

Ranch Property Owners Association

Architectural Rules

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RPOA Architectural Rules, March 2023

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The Ranch Property Owners Association Architectural Rules

I. Purpose of the Architectural Rules

The Architectural Committee is tasked through *The Ranch Declaration of Covenants, Conditions, and Restrictions* (DCCRs) with interpreting and enforcing the Architectural Rules and the related portions of the DCCRs, with ensuring that all improvements are consistent with the intent and purpose of the DCCRs in preserving the great charm and natural beauty of The Ranch, and with ensuring that the Architectural Rules follow Colorado law.

The purpose of the Architectural Rules is to define the specific architectural standards and procedures derived from the restrictions stated in the DCCRs. The Rules include, but are not limited to architectural design, the placement of buildings, landscaping, color schemes, exterior finishes, materials, and other exterior structural features and land uses. In addition to these Architectural Rules, all improvements in The Ranch are subject to all county, state, and federal building requirements.

Definitions

In this document, the following terms are used as defined here:

Improvement—any new structure on a lot, any exterior change to an existing structure, and use of or material change to the landscaping of the land

Plan—the detailed description by an owner covering the criteria required for approval of any improvement

Site planning—designing the location and elements of any improvement to a lot

Landscaping—improvements of the grounds to enhance the appearance of a lot, as by planting trees, shrubs, or grass, or altering the contours of the ground

Setback—the minimal distance from a property line that must be observed for a structure on a lot

Easement—a right held by one property owner or utility company to make use of the land of another owner for a limited purpose, such as a right of passage or maintenance of previously installed utilities or facilities.

Contractor—any person, whether the owner or paid or un-paid workers, who implement an improvement. All are required to follow the Architectural Rules.

II. Architectural Review Procedures

This section explains the procedures for obtaining an approval for a proposed improvement plan. The criteria for approval are stated below in Subsection II.D. Please note that approval of a plan by the Architectural Committee does not constitute an approval of a similar plan subsequently submitted for approval on another lot, although previous approvals will be taken into consideration during the review process.

A. Request for Preliminary Review of a Proposed Plan

Any owner proposing to make improvements that require prior approval by the Architectural Committee may apply to the Committee for a preliminary review of plans by requesting a meeting with members of the Committee. The role of the Committee in responding to a request for preliminary review is advisory. An owner proposing to make substantial improvements benefits from the opportunity to obtain guidance concerning acceptable design considerations before spending substantial sums for plans and exhibits required for final approval. The preliminary approval application should include at least sketches of (as appropriate):

1. a plot plan showing to scale the location of all existing and proposed improvements, including all utilities and principal dimensions;
2. floor plans showing the layout, dimensions, and use of each room;
3. a drawing showing all exterior elevations with horizontal and vertical principal dimensions;
4. a description and samples of exterior materials and colors (including for roofs);
5. an exterior lighting plan and fixture photographs;
6. landscaping plans showing placement, types, and sizes of plantings;

The preliminary review is based on the plan's conformity to the DCCRs and the Architectural Rules. However, *in no event* shall the owner interpret any preliminary review as a final approval of any plan. An owner is encouraged to use the "Application for Approval of an Improvement Plan" form found in Appendix D as a guide in preparing for a preliminary review.

Requests for preliminary review shall be considered as follows:

1. Within thirty (30) days of the request, a minimum of two members of the Architectural Committee shall meet with the owner to review the improvement plan. The Committee shall determine if the proposed plan, to the extent presented, would meet the criteria for a final approval required in a complete application for plan approval. In its review, the Committee may provide, as guidance for the applicant, directions concerning the form and substance of the application for final approval. The owner is responsible for verifying the plan's conformity to county, state, and federal requirements. The DCCRs require the Committee to respond to the request for a preliminary review of a plan within 30 days of the date of submission.
2. During the planning phase, an owner may contact *only* the Architectural Committee chair as necessary for further clarifications.

B. Application for Approval of an Improvement Plan

Approval is required for any improvement in The Ranch, any new structure on a lot, any exterior change to an existing structure, or use of or material change to landscaping of the land. All improvements within The Ranch shall meet all the La Plata County, Colorado, requirements in effect at the time the application for approval is submitted.

The approval procedure is as follows:

- The owner submits to the Architectural Committee the form titled “Application for Approval of an Improvement Plan” **in hardcopy, in duplicate, not less than thirty (30) days prior to the start of the proposed work**. The form can be found in Appendix D of this document. All elements on the form relevant to the plan must be fully completed, including the following:
 1. a plot plan showing to scale the location of all existing and proposed improvements, including all utilities and principal dimensions;
 2. floor plans showing the layout, dimensions, and use of each room;
 3. a drawing showing all exterior elevations with horizontal and vertical principal dimensions;
 4. a description and samples of exterior materials and colors (including for roofs);
 5. an exterior lighting plan and fixture photographs;
 6. landscaping plans showing placement, types, and sizes of plantings;
 7. planned location of refuse containers if required;
 8. the owner's proposed construction schedule; and
 9. any other unanticipated information or documents requested by the Architectural Committee to complete the review.
- In case of *demolition*, the plan:
 1. shall show the structure to be demolished, and the location and size of existing structures that are to remain on the site;
 2. should alter the site as little as possible from its original native condition and protect existing drainage ways wherever practical.
- For *new construction and demolition*, an application fee of \$300 payable to the RPOA is required to cover expenses such as inspection/review by a professional of the site and/or documents that accompany the application. If these expenses exceed \$300, the applicant must cover all additional fees. Unused portions of this fee may be returned to the applicant at the end of the project.
- For *demolition and new construction*, the owner must include in the application a signed indemnification form. Please see Appendix F.

