum Floor Area**

"Minimum Floor Area" shall be 4,000 square feet for single family residences and 2,500 square feet for cluster homes ("floor area" is defined the same as in "Maximum Gross Floor Area," above).

**Member**

"Member" means each person or entity who holds a membership in the Association.

**Owner**

The term "Owner" shall mean the record holder of legal title to fee simple interest in a Unit or interest therein. The Owner may act through an agent provided that such agent is authorized in writing to act in such capacity.

**Private Space**

A private space is defined as an area not visible from road right of ways, ski easements, pedestrian easements and neighboring properties and communities.



**Residence**

The building or buildings, including any garage, or other accessory building, used for residential purposes constructed on a Lot, and any improvements constructed in connection therewith.

**Skiway**

Trail access between the ski mountain trails and the residential properties. A variety of skiways will exist at the Arrowhead Mountain Homesites. The term in this document refers to all skyways regardless of ownership or maintenance responsibility.

### 3 Architectural, Site Development and Landscape Guidelines

The following chapter is divided into two sections: “Site Development and Landscape Guidelines” which sets forth guidelines and standards for all site work relating to the Lot, including grading, landscaping, siting of structures, and outdoor areas; and the second section – “Architectural Guidelines” which sets forth design guidelines and standards for the residences and any ancillary structures to be constructed on the Lot, including height, color and materials.

This document may be amended over time by the Design Review Committee (DRC). It is the Owner’s responsibility to make sure they have current Guidelines and have carefully reviewed all applicable section of the Covenants, Conditions and Restrictions (CCR’s) and Easements for Arrowhead Mountain.

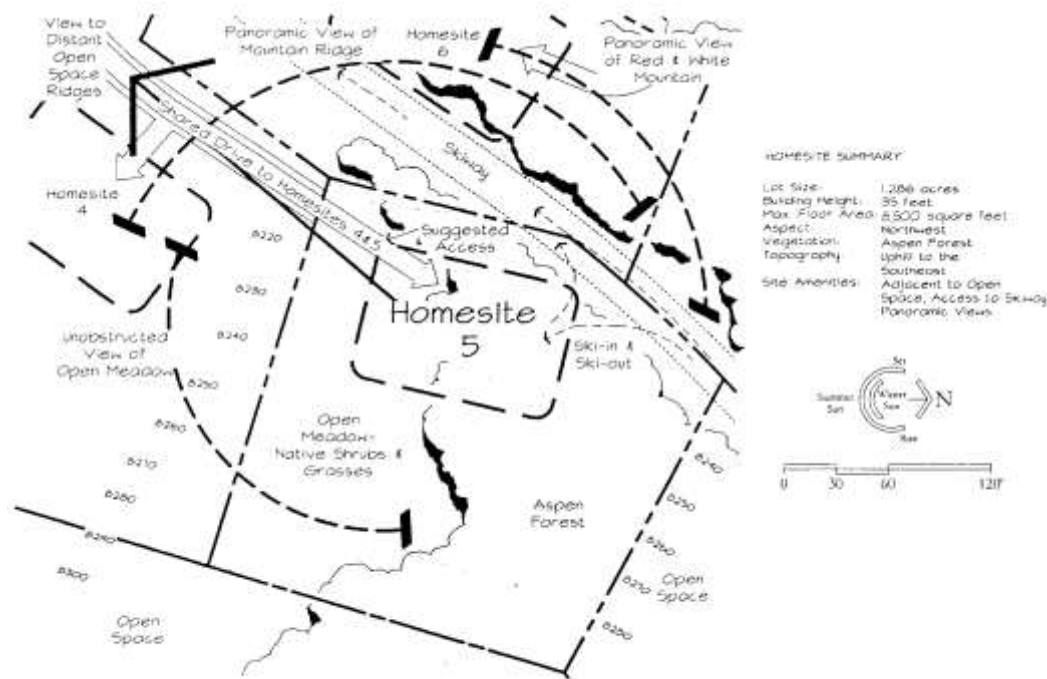


Figure 1 - Lot Analysis Sheet

#### 3.1 Site Development and Landscape Guidelines

To produce a high quality, environmentally-sound, new mountain community, which preserves and enhances the mountain setting, the site design and landscape of each Lot shall be carefully planned according to the following standards:

### **3.1.1 Building Envelopes and Homesites**

Building Envelopes are areas designated on the approved final plat drawings recorded with Eagle County within which all improvements on the Lot, except utility connections, driveways, and ski trails, must take place. These guidelines establish a more specific building location called a “Homesite” for single family lots which further restricts the Building Envelope.

The Homesites have been established within the Building Envelopes in order to ensure that every home in Arrowhead Mountain is sited in the most appropriate location. Homesites designate the required location for buildings and improvements on a Lot. Lot diagrams are available at the Arrowhead DRC office.

Homesite locations were determined based on the specific characteristics of each Lot and on planning and design objectives for Arrowhead Mountain, specifically:

- A. Maintaining existing drainage patterns;
- B. Minimizing grading and removal of vegetation;
- C. Optimizing views from the home;
- D. Protecting view corridors from other properties and/or common use areas;
- E. Protecting sensitive environments;
- F. Protecting and utilizing distinctive natural features – rocks, vegetation, and topography;
- G. Blending man-made improvements into the topography and forests;
- H. Avoiding highly prominent sites and skylines;
- I. Utilizing microclimates;
- J. And overall, preserving the dominance of the natural setting by fitting buildings into the existing landscape.

Outside the Homesite, the site is to remain in an essentially natural condition, maintained to blend with all adjoining predominantly natural areas. Limited tree cutting, new plantings of approved types and clearing of fire hazards are permitted, as described herein and subject to DRC approval. The natural landscape is to dominate the scene.

When an Owner combines two or more Lots, the DRC will designate a new Homesite location, size, and Building Height based on the new Lot lines and the criteria listed above.

It is the intention of these regulations that all structures and site improvements such as driveway turnarounds, parking areas, patios, pools and accessory buildings be located within the Homesite, however it is also recognized that each Homesite presents its own unique design challenges and Owners and their Architects may develop design solutions involving encroachments outside of the Homesite area that may be appropriate in certain cases.

In order to respond to such cases, the DRC has the authority to approve minor and major encroachments outside of the Homesite and changes to the location of the Homesite in accordance with the following procedures.

### **3.1.2 Minor and Major Encroachments**

All proposals for construction that encroach outside of the Homesite shall be evaluated by the DRC and all decisions regarding such proposals to change the location of a Homesite shall be evaluated by the DRC and all decisions regarding such proposals shall be made solely at the discretion of the DRC. It shall be the responsibility of the Owner and their design team to demonstrate to the DRC that the proposed encroachment or change to the location of a Homesite is consistent with the planning and design objectives for Arrowhead Mountain as summarized in Section 3.1.1 page 3-1 of this document. All decisions will be made by the DRC.

#### **Minor Encroachments**

Minor encroachments outside of the Homesite that may be approved by the DRC include:

1. Limited encroachments of non-habitable space, such as balconies, porches, and garages not exceeding twelve inches (12") outside of the prescribed Homesite.
2. Roof overhangs located outside the prescribed Homesite.

Proposed encroachments as outlined above will be carefully studied by the DRC for their conformance to the planning and design objectives for Arrowhead Mountain, with particular attention given to visual impact on neighboring Homesites, protecting view corridors and avoiding highly prominent sites and skylines.

#### **Major Encroachments**

Unless constituting a minor encroachment, any modification to the Homesite requires a Homesite amendment. This process will generally be discouraged. Property Owners may follow the procedures outlined below to amend a Homesite:

##### **1. Administrative Procedure**

The Owner shall submit to the DRC an amended plan prepared by a licensed surveyor showing both the old the new Homesite, the names, mailing addresses and written approval to amend the Homesite from all Owners of any property abutting, directly across the street from or within 75 feet of the property for which the Homesite amendment is requested. Both the old and the proposed Homesite are to be staked for review by the DRC.

##### **2. Public Meeting**

The Owner shall submit to the DRC an amended plan prepared by a licensed surveyor showing both the old the new Homesite. A public meeting of the DRC shall be held, notice of which has been sent by registered or certified

mail at least 30 days prior to the DRC meeting to Owners of property which has a boundary line abutting, directly across the street from or within 75 feet of the property for which the Homesite amendment is requested. Such notice shall state the general nature of the DRC hearing and the date of the DRC hearing. Opinions of those surrounding property Owners will be solicited by the DRC. Both the old and the proposed Homesite are to be staked for review by the DRC.

The Homesite amendment may be approved by the DRC if the DRC finds that the Homesite amendment:

- 1) does not substantially impact in an adverse manner the view corridor of any property Owner to whom notice of the proposed Homesite amendment has been sent,
- 2) mitigates geologic or other hazard consideration
- 3) does not appreciably increase the visibility of the proposed home from other areas within or without Arrowhead Mountain
- 4) does not substantially reduce the distance between the home and Homesites on adjacent Lots, and
- 5) is sensitive to the natural features of the Lot.

In addition to providing written justification that each of the above criteria are met, the Applicant must also address, in writing all design and planning criteria (Items A-J) as listed in Section 3.1.1. The DRC may waive any one or more of the foregoing criteria (Items 1-5, and / or Items A-J) if the Applicant demonstrates to the satisfaction of the Design Review Committee that the criteria is not applicable.

### **3.1.3 Building Coverage**

In no case shall building coverage for single family lots exceed 20% of the total Lot area or a total of 40% coverage by impervious materials. For cluster homes, building coverage shall not exceed 25% of the total lot area or a total of 45% coverage by impervious materials.

### **3.1.4 Grading**

Grading will be designed as a combination of cuts, fills, and retaining walls that protect stands of trees and blend into, and/or appear to be extensions of existing natural land forms. Slopes will not exceed 2:1 unless it can be demonstrated that a steeper slope will not erode. Whenever possible, natural slopes are to be used instead of structures. Cut and fill slopes are to be re-vegetated with native plant materials and blended into the surrounding environment. (See Figure 2)

The DRC requires that a professional engineer registered in the State of Colorado prepare a full set of drawings including grading and drainage plans and sedimentation and erosion control plans for new construction.

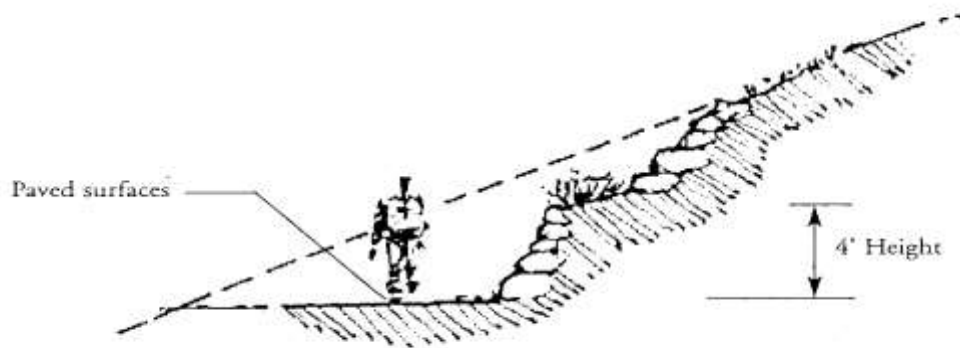


Figure 2 - *Section at Retaining Wall*

### 3.1.5 Retaining Walls

Site walls are to be built of approved boulders or laid stone, logs, or treated, stained timbers, used in traditional patterns, reinforced and/or backed with concrete where required. Railroad tie walls will not be permitted. Walls that are visible from off site adjacent to outdoor living areas are not to exceed eight (8) feet in height. Stepped-back or terraced wall structures with ample plantings pockets are to be used where grade changes exceed eight (8) feet. Higher walls at driveway which may be approved by the DRC can be constructed where necessary due to site topography when they would significantly reduce overall impacts on the site. Any walls in excess of four (4) feet in height are to be designed by a professional engineer registered in the State of Colorado. The top of walls will be shaped to blend with natural contours. Ends of walls should not be abrupt, but are to be designed to make natural-looking transitions into the existing land forms and vegetation. Walls are to be designed with a batter at key, highly visible locations (See Figures 2, 3, and 4).

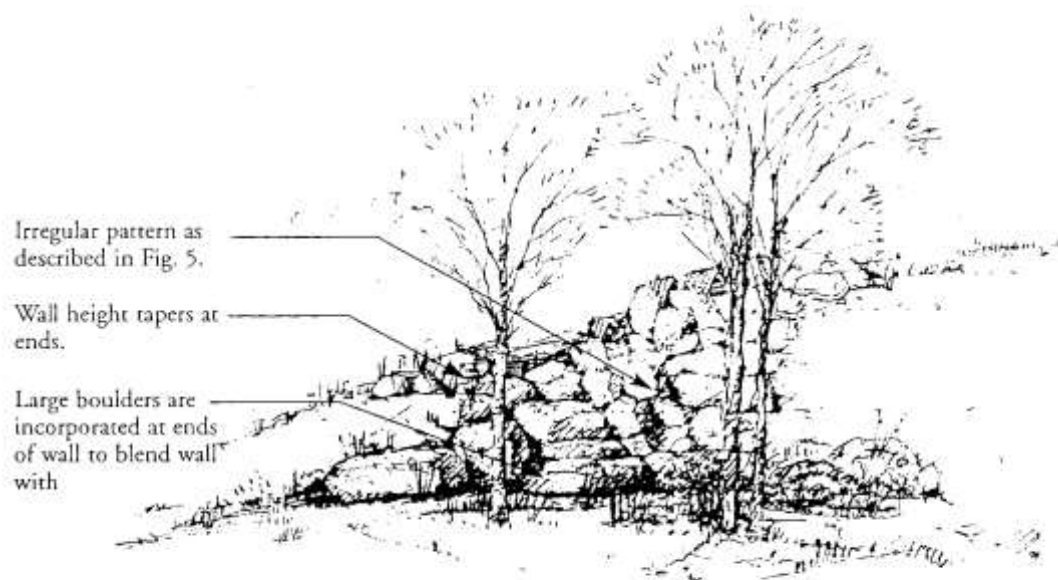


Figure 3 - *Wall End Detail*

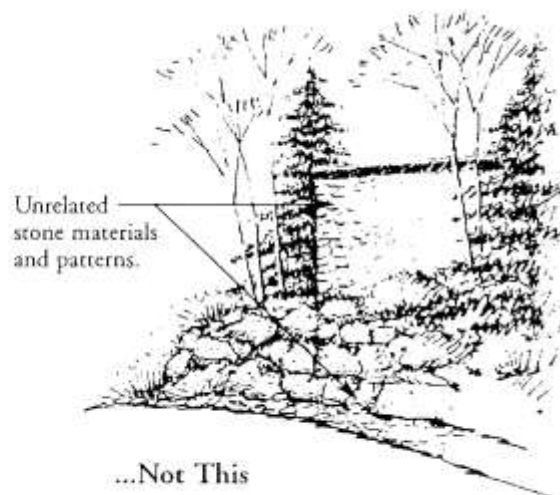


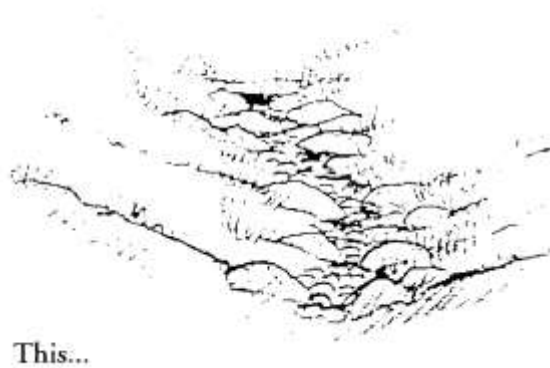
Figure 4 - *Stone Retaining Wall*

### 3.1.6 Drainage Systems and Water Features

In general, natural drainage courses will be protected and existing drainage patterns maintained. New drainage ways are to be designed to appear and function like natural drainage ways. (See Figure 5) Ponds and artificial water features may be built within a designated Homesite. Exceptions may be granted by the DRC.

Headwalls visible from off site are to be built of, or veneered with, an approved stone and are to be similar to other stone used on the site. (See Figures 5 and 6) Ends of metal, concrete, plastic pipes are to be concealed.

Boulders of various sizes placed in a natural pattern.



