



## ARROWHEAD RIVER RANCH

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# Design Guidelines and Regulations

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Single Family Lots

Adopted October 3, 2002  
Amended February 2015

These Design Guidelines have been promulgated pursuant to Article 6 of the Declaration of Covenants, Conditions, Restrictions and Easements for Arrowhead at Vail recorded August 27, 1985 in Book 423 at Page 27 in the records of Eagle County, Colorado, and as thereafter amended from time to time. The Design Guidelines and Regulations are administered and enforced by the Design Review Committee in accordance with the Declaration and the procedures herein and therein set forth. These Design Guidelines are intended to complement, but not supersede or conflict with, Eagle County's zoning and land use regulations. The Design Guidelines and Regulations may be amended from time to time, and it is the responsibility of each owner or owner's representative to obtain and review a copy of the most recently revised Design Guidelines.

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# 1

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## INTRODUCTION

Welcome to Arrowhead River Ranch, a planned community designed to take advantage of a site with remarkable natural beauty that provides an unsurpassed range of summer and winter recreational opportunities. The purpose of these Design Guidelines and Regulations is to ensure that the full potential of Arrowhead River Ranch, as it relates to Arrowhead is realized, and that the master plan as originally conceived is carried out.

The Design Guidelines and Regulations are administered and enforced by the Design Review Committee and are binding upon all persons who construct, refinish or alter any part of the exterior of any building; make other improvements upon, under or above any property; or create, fill, make any change in the existing topography.

The intent of the Design Guidelines is to avoid harsh contrasts in the landscape, preserve established view corridors, encourage design adapted to the climate, and foster harmony between and among buildings and their sites.

Building sites within Arrowhead River Ranch are each unique and are conveyed to individual buyers subject to deed restrictions and covenants designed to create pre-established patterns of land development and to ensure structures are designed to conform to these overall design principles. In addition, the Design Guidelines allow careful consideration of the opportunities and constraints unique to each site. Whenever an owner proposes to build, reconstruct, add to, or refinish the exterior of an existing improvement, or create major landscape features, the provisions of Arrowhead River Ranch Planned Unit Development Plan (PUD), the Arrowhead Declaration of Covenants, Conditions, Restrictions and Easements (Declaration), and these Design Guidelines and Regulations must be followed. In the event of any conflict between the Design Guidelines and either the Declaration or the PUD, the Declaration and PUD shall control.

There is an established Design Review Committee (DRC) in the Declaration. DRC is responsible for the administration and enforcement of Design Guidelines to carry out the purpose and intent of the Declaration. DRC shall exercise its best judgment in its sole discretion to see that all improvements conform and harmonize with existing structure as to external design quality, and type of construction material, colors, location on the site, height, grading and all aesthetic considerations set forth in the Declaration and Design Guidelines and Regulations. This document also includes a description of the design review process, submittal requirements, and the application forms required to initiate the design review process.

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## DESIGN REVIEW AND CONSTRUCTION PROCESS

The following is a guide to help owners, architects and contractors (applicant) prepare to build in Arrowhead.

### **Step 1: Choose an Architect**

A **Colorado licensed architect** must design all primary buildings at Arrowhead River Ranch. All plans must be stamped and signed by a licensed architect.

### **Step 2: Pre-planning process**

Applicants are encouraged to schedule a pre-planning meeting with DRC staff in order to discuss the design regulations, the construction process and specific site concerns. This meeting will provide applicants with guidance prior to the initiation of design work, including expectations of the DRC with respect to general design and Arrowhead standards. In addition, the following information should be reviewed:

- Arrowhead River Ranch Planned Unit Development Plan as approved and recorded with Eagle County;
- The Covenants, Conditions, Restrictions and Easements for Arrowhead;
- The Uniform Building Code and all other applicable codes of Eagle County.

### **Step 3: Schematic Plan Review**

The next step is preparation of Schematic Plan. This allows the DRC to review the design early in the development stage to ensure that the initial design conforms to the concepts contained in these Design Guidelines. An early response by the DRC is intended to avert wasted time and professional fees that result from pursuing a design in conflict with the Arrowhead Design Guidelines.

Plans and other required information must be submitted to DRC staff at least **21 days** prior to the scheduled meeting. The required submittal information is in Appendix D. DRC staff will review the plans in accordance with those requirements. DRC will consider the application and formal action will be taken.

#### **Step 4: Final Plan Review**

After receiving Schematic Plan approval, the applicant submits plans and other required information for Final plan review at least **21 days** prior to the scheduled DRC meeting. DRC staff will review the plans in accordance with those requirements and DRC will consider the application and formal action will be taken.

No change in plans or materials may be undertaken without approval by DRC. No work shall be undertaken (other than routine maintenance and repair) which will result in changes to the exterior appearance of units or improvements without prior written approval of DRC.

If construction does not commence within 12 months from date of Final Design Review Committee approval for a project, it will be subject to a \$200 resubmittal fee and must be reviewed for compliance with the then-current General Design Guidelines. The DRC may grant approvals for longer than one year if deemed appropriate for the development.

#### **Step 5: Pre-Construction Process**

Construction cannot begin until the following is completed:

- A. Pre-Construction meeting – The applicant must arrange for a meeting with the DRC Inspector and Arrowhead Security. Applicant submits an initial erosion control and soil stabilization plan, permanent erosion control and revegetation plan, transportation and parking plan to Security and DRC. The applicant must coordinate the on-site staking of the footprint of all improvements to be constructed on the site, relative to the platted building envelope as well as parking, storage and laydown areas.
- B. Compliance Deposit - The compliance deposit, calculated at five (5) times the amount of the initial application fee must be deposited with the DRC office.
- C. Final Plans – The final working drawings that will be submitted to Eagle County for a building permit must be submitted for review by DRC staff. The contents of the final working drawings submittal should be substantially consistent with the approved final plans, while responding to any conditions or revisions imposed by the DRC at final plan review.

Once the above have been completed, the DRC will submit a letter to Eagle County authorizing release of the building permit. Eagle County has certain submittal requirements that must also be met and approval by the DRC does not automatically grant approval by Eagle County.

## **Step 6: Construction Inspections**

During construction of the building, Eagle County inspections and DRC inspections will be conducted. It is the responsibility of the applicant to ensure that construction conforms to the plans.

- A. Once a foundation is complete and **prior to any framing** the applicant must call DRC office to schedule a foundation inspection. An improvement location certificate (ILC) conducted by a Colorado licensed surveyor must be submitted at the time of the request for the inspection to be completed.
- B. Once the framing is complete, and **prior to drywall installation**, the applicant must schedule a framing inspection with DRC staff. An ILC indicating roof ridge elevations must also be submitted at this time.
- C. Upon completion of all portions of the construction activity, with the possible exception of landscape improvements, and **prior to an Eagle County Temporary Certificate of Occupancy**, a Temporary Certificate of Compliance inspection must be scheduled with DRC. At this time the DRC office will generate a punch-list of items to be completed in order to obtain final compliance and a refund of the compliance deposit.

DRC staff will inspect the site to determine whether construction has been performed in compliance with the approved final working drawings and the Design Guidelines. The DRC has the right to require additional compliance deposit prior to authorizing the occupancy of the property.

- D. Upon final completion of all construction activity, including all landscaping required and all corrective work identified at the Temporary Certificate of Compliance inspection, applicant shall request a Final Certificate of Compliance inspection. If satisfactory, the DRC staff will issue a Final Certificate of Compliance and refund the Compliance Deposit within 30 days.

If applicant attempts to circumvent the DRC process for obtaining a building permit or receiving other approval, the applicant will automatically be fined \$1000.00 for each offense. The payment of a fine does not release the applicant from property owner obligations with respect to the Design Guidelines.