C. Results of Plan Review

The result of the review of an application for plan approval shall be in writing with one of the following decisions: *Approved*, *Approved with Conditions*, *Disapproved (with reasons stated)*. A fully completed application form for approval that has not been acted on within thirty (30) days from the date of submission to the Architectural Committee shall be deemed approved. The Committee shall retain, as a permanent record, one set of plans as finally approved.

D. Criteria for Approval of an Improvement Plan

The Architectural Committee shall grant the requested approval only if:

1. The owner has complied with the provisions of the application form and has provided all the required information including a copy of the building permit if required and has paid the application fee (required for new construction and demolition) and has submitted a damage deposit check made payable to RPOA.
2. The Committee determines that:
 - the plan conforms to the Architectural Rules in effect at the time the plan was submitted;
 - the plan demonstrates that the quality of workmanship, materials, and design are consistent with other structures and land uses in The Ranch;
 - the plan demonstrates that the character of the topography and the finished grade are consistent with other land uses in the Ranch; and
 - the view corridors and any other conditions required by the Architectural Committee during the review procedures have been evaluated and met.

E. Appeals

Any disagreement by an owner over an Architectural Committee ruling can be appealed to the RPOA Board. The appeal must be in writing with supporting documentation and rationale.

III. Procedures for Work on Improvements

A. Time Limits

Work Startup

No improvement of any kind that requires a county building permit will begin until the owner provides a copy of the permit to the Architectural Committee and has received the Committee's approval of an improvement plan.

Upon receipt of approval from the Committee, the owner, as soon as practicable, shall begin the tasks of the improvement and notify the Architecture Committee of the exact date of start up of the work. If the work is not started within 180 days from the Committee's approval date, the approval shall be deemed revoked unless the Committee receives a written request from the owner before the expiration of the 180-day period, and the Committee responds by extending the time for beginning the work.

Work Completion

The owner must complete the improvement work within 270 days after construction has begun, unless the completion is rendered impossible or would result in great financial hardship to the owner due to strikes, fires, national emergencies, natural calamities, or other supervening forces of nature beyond the control of the owner or the contractor. If the owner fails to comply with this time limit requirement, the Architectural Committee shall notify the RPOA Board of the failure, and the Board may proceed with the procedure for noncompliance with approved plans (described in the section below on Certification).

Work Hours

Work may be performed on weekdays between 7:00 a.m. to 6:00 p.m. Work on Saturdays must not begin before 8:00 a.m. and must end by 5:00 p.m. Only work of an emergency nature, such as work to prevent serious damage, is to be conducted on Sundays and the following holidays: New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving, and Christmas. Any exceptions to this schedule and any work on Sundays or holidays must have specific written Architectural Committee approval in advance.

B. Inspections of Work

Inspections of work and remedy of noncompliance items shall proceed as follows:

1. Members of the Architectural Committee will from time to time inspect developments in the improvement to determine compliance with the approved plan. Revisions may be required of any items that were not in compliance or presented during the review process of the plan.
2. Upon completing the improvement work, or related tasks, the owner shall submit a written notice of completion to the Committee.
3. Within thirty (30) days of receiving the notice of completion or the issuance of the county's Certificate of Occupancy (if necessary), the Committee, or its authorized representative, will inspect the improvement to determine whether it was completed in

compliance with the approved plan. If any noncompliance is found, the Committee shall notify the owner in writing of the noncompliance items and shall require the owner to remedy all items of noncompliance; the Committee may also notify the county.

C. Certification

A *certification* is a written certificate issued by the Architectural Committee confirming that all improvements made, and other work done on a lot comply with the DCCRs and the Architectural Rules. Any purchaser from the owner, or anyone deriving any interest in the lot through the owner, is entitled to rely on the certificate as guaranteeing that the specifications covered in the certificate are conclusive between the RPOA and all owners and persons deriving any interest through them.

Within thirty (30 days) of the completion of the improvement, the Committee shall issue an irrevocable certificate signed by any two of its members. The certificate will state that, with respect to the specified lot of the owner, the approved application, and effective date of the certificate, all improvements or work done on that lot comply with the Architectural Rules and the DCCRs in effect at the time.

Procedure to Resolve Noncompliance

This section outlines the initial steps in the procedure to resolve noncompliance. Specific procedures are laid out in the DCCRs.