Drainage utilizes man made materials in an unnatural and artificial looking pattern, Metal pipe unconcealed

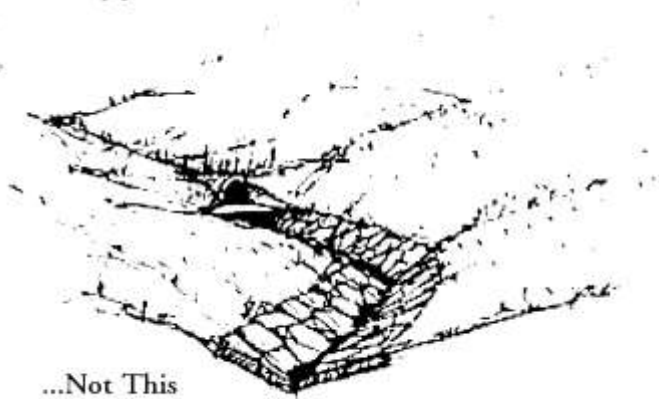


Figure 5 - Channelized Drainage Structures

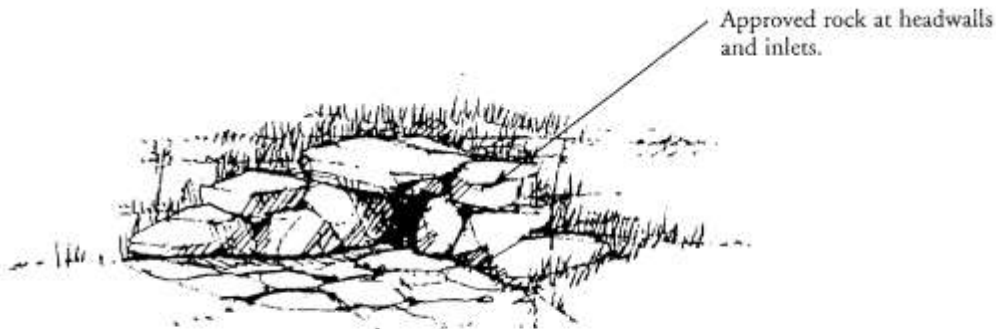


Figure 6 - Typical Headwalls



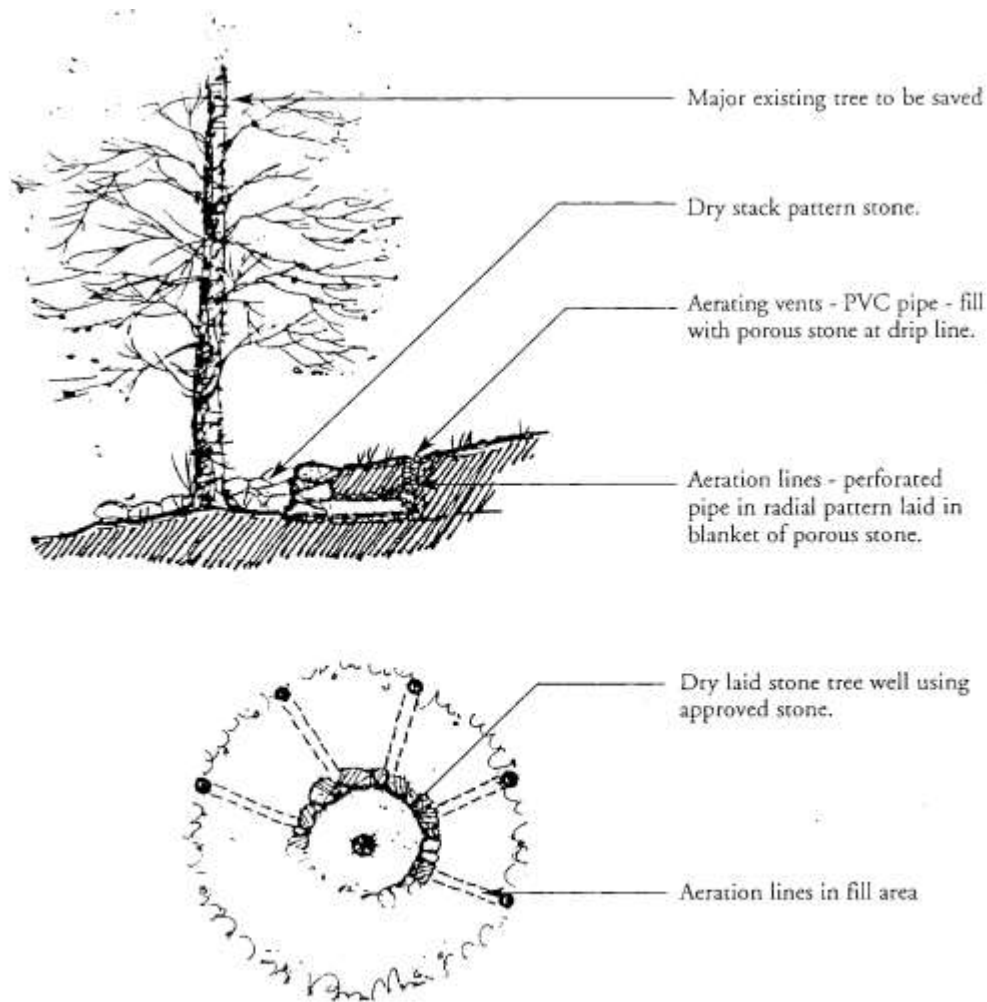


Figure 7 - *Tree Well Design when Adding fill under Drip Line*

### 3.1.7 Landscaping and Plant Materials

The landscape design of each Lot shall blend with its overall mountain setting. New plantings are to be used to protect important view sheds, help to define use areas on the Lot, and screen outdoor service areas and other improvements from adjacent lot and off-site views. Landscape improvements shall incorporate, rehabilitate and enhance existing vegetation, utilize indigenous species and minimize areas of intensive irrigation. The following guidelines apply to all landscape zones:

- All residential lots shall be required to incorporate xeriscape landscape principles. “Xeriscape” means “water conservation through creative and appropriate landscaping.” There are seven main concepts of xeriscape landscaping. They include:
  1. Appropriate planning and design – Group plants with similar water needs together in beds rather than individually. Drought tolerant plants are to be positioned on the side of the prevailing winds to screen less tolerant plants.

2. Soil improvement – Increasing organic material into soil will improve growing conditions and allows for better absorption of water.
  3. Efficient irrigation – An automatic irrigation system can efficiently use water. Irrigate lawn areas separately from other plantings. Low volume drip or spray irrigation can efficiently water trees, shrubs and flowers.
  4. Practical turf areas – Manicured lawn areas should be limited to within the Homesite area only and minimized to reduce the need for irrigation.
  5. Appropriate plant selections – Use of native plants and plants that have adapted to low water situations can blend the landscaping into the native surrounding.
  6. Use of mulches – Mulch can minimize the loss of soil moisture and keep soil temperatures moderated.
  7. Maintenance – Regular pruning, weeding, fertilization and irrigation system maintenance preserves the beauty of the landscape and minimizes water loss.
- Irrigated areas are limited to a maximum of 1,000 square feet per lot.
  - New trees and shrub plantings are to be a mix of sizes that will blend naturally into the surrounding vegetation:
    - Deciduous trees – 50% of mix: minimum 2 inch caliper;  
50% of mix: minimum 3 inch caliper.
    - Evergreen trees – 50% of mix: minimum 10 foot height;  
50% of mix: minimum 12 foot height.
    - Shrubs – 50% of mix: minimum 5 gallon containers;  
50% of mix: minimum 7 gallon containers.
  - The use of large specimen trees is preferred in areas close to the house to help blend the building with the site.
  - At disturbed areas where extensive reforestation is planned, a planting mix that includes smaller tree and shrub materials can be used provided the larger size requirements are adhered to in areas that are highly visible from off site.
  - Ground covers, wildflower sod and seeding are to be done using native material and standard local practices.
  - Areas immediately adjacent to the building improvements that are not visible from off site may use a greater variety of plant material including introduced and non-native plants.
  - Building improvements shall be designed around existing major trees on the Lot. Tree protection and fertilization measures are to be taken on all large trees (12" caliper or more) within 30 feet of construction activity including trees outside of the Homesite.

- Major trees to be protected should be identified through the process outlined in Appendix E – Construction Activities and Compliance Deposit Regulation and Appendix F – Tree Removal Procedures.
- Tree wells constructed of stone are to be used when adding fill under the dripline of major trees to be saved. A blanket of porous stone and a network of aeration lines (See Figure 7) are to be installed at the existing grade to allow air to reach the roots and to prevent over-compaction.
- Manicured or groomed yards, terraces, and pools are to be restricted to areas confined by buildings, walls, plantings or other defined edges and are to be permitted only within the Homesite.
- Plant materials used for erosion control are to establish rapid surface stabilization. The DRC may also require that other stabilization measures such as jute matting be employed.
- Many landscape materials are attractive to wildlife of all kinds. Deer and elk can cause a great deal of damage browsing on a number of native and ornamental plants. Chipmunks like to burrow into flowerbeds and shrub beds to dig up bulbs and nibble on roots. Marmots have a tendency to make their home in rock walls and can also cause damage to landscape areas.
- Developing the outdoor living areas with naturalizing landscapes (plantings that are left to naturalize with little or no maintenance) will help to reduce the apparent impact of wildlife. Concentrations of the more “ornamental” plantings in areas close to the house that are easier to maintain will be advantageous. A list of deer and elk resistant plants is included in Appendix D.
- Riparian and wetland areas are to be protected from disturbance.

#### **3.1.7.1 Planting Guidelines**

The intent of these guidelines is to ensure that continuity of the natural landscape is maintained. The development area is dominated by Aspen Woodlands with some open Meadows. Specific planting guidelines and plant lists have been developed to return the landscape to the Aspen Woodland after development:

Most of the site is dominated by forests of aspen trees and their associated understory plants. (See Appendix C for approved plant list) The forest has a transparent quality at eye level because of the predominantly low growth of the understory plants and the absence of lower branches on the aspen trees. Because of these qualities of visibility, special consideration is to be taken to blend all improvements – buildings and new landscape- into the existing woodland.

All areas disturbed during construction, excluding outdoor living areas, are to be revegetated with aspen trees to blend with the surround forest, along with understory plantings arranged in the same associations as they occur on site. This includes areas within the Homesite that are visible from off site.

In the open meadows, lots are located in natural meadow areas or open areas that have been previously cleared. These sites should be re-forested predominantly

with Aspen tree groves and a sprinkling of evergreens. Plantings are to be sized and situated to integrate structures into the site and screen them from off-site views.

#### **3.1.7.2 Tree Removal and Selective Thinning**

The removal of trees on Lots is to be avoided whenever possible. The DRC may approve tree removal and/or selective tree thinning within the designated Homesite. In certain limited instances, the DRC may also approve tree removal and/or thinning outside the designated Homesite for view corridors or solar exposure provided it does not increase the visual impacts on adjacent Lots or off-site visibility of the house. Unauthorized removal or cutting of trees is subject to fines of up to \$10,000 per tree. Refer to Tree Removal Procedures – Appendix F of this document for procedures to follow for DRC review of proposed tree removal.

#### **3.1.7.3 Wildlife Safety Measures**

Portions of Arrowhead Mountain are located in wildfire hazard areas. A number of measures have been implemented that reduce the risk of wildfire in Arrowhead Mountain. For example, all homes are required to have sprinkler systems and all wood shake roofs are required to be fire retardant. In addition, existing and proposed ski runs and roadways provide natural fire breaks. Nonetheless, it is important that Owners be aware of the possibility of wildfire and also that the threat of wildfire can be greatly reduced with thoughtful planning and preventative landscape maintenance.

The goal of fire-safe landscaping is to reduce the amount of potential fire fuel immediately surrounding a home. Along with the use of low fuel loading plant material, a 30-foot safety zone in all directions around a home is recommended. The following actions are recommended within this zone:

- Dispose of slash and debris left from thinning and periodically mow dry grasses and vegetation.
- Stack firewood away from the home.
- Maintain an irrigated area.
- Remove dead limbs, leaves, needles and other materials. This should also be done in areas out of the safe zone.

#### **3.1.8 Driveways**

Driveways shall be 12 feet wide maximum, except where they provide a turnaround at a garage and/or off-street parking. Shared driveways for up to 3 homes or cluster homes shall not exceed 16 feet in width. Shared driveways serving more than 3 homes or cluster homes shall be as narrow as Eagle County standards will allow. Driveway access points are limited to one per Lot. Suggested driveway access locations are indicated on the Lot Diagram for each Lot. All driveways are to follow alignments that minimize grading, tree cutting, or other disruption of the site. The driveway-parking-garage layouts shall also

minimize the visibility of the garage doors and off-street parking from the street and from the major views from adjoining property. Side entry garages are required where possible.

Driveways are to be built of asphalt paving, generally without curbs. The driveway may introduce a different material after the first 20 feet. Where curbs are required for drainage purposes or traffic control, they will be of stone or color concrete approved by the DRC. Colors of finish paving materials are to be selected to blend the new construction into the surrounding earth colors. Heated driveways are required if greater than 10% slope. Maximum gradient on driveways shall not exceed 15%, except for the first and last 20 feet of the driveway which will have a maximum gradient of 5%.

If a driveway access location change is made that result in a change to the address sequence, a new address assignment must be applied for by the Applicant with Eagle County.

### **3.1.9 Parking Requirements**

At such time as any building improvements are completed on a Lot, such building improvements must provide two (2) enclosed parking spaces and a total of four (4) per dwelling unit constructed on the Lot. Parking is prohibited on the roads in Arrowhead Mountain.

### **3.1.10 Paths, Outdoor Stairs and Terraces**

Paths, outdoor stairs and terraces are to be designed to blend with the natural topography and vegetation, and with retaining walls, fences, or building foundations. Materials will be stone, chipped stone or gravel and/or wood, as approved by the DRC. (See Figure 8)

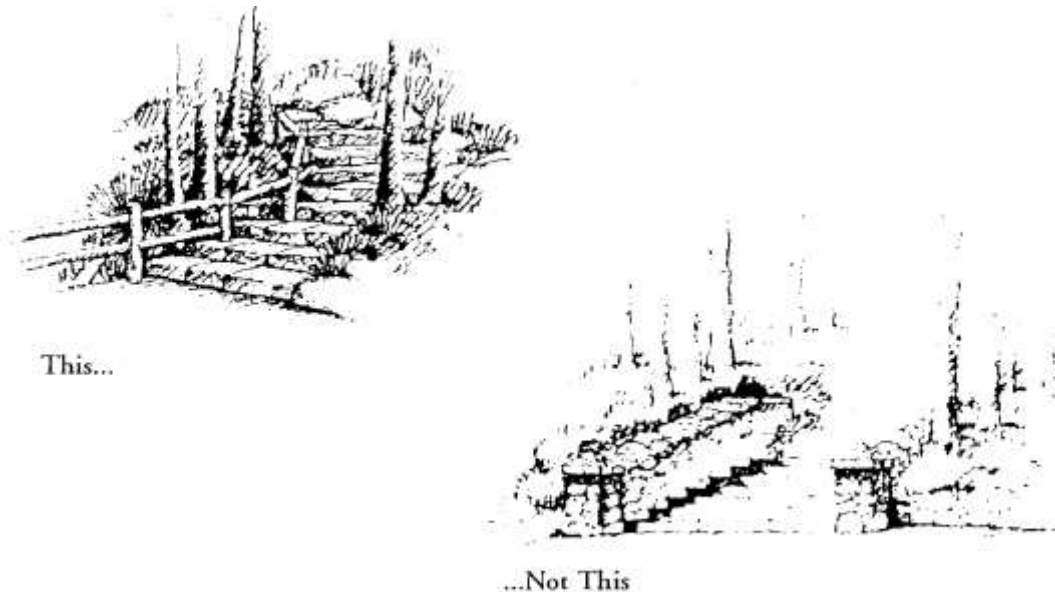


Figure 8 - Outdoor Stairs

#### **3.1.11 Fences and Gates**

Fences and gates may be built within the Homesite. They are to be designed as transitional elements, blending buildings into the site. Materials are to be wood or stone, and selected to match or extend with those of the principal buildings and/or other site walls and landscape structures.

#### **3.1.12 Stone**

Stone, if used in the landscape, is to be similar to the approved stone used in residences and selected and placed to blend with the site.

#### **3.1.13 Exterior Service Areas/ Satellite Dishes**

Trash disposal, outdoor work areas and outside equipment are to be substantially screened from off-site views and, as appropriate, made inaccessible to wildlife, by using architectural features integrated into the building design and/or the site wall's form, materials and colors.

The DRC must approve the placement of all satellite dishes prior to installation. A satellite dish shall not exceed 1.0 meter in diameter. Satellite dishes should be painted to blend in with the building and be screened from adjacent properties and from adjacent roads by landscaping that keeps foliage throughout the year or by incorporating the satellite dish into the approved permanent architectural features of the structure. However, the enforcement of these regulations shall not cause signal loss. Fencing will not be allowed as a screening device. A maximum of two (2) dishes will be allowed per dwelling unit.

#### **3.1.14 Site Utilities**

Site utilities are to be installed underground on alignments that minimize grading, tree cutting and other disruption of the site. Utility boxes, including any meters, are to be substantially screened from off-site views.

#### **3.1.15 Signs**

An identification sign/address marker for the Lot will be provided by the Declarant for the owner to install associated lighting during construction. The identification sign must be within 20 feet of the intersection of the driveway and the road.