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## **SITE GUIDELINES**

To assist applicants to design structures that are compatible with the design intent and setting of Arrowhead River Ranch, as it relates to Arrowhead, below are site, architectural and landscape guidelines. Compliance with these regulations must be demonstrated at the time of Schematic Plan.

The Site Guidelines are intended to ensure that structures are sited with careful consideration of the existing landforms, vegetation, slopes, views, and access.

### **3.1 Views**

The Site Analysis Plan for each area at Arrowhead is developed around a series of views. In some cases the views are long-range—mountains, ridgelines, or the Eagle Valley; in other cases views are shorter and internally oriented towards the common open space amenities. All proposed improvements shall be reviewed for their impact upon the identified views from adjacent properties, surrounding structures, or areas identified in the Lot Analysis Summary.

### **3.2 Building Locations/Setbacks**

Twenty (20)-building locations are planned for this parcel. The twenty (20) homes will consist of three base plan types as indicated on the attached schematic plans (labeled plan type “A”, “B”, and “C”). The mixture of plan types will include a maximum of nine (9) “B” units at locations as shown on the attached site plan, and a mixture of eleven (11) “A” and “C” units. Additional plan types may be approved for specific lots. In association with setbacks, building locations describe the central location of homes and shall contain all lot improvements (e.g. buildings, accessory buildings, walls, fences, terraces, surface parking, hot tubs, recreation facilities and other improvements). Final locations of “A” and “C” plan types will be presented for DRC approval at final working drawings submission.

Each home site will be platted as an individual lot and surveyed prior to the issuance of a certificate of occupancy. The building lot will serve as the envelope within which all lot improvements and future modifications are to be located. Every attempt will be made to provide a lot/envelope, which will allow for future lot improvements (e.g. buildings, accessory buildings, walls, fences, terraces, surface parking, hot tubs, recreation facilities and other improvements).

The designated building locations generally shall be described by the following minimum setbacks:

Front or side yards adjoining the street:	N/A
Side or rear yards adjoining adjacent yard:	N/A

\* NOTE: Setbacks are measured from the property lines.

Variations in setbacks do occur on some lots. Setbacks should be verified with a current survey. Slight variances may be permitted to save prominent views in the case of irregularly shaped lots or where shared patio walls or recreational improvements are proposed by adjoining property owners. The setbacks indicated on the plat may not be as restrictive as the setbacks required herein. The more restrictive setback always applies.

\*NOTE: Setbacks are described on the site plan including a 50' live stream setback, 50' setback from U.S. Highway 6, and 40' setback from Edwards Cemetery Road.

### **3.3 Building Lot Modifications**

The DRC recognizes that modification of a building lot may be required after completion of initial construction. A change to an individual homes platted lot for the purpose of expansion of any kind may be granted, with the adjoining homeowners' approval, the approval of the majority of the Arrowhead River Ranch Homeowner's Association and the approval of the Arrowhead Design Review Committee.

In considering the building lot modifications, DRC must find that view and building potential of adjacent or nearby building lots are not negatively affected by the requested change. Changes to building lots/envelopes will be considered when the resulting envelope is no less than 15 feet from an adjacent building lot/envelope. Additionally, the resulting building lot/envelope may not encroach into any setbacks or easements as indicated on the final plat. If an applicant wishes to modify a building lot/envelope that modifies a public and/or emergency access, Arrowhead River Ranch PUD must be amended in accordance with the procedural requirements of Eagle County. The costs of any such amendment will be the responsibility of the applicant and will require the complete concurrence of the DRC.

If the DRC believes the request is worthy of consideration and does not require an amendment to the Arrowhead River Ranch PUD, the following shall occur:

- a. The applicant must justify the request graphically and in writing. The applicant must also present in writing the approval of adjoining

- homeowners', and the approval of the majority of the Arrowhead River Ranch Homeowner's Association.
- b. In considering the building lot/envelope modification, the DRC must find that views and the lot improvement potential of adjacent or nearby building lots are not negatively affected by the requested change.
  - c. Upon approval, the applicant shall pay any applicable recording fees.

### **3.4 Driveways**

The construction and maintenance of driveways shall be the responsibility of the individual homeowner. However, materials used in the course traversed by the driveway within the site are subject to approval by DRC. Driveways shall be constructed of asphalt or other impervious material approved by the DRC.

Generally, no more than one driveway per lot will be allowed. Driveways shall be a minimum of 12 feet wide, running from the approved access road to the residence. Driveway grades shall be no more than five percent for the first twenty (20') feet and shall not exceed a maximum of 10 percent, unless it is heated.

### **3.5 Garages and Parking Spaces**

Garages must be architecturally integrated with the residential design. Generally, detached garages and carports are not allowed except in cases of significant topography. A minimum of two covered spaces per unit with a maximum of three (3) covered parking spaces shall be provided on the site. Where three garage spaces are provided, only two garage spaces/doors may be on a single façade. Specific parking ratio requirements for all allowed land uses can be found in the Donovan Parcel PUD Guide. Parking spaces must be provided according to the current Eagle County Zoning Resolution.

Every attempt shall be made to orient garage door faces away from the public right of way. All garage entries shall be set back as much as possible from public areas, and adequately screened by an approved combination of walls, berms, or landscaping.

Garage doors must be constructed of wood. Alternative materials such as fiberglass, metal, or vinyl are not permitted as garage doors.

Trailers, snowmobiles, mobile homes, trucks larger than pick-up trucks, boat trailers, tractors, vehicles other than automobiles, campers not on a truck, snow removal equipment, garden or maintenance equipment and trash containers shall be kept in an enclosed structure or screened from view at all times except when in actual use. Absolutely no residential equipment will be stored outside of any residence.

### **3.6 Grading**

All final grading plans are subject to approval by the Design Review Committee. No grading will be approved which creates an artificial basis to make any structure appear to be artificially raised.

A berm will be created between U.S. Highway 6 and the planned development. The intent of the berm is to screen the homes from the highway, and provide a setting for the bike path. The design, landscaping, and construction of the berm shall be consistent with existing berms in Arrowhead along U.S. Highway 6. The maximum slope of the berm shall be a 2:1 ratio. Site walls incorporated into the berm shall be either stone/boulder walls, or engineered concrete walls with stone facing. The maximum height of retaining walls associated with the berm shall be 8 feet.

### **3.7 Slopes**

Development should be concentrated on relatively level areas with visually prominent hillsides left undisturbed. Development should respond to natural topography and step with the site as appropriate. Development on slopes greater than 30% will generally not be permitted.

### **3.8 Fences, Privacy and Site Walls**

Fences, site walls and barrier devices may be used for privacy and screening purposes within the building envelope, and must be incorporated into the total residential structure design. All walls and fences shall be stone and shall be a color that matches or complements the building.

DRC shall review the design, appropriateness, size, materials and construction of such walls or fences in relation to existing or proposed structures and neighboring sites. No fences, walls or barriers shall be permitted for the purpose of enclosing or delineating property lines.

### **3.9 Recreational Equipment**

Swimming pools, spas, hot tubs, tennis courts and similar recreational facilities require DRC approval and must be placed within the building lot. These improvements shall be designed to complement the residential structure and will be placed to avoid impacts on adjacent lots and the golf course. If, in the opinion of DRC, the placement of a swimming pool, spa, hot tub or tennis court on a lot would negatively impact views or the use of adjacent lots, the application will be denied.

All playground equipment, including basketball backboards, must be completely screened from view from adjacent lots and roadways. Natural, earth tone colors and materials are encouraged.

Recreational equipment for community and/or public use will not be required to be screened from view, but must receive DRC approval.