In summary, if after thirty (30) days from the date of notification of noncompliance, the owner has failed to remedy the noncompliance items, the following procedure will be implemented:

- The Architectural Committee shall notify the Board in writing of the failure to comply.
- The Board shall then set a date for a hearing.
- At the hearing the owner, the Architectural Committee, and any other interested person may present information relevant to the alleged noncompliance.
- The Board shall determine whether there is a noncompliance and, if so, the nature of and the estimated cost of correcting or removing the noncompliance.

D. Contractor Requirements

The owner is responsible for the actions of contractors while working on the owner's property in The Ranch. Contractors are responsible for the actions of all of their employees, subcontractors, subcontractor employees, contractors' agents, and anyone performing work under their contracts.

Deposit and Certificate of Liability

All contractors doing work at The Ranch for which an approval is required by the Architectural Committee must provide a Certificate of Liability Insurance.

Owners with contracts of \$5,000 or more for work at The Ranch must provide a \$500 deposit payable to RPOA. For *new construction or demolition*, the deposit is \$1,500 instead of \$500. The deposit and Certificate of Liability Insurance must be received before the Architectural

Committee may grant plan approval. The deposit will be held on behalf of the RPOA until a maximum of thirty-one (31) days after the issuance of the La Plata County certificate of occupancy or the completion of the contract, whichever occurs later.

The purpose of the deposit is to cover any assessments for damage to The Ranch property or for violations of the Architectural Rules by contractors, their employees, subcontractors and their employees, contractors' agents, or anyone doing work covered under the general contract for which the deposit was made.

In the event a contractor's fine or charges for actual costs for repair of damage exceeds the original deposit amount (\$500 or \$1,500), a subsequent \$500 or \$1,500 will be required and so on until completion of the contract. In the event a contractor's deposit balance falls below 20% of the original deposit, no further construction will be allowed until the original balance is restored. Actual assessments of fines will be made at the sole discretion of the RPOA Board based on recommendations by the Architectural Committee. This deposit requirement in no way limits a contractor's liability to \$500 or \$1,500.

Rules for Contractors

The following rules have been written and will be enforced in order to ensure that the improvements at The Ranch will be performed in a safe and orderly manner with minimal disruption to neighbors and with maximum protection of property. Any violation by the contractor of the Architectural Rules may result in a minimum \$50 fine for each occurrence.

Owners are responsible for posting the List of Rules for Contractors at the work site. A copy of these rules is included in the Appendix and on The Ranch website at www.rpodurango.com. Owners are required to have the contractor read the rules and sign at the bottom of the "Contractor Agreement Form" that he/she has read and accepts them.

Rules for contractors include, but are not limited to, the following:

- No loud noise is permitted (essential power tools excepted). Radios are permitted at **minimum** volume so as not to disturb neighbors.
- Pets belonging to workers must be kept in vehicles or leashed at all times. Workers are required to clean up after their pets.
- Observe The Ranch speed limit of 15 mph on all roads.
- Provide suitable refuse containers and maintain the construction site in as neat and clean condition as possible at all times during the construction period. The location of the refuse containers should be coordinated with the Architectural Committee in advance. Workers shall clean up all trash and loose debris on the construction site at the end of each day.
- Trash and debris shall be removed from the construction site at least once per week or stored daily in a dumpster where the wind cannot disperse the debris. Food-related trash may not be placed in open containers or dumpsters and must be removed daily.

- Owners and contractors shall be responsible for damage to any Ranch property during the construction period as determined by the Architectural Committee.
- No parking on the gravel shoulders. Contractors must park in guest parking, or the owner's driveway when possible. Vehicles should not be kept running.
- Unless other arrangements are made by the owner, contractors must provide their own sanitary restroom facilities, located on the lot as far from the street as practical, during the entire construction period. The location of the restroom facilities should be coordinated with the Architectural Committee in advance.
- A minimum of one serviceable 1016 ABC-rated dry chemical fire extinguisher shall be located on the construction site in a conspicuous location.
- Flammable items must be used in a safe manner. Contractors must follow the manufacturer's guidelines for using and storing flammable items. All flammable items must be stored overnight in a locked location inaccessible to persons other than the work crew.

IV. Site Planning and Landscaping

Prior approval by the Architectural Committee must be given for the following:

- any improvements, excavation, or other work that in any way alters the exterior appearance of any lot;
- installation, change, or removal of any sprinkler systems or grading work which materially alters natural flows or involves the handling of more than ten (10) cubic yards of material, at once or in stages; and
- any change or deviation from approved improvement plans either during or after completion of construction that alters the exterior appearance of a lot or improvements.

Subsequent transfers of lots from one owner to another owner do not provide relief from the provisions of the Architectural Rules. The owner is required to make certain that a buyer of the property has read the DCCRs and the Architectural Rules and understands the buyer's responsibility to observe the conditions of the property and that a plan approval is required to make changes.