Project identification signs are to be designed to create an entrance (and exit) from each "mountain village" cluster home area. All signs within a "cluster neighborhood" should display a consistency of design and incorporate the materials that are used on the surrounding buildings such as, stone, log, timber, and iron work. Sign structures are to be designed to blend with the landscape and incorporate clear, simple and minimal graphic and structural systems.

Open house signs must meet the following criteria:

- The sign is to be a maximum of 18"h x 24" w, double sided. Arrowhead "Black Forrest Green" body, with white text and "Mossy Log" graphics (to

match Arrowhead color scheme and logo). The sign should hang from a sidewalk “A” frame stand. No additional ornamentation (i.e. balloons, flyers, etc) may be attached to the sign.

- Signs will be allowed for display only during normal or advertised business hours and only when a duly authorized real estate sales person is on site for showing purposes. Signs must be removed from public view at all other times. Hours of operation within Arrowhead are as follows: Monday through Friday, 7:00 a.m. to 6:30 p.m. Saturday 8:00 a.m. to 5:30 p.m. Extended hours from 6:30 p.m. to 9:00 p.m. as well as Sundays and holidays must be approved by Arrowhead Public Safety.
- Only one sign may be displayed at any property unless approved by the DRC. Sign shall be displayed on land owned by subject property. One additional sign may be allowed off property to serve as directional signage (placement to be coordinated with Arrowhead Public Safety).
- Any sign not in compliance may be removed by Arrowhead Public Safety or an authorized DRC staff member.
- DRC approval is revocable for incidents of non-compliance.

#### **3.1.16 Miscellaneous Improvements**

The DRC may approve gas firepits, dog runs or similar improvements which are to be located within the designated Homesite and substantially screened from view from off site.

#### **3.1.17 Pools and Hot Tubs**

Swimming pools and hot tubs require DRC approval and must be located within the Homesite. These improvements shall be designed to complement the residential structure and will be placed to avoid impacts to adjacent properties. In addition to being screened year-round from adjacent properties and roadways, hot tubs must be recessed into the ground, deck or patio at least one-half their height, and the portion above ground must be surrounded by a wall faced with stone that matches the material on the building.

#### **3.1.18 Air Conditioning Units and Mechanical Equipment**

The placement of air conditioners or other mechanical equipment shall be located to minimize the visual and noise impact of these units on neighboring properties. Specifically, such equipment shall not be located where the noise will adversely affect the living environment of adjacent neighbors. In addition, screening shall address both visual and noise abatement and be effective year-round.

The DRC encourages all air conditioning condenser units and other mechanical equipment (snowmelt boilers, etc.) to be placed within the Homesite, but reserves the right to approve such equipment outside the Homesite if it provides better screening and noise mitigation to neighboring properties. The following will be considered in the design and placement of air conditioning units and other mechanical equipment:

- A. The air conditioning unit(s) or other mechanical equipment must have a noise rating of 65 decibels or less, when measured at the property line.
- B. The unit(s) shall be positioned such that there are no windows or other openings within adjacent structures along the direction of sound wave propagation. All walls of adjacent structures facing the unit(s) should be solid.
- C. The unit(s) shall not be placed near neighboring properties' outdoor living areas.
- D. If the DRC approves unit(s) or equipment to be located near a window or outdoor living space of an adjacent property, then the DRC at its sole discretion may require construction of a barrier around the units to absorb, redirect and attenuate the sound. This barrier may also require a partial roof to attenuate the sound. Any such enclosure or barrier shall blend into the architecture and exterior finishes of the building and the DRC may at its sole discretion, require additional year-round landscape screening to properly screen the units or equipment from the surrounding area.
- E. Vegetation used to screen air conditioner units shall utilize dense evergreen shrubs or trees positioned to visually hide the units and provide some measure of noise abatement to nearby living areas.

#### **3.1.19 Sculpture and Artwork**

DRC approval is required for the placement of all sculptures and artwork, with the exception of those located within a private space. The theme of the sculptures and artwork shall be indigenous and compatible with a mountain environment. The materials(s) for sculptures and artwork constructed shall be limited to indigenous materials and shall be non-reflective. A sculpture shall not be greater than 1 ½ times life size. Lighting of sculptures is not permitted.

#### **3.1.20 Energy and Water Conservation**

The Eagle County Resource Conservation Award is a voluntary incentive program designed to encourage energy and natural resource conservation in new and existing homes in Eagle County. In order to qualify for this award, homeowners incorporate energy conserving measures into the design and construction of their home. The Eagle County Building Department then evaluates the energy conserving measures to determine whether an award has been earned. The following list is an example of some of the energy conservation options that should be considered:

- Bench buildings into hillsides.
- Locate trees to provide windbreaks.
- Airlock/vestibules.
- Radiant floor heating.
- Super insulation, thermopane windows, weather-stripping, etc.
- Water conserving toilets and flow-restricted faucets.



Owners are encouraged to participate in this program. Please contact the Eagle County Building Department for additional information.

### **3.1.21 Night Lighting**

Night lighting is to be minimized, and used essentially to meet the requirements of safety and easy identification of entrances, driveways and buildings. Low intensity lanterns or indirect light sources and cut-off fixtures are to be used. Lights following the driveway at regular spacing are not permitted. In some cases the DRC may approve the placement of lights at key places along the driveway for safety purposes provided they meet the design requirements herein. Reflectors or approved guardrails can be used to help mark the driveway.

Light sources are to be incandescent, halogen or other “white” light, not sodium vapor or other colored light, except for temporary Holiday decorations. Lanterns with visible light source are to use low intensity (25W or less) light sources with translucent or frosted glass lens. Except for low-level lighting of the driveway and the identification sign, exterior lighting is to be located within the Homesite.

Exterior light sources and brightly illuminated surfaces visible from off site are not permitted. Flood lighting for emergency purposes only is permitted, provided the sources are not visible from off site. “Moonlighting” and uplighting of vegetation or structures are not permitted.

### **3.1.22 Winter Season and Holiday Lighting**

#### Winter Season Lighting

Winter seasonal lighting shall be restricted to only lights installed on natural vegetation. White, colored or multicolored string lights are permitted. No blinking or chasing lights are allowed.

Winter seasonal lighting is permitted between November 15 and April 15 of the following year and between the hours (MST) of 5:00PM and midnight.

#### Holiday Lighting

Colored or white lights are allowed on structures. No blinking or chasing lights will be allowed. Plastic statuary, inflatable lawn display and other similar ornate displays containing non-natural materials are not permitted.

Holiday lighting is permitted between November 15 and January 15 of the following year between the hours (MST) of 5:00PM and midnight.

### **3.1.23 Wildlife Measures**

All dog runs and enclosures when permitted by the DRC shall include a restrictive roof or fenced top over said enclosures to protect dogs. Proper garbage disposal is required to prevent wildlife from destroying property and/or posing a threat to residents and their pets. Dumpsters and individual trash cans shall be of a Colorado Division of Wildlife approved bear-proof design. Owners are prohibited from using compost piles.

#### **3.1.24    Flags**

Owners may only display the American flag on their property. DRC approval is required for the installation of a flagpole. The American flag must be displayed in a manner consistent with the Federal Flag Code, including but not limited to the following:

- A. The flag shall only be displayed between sunrise and sunset.
- B. The flag must be no larger than 3' x 5'.
- C. The flag may not have any lighting associated with it.
- D. The flag must be well maintained.

## 3.2 Architectural Guidelines

The intent of the Arrowhead Mountain Architectural Guidelines is to encourage a diversity of design and at the same time produce a unified and harmonious neighborhood which reflects the distinctive mountain setting. Buildings must respond to the climate and unique features on each Lot. All improvements shall be integrated with the overall setting and not detract from its visual quality.

### 3.2.1 Building Height

Building Height (exclusive of chimneys) shall be measured from any point around the building at existing or finished grade (whichever is more restrictive) to the mid-point of the highest sloping roof above. Height measurement of buildings with stepped roofs will be at the discretion of the DRC. (Refer to Figure 9)

Building height is limited to 35 feet except on lots where the average slope exceeds 30%. On those lots, the height can exceed the maximum height by 20% on one side of the building. Maximum height may be further limited by: (1) applicable codes; (2) the height limits in the Arrowhead PUD; and (3) the height limits for each Lot shown on the Lot diagrams.

The intent is that all buildings will appear to be one story from the uphill side, and that building roof forms and skylines will be fragmented, with foundations and roof lines stepped to follow existing slopes, and the roof lines are to appear to be below the surrounding tree top levels when viewed from off site.

For that reason, the DRC may allow cupolas, and/or roof peaks in limited areas to exceed the limits or maximum height, provided the intent is achieved.

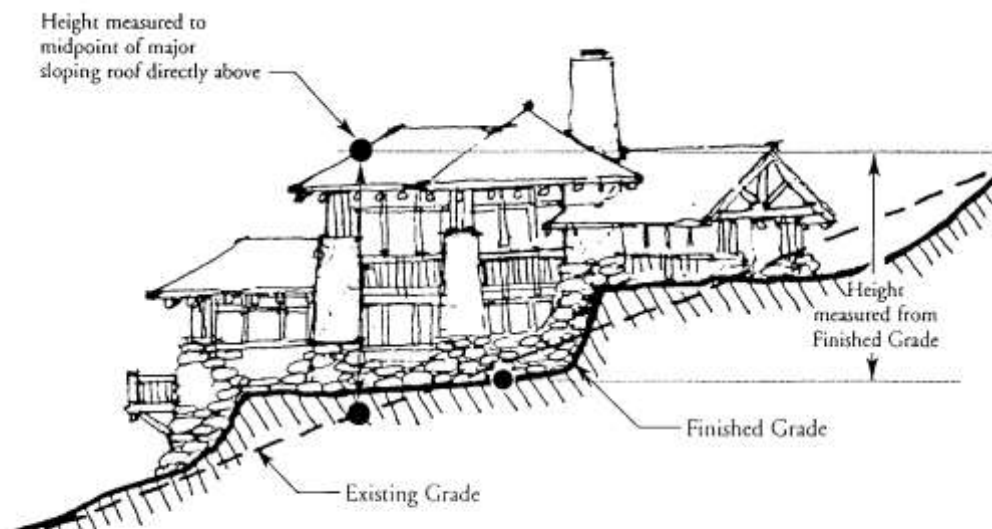


Figure 9 - Building Height Measurement

### 3.2.2 Building Forms

Building forms are to be designed with three elements (refer to Figure 10):

1. Foundation walls are to merge with the ground plane and be expressed as structural stone walls generally less than one story in height. Walls are to be battered and/or banked at key, highly visible locations into the site's topography to further blend the building with its setting. The intent is to obscure the line of demarcation between structures and natural features.

Porches, decks or balconies projecting out beyond an enclosed building form, shall be clearly supported on structures that are integral parts of the building architecture no more than one story in height. If so, the undersides are to be fully hidden from off site by planting or infill materials. Small projections may be supported by brackets with undersides given finished architectural treatment. Decks shall be fragmented to avoid long horizontal lines and stepped to follow sloping gradients.

2. Building walls are not to exceed two stories in height. They must be expressed as wood structures.
3. Roof forms, which include slopes, gable ends, and dormers, must be the dominant element of the buildings.

In summary, buildings should reflect the scale and drama of their mountain setting, have large sheltering roofs clearly supported by vertical structural elements that rest on strong foundations merging with the land.

3.

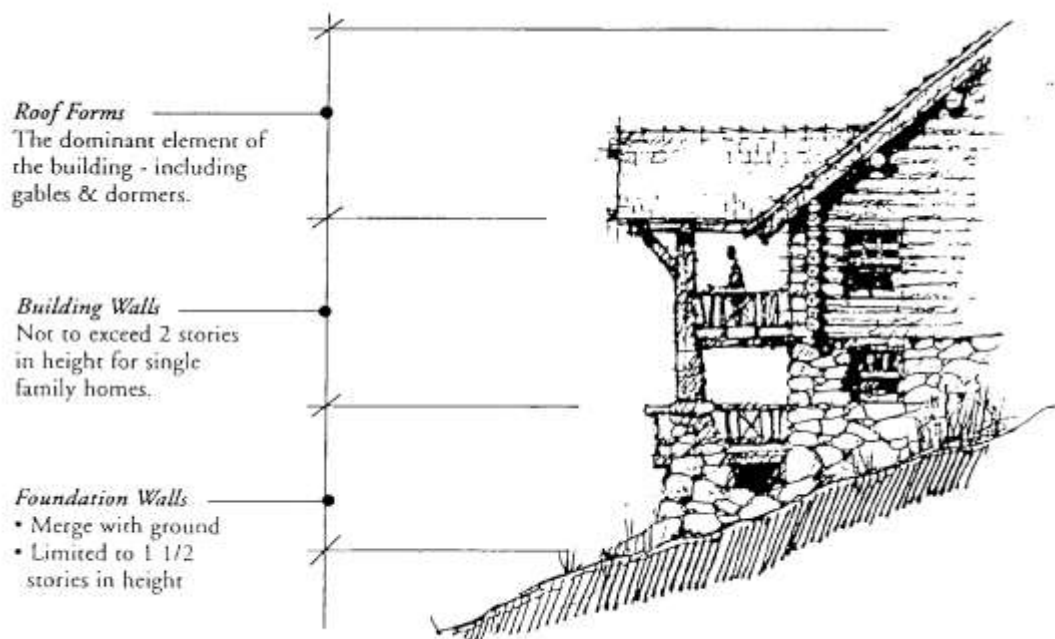


Figure 10 - Building Forms - Three Elements

### **3.2.3 Cluster Home Neighborhood, Building, Siting and Massing**

Building masses are to be composed of building forms fitted to the topography and natural surroundings. Building bulk is to be articulated into forms with dimensions that express interior spaces and/or a group of related rooms.

Building masses are to be residential in scale and composed of clusters of building forms fitted to the topography and natural surroundings to create the appearance of mountain “villages”. Buildings within a neighborhood shall step with the hillside gradient. The entire neighborhood cluster is to appear as an extension of the existing landform and vegetation.

Although Cluster Home buildings typically have similar types of units, the intent is to produce buildings that appear to be clusters of individual, distinctive “homes” and not rows of essentially identical “products”. Attached Cluster Home buildings shall not exceed three units per building.

In order to achieve a varied but unified “neighborhood” or a small scale “mountain village”, Cluster Home designs shall incorporate the following guidelines:

- Single story elements shall be introduced wherever possible to reduce the apparent height and mass of buildings.
- Avoid long uninterrupted rows of garage doors and minimize their visibility through vegetation screening, roof overhangs and/or reorienting doors. Use side entry garages wherever possible.
- Use similar, compatible, but not identical colors and roof forms.
- Introduce architectural elements that vary from unit to unit, such as dormers, gables, balconies and/or patios.
- Link buildings with landscape features, such as walls and plantings.
- Compose each building with a variety of forms, projections, dormers, etc. to produce an elaborate pattern of light and shadow to blend buildings with the surrounding vegetation.

### **3.2.4 Blending with the Natural Landscape**

The intent is to create a settlement on the mountain where the natural landscape dominates, minimizing disturbances from grading and saving trees is essential. Revegetation of disturbed areas and open meadows with Aspens and native plant materials is spelled out in section 3.1.7 is also critical. The following building design techniques shall be employed.

Buildings should be built predominantly of wood materials such as timber members and wood or shingle siding. The major structural wood members should be similar in size to the larger aspen trees. For a more massive look, columns can be clustered; for longer spans, trusses should be used. Stone should be limited to foundations and chimneys, and individual building elements.

Houses should be fitted to existing slopes to minimize grading and tree cutting and to keep roof lines near treetop levels. Buildings should be articulated into smaller elements with broken ridgelines to reduce the apparent size. Colors should be natural wood colors, darker than the aspen tree bark, generally in the brown tones. Stains should be pigmented but highly transparent to expose and accentuate the variations in wood.

### **3.2.5 Building Materials and Construction Techniques**

Materials and construction techniques are to be high quality, durable and proven in similar mountain applications. Cold roof or super-insulated designs are required.

Manufactured and industrial building materials are to be minimized. Concrete, tile, and metals, including structural elements, are to be hidden, and large, smooth surfaces and severe straight lines are to be avoided. Metals, such as brass and wrought iron, may be used in typical arts-and-crafts forms for fastenings and decorative purposes.