### **3.10 Signs**

Address identification signs for each residence are required and must be attached to the building or to an approved wall. All free standing address identification shall be at least five feet from all roads. For sale signs are not permitted; however, a residential construction information sign must be installed on the lot during the time of construction. This sign shall meet specifications adopted by DRC. (See Construction Regulations)

### **3.11 Exterior Lighting**

All exterior lighting shall be coordinated and in the same overall architectural design vocabulary. Indirect light sources and cut-off fixtures are the recommended techniques for reducing glare and providing ambient light. No exterior light shall be installed which produces excess glare to neighboring properties or which produces excessive glare to pedestrian or vehicular traffic. Frosted glass on exterior light fixtures is required.

Any light fixtures that has a visible source of illumination will require the installation of bulbs that total 25 watts (or less) and shall be honey iridescent.

Lighting used at regular spacing along the driveway will not be permitted.

The DRC will review the proposed lighting with respect to number, location, style and impact on adjacent properties.

### **3.12 Easements, Drainage, and Utilities**

Easements are located at various points within Arrowhead for installation and maintenance of utilities and drainage. These, in addition to others, are reserved as shown on the recorded plat. Within these easements, grading, structures, planting, or other improvements that may damage or interfere with the installation and maintenance of utilities or drainage are not permitted.

No lot owner or contractor shall interfere with or direct the natural course of any drainage or runoff. No improvements, landscaping, or retaining walls shall be built which alters the drainage pattern or runoff from its natural flow on or across the land of another, except to the extent such alteration in drainage pattern or runoff is approved in writing by DRC and approved by a professional

engineer. This includes all irrigation ditches now existing at Arrowhead. Adequate sized drainage culverts shall be provided at all drainage crossings.

### **3.13 Satellite Dishes/Accessory Equipment**

DRC must approve the placement of all satellite dishes prior to installation. A maximum satellite dish diameter of 1.0 meter will be allowed for a residential building. Satellite dishes should be screened from adjacent properties and from adjacent road right-of-ways 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 there to be no signal. Fencing will not be allowed as a screening device.

Only one dish will be allowed per dwelling unit. To the extent possible, all multi-family structures should be limited to one satellite dish.

Accessory equipment, such as air conditioning units and trash containers are to be completely screened from off-site views using architectural features and/or landscape features.

### **3.14 Sculpture and Outdoor Displays**

All outdoor sculpture and lawn decoration must obtain design approval. Indigenous materials for a sculpture base are encouraged as well as the overall theme of the design should be compatible with a mountain environment.

### **3.15 Miscellaneous Improvements**

The DRC may approve hot tubs, pools, water features, gas fire pits, dog runs or similar improvements, which are to be located within the designated building lot and substantially screened from view from off site.

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## ARCHITECTURAL GUIDELINES

Architectural guidelines apply to the design and construction of building improvements.

### 4.1 General Design Considerations

The architectural treatment of all residences will have coordinated and consistent exterior elevations, roofs and details. In some instances, specific design elements are required for functional and/or aesthetic reasons. The design and construction of these elements are solely the responsibility of the applicant.

### 4.2 Building Height

Building height limits are established so that buildings are compatible with surrounding natural features while not detracting from views to and from neighboring lots and the golf course. Building height is measured as follows:

The distance measured vertically from the finished or existing grade at any given point (whichever is greater) two (2) feet away from the house, along each of the principal sides of the structure to the top of a flat or mansard roof or to the midpoint between the eave line and the peak of a sloping roof. The average of the combined heights of all sides of the structure shall not exceed a maximum of 28', with the exception of units 7, 8, and 9, which shall not exceed an average combined height of 34'. Units 7, 8 and 9 are to be measured using finished grade.

### 4.3 Building Square Footage

Dwelling units at Arrowhead have minimum and maximum square footage requirements. Square footage shall be measured from the outside of all exterior walls, including but not limited to lofts, stairways, fireplaces, halls, habitable attics, basement, storage, garages and mechanical areas. The area within a basement will be included in the calculation of total building square footage when the floor area above such level is greater than or equal to 4 feet above existing grade. The area will be included for a depth of 14 feet.

Windows wells for egress purposes may be permitted, however no window well shall exceed 8 feet beyond the face of the building. The basement area in this

area will not count toward the total square footage of a residence, so long as existing grade is within 4 feet of the floor area above the basement.

Crawl space shall not be included in the total square footage when less than 5 feet in total height.

Attic spaces with 6 feet or more of clear height will be included as floor area whenever such areas are large enough, in the opinion of the Design Review Committee, to be habitable.

FT.	MINIMUM SQ. FT.	MAXIMUM SQ.
	REQUIREMENTS	REQUIREMENTS
<u>Donovan Parcel</u>		
Primary Residence Only	3,000 SF	5,750 SF

#### 4.4 Building Coverage Limitations

Arrowhead River Ranch: Building coverage shall be calculated based on the combined coverage of all structures on the site. The coverage shall be calculated by dividing the combined coverage of all structures divided by the total area of the property. The site coverage shall not exceed 20%.

#### 4.5 Exterior Walls and Finishes

Wall materials shall be wood surfaces, stucco and stone masonry and, in limited areas, natural metals treated to patina may be approved. Painted metals are prohibited. A minimum of 18% and a maximum of 30% of the exterior wall area must be stucco. Stone shall be designed to extend around outside corners. Transitions from one material to another shall be expressed to show mass i.e., stone cap between stone and stucco, heavy timber or raised stucco band between stucco and wood siding or between windows and adjacent material.

No reflective materials shall be used on any building and mirror glass shall be prohibited. Any metal of a reflective nature must be treated to accelerate the natural weathering process (patina) in order for the DRC to consider.

In general, the natural colors of the indigenous materials shall be dominant, with limited use of accent colors.

All proposed exterior materials and colors are subject to DRC approval

#### 4.6 Fireplaces, Wood Stoves and Chimneys



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

All flues for fireplaces, wood stoves, boilers or other residential appliances shall be in a chimney structure designed to compliment the architecture of the building and are to have roof saddles and down draft preventers. All combustible vents shall be centralized and enclosed within a chimney application.

#### **4.7 Roofs**

In general, relatively low profile buildings with a variety of massing and roof lines are desired. Large expanses of unbroken roof planes and ridgelines are undesirable. Minimum roof pitch of 6:12 is required. A roof pitch of 10:12 is preferred. Dormers are encouraged as a means to provide natural light to upper floors and may have a minimum pitch of 4:12 and a maximum pitch of 12:12. Porch roof elements and shed roof elements may have a pitch as low as 4:12.

Homes that are located nearest the mountains may be built with steeper roof pitches. Flat roofs and shed roofs, as a prominent design feature, are prohibited.

Generally, the preferred roof material is natural, sawn cedar shakes. However, DRC may consider alternative materials compatible with the color palette and design of existing roofs in Arrowhead. Approval of alternate roof materials is at the discretion of DRC.

Additional specific roof requirements are listed below:

- a. All flashing shall be durable metals, such as copper, which will weather to colors that blend with roofs or walls. Flashing with a baked enamel color may also be permitted. Galvanized metals are not acceptable.
- b. Moderate roof or eave overhangs are encouraged with soffits of one-by wood or stucco material. Plywood and masonite soffits are prohibited.
- c. Snow guards, gutters or other snowmelt devices should be incorporated at all entrances to avoid hazardous snowfall and provide protection from snowmelt.

- d. Fascias should be “stepped” to avoid cupping and rapid deterioration from freeze/thaw cycles.
- e. All roof vents and exterior mechanical equipment shall be collected, centralized and screened from view. Where practical, incorporation within chimneys or masses is desirable.
- f. “Cold roofs” are encouraged with ridge vents constructed of the same material as the roof in order to minimize ice-dam and icicle problems.
- g. All overhead eaves must be enclosed to minimize wildfire damage.
- h. Roof skylights are permitted subject to the approval of DRC. Heated gutters at bottom edge of skylights are recommended.