A. Setbacks and Easements

The location of each improvement must be approved in advance by the Architectural Committee, following the procedures in Section II of these Architectural Rules.

The Ranch was developed as a Planned Unit Development (PUD) as defined in the DCCRs, in several phases. Some site requirements for site planning vary according to the phase of development and style of the buildings. The following states the setbacks that The Ranch has supported historically. County laws change occasionally; therefore, the RPOA cannot guarantee that the county will uphold these historical setbacks.

- For all lots in The Ranch, with the exception of the properties defined below, there shall be a minimum side setback requirement of five (5) feet, and a twenty-five (25) foot street setback measured from the foundation of a building closest to the relevant property line to that property line, except garages which can be no closer than fifteen (15) feet from the property line bordering the right of way of any street. For LOTS added by steps described in Section 2.02 of Article II of the DCCRs, there shall be a minimum side setback requirement of ten (10) feet and a twenty-five (25) foot street setback measured from any portion of a building, excepting garages which can be no closer than fifteen (15) feet from a street right of way.
- Residential structures on Ranchette lots 7, 8, 9, and 10 are to be located *between* the street property line and the rear berm.
- Common ground: There is no setback limit against the common ground except where recorded easements apply. No permanent structures or encroachments will be permitted on such easements in the common ground. Traditionally, this rule has been interpreted to mean that an improvement on private property adjacent to the common ground may be built up to the property line.

B. Landscaping Guidelines

Initial landscape planning must be reviewed and approved by the Architectural Committee. Subsequent changes that involve planting of trees or digging require approval by the Architectural and Maintenance Committees. For such changes, the owner must take precautions to avoid disrupting utility and sprinkler lines. Owners should call 811 for a courtesy marking and clearance of utility lines.

Plantings

Each owner shall grade, landscape, and plant his/her lot within ninety (90) days after house construction is completed unless the county Certificate of Occupancy is dated after September 1. In case of the latter event, the lot shall be graded and landscaped but need not be planted until June 1st of the following calendar year. All plantings at all times shall comply with the laws of Colorado and La Plata County.

The owner shall plant trees and shrubs, if not already existing, on that part of the lot fronting on streets. The plantings shall total not less than three (3) trees of 1-1/2 inch diameter or better and ten (10) five-gallon shrubs. Trees that are not recommended include elm, cottonwood, and box elder. Russian olive trees are prohibited by The Ranch.

Xeriscaping is an acceptable form of landscaping if such plans are in keeping with the natural surroundings in The Ranch. The following are not considered to be xeriscaping materials: concrete, asphalt, rock, and artificial turf.

Each owner shall care for all shrubs, trees, grass, and planting of any kind on the lot and, in addition, keep all planted areas between the lot and adjacent streets neatly trimmed, properly cultivated, and free of trash, weeds, and other unsightly material.

Removal of Trees

In order to maintain and enhance the beauty of The Ranch, no living tree shall be destroyed or removed from any lot or common area without the approval of the Architectural Committee. The following are criteria for approval for removal of trees:

1. Space is required to access the lot.
2. Clearance is necessary for actual construction of any family residence, garage, or other approved improvement.
3. The tree poses a danger to a building.
4. The tree is dying, dead, or diseased.
5. Maintaining the health of the trees on the home site requires thinning of trees.
6. Thinning will enhance wildfire mitigation around the home site that is following a written and approved Defensible Space Plan.

C. Garages

No garage shall be converted to residential living space or any other use except uses normally associated with a garage, such as storage of vehicles, boats, campers, workbench activities, etc.

Garage doors shall be kept closed except when outside household activities requiring frequent access through such doors are being conducted. No carports are permitted.

D. Driveways

All driveways from any street to a resident's home are to be constructed of permanent hard-surfaced materials (asphalt, concrete, etc.). Any asphalt or concrete coloring must have specific Architectural Committee approval before installation. Gravel used alongside the street must be 1.5-inch washed rock spread three (3) feet wide. Larger gravel may be used with Architectural Committee approval.

E. Fences

The Architectural Committee shall review and must approve the design and materials of all fences before construction may begin. The following restrictions shall not apply to the use of fencing type materials on a temporary basis to protect trees, shrubs, and property from wildlife so long as such fencing is neither highly visible nor of an objectionable color.

Above-ground fences shall be permitted only on those lots located on the perimeters of The Ranch. (See *Appendix B.*) Fences shall not be permitted on townhouse lots or on properties situated in the interior of The Ranch. *Above-ground fences* shall not be greater than five (5) feet in height, shall be made of wood, and shall provide an open and see-through appearance. Above-ground electric fences are permitted on the Ranchette lots 7, 8, 9, and 10 to retain large animals.

No fences, including plantings such as hedges or trees which would be in the nature of a fence, shall be placed on that portion of a lot fronting on a street between a line drawn parallel to the street through the closest edge of the house or garage on the lot and the street.

Underground electronic pet fences shall be permitted on any lot.