### **3.2.6 Structural Expression**

The expression of structural systems for buildings using traditional timber, and stone materials and traditional construction techniques shall be apparent on all buildings at Arrowhead Mountain. The following principles shall apply:

- The structural system for the roof shall be carried out to the exterior of the building, exposing beams, purlins and rafters.
- All exposed horizontal structural elements shall appear to be clearly supported by vertical column elements either freestanding or expressed within the building walls and carried through to the foundation. Trusses or transfer beams shall be used where vertical elements cannot be positioned directly beneath the horizontal elements.
- Exposed beams shall never appear to be supported by glass window panes. Vertical structural elements shall be expressed as large vertical mullions through window where necessary.
- In buildings where the actual structural system is not visible, decorative structural elements designed in conformance with the principles in these guidelines shall be integrated into the building design to create the appearance of a traditional structural system.
- The expression of traditional structural systems shall be carried out in the small scale detailing of the building including dormers, rafter tails, window mullions and muntins, balconies, railings, columns and colonnades.

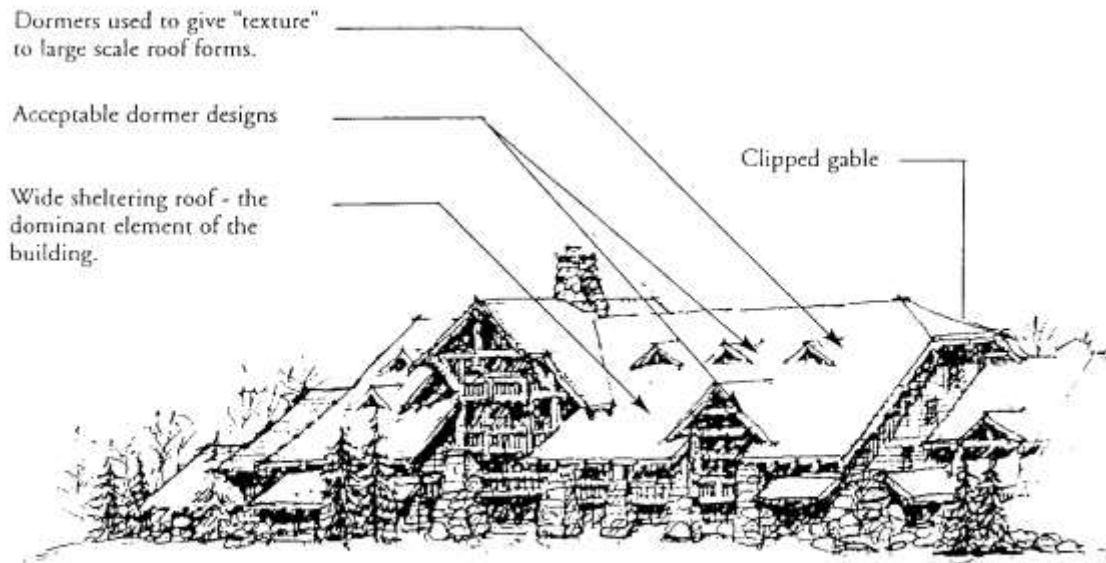


Figure 11 - *Typical Roof Characteristics*

### 3.2.7 Roofs

Roofs are to be gable or clipped gable or hipped forms with slopes of 6:12 to 10:12. Flat roofs or lesser slopes may be approved by the DRC in very limited areas. (See Figure 11)

Long overhangs are to be incorporated, especially where shading of windows is necessary. Roof structures are to be designed to express traditional log or timber construction. Traditional trusses, braces, brackets, and column spacing are to be used where they are needed to keep the appearance of unsupported spans and cantilevers consistent with the structural properties of the visible logs and/or timbers.

Roofing materials are to be fire retardant wood shakes or an approved artificial material that closely resembles wood shakes. Wood shakes are to have the highest possible fire rating, as determined by a recognized testing lab. Glazed tile and asphalt or fiberglass shingles are not permitted. All roofing materials are subject to DRC review and approval. Copper roofing can be used on minor roof forms and shed roofs as a decorative element. The fire retardant quality level of the roof must be maintained over the life of the roof. The DRC reserves the right to require the Applicant to provide evidence that the fire retardant level has been maintained.

Roof edges at eaves and rakes are to be open, exposing rafters and structural elements, and not boxed in (See Figure 12).

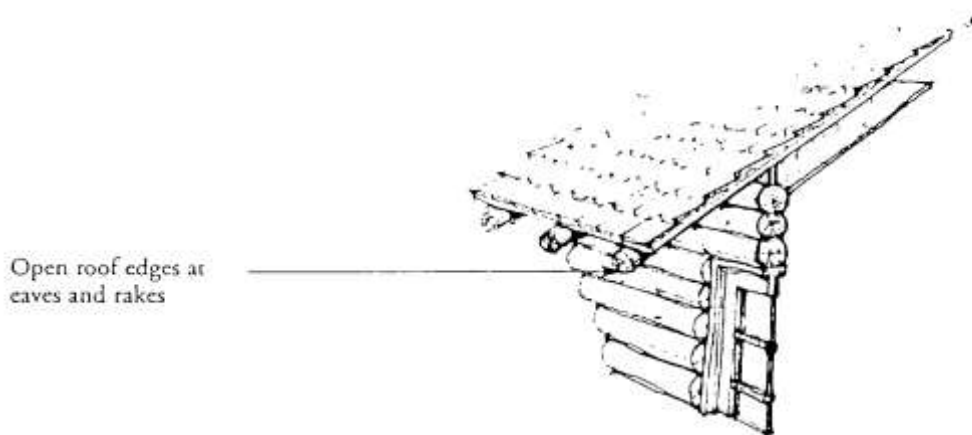


Figure 12 - *Roof Detail*

Roof color is to be weathered natural cedar shake color, selected and textured to blend the building into the landscape colors on its site as seen from off site within one year of completion of construction. Fast-weathering techniques may be required. Visible flashing, gutters and/or downspouts are to be minimized. Where required, they are to be constructed of durable metals, such as copper, which will weather to colors that blend with the other building materials. Galvanized metals are not acceptable.

Protection of pedestrians, walkways and driveways from snow shedding is to be handled by building gable ends, porches and/or balconies over entrances and/or incorporating snow retention devices.

### 3.2.8 Walls

Walls, including visible foundation walls, shall be given finished architectural treatment on all sides. Materials and their use are to be selected from the following list:

- Stone work, must be designed to have a dry laid appearance rather than a “veneered” look. Stone structures are to look as if they could stand without mortar. Walls are to be battered or flared at their base at key highly visible locations. Natural bedding planes are to be laid horizontally while horizontal and vertical joints are to be frequently interrupted. Mosaic patterns are not to be used (See Figure 13).
- Wood structures are to be built above snow-height stone foundation walls. Design and detailing of these materials is to result in authentic-appearing structures.
- Wood surfaces such as log or timber may be used to express load bearing walls. Infill panels within frame structures must also be expressed with wood materials.



- Where different materials adjoin, there should be a clear break in the plane of the surface. Mixes of cladding materials, unrelated to structural expression, are to be avoided.
- Stucco may be used in very limited areas, if detailed as cladding over heavy masonry walls.

- Stone pattern to have structural appearance.
- Stones to gradually decrease in size from lower to upper courses.
- Dry-laid in appearance - no visible mortar.
- Natural bedding plane laid horizontally.
- Avoid long uninterrupted horizontal & vertical joints.
- Bottom of wall flared at key corners to anchor structure to the site.



Figure 13 - *Stone Pattern*

### 3.2.9 Colors

Colors of buildings are to be selected to emphasize the natural colors of the materials and to blend with the summer and fall landscape colors (except for very bright colors such as yellow aspens). In general, this will require colors that are similar to the natural tones, together with textures that create multiple shadows. Accent colors can be used at window frames, doors, door frames, eaves, rakes, some architectural details like railings, etc. No opaque stains will be permitted, except for painted accent stains. Transparent stains shall be used that contain limited pigment as a tone over the natural color and texture of the wood. Bright peeled logs must have a stain with pigment. Proposed colors are subject to DRC approval.

Reflective materials or finishes are to be avoided, except for glass which is to be treated as noted in section 3.2.11 Window and Doors. Substantial blending of colors into their natural settings should take place during the first year following completion of construction. Fast-weathering techniques may be required for wall or roof materials.

### 3.2.10 Textures

Textures are to be incorporated throughout a structure, in both materials and in the form and detailing of the building, to create a variety of light and shadow. Building forms are to be complex, with setbacks, overhangs, porches and varied skylines. Walls, roofs, and windows are to be made up of clearly defined smaller elements with the use of rocks, timber, shingles and shakes. Materials are to be

“rough” rather than smooth, and have an appearance closer to their natural state rather than manufactured.

### 3.2.11 Windows and Doors

Openings for windows and doors are to be appropriate to the structural expression of the building. For example, in stone or wood “bearing” walls, windows or doors are to be relatively small and topped with a properly scaled lintel or an occasional arch. (See Figure 14) Larger stone, log or timber structures with piers and larger spans can accommodate larger window openings. (See Figure 15) Windows and door are to be designed with sills. All exterior doors must be made of wood.



Figure 14 - *Window in Stone Wall*

All glass areas are to appear recessed. Specifically, large areas of glass, as shown in the accompanying sketches, are to be shaded by projecting roof overhangs, balconies or porches, to minimize their visibility and their reflections as seen from off site. Window frames and mullions are to project out beyond recessed glass surfaces to provide further shading and to emphasize the wood and/or stone structure. Bay windows are acceptable if detailed as noted. (See Figure 16)

Large window surfaces are to be subdivided with structural members or integral, (not snap-in) muntins. Large single panes are acceptable provided they are well recessed, shaded and incorporated into a window composition that uses large scale vertical and horizontal structural members and includes multiple smaller sized panes. (See Figure 15)

In general, and subject to consideration of views and ample day lighting, solar and other energy-use considerations are to be applied, with larger, shaded windows on southerly exposures and smaller windows and fewer openings on the north. Glass may be coated and tinted to control solar heat gain, but a mirrored appearance is not acceptable.

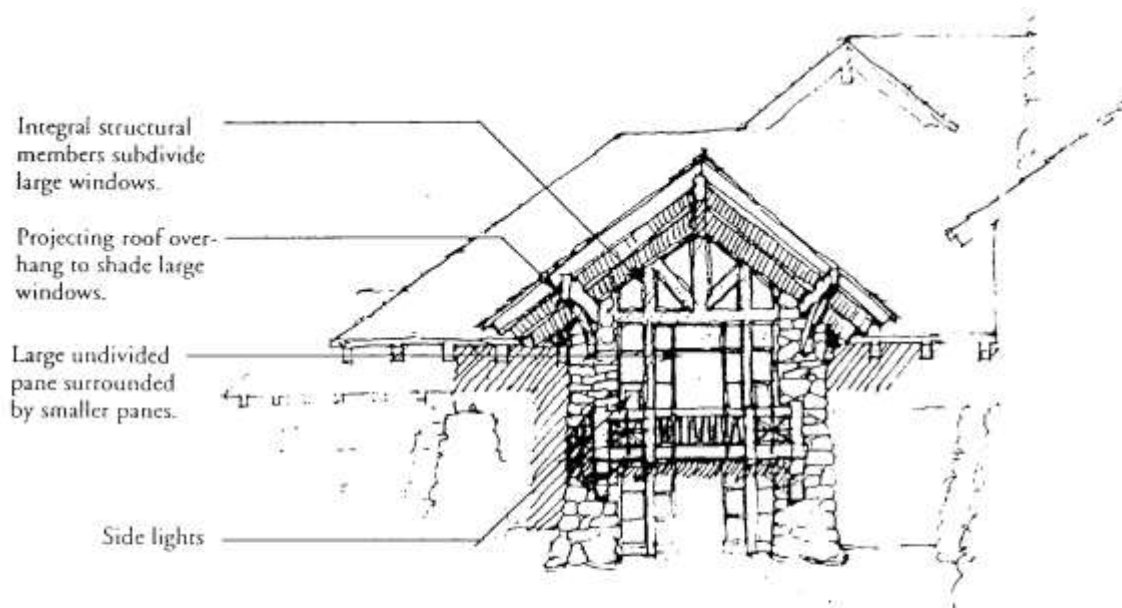


Figure 15 - *Larger Windows*

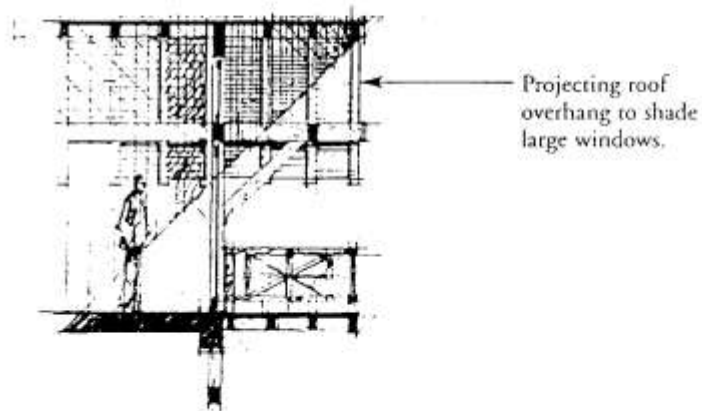


Figure 16 - *Shading of Windows*

Doors and windows and door frames may be stained, painted, clad wood, or painted steel. Bright or light colors which create strong contrast may be used in very limited areas.

### 3.2.12 **Skylights and Solar Panels**

Skylights are not permitted.

New technology solar energy devices such as solar “shingles” or other similar unit pieces which can be installed as integral “unit pieces” within adjacent roof materials may be considered by the Arrowhead DRC on a case-by-case basis. In considering such devices, the DRC will employ the following criteria:

- The location, visibility and reflectivity of the device(s) (simulated “shingle” or other unit pieces) from off-site (adjacent properties, roadways, and skyways).
- The texture and general appearance of the device(s) in relation to the adjacent roof materials-how well the device or unit piece simulates or “blends” with adjacent roof materials.

The DRC will consider the above criteria in determining how well such devices either blend with or are concealed by roof forms. Where practical, the DRC will require such devices to be located on secondary or minor roof forms that are less visible from offsite, but which provide the area needed for viable installation of such devices.

#### **3.2.13 Dormers**

Dormers are to be used to give a large scale “texture” to roof forms and to avoid the appearance of wide, unbroken roof planes as seen from off site. Dimensions of roofs, walls, windows and structural elements are to be proportioned to the size of the dormers.

#### **3.2.14 Chimneys**

Chimneys are to be finished in stone rather than wood materials. Roof top equipment and large vents are to be grouped and concealed in chimney-like structures that are an integral part of roof and/or wall designs. Chimneys are to be capped with massive stone slabs or copper hood structures designed with simple, rustic shapes. Elaborate, decorative forms are not permitted.

#### **3.2.15 Fireplaces**

The number and type of fireplaces and wood burning devices that may be installed in homes in Arrowhead Mountain are regulated by the Eagle County Wood Burning Control Regulations. Owners should refer to the Eagle County Wood Burning Control Regulations regarding specific regulations pertaining to fireplaces and wood burning devices.

#### **3.2.16 Railings**

Railings on balconies, decks, stairs and porches, are to be made up of structures and materials that appear as natural extensions of the buildings that adjoin them. Within those limits, personalized designs are encouraged. (See Figure 17)

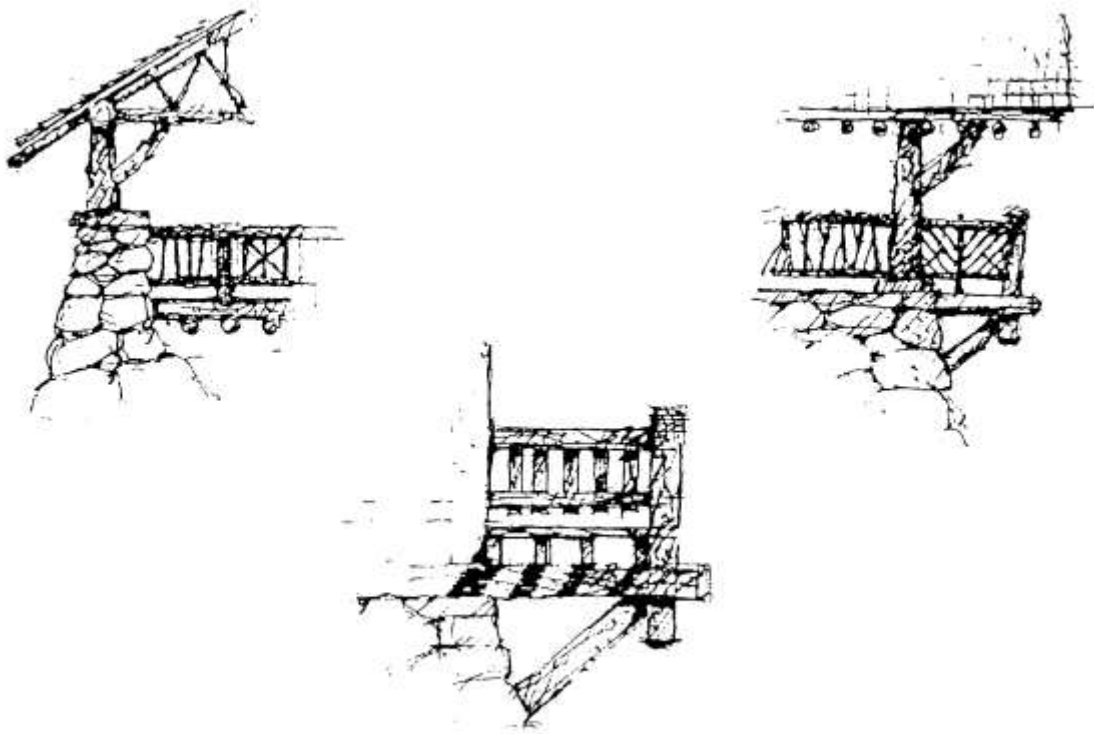


Figure 17 - Railings

### 3.2.17 Ancillary Buildings

All structures on any Lot must be located within the Homesite and are to be designed as integral parts or extensions of the main building in terms of forms, massing, materials and colors.