#### **4.8 Doors and Windows**

Generally, deeply recessed and articulated doorways and windows are desirable. Careful consideration should be given to the size, number and placement of windows to achieve an effective and sensitive counterpoint to wall surfaces. Reflective glass is not acceptable. Window frames should be clad in a color compatible with other elements of the building and the surrounding community.

Snap-in grids are prohibited.

#### **4.9 Utility Meter Connections and Treatment**

Utility meters shall be screened from view. DRC shall review utility and meter locations.

#### **4.10 Monitoring System Installation**

It is mandatory that all new dwelling units will be wired during construction to have a fire and gas leak detector (if applicable in a home with a gas heating system) and a high/cold temperature monitoring system. The fire, gas leak detector and high/cold monitoring portion of the system is required to be fully wired but is not required to be operational until building completion. Completion of the system will be an individual homeowner/contractor decision. Evidence of the proposed wiring of said monitoring system to be installed shall be presented at the Final Working Drawings submission of the Design Review process.

Owners are encouraged to fully install the monitoring system and arm the intrusion portion for better overall Arrowhead security. However, the operational installation of these systems is not mandatory.

#### **4.11 Foundations**

Houses or structures built upon a slope and employing wood, masonry, stone or metal stilt foundation shall have such foundation areas fully walled or enclosed.

Concrete foundation wall shall not be exposed, unless approved by the Design Review Committee. If foundation walls are exposed to view, they shall be covered in stone masonry. The purpose of this requirement is to ensure that the building is visually connected to the site.

#### **4.12 Decks**

The design of all decks must be incorporated into the design of the structure and the underside of any exposed deck must be enclosed by spaced 1"x4" boards.

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## LANDSCAPE GUIDELINES

The intent of the Landscape Guidelines to preserve the special attributes of each lot in Arrowhead. Homeowners should realize that because Arrowhead is 7,400 feet above sea level and experiences extreme differences in climate from season to season, the number and variety of plants that can be expected to flourish is limited. A suggested plant list is provided in Appendices A.8.

Any modifications to existing landscaping requires the approval of the DRC.

### 5.1 General Design Considerations

Within the building area of the site where homes are to be constructed (which is essentially defined by the berm on the south and west, the lot line to the east, and the live stream setback to the north), landscaping should enhance the architecture, define outdoor spaces and preserve both on- and off-site views. The functional uses of plant materials should be considered, including screening of the winds from the west, provision of seasonal shade with deciduous trees, and screening of undesirable views.

Rock, cobble, or gravel instead of grasses is not allowed. Rock, cobble and gravel shall not take place of grasses. Rock or cobble shall be allowed at the dripline with a maximum of 18 inches from the home and for drainage as rip rap swales.

Due to the relatively short growing season, large-caliper deciduous trees and mature evergreens are strongly recommended.

### 5.2 Transition Landscaping

Landscaping should transition from within the building area. The landscaping should transition to native/natural plantings at the berm, at wetland areas, and within the live stream setback. Only limited landscaping will be permitted outside the building area.

At the property line adjacent to the open space, new landscape materials introduced as transition planting shall be used to integrate the manmade and natural environment, to screen and soften visual impact of the development, and to provide privacy within existing adjacent development.

Each lot owner is responsible to provide landscaping along the edge of abutting pedestrian walkways.

It is the intent of the Landscape Guidelines to ensure a uniform planting treatment from lot to lot and extending through the right of way to the edge of the road pavement. That is, the same grass mix should be used along the street from one residence to the next. Grass shall be the same as used on the golf fairways. Each individual property owner shall install and maintain sod up to the edge of the road shoulder and driveway edge for a minimum of 6 feet.

### **5.3 Xeriscape Landscaping**

"Xeriscape" has come to mean water conservation through creative landscaping. The purpose of xeriscape landscaping is to conserve a very precious natural resource - water. An added benefit is the reduction of the potential for erosion to occur on steeper slopes.

All residential lot owners are encouraged to incorporate xeriscape landscaping principles in the landscape design; however, all lots in the hillside lots above 7360' elevation shall be required to incorporate xeriscape landscaping principles.

Water-efficient landscaping can be very colorful. Many beautiful and low-water demanding native and adapted plants are available locally. Some are very drought resistant. A suggested plant list is provided in Appendix A.8.

Some xeriscape landscaping concepts follow:

- 1) Improve the soil by adding organic materials such as compost. This will facilitate better water usage by allowing the soil to soak up water more readily.
- 2) Incorporate alternate grass varieties that are drought tolerant and require less maintenance, but have the same appearance as bluegrass.
- 3) Incorporate organic mulches to reduce moisture loss through evaporation and moderate the soil temperatures.
- 4) Choose plants according to their need for water, sun and soils, and plant them within areas of the landscape where they will thrive. Set up an overall design in watering zones, clustering similar high water-demanding plants together, perhaps near a downspout or at a low point in the lot, and less "thirsty" plants in a separate area.

### **5.4 Time of Installation**

Because of limited construction periods in the mountains due to weather, the Design Review Committee may modify the review and approval procedures to accommodate the timely installation of plant materials.

## **5.5 Irrigation**

All areas of sod, grass and landscaping must be irrigated. It is the responsibility of the property owner to coordinate the irrigation of his property with irrigation on bordering lots. Irrigation timers should be programmed for the most efficient time and frequency of watering each area.

## **5.6 Maintenance**

All trees, shrubs, ground covers, grasses and the irrigation system must be maintained at the level consistent with the rest of the Arrowhead development. All dead or dying trees, plants or grasses must be removed and replaced immediately. Maintenance is required of native vegetation and grasses to control the invasion of noxious weeds and thistles.

Non-compliance with maintenance may result in fines being levied.

## **5.7 Revegetation/Erosion Control**

All areas disturbed during construction must be revegetated immediately to control erosion and to blend with the natural grasses or ground cover. No rocks, plants, trees, etc. shall be removed from any portion of Arrowhead, other than from the owner's property, without written permission from the Design Review Committee.

# 6

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## Construction Regulations

In order to ensure that property is not irreparably damaged from construction activity and to protect the lifestyle of Arrowhead residents, the following construction regulations will be strictly enforced by Arrowhead Security. Failure to comply with any or all regulations will result in penalty fines and/or an order by the Arrowhead at Vail Association and agreement by the owner of the property to cease construction until the violation is corrected. These regulations shall be a part of the construction contract document specifications for each building, and all contractors and property owners shall abide by these regulations. Contractors and property owners are also responsible for abiding by all applicable construction regulations of Eagle County and the State of Colorado.

### 6.1 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, 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:

- a. "Association" means the Arrowhead at Vail Association (AVA).
- b. "Compliance Deposit" means the deposit that an Owner is required to deliver to the Arrowhead Design Review Committee prior to commencing a Construction Activity.
- c. "Construction" shall mean any new construction or remodel of an existing building, facility or improvement that requires the issuance of a building permit, Arrowhead Design Review Committee approval, or staging of construction materials and parking of vehicles by construction employees.
- d. "Construction Site" means a Site upon which Construction Activity takes place.
- e. "Construction Activity" means any construction or alteration of any building or other improvement on any Site requiring the issuance of a building permit.

- f. "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.
- g. "District" means the Arrowhead Metropolitan District.
- h. "DRC" means the Design Review Committee as appointed by the Board of Directors of AVA Association.
- i. "Owner Representative" means any contractor, subcontractor, agent or employee hired or engaged by an Owner concerning any Construction Activity.
- j. "Regulation" means this Construction Activities and Compliance Deposit Regulation.
- k. "Security Department" means the AVA Security Department.
- l. "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.