F. Accessory Structures

Patios, decks, trellises, gazebos, storage sheds, hot tubs, and other approved improvements shall be integrally consistent with colors, materials, and architectural forms of the house and must be approved by the Architectural Committee prior to construction.

G. Structures for Animals

The Architectural Committee must approve the location and design of any building used to house animals.

H. Utility Services

All utility service lines must be underground and in accordance with governmental regulations.

V. Architectural Design Standards

The architectural design standards have been established in order to preserve the natural beauty of The Ranch setting, to promote harmonious design of the residences, and to protect the value of the property. The standards provide direction in planning any improvement and specify measurements and materials that may be used in structures and are compatible with the landscape of The Ranch. The Architectural Committee recognizes that new materials are developing that may be compatible with the style of The Ranch, and the option is open to owners to bring those to the attention of the Committee for review.

A. Size

Every single-family residence, excluding townhouses, shall not have less than 1,500 square feet of floor area devoted to living purposes and shall have a garage of sufficient size to house two automobiles. Exception to this provision shall be limited to the following:

- Ranchettes (lots 7-10) shall not have less than 1,800 square feet of living area.
- Phase II-C2 (Lots 77-88, 142-148): Minimum square footage for single-family homes will be 2,000 square feet of living area (excluding lot 76, which remains at 1,500 minimum square feet).

B. Height Limitations

Every effort shall be made to design and locate new construction and additions so as to minimize view obstruction for neighboring lot owners. Elevations of existing structures on developed and undeveloped lots must not be altered without specific prior written approval of the Architectural Committee. The maximum height of 28 feet 6 inches at the highest point is applicable to all houses except the following:

- All houses on Lots 11-25, 68-72, and 87A shall not exceed 22 feet in height.
- Height for Phase II-D1 and Phase II-D2 (lots 89-99 and 102-107) shall not exceed 22 feet at the highest point.

The base point from which all heights will be measured will be determined as follows:

- The relative elevations of the highest and lowest property markers on the property lot lines will be determined prior to any construction or other disturbance of the property.
- The elevations will be averaged.
- The difference between the average and the elevation of the undisturbed ground at the highest or lowest property marker (the one least likely to be disturbed during construction); this will be defined as the "selected property marker." The calculation will be defined as the "elevation adjustment."
- The base elevation for the measurement of the height of all buildings will be the elevation of the undisturbed ground at the selected property marker plus or minus (as appropriate) the calculated elevation adjustment.
- Height will be measured from the base elevation to the peak of the highest ridgeline.

The owner and the owner's contractor or architect must sign a document acknowledging the calculations and elevations before any excavation or other disturbance of the property is begun. If requested by the Architectural Committee, immediately prior to pouring permanent foundations, the owner and the general contractor will physically demonstrate to the Committee that the height of the poured foundation will permit the residence to be constructed within the permitted height limitation

C. Roofs (Chimneys/Outdoor Fires)

All roof pitches shall range between 5:12 and 7:12 (inches of rise per inches of run) unless otherwise approved in writing by the Architectural Committee.

In all new construction and roof replacement, roof tiles must be made of class A fire-rated roofing materials approved by the Committee. The Committee must give prior written approval of both the materials and the color before any roofing or re-roofing is begun. A list of currently permitted roofing materials may be found in Appendix A.

This list of roofing materials may be expanded to include other materials as technology improves. The Architectural Committee will undertake a review of roofing provisions approximately every three years to address technological and aesthetic evolution. An owner may bring to the Committee a request for evaluation and approval of an unlisted roofing material. The request must include supporting information about the material.

Chimneys

Chimney height and location shall meet all local building code requirements. Due to the extreme fire danger frequently present in this area, all chimneys and outdoor fireplaces must be equipped with a U.L. or I.C.C. approved spark arrestor.

Outdoor Fires

Open wood-burning outdoor fire pits are prohibited. Chimineas are not permitted in multi-residential housing such as townhomes residences. Chimineas may be used at single-family residences, but not on decks or under balconies or roofs. Only wood or charcoal may be used in chimineas, no burning of other materials. Barbecues are permitted, provided they have lids. (NOTE: This section will be included in the updated DCCRs since it deals with safety issues.)

D. Windows, Doors, and Skylights

Frames for windows, doors, and skylights must be in compatible earth tone colors as described under the heading of Exterior Colors below. The *glass* of windows, doors, and skylights cannot be highly reflective. Special consideration must be given to the effect of reflective glazing or tinting on surrounding residences. Acting like a mirror, highly reflective glass intensifies the sun's effects on adjacent buildings and even on traffic. Highly reflective window film can be very aggravating for neighbors who may become the unwilling recipients of the reflected light.

E. Heating, Ventilation, and Air Conditioning (HVAC)

Exterior Components of HVAC Units

Exterior components of HVAC units which must be placed outside the residence, such as the condenser unit, must be in a location that minimizes the noise and aesthetic impacts on surrounding owners. The location must not constitute a nuisance, and the condenser unit must have a sound rating for low decibels. The Architectural Committee must approve the location, installation plan, and operational parameters of any external unit before installation.