### 3.2.18 Fire Sprinklers

All homes in Arrowhead Mountain shall include fully operational sprinkler systems. Sprinkler systems should be designed to meet or exceed the National Fire Protection Association (NFPA) Standard 13D. It is required that all buildings include monitored alarm systems. Alarm systems should be designed to detect the flow of the sprinkler system and be monitored by a private monitoring company. Installation of a Knox Box will also be required in a visible area near the main front entry.

### 3.2.19 Gutters and Downspouts

Integral gutters are preferred at long overhangs with concealed downspouts or drains. Where gutters are at the eaves, copper or lead coated copper are the acceptable material choices. Aluminum and galvanized steel are not acceptable. Exposed downspouts are to be located to avoid long return sections from the eave to the wall of the house, and be integrated with vertical elements on the building such as structural columns or trim.

## **4 Arrowhead Design Review Committee**

The Arrowhead design review process consists of a series of meetings between the lot Owner and Architect and the Arrowhead Design Review Committee (DRC). This process starts with an informal introductory meeting and ends with the completion of home construction. Throughout the process is a series of meetings, or check points designed to ensure a smooth and efficient review of the design of each home. The DRC is intended to assist Owners through the design review process and should be thought of as a member of the Owner's design team.

The DRC is comprised of five members who are selected to represent a cross-section of design professionals and other familiar with Arrowhead and with the conditions and issues involved with designing and building in mountain environments. The DRC meets on a monthly or as needed basis and is responsible for reviewing all new construction and modifications to existing homes.

The DRC will evaluate all development proposals in accordance with the Arrowhead Mountain Design Guidelines and Regulations. Some of the design guidelines contained in this document are written as relatively broad standards. The interpretation of these standards is left to the discretion of the DRC. Other guidelines such as building height and form and acceptable materials are more clearly stated as absolute design parameters. It is the intention of this design review process that all home designs comply with these absolute standards.

Each Lot within Arrowhead Mountain possesses unique characteristics and the Owners also each have their own individual needs and desires. For this reason, the DRC has the authority to approve deviations from any of the design standards in these guidelines. It should be understood, however, that any request to deviate from these guidelines will be evaluated at the sole discretion of the DRC and that the approval of deviations will be limited to only the most creative design solutions to unique situations. Prior to the DRC approving any deviation from a design guideline, it must be demonstrated that the proposal is consistent with the overall objectives of these guidelines and that the deviation will not adversely affect adjoining Lots or the DRC as a whole.

## 5 Design Review Procedures

This section provides a “road map” to guide an Applicant (Owner, Builder, Architect or Owner’s representative) through the review and approval process of the Design Review Committee at Arrowhead (DRC). This design review process must be followed for all Construction Activity to include:

- The construction of a new building;
- The renovation, expansion or refinishing of the exterior of an existing structure;
- Landscape changes to, any disturbance and/or improvements on a site.
- Interior renovations and modifications are to be reviewed by DRC staff to ensure compliance with the habitable space, parking, and number of dwelling units requirements of these Guidelines.

Please refer to Appendix A-Design Review Committee Application Fees, Appendix B-Application Form, and Appendix E-Arrowhead at Vail Association Construction Activities and Compliance Deposit Regulation for detailed plan checklist, regulations and application requirements.

The Applicant must also meet the submittal and approval requirements of Eagle County in order to obtain a Building Permit. Precise submittal requirements may be obtained from the Eagle County Building Department.

Prior to submitting an application to the DRC, all Owners must comply with the terms and provisions of the Architectural Standards (Article XV) of the Declaration of Covenants, Conditions, and Restrictions for Arrowhead Mountain.

Step	Responsibility	Timing
<b>Pre-Planning Meeting</b>		
The purpose of this step is to provide the Applicant with introductory information which will establish the overall regulations, restrictions, and/or special considerations for the particular site or area involved. The step is mandatory unless specifically waived by the DRC and is for the benefit of the Applicant and the Architect. This meeting will address: <ul style="list-style-type: none"> <li>▪ Property boundaries;</li> <li>▪ Easements and utilities;</li> <li>▪ Homesite location;</li> <li>▪ Skiways;</li> <li>▪ Architectural theme and special design considerations;</li> <li>▪ Building program and design rationale.</li> </ul>	Applicant (No formal action taken)	Upon request
<b>Sketch Plan Review and Approval</b>		
Within this step, the Applicant shall prepare and submit to the DRC for review and approval a sketch plan package which should adequately convey existing site conditions, constraints, building orientation and design, vehicular, skier and pedestrian access, the proposed use of exterior materials and colors and conceptual landscape design. Submit one set full size and six sets of 11"x 17" reductions of sketch plans that include the following:	Applicant	Three weeks prior to scheduled DRC meeting

<p><b>A. Survey</b> A property survey (minimum scale: 1"=20') prepared by a licensed surveyor indicating property boundaries, the area of the property, all easements of record, building envelope, Homesite, topography at 2 foot intervals and any significant natural features such as rock outcroppings, watercourses, or existing trees with caliper widths of 3 inches in diameter or greater. To facilitate the review process the submission will not be considered complete without clearly identified existing tree and shrub masses with general sizes and heights noted. At heavily wood sites, the tree survey may be limited to trees in the vicinity of the Homesite and the proposed driveway. The general masses of the tree and shrub types may be information added to the survey by the Architect or Landscape Architect.</p> <p><b>B. Proposed Site Plan</b> A site plan (minimum scale: 1"=20'), indicating existing and proposed topography, property boundaries, the footprint(s) of buildings relative to the Homesite area, driveway access with proposed grades, existing vegetation, all easements of record, proposed limits of construction, scale and north direction.</p> <p><b>C. Building Plans</b> Building Plans, including floor plans for each level of building(s) and exterior elevations and roof plan indicating elevations for each floor and the highest roof ridge. Over all building dimensions should be indicated.</p> <p><b>D. Building Height Calculation</b> One copy of building height calculations drawn over building elevations, relating to, and coordinated with the required topography survey. Existing and finished grades should be clearly indicated around the perimeter of all proposed structures.</p> <p><b>E. Building Square Footage Calculation</b> One copy of square footage calculations, drawn over the floor plans.</p> <p><b>F. Conceptual Landscape Plan</b> A landscape plan (minimum scale: 1"=20'), including location and type of existing vegetation, limits of site disturbance, proposed areas of new landscaping, revegetation specifications for reseeding and mulching and preliminary drainage plan and erosion control measures.</p> <p><b>G. Study Model</b> (scale 1/16", 1/8" or 1/4" = 1') One study model which indicates three dimensional massing and relationship to the site.</p> <p><b>H. Design Review Committee Application and Fee</b> Submit one copy of completed application and fee with drawings. Fee is based on Maximum Gross Floor Area in accordance with the current fee schedule.</p>		
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<b>Site Staking</b> Prior to the day of the meeting, the Applicant shall stake and flag the outline of proposed improvements and the centerline of the driveway.	Applicant	Prior to the meeting
<b>DRC Site Visit</b>	DRC	On the meeting day
<b>DRC Reviews Sketch Plan and Notifies Applicant in Writing of its Findings</b>	DRC	Within 10 days of the DRC meeting
<b>Final Plan Review and Approval</b> Within this step the Applicant shall provide all information necessary to reflect the design of the proposed building(s), landscape or other features requiring the approval of the DRC. All architectural plans are to be prepared by a licensed Colorado Architect. Submit one set full size and six sets of 11"x17" reductions of final plans that include the following: <p><b>A. Final Site Plan</b> (minimum scale of 1"=20')</p> The final site plan shall indicate proposed building footprint(s), roof dripline, property boundaries and easements, scale and north direction, utility locations, existing vegetation, existing and proposed 2 foot contours, areas of cut and fill, drainage, limits of construction, proposed roads, driveways, sidewalks, deck, and any other proposed improvements. Proposed driveway should include spot elevations. Snow storage areas should be located and building site coverage as a percent of land area should be noted on plans. <p><b>B. Footing and Foundation Plan</b> (scale 1/4"=1')</p> Submit plans and sections to illustrate the location and size of foundation walls and footings. Foundation plans should clearly indicate unexcavated and crawl space areas. <p><b>C. Floor Plans</b> (scale 1/4"=1')</p> Indicate all room dimensions, door and window locations and sizes, location of mechanical and electrical systems and fire sprinkler and monitoring systems. Indicate the location and type of all exterior lighting fixtures, proposed fireplaces, and kitchen appliances. Indicate location and area allocated to the secondary residence if applicable. <p><b>D. Elevations</b> (scale 1/4"=1')</p> Illustrate the exterior appearance of all views labeled in accordance with the site plan. Indicate the height of chimney(s) as compared with the ridge of the roof, the highest ridge of the roof, the elevation of each floor, and existing and finished grades for each elevation. Describe all exterior materials, colors, and finishes (walls, roofs, trim, chimneys, windows, doors, etc.) and locate all exterior lighting fixtures. Indicate shadow patterns and material textures. <p><b>E. Building Sections</b> (scale 1/4" or 1/2" = 1')</p> Indicate building walls, floors, interior relationships, finished exterior grades and any other information to clearly describe the interior/exterior relationships of the building as well as the building's relationship to the site.	Applicant	Three weeks prior to scheduled DRC meeting

<p><b>F. Model</b> (scale 1/16", 1/8" or 1/4" = 1')</p> <p>Indicate three-dimensional building massing, form, openings, and relationship to the surrounding site topography updated per the final drawings.</p> <p><b>G. Details</b></p> <p>Provide design details to sufficiently represent the visual expression of the building, exposed connections, and material interfaces. Include soffits/fascia details, window head and sill details, railing details, and any other information necessary to describe the project's exterior.</p> <p><b>H. Building Height Calculations</b></p> <p>One copy of building height calculations drawn over building elevations, relating to, and coordinated with the required topography survey. Existing and finished grades should be clearly indicated around the perimeter of all proposed structures.</p> <p><b>I. Building Square Footage Calculation</b></p> <p>One copy of square footage calculations, drawn over the floor plans.</p> <p><b>J. Roof Plan</b></p> <p>Indicate areas of snow shedding and water removal, as well as the specific techniques proposed to manage snow shed areas which may conflict with pedestrian and vehicular zones. In addition, indicate the location of all mechanical devices which are proposed to penetrate the roof (chimneys, flues, plumbing vents, etc.).</p> <p><b>K. Grading Plans</b> (minimum scale 1" = 20')</p> <p>Include existing and proposed contours at 2 foot intervals, spot elevations, retaining walls, driveway drainage patterns, rim and invert elevations, and snow storage areas. These plans are to be prepared by an engineer registered in the State of Colorado.</p> <p><b>L. Landscape Plans</b> (minimum scale 1" = 20')</p> <p>The proposed landscape plans should include:</p> <ul style="list-style-type: none"> <li>▪ Planting Plan – Include plant material legend which lists common and botanical names, plant sizes and plant quantities which are keyed to locations on plan. Locate rock outcrops, decks or patios, service yards, driveways, and any other freestanding structures.</li> <li>▪ Irrigation Plan – Locate all temporary and permanent irrigation systems, including controllers and type and size of equipment.</li> <li>▪ For seeded areas, rates and methods of application per 1,000 square foot increments, mulch type, rate and stabilization technique and fertilizer type and time of application are required for review.</li> <li>▪ Lighting – Locate in detail all proposed outdoor lights and signs. Submit cutsheets of all proposed light fixtures and indicate the lighting control strategy.</li> </ul>		
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<ul style="list-style-type: none"> <li>▪ Identification Sign – Indicate location of required identification sign (address marker).</li> </ul> <p><b>M. Specifications</b> Provide written specifications, samples and color boards as appropriate for the following items:</p> <ul style="list-style-type: none"> <li>▪ Exterior wall materials and colors, (samples of logs must be submitted for proposed log buildings);</li> <li>▪ Windows and exterior doors with colors;</li> <li>▪ Exterior trim materials and colors;</li> <li>▪ Fireplace equipment cutsheets;</li> <li>▪ Exterior lighting fixture cutsheets.</li> </ul> <p>An on site full scale mock-up of all exterior materials and colors is required during the construction phase for final DRC approval. See Construction Inspections and/or Submittals.</p> <p><b>N. Erosion Control and Revegetation Plan</b> These plans are to be prepared by an engineer registered in the State of Colorado. Indicate the means and time schedule by which the prevention of erosion and stream sedimentation will be addressed during and after construction, including any of the following that are appropriate for the site in question:</p> <ul style="list-style-type: none"> <li>▪ The limits of construction and the technique proposed for defining that limit prior to and during construction.</li> <li>▪ Location and proposed method of tree and vegetation protections;</li> <li>▪ Placement and type of perimeter filters;</li> <li>▪ Water control methods;</li> <li>▪ Vehicular access points and surface treatment;</li> <li>▪ Spoils storage and stabilization measures;</li> <li>▪ Siltation control devices;</li> <li>▪ Proposed revegetation methods;</li> <li>▪ Proposed seed and fertilizer types, application rates and methods;</li> <li>▪ Mulch type, rate application and stabilization methods;</li> <li>▪ Type and location of any permanent or temporary irrigation methods to be used.</li> </ul> <p><b>O. Design Review Committee Application</b> Submit one copy of completed application. (Appendix B)</p>		
<b>DRC reviews final plans and notifies the Applicant and the AVA Board of the DRC decision. The decision will become final if no appeal is filed by the Applicant or the AVA Board within 20 days of the DRC decision.</b>	DRC	Within 7 days of DRC meeting
<b>DRC Appeal Process</b>		
1. Submit an appeal to the DRC in writing.	Applicant	Within 20 days following DRC decision
2. Review Applicant's appeal and render a decision.	DRC	Next regularly scheduled DRC meeting

3. Transmit decision to Applicant and to AVA Board.	DRC	Within 7 days of the DRC decision regarding the appeal request
4. Submit a formal appeal to the Board of Directors of the Arrowhead at Vail Association. (AVA Board)	Applicant	Within 7 days following the date of notice of DRC appeal decision
5. Review Applicant appeal <ul style="list-style-type: none"> <li>Failure to act within 65 days from date of appeal filing will constitute approval.</li> <li>AVA Board will document in writing reasons for disapproval.</li> </ul>	AVA Board	Within 30 days from the date of filing appeal. (A 15-day extension may be provided if further information is needed)
<b>Final Working Drawing Submission</b>		
<p>Upon approval of final plans the Applicant shall prepare and submit final working drawings to the DRC for review and approval. The contents of the final working drawings submittal should be substantially consistent with the approved final design plans, while responding to any conditions or revisions imposed by the DRC at final design review. The final working drawing submittal shall include the following drawings:</p> <ol style="list-style-type: none"> <li>Final Working Drawings</li> <li>Erosion Control Plan</li> <li>Transportation and Parking Plan – This plan shall describe the following: <ul style="list-style-type: none"> <li>How and where construction vehicles will be parked at the Construction Site during Construction Activity.</li> <li>The maximum number of construction vehicles that will be parked at or adjacent to the Construction Site at any one time.</li> <li>The manner in which construction workers will be transported to and from the Construction Site during Construction Activity.</li> </ul> </li> </ol>	Applicant	Prior to requesting building permit from Eagle County
<b>Eagle County Plan Review and Approval</b>		
Upon approval of the final working drawings, the Applicant may submit final working drawings to the Eagle County Building Department for its plan check process in order to obtain a building permit.	Applicant	Open
<b>Construction Inspections and/or Submittals</b>		
1. Concurrently with the submission of final working drawings the Applicant shall stake the footprints of all improvements to be constructed on the Site and all parking, storage and laydown areas, and flag all trees to be removed and/or saved according to “Tree Removal Procedures” – Appendix F.	Applicant	Concurrently with submission of final working drawings
2. Applicant delivers Compliance Deposit to the DRC (Refer to Appendix E, Construction Activities and Compliance Deposit Regulation)	Applicant	Prior to scheduling pre-construction meeting
3. Request pre-construction meeting from the DRC	Applicant	Held on a weekly basis
4. Conduct pre-construction meeting/ site inspection to ensure compliance with approved plans, lot survey points, driveway location, building corners, cut and fill areas, protected vegetation and proposed tree removals.	DRC Staff	At scheduled pre-construction meeting
5. Request building permit and any or all other inspections and approvals for all phases of construction from the Eagle County Building Department.	Applicant	Upon satisfactory completion of all pre-construction requirements