## **6.2 Pre-Construction Approvals and Process**

After the DRC approves the Final Plans for a project, the applicant must complete the following items before any site work or construction activity may occur. In no event shall an Owner request a building permit from the Eagle County Building Department prior to the DRC's approval of the Owner's proposed Construction Activity. Nor shall the owner commence any Construction Activity before obtaining the DRC's approval for construction or obtaining an Eagle County building.

After DRC's approval of Final Plans, the Owner shall:

- a. schedule a pre-construction meeting with the Arrowhead Design Review Committee Inspector and Arrowhead Security. At the Pre-Construction meeting, the owner or contractor shall provide Arrowhead Security with a detailed "Construction Area Plan" indicating the locations of the following:
  - fence confining all construction activity;
  - size and location of construction material storage;
  - limits of excavation;
  - drive areas, parking;
  - chemical toilet location;
  - temporary structure (if any);
  - dumpster and storage of debris;



- utility trenching; and
  - construction sign.
- b. submit final working drawings to DRC staff;
- c. deliver a compliance deposit to the DRC in accordance with Section 6.3 below.

**Any Owner who commences construction prior to completing the pre-construction process will automatically be fined \$500 for each offense. The payment of a fine does not release the applicant from obligations set forth in these Regulations.**

### **6.3 Compliance Deposit**

Prior to any construction activity occurring on a lot, the Owner shall deliver a Compliance Deposit to the DRC, on behalf of the Association, as security for the Owner's full and faithful performance of its Construction Activity in accordance with its approved final plans and this Regulation.

- a. 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 AVA DRC, not less than \$5,000 or exceeding \$50,000.
- b. Form of Compliance Deposit. The Compliance Deposit shall be delivered to the DRC by personal, certified or cashier's check or by wire transfer.
- c. Administration of Compliance Deposit. The DRC, on behalf AVA, shall administer each Compliance Deposit as follows:
- (i) 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.
  - (ii) AVA may use, apply or retain the whole or any part of a Compliance Deposit to the extent required to reimburse the 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 that best mitigates the effects of such noncompliance while not actually curing the non-compliance. In addition, DRC may use, apply or retain the whole

or any part of a Compliance Deposit to pay any fine imposed under paragraph 6.10.b that is not paid when due.

(iii) AVA's decision to use the Compliance Deposit as permitted hereunder shall be at the sole and absolute discretion of the DRC.

(iv) If DRC so uses part or all of the Compliance Deposit as set above, the DRC will notify in writing the owner within five days. The owner shall, within five days of such notice, pay the 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.

(v) DRC shall be under no obligation of any kind or nature to take any action to complete any Construction Activity, or cure any failure of the Owner to comply with all regulations pertaining to the Construction Activity.

(vi) Any part of the Compliance Deposit not used by DRC as permitted by subparagraph (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 cost of that portion of the Construction Activity that remains to be completed, as estimated by the DRC.

#### **6.4 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. Foundation Inspection Prior to Framing. Upon completion of the foundation, the Owner shall request a foundation inspection from the DRC and submit to the DRC an improvement location certificate (ILC) for the Construction Site. The ILC, stamped and signed by an engineer or surveyor registered in the State of Colorado, must show the location of all permanent improvements located on the site. Thereafter, the DRC will inspect the foundation to ensure that the Construction Activity is being performed in compliance with the approved final working drawings and these regulations.

- b. Framing Inspection prior to Drywall. After the framing is complete, the Owner shall request a framing inspection from the DRC and submit to the DRC an improvement location certificate (ILC) for the Construction Site. The ILC, stamped and signed by an engineer or surveyor registered in the State of Colorado, must show the location of all permanent improvements and indicate the highest roof ridge of the improvement. 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 these regulations.
- c. Temporary Certificate of Compliance. Upon substantial completion of the Construction Activity, the Owner may request a Temporary Certificate of Compliance (TCofC) 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.
- d. Final Certificate of Compliance. 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, the Owner shall request a final inspection from the DRC. 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. Should the Construction Activity be determined to be complete and in compliance with the approved final working drawings and this Regulation, a Final Certificate of Compliance shall be issued.

The DRC shall use its best efforts to conduct the inspections within seventy-two hours after receiving a written request. 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.

## **6.5 Certificates of Compliance and Occupancy**

"Certificates of compliance" are issued by the DRC. The Eagle County Building Department issues "Certificates of occupancy". An Owner may not occupy or otherwise use any improvement constructed on a Construction Site until it has received a Certificate of Compliance or Temporary Certificate of Compliance from the DRC, and a certificate of occupancy or a temporary certificate of occupancy from the Eagle County Building Department.

If an Owner has performed its Construction Activity in compliance with its approved final plans and these regulations, the DRC will issue a Final Certificate of Compliance to the Owner. If the Owner has failed to perform its Construction Activity in compliance with its approved final plans and these regulations, the Owner shall promptly perform such remedial work as the DRC shall require.

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. 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 6.3.c.(vi).

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.

## **6.6 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.

- a. 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.

- b. 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.

- c. 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 Guests and shall be removed within thirty days after completion of the Construction Activity.
- d. 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.
- e. Daily Operation Daily working hours for each construction site shall be Monday through Friday, 7:00 a.m. to 6:30 p.m. Work hours for Saturday shall be 8:00 a.m. to 5:30 p.m. Extended working hours from 6:30 p.m. to 9:00 p.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 9:00 p.m. and 7:00 a.m.
- f. Dust Every effort shall be made to control dust emitted from a construction area. The contractor shall be responsible for controlling excessive dust by a 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.
- g. Noise Each 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.
- h. 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.
- i. 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.

- j. Fencing Contractors shall be required to erect a fence around the perimeter of the construction site, 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.
- k. 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 construction deposit will not be issued or refunded by the Design Review Committee until said bill is paid in full.
- l. Vehicles and Parking Construction Vehicles shall gain access to Construction Sites only from existing roads adjacent to the Construction Sites. 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 Vehicles 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.

- m. 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.

- n. Water Connection A temporary water connection must be available at all times when Construction Activity is taking place on a Construction Site.
- o. 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.
- p. 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.
- q. Flammable Items Careless use or storage of flammable items will not be allowed.
- r. Pets Contractors, subcontractors and their employees are prohibited from bringing pets to the construction site.
- s. Firearms Firearms are prohibited.
- t. 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 months thereafter. All Construction Activity must be fully and finally complete, including all required landscaping, within twelve 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.
- u. 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 is damaged during Construction Activity, it must be promptly restored to DRC, or AVA satisfaction within thirty 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.

- v. Trees No trees shall be removed from the property without prior approval of the DRC.
- w. 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 without 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.

- x. 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.



## **6.7 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 a representative at each meeting.

## **6.8 Business License**

All Owners and Owner Representatives shall obtain an Annual Business License if required to do so by AVA Association Annual Business Licenses Regulation. Business licenses for general contractors and architects are subject to DRC approval.

## **6.9 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.

## **6.10 Enforcement**

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

- a. 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 administrative fee equal to 15 percent of all of such costs, within five days after the Owner receives a written invoice therefor from DRC.
- b. 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 an amount equal to 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 also has the right to withhold the fine from the Compliance Deposit. DRC hereby delegates its power to fine under this paragraph 7.02 to the DRC and the Security Department.