Window Air Conditioners

The location of any window air conditioner must be approved in advance by the Architectural Committee. Window air conditioners must not be visible from the front of the residence or from the street, and reasonable efforts shall be made to shield them from the view of neighboring property. The location of these units must not constitute a noise nuisance for neighbors.

F. Exterior Materials

Wood, cedar shingles, rock, stone, stucco, and combinations thereof, are permitted as exterior building materials. Stucco may be used on up to 20 percent of the surface. Copper may be used for accents. An owner may bring to the Committee a request for evaluation and approval of an unlisted siding material for review and approval. The request must include supporting information about the material, for example, engineered or composite wood and fiber cement (James Hardie building products).

G. Exterior Colors

On all new construction and on any changes from original colors of existing structures, owners must submit color samples to the Architectural Committee for approval before application. The colors of exterior materials must be earth tone colors to blend with the natural landscape. The intent is to preserve the appearance of the natural landscape and preclude the use of colors that would appear out of place in The Ranch landscape.

Only earth tone colors are permitted for exteriors, for example, ochres, siennas, grays, and umbers. In no case will colors approaching the primary range (red, blue, and yellow) or white be permitted. All exterior features of the building (including, but not limited to, windows, doors, screen doors, decks, fences, architectural features) shall be stained or painted in a limited number of compatible earth tone colors. Accent colors used judiciously and with restraint may be permitted.

H. Outdoor Lighting

The Architectural Committee must approve all exterior lighting. In order to ensure the rural character of The Ranch and to preserve views of the night sky, exterior lighting shall be kept to a minimum and used to provide safe entry at doors, decks, porches, and walks. The primary consideration once safety and access are satisfied shall be to make sure the lighting beams to the owner's lot and does not infringe on neighbors.

All exterior lighting shall be directed downward in a manner consistent with preserving dark skies to the maximum extent possible. Maximum wattage for exterior is 60 watts, 700 lumen, 10 watt LED, 42 watt halogen or 12 watt CFL in accordance with the attached chart. Residents are encouraged to use the minimum wattage necessary to achieve their desired effect. No mercury vapor lights are allowed.

| BRIGHTNESS IN LUMENS | | 220+ | 400+ | 700+ | 900+ | 1300+ |
|----------------------|--|------|------|------|------|-------|
| STANDARD | | 25W | 40W | 60W | 75W | 100W |
| HALOGEN | | 18W | 28W | 42W | 53W | 70W |
| CFL | | 6W | 9W | 12W | 15W | 20W |
| LED | | 4W | 6W | 10W | 13W | 18W |

Seasonal lighting must be limited to the period of November 1 through January 31 unless otherwise specifically approved by the Architectural Committee.

I. Solar Applications

Solar panels, both photo-voltaic and solar thermal panels, may be installed with the following requirements:

1. The panels must be roof mounted. No rack-mounted panels are permitted anywhere on the property.
2. The panels must be mounted parallel to the roof plane. No rack-mounted panels, for alignment with the sun, will be allowed on the roof.
3. Panels shall be black or, when technology improves, may be the same color as the roof material.

These regulations are for current 2010 technology: for photo-voltaic panels, a panel that is about 62X33X2 inches; for solar thermal panels, a panel that is about 49X84X3.5 inches.

Solar technology is changing rapidly. Other systems are currently being developed. An owner may bring to the Committee a request for evaluation and approval of an unlisted solar material. Requests must include written documentation.

J. Antennas and Satellite Dishes

Antennas and satellite dishes may be installed on an owner's premises, provided the installation has advance written approval of the Architectural Committee.

The 1996 Federal Telecommunications Act allows homeowners to install one (1) satellite dish up to one meter (39 inches) in diameter. Reasonable efforts must be made to install the antenna or dish in an inconspicuous location not visible from the street or common areas. The objective is to make it as visually appealing as possible under the circumstances and not to interfere with the required performance. This may require installation of an architecturally compatible buffer or treatment of the dish. The Committee shall make the final determination on whether any installation meets this requirement.

K. Flagpoles

The Architectural Committee must approve the design and location of permanent flagpoles. The location of flagpoles will be set to ensure reasonable visibility without adversely affecting neighbors. Please see DCCRs Article III.3.01.CC for regulations regarding display of flags.

L. Exterior Decorations

Exterior or yard decorations (for example, sculptures, water fountains, lawn ornaments) must be compatible with the natural surroundings of The Ranch. Other requirements that may be considered by the Architectural Committee prior to approval of any exterior decoration are as follows:

- Must be consistent with the character and architecture of The Ranch.
- Must not obstruct neighbors' view corridors.
- Must be of appropriate scale to the lot.
- Must be well maintained.
- Does not pose a safety hazard.
- Must consider appropriateness of visibility of decorations from Highway 550 and Ranch streets.
- Application for approval must include photo, size, location, materials, etc.
- Decorations must not be related to a retail situation.