6. Request in writing a foundation inspection from DRC. Deliver improvement location certificate to DRC.	Applicant	After foundation is complete, prior to any framing
7. Inspection of foundation	DRC Staff	Approximately 7 days from request
8. Issuance of DRC foundation approval	DRC Staff	Upon satisfactory completion of requirements
9. Request on-site mock-up review and approval from DRC. Construct a full scale mock-up (minimum of 6'x6') which accurately conveys all proposed exterior materials, colors (including stone material, and/or siding) and detailing, including window, corner and trim details and/or details of areas where one material changes to another.	Applicant	Next regularly scheduled DRC meeting
10. Issuance of DRC mock-up approval. No construction of exterior materials may proceed until mock-up approval has been issued.	DRC Staff	Upon satisfactory completion of requirements
11. Request in writing a framing inspection (core and shell) from DRC. Deliver updated improvement location certificate to include ridge elevations to DRC.	Applicant	Prior to enclosure of structure
12. Inspection of framing	DRC Staff	Approximately 7 days from request
13. Issuance of DRC framing approval	DRC Staff	Upon satisfactory completion of requirements
14. Request temporary certificate of compliance inspection from the DRC.	Applicant	Prior to requesting temporary Certificate of Occupancy from County
15. Inspection of Construction Site to ensure that the Construction Activity is substantially complete and has been performed in compliance with the approved final working drawings.	DRC Staff	Approximately 7 days from request
16. Issuance of temporary certificate of compliance	DRC Staff	Upon satisfactory completion of requirements
17. Request final inspection from DRC.	Applicant	Prior to requesting Certificate of Occupancy from County
18. Inspection of Construction Site to ensure that all portions of the Construction Activity including all landscaping and remedial work are fully complete in accordance with the approved final working drawings.	DRC Staff	Approximately 7 days from request
19. Issuance of Certificate of Compliance from DRC	DRC Staff	Upon satisfactory completion of requirements
20. Request Certificate of Occupancy from the Eagle County Building Department.	Applicant	Following issuance of certificate of compliance

**APPENDIX A**  
**ARROWHEAD MOUNTAIN DESIGN REVIEW COMMITTEE FEES**

**GENERAL**

Any Arrowhead Mountain property owner who plans new construction, exterior changes to existing buildings, landscape modifications, or other improvements to the property will be required to remit two separate fees to the Design Review Committee (the “DRC”) in order to facilitate the review process. The first, the Application Fee, is required to fund the administration costs of the DRC, as well as staff activities associated with the project.

The second is the Compliance Deposit. These monies will be returned to the applicant upon successful completion of the project as verified by the DRC through the inspection processes outlined in the Construction Activities and Compliance Deposit Regulation. Compliance Deposit monies will be administered according to the Construction Activities and Compliance Deposit Regulation.

**APPLICATION FEE**

**New Construction**

Application Fees are calculated per gross square footage of the individual building areas, including any and all sub-level parking, storage and mechanical areas.

<b>Square Feet of Gross Floor Area</b>	<b>Fee</b>
0 – 5,000	\$ 5,000
5,001 – 7,500	\$ 6,000
7,501 – 10,000	\$ 7,000
10,001 – 15,000	\$ 8,000
15,001 – 25,000	\$ 9,000
25,001 and above	\$12,000

**Remodel Projects**

Remodel Projects Under \$200,000 (The greater of 2% of project cost or \$400)	\$400 - \$4,000
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Remodel Projects Over \$200,000  
(Calculate according to fee schedule for square footage for new construction if adding habitable space; otherwise, the greater of 2% of project cost or \$7,500).

**Miscellaneous Fees**

Minor Projects/Improvements Under \$5,000	\$100
Roof Replacement (no other exterior changes)	\$400
Modifications to Approved Plans	\$250
Homesite Amendment	\$1,000
Appeal of DRC ruling	\$250
Satellite Dish & Sculptures	\$50
Research Fee	\$50 per hour (1 hr. min.)

**Maintenance/Repair Projects**

No change in exterior appearance or square footage.	No fee required
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### **COMPLIANCE DEPOSIT**

For new construction and remodel projects a Compliance Deposit of five (5) times the corresponding Application Fee (not less than \$5,000) must be paid in full prior to scheduling the required pre-construction meeting. Letters of credit will **not** be accepted.

For minor projects and repairs/maintenance of improvements (under \$20,000) the Compliance Deposit is \$2,000 and must be paid in full prior to scheduling the required pre-construction meeting.

### **ADMINISTRATIVE ITEMS**

- The Application Fee must be paid at the time of application submittal.
- The Compliance Deposit must be paid before a pre-construction meeting will be scheduled.
- Checks should be made payable to **Arrowhead at Vail Association**
- Submit payments to: Arrowhead DRC; PO Box 1655; Avon, CO 81620

## **Appendix B – Application Form**



**ARROWHEAD MOUNTAIN ESTATES DESIGN REVIEW COMMITTEE**  
**Application Form**

Application Date \_\_\_\_\_ Meeting Date \_\_\_\_\_

Type of Review ☐ Schematic Plan      ☐ Final Plan      ☐ Modifications to Approved Plans  
☐ Remodel      ☐ Landscape Remodel  
☐ Other \_\_\_\_\_

**SECTION I – PROJECT INFORMATION**

**A. PROJECT DESCRIPTION:** (Please indicate the details of the proposed project)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**B. LOCATION OF PROJECT:**

Legal Description:      Filing \_\_\_\_\_ Lot \_\_\_\_\_  
   Other \_\_\_\_\_  
Street Address: \_\_\_\_\_

**C. NAME OF APPLICANT:** \_\_\_\_\_

Company: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email: \_\_\_\_\_

**D. NAME OF OWNER(S):** \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email: \_\_\_\_\_

**E. NAME OF ARCHITECT/CONTRACTOR** \_\_\_\_\_

Mailing Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Email: \_\_\_\_\_

**As an authorized representative of the Owner, I have read and will comply with the Arrowhead Mountain Design Guidelines.**

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Signature and Printed Name of Signatory

Date

Incomplete submittals will not be accepted. Fees must be paid at the time of application submittal. In the interest of neighborliness, we request Owners review all applications with adjacent neighbors.

## SECTION II – PROJECT DATA

- A. Total Lot Acreage: \_\_\_\_\_
- B. Maximum Allowable Building Height: \_\_\_\_\_
- C. Maximum Allowable Gross Floor Area: \_\_\_\_\_
- D. Gross Floor Area

	Existing	Proposed
Main Level		
Second Level		
Upper Level		
Basement		
<b>Total</b>		
Garage		

- E. Project Data

	Existing	Proposed
Number of Bedrooms		
Number of Covered Parking Spaces		
Number of Uncovered Parking Spaces		
Number of Bathrooms		
Number of Fireplaces		

- F. Maximum Slope of Driveway \_\_\_\_\_%

First 20 feet of driveway is \_\_\_\_\_% slope

Last 20 feet of driveway is \_\_\_\_\_% slope

- G. Building Height Calculation: \_\_\_\_\_ feet  
(Submit drawing of building height calculations drawn over building elevations.)

### SECTION III – LIST OF MATERIALS

A.	Building Materials:	Type of Material	Manufacturer, Color, Specification, etc.
	Roof	_____	_____
	Primary Wall Material	_____	_____
	Other Wall Material	_____	_____
	Fascia	_____	_____
	Soffits	_____	_____
	Windows	_____	_____
	Window Trim	_____	_____
	Exterior Doors	_____	_____
	Garage Doors	_____	_____
	Door Trim	_____	_____
	Hand or Deck Rails	_____	_____
	Flues, Caps	_____	_____
	Flashings	_____	_____
	Chimney Enclosures	_____	_____
	Trash Enclosures	_____	_____
	Snow Fence/Gutters	_____	_____
	Exterior Light Fixtures	_____	_____

(attach a cut-sheet indicating the size, type of glass lens, and wattage)

## SECTION IV – LANDSCAPE PLAN

	Botanical Name	Common Name	Quantity	Size
<b>A. Proposed Trees</b>				
<b>B. Existing Trees to be removed</b>				
<b>C. Proposed Shrubs</b>				
<b>D. Ground Cover</b>				
<b>E. Sod</b>				
<b>F. Seed</b>				

Please attach additional sheets if necessary.

## **SECTION IV – LANDSCAPE PLAN (continued)**

### **G. Type of Edging**

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### **H. Type of Irrigation**

**Proposed area of landscape irrigation:** \_\_\_\_\_ **square feet.**

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### **I. Other Landscape Features** (retaining walls, fences, water features, etc.)

Please specify height, material, and colors if applicable.

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### **J. Paving Materials** (driveway, walkway, patios, etc.)

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### **K. Site Lighting/Pathway Lighting** (locate lighting locations on the plans and submit cut-sheets)

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### **L. Miscellaneous**

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# ARROWHEAD MOUNTAIN ESTATES FEE CALCULATION

(Must be completed and submitted with check. Make checks payable to Arrowhead at Vail Association.)

## New Construction

<u>Sq. Ft. of Gross Floor Area</u>	<u>Fee</u>	<u>Check Amount</u>
0 – 5,000	\$5,000	
5,001 – 7,500	\$6,000	
7,501 – 10,000	\$7,000	
10,001 – 15,000	\$8,000	
15,001 – 25,000	\$9,000	
25,001 and above	\$12,000	\$ _____

## Remodel Projects Over \$200,000

For Remodel Projects over \$200,000 and adding habitable space, please circle Square Feet of Gross Floor Area on schedule above and indicate fee:

\$ \_\_\_\_\_

If no habitable space is added, the fee will be the greater of 2% of project cost or \$7,500. Attach a copy of the bid sheet or indicate estimated cost below with your initials.

\$ \_\_\_\_\_ x .02 or \$ \_\_\_\_\_ \$ \_\_\_\_\_  
(Cost) (Initials)

## Remodel Projects Under \$200,000

The greater of 2% of project cost or \$400.

Attach a copy of the bid sheet or indicate estimated cost below with your initials .

\$ \_\_\_\_\_ x .02 or \$ \_\_\_\_\_ \$ \_\_\_\_\_  
(Cost) (Initials)

## Landscape Remodel Projects Under \$200,000

The greater of 2% of project cost or \$400.

Attach a copy of the bid sheet or indicate estimated cost below with your initials .

\$ \_\_\_\_\_ x .02 or \$ \_\_\_\_\_ \$ \_\_\_\_\_  
(Cost) (Initials)

## Miscellaneous

### Fee

Minor Projects/Improvements Under \$5,000 \$100 \$ \_\_\_\_\_

Attach a copy of the bid sheet or indicate estimated cost below with your initials

\$ \_\_\_\_\_ \$ \_\_\_\_\_  
(Cost) (Initials)

Roof Replacement (no other exterior changes)	\$400	\$ _____
Modifications to Approved Plans	\$250	\$ _____
Building Envelope Amendment	\$500	\$ _____
Homesite Amendment	\$1,000	\$ _____
Appeal of DRC Ruling	\$250	\$ _____
Satellite Dish & Sculptures	\$50	\$ _____

Maintenance/Repair Projects

No Charge (Attach copy of bid sheet/scope of work)

Interior Remodels-no exterior design changes

Based on Scope of Work (Attach copy of bid sheet/scope of work)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Authorized Signature of Applicant)

## Appendix C – Plant List

Botanical Name	Common Name
<b>Trees</b>	
<i>Abies lasiocarpa</i>	Subalpine fir
<i>Picea pungens</i>	Blue spruce
<i>Picea engelmannii</i>	Engelmann spruce
<i>Populus tremuloides</i>	Aspen
<i>Pseudotsuga menziesii</i>	Douglas-fir
<b>Shrubs</b>	
<i>Acer glabrum</i>	Mountain maple
<i>Amelanchier alnifolia</i>	Serviceberry
<i>Juniperus communis</i>	Common juniper
<i>Lonicera involucrata</i>	Honeysuckle
<i>Pentaphylloides floribunda</i>	Shrubby cinquefoil
<i>Prunus virginiana</i>	Chokecherry
<i>Ribes aureum</i>	Yellow currant
<i>Ribes cereum</i>	Wax currant
<i>Ribes</i> spp.	Gooseberry
<i>Rosa rubrifolia</i>	Readleaf woods rose
<i>Rosa woodsii</i>	Woods rose
<i>Rubus parviflorus</i>	Thimbleberry
<i>Sambucus racemosa</i>	Red elderberry
<i>Sorbus scopulorum</i>	Mountain ash
<i>Symphoricarpos oreophilus</i>	Snowberry
<b>Subshrubs</b>	
<i>Arctostaphylos uva-ursi</i>	Kinnikinnik
<b>Perennial Graminoids</b>	
<i>Agropyron dasystachyum</i>	Thickspike wheatgrass
<i>Agropyron trachycaulum</i>	Slender wheatgrass
<i>Bromus lanatipes</i>	Nodding brome
<i>Bromus marginatus</i>	Mountain brome
<i>Bromus pumpelliana</i>	Native brome
<i>Carex geyeri</i>	Elk sedge
<i>Dactylis glomerata</i>	Orchard grass
<i>Deschampsia cespitosa</i>	Tufted hairgrass
<i>Elymus glaucus</i>	Blue wildrye
<i>Festuca rubra</i>	Red fescue
<i>Phleum pratense</i>	Timothy
<i>Poa ampla</i>	Big bluegrass
<i>Poa compressa</i>	Canada bluegrass
<i>Poa pratensis</i>	Kentucky bluegrass

<i>Stipa columbiana</i>	Columbia needlegrass
<i>Stipa lettermanii</i>	Letterman needlegrass
<b>Perennial Forbs</b>	
<i>Achillea lanulosa</i>	Western yarrow
<i>Actea rubra</i> ssp. <i>arguta</i>	Baneberry
<i>Aquilegia coerulea</i>	Blue columbine
<i>Aquilegia elegantula</i>	Red columbine
<i>Aster chilensis</i>	Pacific aster
<i>Aster coloradoensis</i>	Colorado aster
<i>Aster engelmannii</i>	Engelmann aster
<i>Campanula rotundifolia</i>	Harebell
<i>Castilleja sulphurea</i>	Sulphur paintbrush
<i>Cirsium eatonii</i>	Eaton thistle
<i>Clematis columbiana</i>	Blue clematis
<i>Disporum trachycarpum</i>	Fairybells
<i>Epilobium angustifolium</i>	Fireweed
<i>Erigeron simplex</i>	Daisy
<i>Erigeron speciosus</i>	Showy daisy
<i>Frasera speciosa</i>	Green gentian
<i>Galium septentrionale</i>	Northern bedstraw
<i>Geranium viscosissimum</i>	Sticky geranium
<i>Helianthella quinquenervis</i>	Little sunflower
<i>Heracleum spondylium</i> ssp. <i>montanum</i>	Cow parsnip
<i>Lathyrus leucanthus</i>	Peavine
<i>Linum lewisii</i>	Blue flax
<i>Lupinus argenteus</i>	Blue lupine
<i>Monarda fistulosa</i>	Beebalm
<i>Osmorhiza depauperata</i>	Sweet cicely
<i>Pedicularis procera</i>	Lousewort
<i>Penstemon strictus</i>	Rocky Mountain penstemon
<i>Penstemon whippleanus</i>	Whipple penstemon
<i>Senecio serra</i>	Saw groundsel
<i>Smilacina stellata</i>	False Solomon's Seal
<i>Taraxacum officinale</i>	Dandelion
<i>Thalictrum fendleri</i>	Meadowrue
<i>Viola canadensis</i>	Canadian violet