- c. Right to Sue for Injunctive Relief. DRC may sue the Owner to enjoin such violation.
- d. Right to Sue for Damages. DRC may sue the Owner for all damages, losses, costs and expenses, including, without limitation, reasonable attorneys' fees and disbursements incurred by DRC as a result of the violation.
- e. Lien. DRC shall have a lien against the Site and all of the Owner's other properties within AVA to secure payment for (i) any fee, charge, fine or other amount due from the Owner to DRC under this regulation, (ii) interest on any unpaid amounts at the rate of 18 percent per annum from the date due until paid, and (iii) all costs and expenses of collecting any unpaid amounts, including, without limitation, reasonable attorneys' fees and disbursements. Any such lien may be foreclosed as a mortgage under the laws of the State of Colorado.
- f. 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.

#### **6.11 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"). Within five days after receiving written that a fine is imposed against the Owner, the Owner must 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. The FAC shall review the appeal and within 45 days deliver a written decision to the Owner and to the DRC or the Security Department. If the FAC decides in favor of the Owner, the DRC or the Security Department, 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 or have monies withdrawn from the Compliance Deposit.

# APPENDICES

**APPENDIX A**  
**SOURCES OF INFORMATION REGARDING CONSTRUCTION IN ARROWHEAD**

1. *General Information, Applications, Regulations*  
Arrowhead Design Review Administration (970) 754-3147  
P.O. Box 1655  
Avon, Colorado 81620  
[www.designreviewadmin.com](http://www.designreviewadmin.com)  
  
Arrowhead Public Safety (970) 754-6702  
PO Box 100  
Edwards, Colorado 81632
2. *Construction Permits*  
Eagle County Community Development (970) 328-6324  
P.O. Box 179  
Eagle, Colorado 81631-0170
3. *Road Cuts, Safety Systems*  
Arrowhead Metropolitan District (970) 754-6905  
P.O. Box 100  
Edwards, Colorado 81632
4. *Cable Television Service*  
Comcast (888) 824-4010
5. *Electrical Service*  
Holy Cross Electric Association (970) 949-5892  
P.O. Box 972  
Avon, Colorado 81620
6. *Gas Service*  
Source Gas (800) 563-0012
7. *Water Taps and Sanitary Sewer Taps*  
Eagle River Water and Sanitation District (970) 476-7480  
846 Forest Road

**APPENDIX B  
DESIGN REVIEW COMMITTEE APPLICATION FEES**

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

Building area calculations: For purposes of building area calculations, measurements are to be taken from outside of exterior walls to outside of exterior walls.

<b><i>Square Feet of Gross Floor Area</i></b>	<b><i>Fee</i></b>
<i>0 - 5,000 sf</i>	<i>\$4,200</i>
<i>5,001 - 7,500 sf</i>	<i>\$5,000</i>
<i>7,501 - 10,000 sf</i>	<i>\$6,000</i>
<i>10,001 - 15,000 sf</i>	<i>\$7,000</i>
<i>15,001 - 25,000 sf</i>	<i>\$8,000</i>
<i>25,001 - 50,000 sf</i>	<i>\$9,000</i>
<i>50,001 - 100,000 sf</i>	<i>\$10,000</i>
<i>100,001 sf +</i>	<i>\$12,000</i>
 <i>Minor Exterior Modifications</i>	 <i>\$200</i>
 <i>Modifications to approved plans</i>	 <i>\$200</i>
 <i>Appeal</i>	 <i>\$250</i>
 <i>Substantial Exterior Modifications - 2% of project costs, according to gross new floor area</i>	 <i>Min. \$200</i>

- ❖ The Design fee must be paid at the time of submittal.
- ❖ Late submittal fee is \$250.00. Late submittals may be accepted at the sole discretion of the Design Review Committee Staff.
- ❖ A compliance deposit of five (5) times (no less than \$5,000 for substantial exterior modifications) the corresponding paid design review fee must be paid in full prior to final approval of submitted plans and before a letter of compliance is issued to Eagle County for a building permit. Letters of credit will **NOT** be accepted.
- ❖ All fees are payable to: Arrowhead – DRC - PO Box 1655, Avon, CO 81620

**APPENDIX C**

**APPLICATION FORM**

**ARROWHEAD DESIGN REVIEW COMMITTEE**  
Application Form

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

Type of Review       Schematic Plan                       Final Plan  
                                  Minor Alteration                       Landscape Modification

Name of Project: \_\_\_\_\_

Project Description: \_\_\_\_\_

\_\_\_\_\_

Location of Project  
Legal Description: Filing \_\_\_\_\_ Lot \_\_\_\_\_

Street Address \_\_\_\_\_

Owner \_\_\_\_\_

Mailing Address \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

Architect \_\_\_\_\_

Mailing Address \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

- ❖ No submittal will be accepted unless it is complete.
- ❖ See Submittal Requirements for a complete list of required information.

Date Received: _____	Meeting Date: _____
Fee Paid: \$ _____	Application Complete: _____

**ARROWHEAD DESIGN REVIEW COMMITTEE  
ACTUAL SQUARE FOOTAGE SHEET**

*For purpose of building area calculation, measurements are to be taken from outside of exterior walls to outside of exterior walls.*

**1. Total Gross square feet of main/1<sup>st</sup> floor living area:** \_\_\_\_\_gsf  
(not including garage area)

**2. Total gross square feet of upper/2<sup>nd</sup> floor living area:** \_\_\_\_\_gsf

**3. Total square feet of upper living/attic area:** \_\_\_\_\_gsf  
(include attic space 5 feet and over of clear height)

**4. Total square feet of exposed basement area:** \_\_\_\_\_gsf  
(refer to Section 4.4 for definition)

**5. Total gross square feet of garage:** \_\_\_\_\_gsf

**6. Total square feet for DRC purposes:** \_\_\_\_\_gsf  
(total of items 1-5, must not exceed maximum permitted)  
Unit A total: \_\_\_\_\_ Unit B total: \_\_\_\_\_

**7. Additional basement area not included above:** \_\_\_\_\_gsf

**8. Total gross square feet for Metro District Water Tap Fee:** \_\_\_\_\_gsf  
(total of 6 plus 7 minus 5)  
Unit A total: \_\_\_\_\_ Unit B total: \_\_\_\_\_

**Filing:** \_\_\_\_\_ **Lot** \_\_\_\_\_

**Street Address** \_\_\_\_\_

**Architect** \_\_\_\_\_ **Date** \_\_\_\_\_

**Colorado License #** \_\_\_\_\_

(stamp here)



**ARROWHEAD DESIGN REVIEW COMMITTEE  
EXTERIOR PROJECT MATERIALS**

Owner \_\_\_\_\_

Filing \_\_\_\_\_ Lot \_\_\_\_\_ Street Address \_\_\_\_\_

Complete the following information, to be submitted at the time of Schematic Review. A sample material board and building model is required at the Final Plan review. The sample and model are **not** required to be submitted prior to the meeting.