Appendices

Appendix A. Permitted Roofing Materials (Effective as of July 15, 2019)

The following roofing materials are currently permitted (in alphabetic order by type):

Architectural Grade Asphalt Shakes (including the following and their equivalents):

- Presidential TL Shake (asphalt) by CertainTeed Corp
- Owens Corning Woodcrest & Woodmoor Collection

Architectural Grade Asphalt Shingles (including the following and their equivalents):

- Owens Corning TruDefinition Duration and Duration STORM Shingles

Manufactured Artificial Shakes (including the following and their equivalents):

- CeDUR Shakes
- DaVinci Shake
- EcoStar Seneca or Seneca Plus

Granular-coated Metal Artificial Shakes (including the following and their equivalents):

- DECRA Shake XD and Shingle XD

Appendix B. Above-Ground Fences

LOTS listed below by number are those LOTS on which above ground fences shall be permitted:

Lot# 1
Lot# 2
Lot# 3
Lot# 4
Lot# 5
Lot# 6
Lot# 7
Lot# 8
Lot# 9
Lot# 10
Lot# 76
Lot# 77
Lot# 78
Lot# 83
Lot# 84
Lot# 85
Lot# 87
Lot# 108
Lot# 109
Lot# 142
Lot# 143
Lot# 144
Lot# 145
Lot# 146
Lot# 148

Appendix C. Major Steps in the Architectural Approval Process

Step 1. Read the *Architectural Rules* thoroughly before beginning planning for an improvement.

Step 2. Request a *preliminary review* of a proposed improvement early in the owner's planning phase to obtain guidance on acceptability of concepts before spending substantial sums.

Turnaround: The Architectural Committee will respond within 30 days of receiving the request.

Step 3. Complete all items on the application form for approval of an improvement plan.

Step 4. Submit a hardcopy, in duplicate of the application form not less than 30 days before proposed startup of work. The Architectural Committee will review and contact the owner within 30 days of receiving the application regarding approval.

Step 5. Complete the improvement according to the following time schedule:

- *Startup*: Within 180 days of Committee approval
- *Completion*: Within 270 days after beginning work on the improvement.
- *Certification*: Obtain a Certificate of Occupancy from La Plata County if required and contact the Committee that the improvement has been completed. The Committee will conduct an inspection and issue a written certificate of completion within 30 days.

Appendix D
Application for Approval of an Improvement Plan
RPOA Architectural Committee

A hardcopy of this application must be filed in duplicate with the Architectural Committee not less than 30 days prior to the contemplated commencement of the project.

Owner: _____

Date: _____ Address: _____

Phone: _____ Cell: _____ Email: _____

Architect: _____ Phone: _____

Contractor: _____ Phone: _____

Proposed Construction Schedule: Start Date: _____ Completion Date: _____

If a new construction or a demolition, \$300 application fee is required. Received: _____

Contractor Certificate of Insurance Received: _____

Projected Cost of Plan:

If \$5,000 or more, a damage deposit of \$500 is required. Received: _____

If a new construction or a demolition, \$1,500 is required. Received: _____

Description of Proposed Plan (may continue on back):

The following information may be required contingent on the scope and type of the project:

- **Landscaping:** Plans showing placement of elements in relation to the house and neighbors' houses, and types and sizes of plants
- Exterior Decorations, exterior lighting and fixtures, etc.: photos of, or presentation of actual objects
- Replacements (for example, roof, siding, driveway): Specifications and samples of materials and colors
- **New Construction/Demolition:**
 - Site Plan showing to scale the location of all existing and proposed improvements
 - Floor Plans showing room layout and dimensions
 - Drawings showing all exterior elevations with horizontal and vertical dimensions
 - Specification and samples of exterior materials and colors
 - Application fee (\$300) and Owner Indemnification Form
 - Other: _____

Signature of Owner: _____ Date: _____

This Page is for Architectural Committee Use Only

Owner: _____

Address: _____

Request Number: _____

Types of Approval: The Architectural Committee will respond in writing to the homeowner's proposal within (30) days with one of the following decisions:

Approved:

Approved with the following conditions:

Disapproved for the following reasons (See Section II.D. of Architectural Rules):

Note: If required, a building permit must be obtained from La Plata County prior to beginning construction.

Architectural Committee Member: _____ Date: _____

Architectural Committee Member: _____ Date: _____

Appendix E. Notice to Contractors and Subcontractors Working at The Ranch

The following Architectural Committee Rules apply to all contractors and their subcontractors working at The Ranch. Failure to observe these rules will result in fines as provided under the Architectural Rules. Contractors are reminded that they are working in a residential area and neighbors should not be unnecessarily disturbed.