## Appendix D – Deer and Elk Resistant Plant List

Common Name	Scientific Name	Browsing Frequency
<b>Trees</b>		
Alder	<i>Alnus tenuifolia</i>	Sometimes
Fir, Douglas	<i>Pseudotsuga menziesii</i>	Rarely
Maple, Box Elder	<i>Acer negundo</i>	Rarely
Maple, Rocky Mountain	<i>Acer glabrum</i>	Sometimes
Pine, Limber	<i>Pinus flexilis</i>	Rarely
Pine, Lodgepole	<i>Pinus contorta</i>	Sometimes
Plum, Wild	<i>Prunus americana</i>	Sometimes-rarely
Spruce, Blue	<i>Picea pungens</i>	Rarely
Spruce, Engelmann	<i>Picea engelmannii</i>	Rarely
<b>Shrubs</b>		
Bearberry	<i>Artostaphylos uva-ursi</i>	Sometimes
Buffaloberry	<i>Shepherdia canadensis</i>	Sometimes
Ceanothus, Fendler (Buckbrush)	<i>Ceanothus fendleri</i>	Sometimes
Creeper, Virginia	<i>Parthenocissus inserta</i>	Rarely
Currant, Golden	<i>Ribes aureum</i>	Sometimes-rarely
Currant, Wax	<i>Ribes cereum</i>	Sometimes-rarely
Goldenrod	<i>Solidago</i> spp.	Sometimes-rarely
Holly-grape, Oregon	<i>Mahonia repens</i>	Sometimes-rarely
Honeysuckle	<i>Lonicera involucrata</i>	Sometimes-rarely
Ivy, English	<i>Hedera helix</i>	Sometimes-rarely
Jamesia	<i>Jamesia americana</i>	sometimes
Juniper, Common	<i>Juniperus communis</i>	Rarely
Lead Plant	<i>Amorpha fruticosa</i>	Rarely
Licorice, Wild	<i>Glycyrrhiza obtusata</i>	Sometimes
Mountain Mahogany, Curlleaf	<i>Cercocarpus ledifolius</i>	Sometimes-rarely
Ninebark	<i>Physocarpus monogynus</i>	Sometimes-rarely
Potentilla/Cinquefoil	<i>Potentilla</i> spp.	Rarely
Rabbitbrush	<i>Chrysothamnus nauseosus</i>	Sometimes
Raspberry	<i>Rubus deliciosus</i>	Sometimes
Skunk Brush	<i>Rhus trilobata</i>	Rarely
Snowberry, Western	<i>Symphoricarpos occidentalis</i>	Rarely
Spirea, Bluemist	<i>Caryopteris incana</i>	Rarely
<b>Flowers</b>		
Arnica, Heartleaf	<i>Arnica cordifolia</i>	Sometimes
Aster, Hairy Golden	<i>Heterotheca villosa</i>	Sometimes-rarely
Bedstraw, Northern	<i>Galium boreale</i>	Sometimes
Blazing Star	<i>Liatriis punctata</i>	Sometimes
Bluebells, Chiming Bells	<i>Mertensia ciliate</i>	Sometimes

Cactus, Prickly Pear	<i>Opuntia polyacantha</i>	Sometimes-rarely
Chickweed, Mouse-ear	<i>Cerastium vulgatum</i>	Sometimes
Coneflower, Prairie	<i>Ratibida columnifera</i>	Sometimes-rarely
Coneflower, Tall	<i>Rudbeckia lacinata</i>	Sometimes
Daffodils		Sometimes-rarely
Flax, Flue	<i>Linum lewisii</i>	Rarely
Fleaban, Daisy	<i>Erigeron</i> spp.	Sometimes-rarely
Gaillardia/Blanketflower	<i>Gaillardia aristata</i>	Rarely
Gilia, Scarlet	<i>Ipomopsis aggregata</i>	Sometimes
Golden, Banner	<i>Thermopsis divaricarpa</i>	Sometimes-rarely
Goldenrod, Missouri/Smooth	<i>Solidago missouriensis</i>	Sometimes
Gumweed, Curly-cup	<i>Grindelia squarrosa</i>	Rarely
Harebell, Mountain	<i>Campanula rotundifolia</i>	Rarely
Horsemint/Bergamot	<i>Monarda fistulosa</i>	Sometimes
Houndstongue	<i>Cynoglossum officinale</i>	Rarely
Hyacinth, Grape		Sometimes-rarely
Iris, Wild	<i>Iris missouriensis</i>	Sometimes-rarely
Larkspur, Nelson's	<i>Delphinium nelsonii</i>	Sometimes-rarely
Lavender		Sometimes-rarely
Lily, Mariposa	<i>Calochortus gunnisoni</i>	Rarely
Locoweed, Lambert	<i>Oxytropis lamberti</i>	Sometimes-rarely
Lupine, Silver	<i>Lupinus argenteus</i>	Sometimes-rarely
Marjoram		Sometimes-rarely
Milkweed, Showy	<i>Asclepias speciosa</i>	Rarely
Miner's Candle	<i>Cryptantha virgata</i>	Rarely
Mullein	<i>Verbascum thapsus</i>	Rarely
Pasque Flower	<i>Pulsatilla patens</i>	Sometimes
Pearley Everlasing	<i>Anaphalis margaritacea</i>	Rarely
Pussytoes, Rose	<i>Antennaria rosea</i>	Sometimes
Rhubarb		Rarely
Sagebrush, Wyoming Big	<i>Artemisia tridentate</i>	Sometimes
Sagewort, Common	<i>Artemisia campestris</i>	Sometimes-rarely
Salvia	<i>Salvia reflexa</i>	Sometimes-rarely
Santolina		Sometimes-rarely
Scorpionweed	<i>Phacelia heterophylla</i>	Sometimes-rarely
Snow-on-the-Mountain	<i>Euphorbia marginata</i>	Rarely
Solomon Seal, Few-flowered False	<i>Smilacina stellata</i>	Sometimes
Spearmint	<i>Mentha spicata</i>	Sometimes
Stonecrop, Yellow	<i>Sedum lanceolatum</i>	Rarely
Sulphur-flower	<i>Erigeron umbellate</i>	Rarely
Sunflower, Common	<i>Helianthus annuus</i>	Sometimes
Thyme		Sometimes-rarely
Wallflower, Western	<i>Erysimum asperum</i>	Sometimes
Yarrow	<i>Achillea lanulosa</i>	Sometimes-rarely

Grasses		
Bluestem, Little	Schizachyrium scoparium	Rarely
Buffaloegrass	Buchloe dactyloides	Rarely
Dropseed, Sand	Sporobolus cryptandrus	Sometimes
Fescue, King Spike	Leucopoa kingii	Sometimes
Grama, Blue	Bouteloua gracilis	Rarely
Grama, Sideoats	Bouteloua curtipendula	Rarely
Junegrass, Prairie	Koeleria cristata	Sometimes
Needle & Thread	Stipa comata	Sometimes
Oatgrass, Timber	Danthonia spicata	Sometimes
Saltgrass, Inland	Dactylis glomerata	Sometimes
Squirreltail	Sitanion hystrix	Sometimes
Timothy	Phleum pratense	Sometimes
Wheatgrass, Crested	Agropyron cristatum	Sometimes
Wheatgrass, Western	Agropyron smithii	Sometimes

## **Appendix E**

### **Arrowhead at Vail Association Construction Activities and Compliance Deposit Regulation**

#### **Section 1. Title**

This regulation shall be known as the “Construction Activities and Compliance Deposit Regulation.”

#### **Section 2. Purpose**

The purpose of this regulation is to regulate Construction Activity (as such term is defined below) within Arrowhead to minimize the impacts of Construction Activity (as such term is defined below) within Arrowhead to minimize the impacts of Construction Activity on Guests and Owners. The Arrowhead Design Review Committee (DRC) has the power to amend this Regulation from time to time, without notice.

#### **Section 3. Definitions**

Unless otherwise stated, all capitalized terms used herein shall have the meanings given to them in the Declaration of Covenants, Conditions, Restrictions and Easements for Arrowhead, Eagle County, Colorado, as recorded with the Clerk and Recorder of Eagle County, Colorado, on July 1, 1983, in Book 362 at Page 850, as amended from time to time (the “Declaration”). In addition, as used in this Regulation, the following terms shall have the following meanings:

- 3.0 “Association” means the Arrowhead at Vail Association.
- 3.01 “Compliance Deposit” means the deposit that an Owner is required to deliver to the DRC prior to commencing a Construction Activity.
- 3.02 “Construction Site” means a Site upon which Construction Activity takes place.
- 3.03 “Construction Activity” means any site disturbance, construction, addition or alteration of any building, landscaping or any other improvement on any Site.
- 3.04 “Construction Vehicle” means any car, truck, tractor, trailer or other vehicle used to perform any part of a Construction Activity or to transport equipment, supplies or workers to a Construction Site.
- 3.05 “District” means the Arrowhead Metropolitan District.
- 3.06 “DRC” means the Design Review Committee as appointed by the Board of Directors of the Arrowhead at Vail Association.

- 3.07 “Owner Representative” means any contractor, subcontractor, agent or employee hired or engaged by an Owner in connection with any Construction Activity.
- 3.08 “Regulation” means this Construction Activities and Compliance Deposit Regulation.
- 3.09 “Security Department” means the Arrowhead Security Department.
- 3.10 “Substantially Complete” means that stage of a Construction Activity at which the work is sufficiently complete so as to allow the Owner to legally occupy or utilize the work for its intended use. Legal occupation or utilization means that the Owner has obtained a temporary certificate of compliance from the DRC and a temporary certificate of occupancy from Eagle County. Notwithstanding any other provision hereof, a Construction Activity shall not be deemed to be Substantially Complete until all exterior finish work and landscaping work has been completed.
- 3.11 “Temporary Structure” shall mean any structure erected or otherwise installed as a job office or for the purpose of storing materials in connection with a Construction Activity.

#### Section 4. Construction Process, Approval and Inspections

- 4.01 Construction Process Construction shall not begin until final plan approvals have been issued by the DRC, and a building permit has been obtained from Eagle County. Owners and their Owner Representatives shall arrange a preplanning meeting with DRC staff to educate themselves about the Arrowhead design review and development process and the DRC’s concerns with respect to particular Sites. To assist Owners and their Owner Representatives in educating themselves about Arrowhead design review and development process, please refer to the following information in the Design Guidelines for the Arrowhead Mountain Homesites and information available from the DRC office:
- (a) “Sources for Information Regarding Construction in Arrowhead” available from the DRC office.
  - (b) Design Review Procedures – Chapter 5 of these Design Guidelines.
- 4.02 Preconstruction Requirements No Owner or Owner Representative shall commence any Construction Activity until it has satisfied all preconstruction requirements set forth in this Section 4.02.
- (a) To initiate the formal design review process, the Owner of a Site shall submit sketch plans to the DRC for its review and approval. If the DRC rejects the sketch plans, the Owner shall make such design changes as the DRC shall require and resubmit the sketch

plans to the DRC. If the DRC approves the sketch plans, the Owner shall proceed as described in subparagraph 4.02(b)

- (b) After obtaining the DRC's approval of its sketch plans, the Owner shall prepare final plans and submit the same to the DRC for its review and approval. If the DRC rejects the final plans, the Owner shall make such design changes as the DRC shall require and resubmit the final plans to the DRC. If the DRC approves the final plans, the Owner shall proceed as described in subparagraph 4.02 (c) below.
- (c) After obtaining the DRC's approval of its final plans, the Owner shall
  - (i) prepare and submit the following documents:
    - (A) Final Working Drawings
    - (B) Initial Erosion Control and Soil Stabilization Plan (as described in paragraph 6.01 below)
    - (C) Permanent Erosion Control and Revegetation Plan (as described in paragraph 6.01 below)
    - (D) Transportation and Parking Plan (as described in paragraph 6.11 below)
  - (ii) stake the footprints of:
    - (A) All improvements to be constructed on the Site
    - (B) All parking, storage, laydown areas and limits of disturbance
    - (C) Tree removal/protection as described in Appendix E of the Regulation
  - (iii) request a site inspection from the DRC;
  - (iv) deliver its Compliance Deposit to the DRC in accordance with Section 5 below.

If the DRC rejects such submittals or finds the results of the site inspection to be unsatisfactory, the Owner shall make such changes as the DRC shall require and then resubmit such submittals to the DRC and/or request a follow-up site inspection from the DRC, as the DRC may require. If the DRC approves such submittals, finds the results of the site inspection to be satisfactory and receives the Owner's Compliance Deposit, the DRC shall approve the Owner's proposed Construction Activity and the Owner shall proceed as described in subparagraph 4.02 (e) below.

- (d) Subsequent to its delivery of final drawings and the Compliance Deposit to the DRC under subparagraph 4.02 (c) above, the Owner may submit identical final working drawings to the Eagle County Building Department for its plan check process. In no event shall and Owner (i) initiate the plan check process with Eagle County

Building Department prior to the DRC's approval of the Owner's final plans, or (ii) submit final working drawings to the Eagle County Building Department that differ from those that the Owner submits to the DRC.

- (e) After the DRC approves the Construction Activity contemplated by the Owner as described in subparagraph 4.02 (c) above, the Owner shall request a building permit from the Eagle County Building Department and Request any and all other necessary permits and approvals from Eagle County, Colorado, the District and any other governmental or quasi-governmental entity with jurisdiction over the Construction Site. In no event shall an Owner (i) request a building permit from the Eagle County Building Department prior to the DRC's approval of the Owner's proposed Construction Activity as described in subparagraph 4.02 (c) above, or (ii) commence any Construction Activity prior to obtaining (A) the DRC's approval of such Construction Activity as described in subparagraph 4.02 (c) above, and (B) a building permit and all other necessary permits and approvals from Eagle County, Colorado, the District and any other governmental or quasi-governmental entity with jurisdiction over the Construction Site.

4.03 Construction Inspections In addition to any inspections required by the Eagle County Building Department, the District and any other governmental or quasi-governmental entity with jurisdiction over the Construction Site, an Owner must schedule the following inspections with the DRC.

- (a) Prior to commencing its Construction Activity, the Owner shall request a site inspection as described in subparagraph 4.02 (c) above.
- (b) Upon completion of foundation construction and prior to commencing framing, Owner shall request a foundation inspection from the DRC and, simultaneously therewith, deliver to the DRC an improvement location certificate for the Construction Site, which (i) is certified by a surveyor registered in the State of Colorado, (ii) shows the location of all permanent improvements then located on the Construction Site; and (iii) sets forth the elevations of the tops of all foundation walls of all such permanent improvements. Thereafter, the DRC will inspect the foundation to ensure the Construction Activity is being performed in compliance with the approved final working drawings and this Regulation.
- (c) Upon completion of core and shell framing, and prior to enclosing exterior walls and roofs, Owner shall request a framing inspection from the DRC and, simultaneously therewith, deliver to the DRC an

updated improvement location certificate for the Construction Site, which (i) is certified by a surveyor registered in the State of Colorado; (ii) shows the location of all permanent improvements then located on the Construction Site; and (iii) sets forth the elevations of all floors and the highest roof ridge of all such permanent improvements. Thereafter, the DRC will inspect the framing to ensure that the Construction Activity is being performed in compliance with the approved final working drawings and this Regulation.

- (d) Upon substantial completion of the Construction Activity, and prior to obtaining Eagle County Certificate of Occupancy, the Owner may request a temporary certificate of compliance inspection from the DRC. Thereafter, the DRC shall inspect the Construction Site to ensure that the Construction Activity is substantially complete and has been performed in compliance with the approved final working drawings and this Regulation.
- (e) Upon final completion of all portions of the Construction Activity, including all landscaping required in connection therewith and all remedial work that the DRC required the Owner to perform following the temporary certificate of compliance inspection described in sub paragraph 4.03 (d) above, the Owner shall request a final inspection from the DRC. Thereafter, the DRC shall inspect the Construction Site to ensure that all portions of the Construction Activity, including all such landscaping and remedial work are fully complete and have been performed in compliance with the approved final working drawings and this Regulation.

The DRC shall use its best effort to conduct the inspections described in subparagraphs 4.03 (a) through (e) above within seven days after receiving written requests therefore. The DRC may enter upon a Construction Site at any reasonable time to inspect the progress of a Construction Activity and ensure compliance with approved final plans and this Regulation.

- 4.04 Certificate of Compliance and Occupancy “Certificate of Compliance” is issued by the DRC. “Certificate of Occupancy” is issued by Eagle County Building Department. An Owner may not occupy or otherwise use any improvement constructed on a Construction Site until it has received (i) a certificate of compliance or temporary certificate of compliance from the DRC, and (ii) a Certificate of Occupancy or a temporary Certificate of Occupancy from the Eagle County Building Department.

- (a) If an Owner has performed its Construction Activity in compliance with its approved final plans and this Regulation, the DRC will issue a Certificate of Compliance to the Owner following a final inspection



conducted under subparagraph 4.03 (e) above. If the Owner has failed to perform its Construction Activity in compliance with its approved final plans and this Regulation, the Owner shall promptly perform such remedial work as the DRC shall require.

- (b) If an Owner has performed its Construction Activity in compliance with its approved final plans and this Regulation, but certain insubstantial details of construction or landscaping remain to be completed, the DRC may, but is not required to, issue a temporary certificate of compliance to the Owner following an inspection under paragraph 4.03 (d) above. If the Owner has failed to perform its Construction Activity in compliance with its approved final plans and this Regulation, the Owner shall promptly perform such remedial work as the DRC shall require. The DRC may condition its issuance of a temporary certificate of compliance upon an increase in the amount of the Owner's Compliance Deposit as described in subparagraph 5.03 (f) below.
- (c) In no event shall an Owner apply for a Certificate of Occupancy from the Eagle County Building Department without first having obtained a certificate of compliance from the DRC. Similarly, in no event shall an Owner apply for a temporary Certificate of Occupancy from the Eagle County Building Department without first having obtained a temporary certificate of compliance from the DRC.