	<b>MATERIAL TYPE</b>	<b>MANUFACTURER, COLOR, SPECIFICATION #, ETC . . .</b>
Roof	_____	_____
Flashing	_____	_____
Fascia	_____	_____
Soffits	_____	_____
Exterior Walls	_____	_____
Other Wall Materials	_____	_____
Doors	_____	_____
Door Trim	_____	_____
Windows	_____	_____
Window Trim	_____	_____
Chimneys	_____	_____
Chimney Caps	_____	_____
Flues & Vents	_____	_____
Railings	_____	_____
Stone & Rock	_____	_____
Other:	_____	

**PROPOSED LANDSCAPING**

Filing \_\_\_\_\_ Lot \_\_\_\_\_ Street Address \_\_\_\_\_

	<u>Type</u>	<u>Quantity</u>	<u>Size</u>
Proposed Trees	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
Proposed Shrubs	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
Ground Cover	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
Sod	_____	_____	_____
	_____	_____	_____
Seed	_____	_____	_____
	_____	_____	_____
Irrigation	_____		
	_____		
Other landscape Features	_____		
	_____		
Site Lighting	_____		

## APPENDIX D

### SUBMITTAL REQUIREMENTS

## SCHEMATIC REVIEW SUBMITTAL REQUIREMENTS

The contents of the drawings listed below should adequately convey existing site conditions, building orientation, the relationship of the building to the site, access, and the proposed use of exterior materials and colors. **A complete submittal must be made a minimum of 14 days prior to a scheduled meeting. Submit 2 full size (24"x36") sets and 6 reduced (11"x17") of the following information:**

- ❖ Topographic Survey At a scale of 1"= 20' or 1"=10' of the property, stamped by a licensed surveyor, indicating the following: property boundaries, area of the property, all easements of record, building envelope, topography at 2' intervals, significant natural features including rock outcroppings and watercourses, and all trees with trunks greater than 3" in diameter.
- ❖ Site Plan At a scale of 1"=10', indicating the following: property boundaries, building envelope, existing and proposed grades, building footprint, all easements of record, proposed driveway grades, view corridors, and any other existing pertinent information.
- ❖ Landscape Plan At a scale of 1"=10', indicating the following: location of existing vegetation, limits of site disturbance, proposed areas of new landscaping, preliminary drainage plan and erosion control measures.
- ❖ Floor Plans At a scale of 1/4" = 1', showing each level of the building, indicating the following: proposed use of each room, overall building dimensions and the elevations of each floor.
- ❖ Exterior Elevations At a scale of 1/4" = 1', showing each elevation of the proposed building. Materials should be clearly identified.
- ❖ Roof Plan At a scale of 1/4" = 1', indicating all ridges and eaves. The highest roof ridge elevation should be indicated.
- ❖ Building Height Calculations Submit 1 copy of building height calculations, drawn over the building elevations.
- ❖ Fee The fee is based on gross developed area in accordance with the current fee schedule. Gross area includes garages, mechanical space and storage areas.

## FINAL PLAN SUBMITTAL REQUIREMENTS

The contents of the drawings listed below communicate the goals and design intent of the proposed project and demonstrate compliance with the Design Guidelines and Regulations. The Final Plan submission should be substantially consistent with the approved Schematic plans, while responding to any/all conditions or revisions imposed by the DRC at schematic plan review. **A complete submittal must be made 21 days prior to a scheduled meeting. Submit 2 full size (24"x36") sets and 6 reduced (11"x17") of the following information:**

- ❖ Topographic Survey At a scale of 1"=10' of the property, prepared by a licensed surveyor, indicating the following: property boundaries, area of the property, all easements of record, building envelope, topography at 2' intervals, significant natural features including rock outcroppings and watercourses, and all trees with trunks greater than 3" in diameter.
- ❖ Site Plan At a scale of 1"=10', indicating the following: scale, north direction, property boundaries, building envelope, existing and proposed topography, building footprint, all easements of record, proposed driveway grades, view corridors, utility locations, existing vegetation, location of all proposed and existing culverts, limits of construction, snow storage areas, spot elevations along the road and driveway.
- ❖ Landscape Plan At a scale of 1"=10', indicating the following:

Proposed grading with spot elevations indicating existing and proposed contours at 2' intervals; drainage patterns; rim and invert elevations for all drains and culverts; the landscape plan should respect and indicate snow storage areas.

A planting plan and material legend with proposed plant materials keyed to location on the plan. The size of each coniferous and deciduous tree must be indicated on the plan. Refer to all plant materials by common and botanical names on the legend;

For seeded areas, indicate rates and method 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;

Locate rock outcroppings, decks or patios, service yards, driveways and other freestanding structures.

Locate all proposed outdoor lights and signs. Submit cutsheets of all proposed light fixtures and indicate the lighting control strategy. Provide details of proposed address sign.

- ❖ Erosion Control and Revegetation Plan Indicate the means and time schedule by which the prevention of erosion and stream sedimentation will be addressed during and after construction.
- ❖ Floor Plans At a scale of 1/4" = 1', indicating the following: proposed use of all rooms and room dimensions, door and window locations, exterior light fixtures, location and type of all proposed fireplaces.
- ❖ Exterior Elevations At a scale of 1/4" = 1', indicating the following: exterior appearance of all views, existing and finished grade for each elevation. exterior materials, colors and finishes of walls, roofs, trim, chimneys, windows, doors, elevation of each floor and the highest ridge of the roof, exterior light fixtures.
- ❖ Roof Plan At a scale of 1/4" = 1', indicating the following: roof pitch, 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, location of all mechanical devices that are proposed to penetrate the roof.
- ❖ Building Height Calculations Submit 1 copy of building height calculations, drawn over the building elevations.
- ❖ Footing and Foundation Plan At a scale of 1/4" = 1', indicating the location and size of foundation walls and footings. Foundation plans should clearly indicate unexcavated and crawl space areas.
- ❖ Building Sections At a scale of 1/4" = 1'. Indicate building walls, floors, interior relationships, finished exterior grade and any other information to clearly describe the interior/exterior relationships of the building as well as the building's relationship to the site.
- ❖ Model At a scale of 1"=20', 1/16", 1/8" or 1/4" = 1'. Indicate three-dimensional building massing, form, openings and relationship to the surrounding site topography.
- ❖ Details Provide design details to sufficiently represent the visual expression of the building, exposed connections and material interfaces. Submittal to include soffit/fascia details, window head and sill details, railing details, exterior lighting cutsheets, and other information necessary to describe the specifics of the project's exterior.
- ❖ Color Board Provide color samples for the following: exterior walls, trim, window and doors, exterior stone material.
- ❖ Address Sign Detail Any revisions to the approved plans after final approval of the Contract Documents will be charged a \$200 review fee.

**APPENDIX E**  
**SUGGESTED PLANT LIST FOR ARROWHEAD**

	<u>Common Name</u>	<u>Botanical Name</u>
<b>Deciduous Trees</b> (3" caliper or larger)	Narrowleaf Cottonwood	<i>Populus angustifolia</i>
<b>Ornamental Trees</b> (2" caliper or larger)	Rocky Mountain Birch	<i>Betula fontinalis</i>
	Dolgo Crab	<i>Malus 'Dolgo'</i>
	Radiant Crab	<i>Malus 'Radiant'</i>
	Quaking Aspen	<i>Populus tremuloides</i>
<b>Evergreen Trees</b> (8'0" in height or taller)	Colorado Spruce	<i>Picea pungens</i>
<b>Deciduous Shrubs</b> (5-gallon or larger)	Serviceberry	<i>Amelanchier alnifolia</i>
	Rabbitbrush	<i>Chrysothamnus nauseosus</i>
	Peking Cotoneaster	<i>Cotoneaster acutifolia</i>
	Zabel's Honeysuckle	<i>Lonicera korolkowi 'Zabel's'</i>
	Shrubby Cinquefoil	<i>Potentilla fruticosa</i>
	Chokecherry	<i>Prunus melanocarpa</i>
	Alpine Currant	<i>Ribes alpinum</i>
	Austrian Copper Rose	<i>Rosa foetida bicolor</i>
	Harrison Yellow Rose	<i>Rosa harrisonii</i>
	Father Hugo's Rose	<i>Rosa hugonis</i>
	Rugosa Rose	<i>Rosa rugosa</i>
	Mountain Willow	<i>Salix monticola</i>
<b>Evergreen Shrubs</b> (5-gallon or larger)	Buffalo Juniper	<i>Juniperus sabina 'Buffalo'</i>
	Tammy Juniper	<i>Juniperus sabina tamarsifolia</i>
	Mugho Pine	<i>Pinus mugo mugo</i>
<b>Groundcovers</b>	Kinnikinnick	<i>Arctostaphylos uva-ursi</i>
	Snow-in-Summer	<i>Cerastium tomentosum</i>
	Maiden Pink	<i>Dianthus deltoides</i>
	Cottage Pink	<i>Dianthus plumarius</i>
	Wintercreeper	<i>Euonymus fortunei vegeta</i>
	Wild Strawberry	<i>Fragaria sp.</i>
	Spring Cinquefoil	<i>Potentilla verna</i>