Rules for contractors include, but are not limited to, the following:

- No loud noise (essential power tools excepted). Radios are permitted at **minimum** volume so as not to disturb neighbors.
- Pets belonging to workers must be kept in vehicles or leashed at all times. Workers are required to clean up after their pets.
- Observe The Ranch speed limit of 15 mph on all roads.
- Provide suitable refuse containers and maintain the construction site in as neat and clean condition as possible at all times during the construction period. Workers shall clean up all trash and loose debris on the construction site at the end of each day.
- Trash and debris shall be removed from the construction site at least once per week or stored daily in a dumpster where the wind cannot disperse the debris. Food- related trash may not be placed in open containers or dumpsters and must be removed daily.
- Owners and contractors shall be responsible for damage to any Ranch property during the construction period as determined by the Architectural Committee.
- No parking on the gravel shoulders. Contractors must park in guest parking, or the owner's driveway when possible. Vehicles should not be kept running.
- Unless other arrangements are made by the owner, contractors must provide their own sanitary restroom facilities, located on the lot as far from the street as practical, during the entire construction period.
- A minimum of one serviceable 1016 ABC-rated chemical fire extinguisher shall be located on the construction site in a conspicuous location.
- Flammable items must be used in a safe manner. Contractors must follow the manufacturer's guidelines for using and storing flammable items. All flammable items must be stored overnight in a locked location inaccessible to persons other than the work crew.
- Work hours are:

| | |
|-----------|---|
| Weekdays | 7:00 AM – 6:00 PM |
| Saturdays | 8:00 AM – 5:00 PM |
| Sundays | NO WORK |
| Holidays | NO WORK (New Year's Day, Memorial Day, 4 th of July, Labor Day, Thanksgiving, Christmas) |

THIS NOTICE MUST REMAIN POSTED AT THE JOB SITE.

Appendix F. Contractor Rules Agreement

The following Architectural Committee Rules apply to all contractors and their subcontractors working at The Ranch. Failure to observe these rules will result in fines as provided under the RPOA Architectural Rules. Please remember that you are working in a residential area and neighbors should not be unnecessarily disturbed.

Rules for contractors include, but are not limited to, the following:

- No loud noise (essential power tools excepted). Radios are permitted at **minimum** volume so as not to disturb neighbors.
- Pets belonging to workers must be kept in vehicles or leashed at all times. Workers are required to clean up after their pets.
- Observe The Ranch speed limit of 15 mph on all roads.
- Provide suitable refuse containers and maintain the construction site in as neat and clean condition as possible at all times during the construction period. Workers shall clean up all trash and loose debris on the construction site at the end of each day.
- Trash and debris shall be removed from the construction site at least once per week or stored daily in a dumpster where the wind cannot disperse the debris. Food- related trash may not be placed in open containers or dumpsters and must be removed daily.
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- Work hours are:

| | |
|-----------|---|
| Weekdays | 7:00 AM – 6:00 PM |
| Saturdays | 8:00 AM – 5:00 PM |
| Sundays | NO WORK |
| Holidays | NO WORK (New Year's Day, Memorial Day, 4 th of July, Labor Day, Thanksgiving, Christmas) |

I have read and agree to abide by the above Architectural Rules while working at The Ranch.

Contractor: _____ **Date:** _____

Appendix G. Owner Indemnification Form

A. The Ranch Property Owners Association, Inc., a Colorado nonprofit corporation (the “Association”) permits certain construction activity to be conducted on Lots within The Ranch (referred to generally as “Construction Activities”) pursuant to the terms and conditions of the Association’s governing documents, specifically the Association’s Architectural Rules.

B. _____ (“Owner”) desires to participate in said Construction Activities on Lot _____ (Address and Number).

C. As an inducement for the Association to approve the Construction Activities requested by Owner, Owner agrees to the terms and conditions of this indemnification and release.

NOW THEREFORE, in consideration of good and valuable consideration and the mutual covenants set forth herein, the undersigned agrees as follows:

Indemnification. Owner shall indemnify and save harmless the Association and its agents, members, officers, directors, successors, and assigns, from any and all suits, actions, claims, judgments, obligations, or liabilities of every nature and description (including bodily injury and property damage) which are caused by, or arise from, the Construction Activities of Owner and its heirs, successors, contractors, employees, or assigns. Owner shall pay any and all judgments rendered against the Association and its agents, members, officers, directors, successors, and assigns on account of any such suit, action, or claim together with all reasonable expenses and attorney’s fees incurred by the Association and its agents, members, officers, directors, successors, and assigns in defending such suit, action, or claim.

Release. Owner, for itself, its heirs, successors, contractors, employees, or assigns, hereby releases and forever discharges the Association and its agents, members, officers, directors, successors, and assigns, from any and all claims, actions, causes of action, suits, debts, accounts, covenants, contracts, controversies, agreements, promises, and demands of any kind or nature whatsoever, known or unknown, arising out of and in connection with Owner’s Construction Activities.

This release and indemnification is governed by Colorado law and constitutes a binding contract to the fullest extent permitted under law. If any portion of this indemnification is deemed to be unenforceable, the remaining terms shall be an enforceable contract between the parties.

Executed this _____ day of _____ 20__.

OWNER:

(signature) Date: _____

Printed Name: _____