Prior to receiving permission to occupy the home, the Owner must demonstrate installation of a Knox Box to the required specifications as prescribed by the Fire Marshall or Arrowhead Security.

## Section 5. Compliance Deposit

After the DRC approves an Owner's proposed Construction Activity as set forth in paragraph 4.02 (c) above, and prior to commencing such Construction Activity, the Owner shall deliver a Compliance Deposit to the DRC, on behalf of the Association, as security of the Owner's full and faithful performance of its Construction Activity in accordance with its approved final plans and this Regulation.

- 5.01 Amount of the Compliance Deposit The amount of the Compliance Deposit shall be five (5) times the amount of the application fee paid to the Arrowhead at Vail Association, not less than \$5,000 or exceeding \$50,000.
- 5.02 Form of Compliance Deposit The Compliance Deposit shall be delivered to the DRC, by personal, certified or cashier's check or by wire transfer.
- 5.03 Administration of Compliance Deposit The DRC, on behalf of the Association, shall administer each Compliance Deposit as follows:

- (a) The DRC shall hold the Compliance Deposit as security for the Owner's full and faithful performance of its Construction Activity in accordance with its approved final plans and this Regulation. No interest will be paid on the Compliance Deposit to the Applicant.
- (b) The Association may use, apply or retain the whole or any part of a Compliance Deposit to the extent required to reimburse DRC for any cost which DRC may incur, or may be required to incur, by reason of an Owner's non-compliance in respect of any of the terms and conditions set forth herein. DRC shall be entitled to a fee in an amount equal to 15 percent of the amount of any costs incurred by DRC to cure any noncompliance by an Owner, which fee may be paid from the Compliance Deposit. If the amount of the Compliance Deposit is not sufficient to cure any such noncompliance by an Owner, DRC may apply the Compliance Deposit in a manner which best mitigates the effects of such noncompliance. In addition, DRC may use, apply or retain the whole or any part of a Compliance Deposit to pay to DRC any fine imposed by DRC under paragraph 7.02 below that is not paid as and when the same becomes due and payable.
- (c) The Association's decision to use the Compliance Deposit as permitted hereunder shall be at the sole and absolute discretion of the DRC.
- (d) If the DRC so uses part of all of the Compliance Deposit as set forth in subparagraph 5.03 (b) above, then the Owner shall, within five days after written demand therefore from DRC, pay DRC the amount used to restore the Compliance Deposit to its original amount. Neither the Owner nor any other party shall have any rights of any kind or nature against DRC, its officers, agents, employees, directors or attorneys arising out of DRC use of the Compliance Deposit, unless DRC is grossly negligent, or intentionally acts in bad faith.
- (e) DRC shall be under no obligation of any kind or nature to take any action to comply with all regulations pertaining to the Construction Activity.
- (f) Any part of the Compliance Deposit not used by the DRC as permitted by subparagraph 5.03 (b) above shall be returned to the Owner within thirty days after the issuance of a certificate of compliance for the Site by the DRC. No portion of the Compliance Deposit shall be returned to an Owner upon the DRC's issuance of a temporary certificate of compliance. The DRC may condition its issuance of a temporary certificate of compliance upon its receipt from the Owner of funds sufficient to increase the amount of the Compliance Deposit to an

amount equal to the product obtained by multiplying (i) the cost of that portion of the Construction Activity that remains to be completed, as estimated by the DRC, by (ii) 1.15.

#### Section 6. Construction Site Management

The following regulations will be strictly enforced during all phases of construction activity. Failure to comply with any of the below construction regulations can and may result in the issuance of a written warning, notification of a fine, and the levy of a fine.

- 6.01 Erosion and Sediment Control An Erosion Control Plan and a permanent Revegetation Plan must be approved by the DRC prior to construction. The Owner shall ensure that all Construction Activity is performed in compliance with these plans. In addition, the Owner shall ensure that trees not authorized for removal are not damaged; brush, surplus soil, and other excavated debris are promptly removed from the Construction Site.

During construction, erosion shall be minimized through proper soil stabilization, water control and timely revegetation. The contractor shall implement all control techniques outlined in the approved Erosion Control and Revegetation Plan.

- 6.02 Construction Access Construction Access and parking limitations for each Site will be established by Arrowhead Security during the pre-construction meeting and set forth in the Construction Area Plan.
- 6.03 Construction Trailers or Temporary Structures Temporary Structures may be maintained on a Construction Site, however, temporary living quarters are not permitted on a Construction Site. All Temporary Structures erected on a Construction Site shall be screened to minimize the visual impact to other Owners and Guest and shall be removed within thirty days after completion of the Construction Activity.
- 6.04 Storage of Construction Material and Equipment Storage areas shall be designated and fenced according to the approved Construction Area plan. The contractor will be responsible for the maintenance of these areas.
- 6.05 Daily Operation Daily working hours for each construction site shall be Monday through Friday, 7:00a.m. to 6:30p.m. Work hours for Saturday shall be 8:00a.m. to 5:30p.m. Extended working hours from 6:30p.m. to 9:00p.m. as well as any work on Sundays and holidays must be approved by Arrowhead Security and shall be limited to a fully enclosed structure with no extended hours allowed Saturday, Sunday and holidays. Absolutely no work will be allowed between the hours of 9:00p.m. and 7:00a.m.

- 6.06 Dust Every effort shall be made to control dust emitted from a construction area. The contractor shall be responsible for controlling excessive dust by an approved dust abatement method. During all Construction Activity, all driveway, parking and laydown areas must be either, covered with at least two inches of three/quarter-inch screened rock or, be treated with an approved dust control method. In addition, watering must be used to control dust created by any construction activity that creates dust.
- 6.07 Noise East Owner shall use all reasonable efforts to minimize external noise resulting from its Construction Activity. Radios or other amplified devices are limited to use within structures, which are fully enclosed and must be kept at a volume that contains the sound within the structure.
- 6.08 Blasting No blasting shall be performed on any Construction Site without the Security Department's prior consent. Blasting may be subject to certain restrictions, which shall be determined by the Security Department in its sole and absolute discretion and which may vary from Site to Site. 24 hours notice is required in order to inform Owners and guests of the projected blasting.
- 6.09 Excavation Extreme care shall be taken during excavation to insure that brush, surplus soil, and other excavated debris be properly removed from the building site. Excess excavation material shall be removed from Arrowhead unless other arrangements have been made with Arrowhead Security. The material shall not be placed in common areas, roads, or other lots. Excavation, except for utility trenching, shall be done on the Owner's site only.
- 6.10 Fencing Contractors shall be required to erect a fence around the perimeter of the Construction Activity, as indicated on the Construction Area Plan. The fence is to be wooden or plastic temporary fencing, as long as the fence spacing is small enough to prevent paper debris from leaving the construction site. The fence must be installed before any Construction Activity is to occur and maintained throughout the duration of Construction.
- 6.11 Debris and Trash Removal Proper disposal of refuse and storage of material is the Owner's and contractor's responsibility. A dumpster must be located on-site. Construction areas shall always be kept free of unnecessary debris and litter. Debris and trash shall be removed on a weekly basis or as needed and be hauled to a designated municipal dump outside Arrowhead. Should it be necessary for Arrowhead to pick-up trash coming from the Site or remove trash from the Site due to the contractors failure to do so, the cost of said trash pick-up removal will be billed to the contractor. The project completion review and Compliance

Deposit will not be issued or refunded by the DRC until said bill is paid in full.

- 6.12 Vehicles and Parking Construction Vehicles shall gain access to Construction Sites only from existing roads adjacent to the Construction Site. The Owner of a Construction Site shall submit a written Parking and Transportation Plan to the Security Department for the Security Department's review and approval. Each such Parking and Transportation Plan shall describe (i) where Construction Vehicle will be parked at the Construction Site during the Construction Activity; (ii) the maximum number of Construction Vehicles that will be parked at or adjacent to the Construction Site at any one time; and (iii) the manner in which construction workers will be transported to and from the Construction Site during the Construction Activity.

No Construction Activity shall commence at a Construction Site until the Security Department has approved in writing a Parking and Transportation Plan. The Security Department may require modifications to any proposed Parking and Transportation Plan. Such modifications may include, without limitation, modifications that (i) alter designated Construction Vehicle parking areas; (ii) limit the maximum number of Construction Vehicles that may be parked at or adjacent to a Construction Site and; (iii) alter the manner in which construction workers will be transported to and from the Construction Site.

- 6.13 Toilets Chemical toilets shall be screened from view and shall be located so as to minimize any adverse impacts on adjacent Sites. A wood screen shall be erected around all chemical toilets. Chemical toilets shall be located away from the neighboring properties in an approved location as shown on the Construction Area Plan.
- 6.14 Water Connection A temporary water connection must be available at all times when Construction Activity is taking place on a Construction Site.
- 6.15 Signage Temporary construction signs shall be limited to one sign per structure, not to exceed 16 square feet total area. The sign will be freestanding and constructed in a standardized format as provided by the DRC. The location of such sign shall be designated by Arrowhead Security. Construction signage will be allowed for the duration of the construction or 18 months, whichever is less.
- 6.16 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.

- 6.17 Flammable Items Careless use or storage of flammable items will not be allowed.
- 6.18 Pets Contractors, subcontractor and their employees are prohibited from bringing pets to the construction site.
- 6.19 Firearms Firearms are prohibited.
- 6.20 Continuity of Construction Unless otherwise approved by the DRC, all Construction Activity must commence within one year after the DRC's approval of final plans and is substantially complete within twelve (12) months thereafter. All Construction Activity must be fully and finally complete, including all required landscaping, within twelve (12) months after commencement, or within three months following the DRC's issuance of a temporary certificate of compliance therefore, whichever occurs first. Additional time for completion of landscaping may be granted for Construction Activity that is substantially complete during the months of November through May.
- 6.21 Restoration of Property Construction Activity shall be limited to the Construction Site, unless specific written approval is given by the Owner of the adjacent property. Any damage, including damage done by cleaning out concrete trucks, must be restored. If any common ground, adjacent lots or roads are damaged during Construction Activity, it must be promptly restored to DRC, or AVA satisfaction within thirty (30) days after such damage occurs. If restoration is not accomplished by the end of the growing season following completion of construction, all required repairs will be performed by Arrowhead with all costs thereof charged to the person in whose name the building permit was issued.
- 6.22 Trees No trees shall be removed from the property without prior approval of the DRC.
- 6.23 Roadway Maintenance An Owner shall repair any damage to roads within AVA caused by Construction Vehicles used in connection with such Owner's Construction Activity. No road cuts, deletions or additions shall be made within the consent of the AVA District and 24-hours notice to AVA Security.

At all times, an Owner shall keep roads free and clear of materials, rubbish and debris resulting from Construction Activity. It is the responsibility of the contractor to clean and maintain the roadway areas leading to and from the Construction Site that are disturbed by the construction process. This includes cleaning of dirt and mud off the Arrowhead roads caused by vehicles servicing the Site. Said clean-up can be implemented by each

contractor or by a cooperative cost sharing agreement with Arrowhead or other contractors.

- 6.24 Deliveries Deliveries shall occur between 7:00 a.m. and 6:30 p.m. Deliveries at any other time shall be approved in writing by Arrowhead Security.
- 6.25 Meeting of Contractors From time to time Arrowhead may call a meeting of all contractors to discuss pertinent information regarding construction at Arrowhead. Each general contractor is required to have representative at each meeting.
- 6.26 Business License All Owners and Owners Representatives shall obtain an Annual Business License if required to do so by AVA Association Annual Business Licenses Regulation. Business license for general contractors and architects are subject to DRC approval.
- 6.27 Compliance with Laws and Regulations Each Owner shall, at its own expense, comply with all terms and conditions of this Regulation, the Declaration and all other regulations promulgated from time to time by DRC that are applicable to its Construction Activities.

Each Owner shall, at its own expense, comply with all federal, state and local laws, ordinances, orders, rules, regulations and other governmental requirements relating to its Construction Activities.

## Section 7. Enforcement

If an Owner or any Owner Representative violates any term or condition set forth herein, DRC shall have the following rights and remedies.

- 7.01 Right to Cure DRC may, but is not obligated to, enter upon the Construction Site and cure such violation at the Owner's cost and expense. If DRC cures any such violation, the Owner shall pay to DRC the amount of all costs incurred by DRC in connection therewith, plus an administration fee equal to 15 percent of all such costs, within five days after the Owner receives a written invoice therefore from DRC.
- 7.02 Right to Fine The DRC may impose a fine of \$500 against the Owner for the first violation of any term or condition of this Regulation. For each subsequent violation of that same term or condition, DRC may impose a fine in twice the amount of the fine imposed against the Owner for the Owner's last violation of that same term or condition. The Owner shall pay any fine imposed under this paragraph 7.02 within five days after the Owner receives written notice thereof. DRC hereby delegates its power to fine under this paragraph 7.02 to the DRC staff and the Security Department.

- 7.03 Right to Sue for Injunctive Relief DRC may sue the Owner to enjoin such violation.
- 7.04 Right to Sue for Damages DRC may sue the Owner for all damages, losses, costs and expenses, including, without limitation, reasonable attorney's fees and disbursements incurred by DRC as a result of the violation.
- 7.05 Lien DRC shall have a lien against the Site and all of the Owner's other properties within the Arrowhead Mountain Homesites to secure payment of (a) any fee, charge, fine or other amount due from the Owner to DRC under this regulation, (b) interest on any unpaid amounts at the rate of 18 percent per annum from the date due until paid, and (c) all costs and expenses of collecting any unpaid amounts, including, without limitation, reasonable attorney's fees and disbursements. Any such lien may be foreclosed as a mortgage under the laws of the State of Colorado.
- 7.06 Other Rights and Remedies DRC shall have all other rights and remedies available to it at law or in equity. All rights and remedies of DRC shall be cumulative and the exercise of one right or remedy shall not preclude the exercise of any other right of remedy.

#### Section 8. Appeals of Fines

An Owner may appeal any fine imposed against the Owner by the DRC or the Security Department to the DRC's Fine Appeals Committee (the "FAC") in accordance with the following terms and conditions. Within five days after receiving written notice from the DRC or the Security Department that such entity is imposing a fine against the Owner, the Owner may file a written appeal with the FAC. If the Owner fails to file a written appeal with the FAC within such five-day period, the Owner shall have no further right to appeal the fine under this Section 8. If the Owner files a written appeal within such five-day period, the FAC shall review such appeal and within 45 days deliver a written decision with respect thereto to the Owner and to the DRC or the Security Department, as the case may be, within thirty days after its receipt of such appeal. If the FAC decides in favor of the Owner, the DRC or the Security Department, as the case may be, shall revoke its notice imposing the fine. If the FAC decides in favor of the DRC or the Security Department, as the case may be, the Owner shall pay such fine within five days after its receipt of the FAC's decision.



## Appendix F – Tree Removal

1. Concurrently with the submission of the final working drawing package, a DRC site inspection is to be scheduled. During this site inspection, the DRC will be reviewing the stakes for the house and driveway. In addition, the Owner is to identify trees planned for removal and trees to be saved within disturbed areas.
  - For proposed tree removals:
    - Bright pink flagging with a single band on all trees greater than 8 inches in diameter within the Homesite.
    - Bright pink flagging with a double band on all trees greater than 3 inches in diameter outside the Homesite
    - Where removal of prominent clusters or groves of Aspen is proposed, wrap flagging tape around entire group.
  - For trees to be saved within disturbed areas:
    - White flagging on all trees with handwritten note “save”

Prior to the site inspection, the owner is to submit plans, details and specifications for proposed tree protection and maintenance during construction and permanent improvements such as tree wells, aeration systems etc., for trees to be saved within disturbed areas.
2. The DRC Staff will review the flagging on site and the plans with the Owner and will notify the Owner of its findings.
3. Flagging on the trees is to be changed as directed by the DRC and left in place on the trees to be saved for the duration of the construction process.
4. The final working drawings are to include existing trees to be saved on the site plans and landscape plans along with the previously reviewed and approved documents for tree protection, maintenance, fertilization, and permanent improvements such as tree well, aeration systems, etc.
5. Any person who removes, destroys, or significantly damages a tree of three inches caliper or more beyond the reasonable limits of construction or outside of the Parcel, shall be liable to the Arrowhead DRC for the sum of \$10,000 for each tree destroyed. The Arrowhead DRC may authorize the removal of trees in the event a tree is disease bearing or poses a threat to health and safety. This does not preclude the DRC from requiring trees to be replanted as further restitution to the irreparable damage caused by the unauthorized destruction of trees. After staking of Parcel, driveway, parking areas, patios, etc., it is the obligation of the Applicant to notify the DRC for an appointment to inspect the site.