**Perennials**  
'Frikarti'

Blue Aster	<i>Aster subcaeruleus</i>
Rocky Mtn. Columbine	<i>Aquilegia caerulea</i>
Shasta Daisy	<i>Chrysanthemum maximum</i>
Delphinium	<i>Delphinium elatum</i>
Purple Coneflower	<i>Echinacea purpurea</i>
Daylily	<i>Hemerocallis</i>
Siberian Iris	<i>Iris siberica</i>
Common Flax	<i>Linum perenne</i>
Lupine	<i>Lupinus polyphyllus</i>
Lythrum	<i>Lythrum salicaria</i> 'Robert'
Iceland Poppy	<i>Papaver nudicaule</i>
Penstemon	<i>Penstemon harwegii</i>
Phlox	<i>Phlox paniculata</i>
Brown-eyed Susan	<i>Rudbeckia hirta</i>

**Annuals**

Pot Marigold	<i>Calendula</i>
California Poppy	<i>Excholtzia californica</i>
Edging Lobelia	<i>Lobelia erinus</i>
Geranium	<i>Pelargonium x hortorum</i>
Petunia	<i>Petunia</i> hybrids
Marigold	<i>Tagetes</i> sp.
Pansy	<i>Viola</i> sp.
Zinnia	<i>Zinnia</i> sp.

**Grasses**

Listed according to use at Arrowhead; the mixtures and application rates follow

**Golf Course Greens**

Penncross Bentgrass	100%	2 lb/1000 sq. ft.
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**Golf Course Fairways**

Baron Kentucky Bluegrass	39%	3 lb/1000 sq. ft.
Fylking Kentucky Bluegrass	31.3%	
Parade Bluegrass	14.9%	
Nugget Bluegrass	14.8%	

**Natural Grass Mix**

Sheep Fescue	25%	60 lb/acre
Canadian Bluegrass	25%	
Hard Fescue	24%	
Western Wheatgrass	20%	
Wheatgrass	6%	



**APPENDIX F**  
**SCHEMATIC PLAN CHECK SUMMARY**

Project Name: \_\_\_\_\_

Filing \_\_\_\_ Lot \_\_\_\_ Street Address: \_\_\_\_\_

**STATUS OF SUBMITTAL**

Yes No N/A

- |     |     |     |   |
|-----|-----|-----|---|
| ___ | ___ | ___ | 1 copy of a stamped survey                          |
| ___ | ___ | ___ | 1 set full size, 6 sets 11x17 reduction of drawings |
| ___ | ___ | ___ | Drawings dated, all pages identify                  |
| ___ | ___ | ___ | Project location on drawings                        |
| ___ | ___ | ___ | Complete application form                           |
| ___ | ___ | ___ | Height calculations submitted                       |
| ___ | ___ | ___ | Fee Paid \$_____                                    |

**Complete** \_\_\_\_ **Incomplete** \_\_\_\_

**SITE RELATED ISSUES**

Yes No N/A

- |     |     |     |  |
|-----|-----|-----|--|
| ___ | ___ | ___ | Scale indicated on site plan                       |
| ___ | ___ | ___ | Property lines, Easements, Building Envelope shown |
| ___ | ___ | ___ | All improvements within envelope                   |
| ___ | ___ | ___ | Existing and proposed topography shown             |
| ___ | ___ | ___ | Elevations of each floor indicated                 |
| ___ | ___ | ___ | Driveway grades in compliance ( _____%)            |
| ___ | ___ | ___ | Required parking met (number provided _____)       |
| ___ | ___ | ___ | Adequate maneuvering space provided on-site        |
| ___ | ___ | ___ | Minimal grading proposed                           |
| ___ | ___ | ___ | Drainage plan resolved on property                 |

**ARCHITECTURAL ISSUES**

Yes No N/A

- |     |     |     |  |
|-----|-----|-----|--|
| ___ | ___ | ___ | Height calculations within limits (Building Height _____ft.) |
| ___ | ___ | ___ | Floor area calculations accurate (Square Feet _____)         |
| ___ | ___ | ___ | Fireplace(s) in compliance                                   |
| ___ | ___ | ___ | Secondary unit proposed – complies with requirements         |
| ___ | ___ | ___ | Roof pitch within requirements (Roof pitch _____)            |
| ___ | ___ | ___ | Exterior wall finishes complies with Guidelines              |
| ___ | ___ | ___ | Chimney and mechanical flues identified on all plans         |

COMMENTS

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

**APPENDIX G  
FINAL PLAN CHECK SUMMARY**

Project Name: \_\_\_\_\_

Filing \_\_\_ Lot \_\_\_\_\_ Street Address: \_\_\_\_\_

Applicant Name/Telephone No: \_\_\_\_\_

**STATUS OF APPLICATION:**

Yes	No	N/A	
___	___	___	1 copy of a stamped survey
___	___	___	1 set full size, 6 sets 11x17 reduction of drawings
___	___	___	Drawings dated, all pages identify
___	___	___	Project location on drawings
___	___	___	Complete application submitted
___	___	___	Height calculations submitted

**Complete** \_\_\_\_\_ **Incomplete** \_\_\_\_\_

**SITE RELATED ISSUES**

Yes	No	N/A	
___	___	___	Scale indicated on site plan
___	___	___	Property lines, Easements, Building Envelope shown
___	___	___	All improvements within envelope
___	___	___	Existing and proposed topography shown
___	___	___	Elevations of each floor indicated
___	___	___	Driveway grades in compliance ( _____%)
___	___	___	Required parking met (number provided _____)
___	___	___	Adequate maneuvering space provided on-site
___	___	___	Minimal grading proposed
___	___	___	Regrading blends into natural terrain
___	___	___	Regrading limited to 2:1 slope
___	___	___	Drainage plan resolved on property
___	___	___	Utility routes/connection points indicated
___	___	___	Culvert at driveway indicated
___	___	___	Maximum regrade 2:1 achieved
___	___	___	Maximum retaining wall 6' achieved
___	___	___	Snow storage indicated on landscape plan

COMMENTS

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**ARCHITECTURAL ISSUES**

Yes No N/A

- Height calculations within limits (Building Height \_\_\_\_\_ft.)
- Floor area calculations accurate (Square Feet \_\_\_\_\_)
- Fireplace(s) in compliance
- Secondary unit proposed – complies with requirements
- Roof pitch within requirements (Roof pitch \_\_\_\_\_)
- Exterior wall finishes complies with Guidelines
- Chimney and mechanical flues identified on all plans
- Snow shed protection at entries
- Cold roof system proposed
- Chimney cap enclosures detailed
- Exterior lighting locations indicated
- Exterior light fixture cutsheets submitted
- Trash storage/removal strategy proposed

COMMENTS

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**LANDSCAPING**

Yes No N/A

- Limits of disturbed area indicated
- Significant existing trees preserved
- Erosion control location/method indicated
- Proposal includes variety of species
- Proposal includes variety of sizes
- Minimum sizes met
- Location and detail of address sign provided
- Automatic irrigation system indicated
- No irrigation system within 2' of road
- Transition from formal to natural landscape acceptable
- Meter locations identified and screened

COMMENTS

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