

Edgemont Ranch Unit 1
Edgemont Property Owners' Association (EPOA)

DESIGN REVIEW BOARD (DRB)
DESIGN REGULATIONS
HANDBOOK

La Plata County, Colorado
Revised and Adopted August 10, 2021

There are two sub-associations within Edgemont Ranch Unit 1, The Bluffs and Victorian Village (VV). Their design regulations can be found on the Edgemontranch.com website. The design criteria within these two sub-associations take precedence over regulations in this Handbook.

The Comprehensive Amended Declaration of Covenants, Conditions and Restrictions (CC&R's) dated March 6, 2013, contain additional governing rules and regulations.

5972 County Road 234, Durango, CO 81301
(970) 259-3102 Fax (970) 259-9870

Design Regulations Handbook Fees and Fines Schedule

Copies of the Comprehensive Amended Declaration of Covenants, Conditions and Restrictions (CC&R's) for Edgemont Ranch Unit 1 and Design Regulation Handbook\$15.00 per copy.

Copies are available at the EPOA Metro Office or on-line at Edgemontranch.com.

Final Plan Approval Fee.....\$500.00

**Fine for Construction Continuity Violations.....\$50.00 per day
(Approved by the EPOA Board March 15, 2016)**

Additional Inspections for home completion beginning with third inspection.....\$100.00 per inspection
Process and Fine for not requesting an exterior project that requires DRB approval: Once the homeowner is notified of the violation, they will be required to submit an application within one week on the Exterior Project Form for the work which has been performed; if the application is not submitted within one week, there will be an initial \$250 fine plus subsequent fines of \$250/month until the application is submitted. If the application is subsequently denied by the DRB, the owner will be given a reasonable timeframe to correct the denied portion of work. Should that not happen, a fine of \$50 per day will be imposed until the work is corrected and accepted by the DRB.

Process and Fine for proceeding with an exterior project that was previously denied by DRB: If an exterior project application was denied by the DRB, but the project work was performed anyway, the Initial fine will be \$250.00 upon discovery of the violation and \$50 per day until corrected.

Refer to CC&R's Policy 5 for authority to enforce fines.

This Fee and Fine Schedule applies to all sub-subdivisions, within the Edgemont Ranch Unit 1, including The Bluffs and Victorian Village.

Edgemont Ranch Unit 1 Property Owners' Association
5972 County Road 234 Durango, CO 81301
Telephone: 970-259-3102 Fax: 970-259-9870

**Design Review Board (DRB)
Check List**

Applicant's Name, Lot Number, Lot Address, Mailing Address, Phone Number and Email address.

DRB will verify applicant has a copy of the CC&Rs and the DRB Handbook.

Applicant will provide the following to the DRB for review and approval:

1. Two sets of scalable building plans, **stamped** by a Colorado structural engineer.
 - a. Minimum finished living area of 2,250 square feet unless specified in other sub-associations, not including unfinished basement, garage, porches and balconies or out buildings.
2. Two sets of scalable site plans, **stamped** by a licensed Colorado surveyor or architect.
 - a. All set-back dimensions.
 - b. Road access.
 - c. Driveway and parking details.
 - d. Culvert Size.
 - e. Utility and communication conduit lines.
 - f. Apron dimensions.
 - g. Any construction not part of house plans.
 - h. Trees to be removed. (Tie ribbons around trees for pre-excavation inspection).
 - i. Any unusual topographic features.
 - j. A north arrow.
3. Two landscape plans and timetable for completion within nine months of occupancy.
4. Play equipment, pools, above-ground pools, spas and hot tubs to be included in the landscape plan.
5. Material samples of exterior building finishes.
6. Builder's name, address and phone number.
7. Certificate of General Liability Insurance from builder naming Edgemont Property Owners Association (EPOA) and Edgemont Ranch Metro District (ERMD).
8. Certificate of Workmen's Compensation from builder naming EPOA and ERMD.
9. Site improvement survey when foundation forms are in place and before concrete is poured. This shall be performed by a licensed surveyor. The surveyor will submit a **stamped** plan confirming the foundation is within all building set-backs.
9. Construction schedule.
10. Plan Approval check for \$500.

All items required should be delivered to the EPOA office a minimum of **ten** (10) business days prior to the regularly scheduled DRB monthly meeting.

The DRB to advise applicant the status within **thirty** (30) days.

The DRB to stamp and return one set of each plan to applicant.

Applicant and builder to sign two affidavits stating they have read and understand the CCR's for Edgemont Ranch Unit 1 and the Edgemont Ranch Unit 1 Property Owners' Association Design Regulations Handbook. A copy of the signed affidavit will be returned to applicant.

Applicant **must** deliver a copy of LaPlata County building permit and State electrical permit to the DRB before construction begins.

Edgemont Ranch Unit 1 Property Owners' Association

Design Review Board (DRB)

Plan Review Checklist

Lot Number _____
Address _____
Owner/Co-Owner Name: _____
(If Applicable) Address: _____
Telephone Number: _____

Builder: **Name:** _____
Address: _____
Telephone Number: _____

Architect: **Name:** _____
Address: _____
Telephone Number: _____

Structural Engineer: **Name:** _____
Address: _____
Telephone Number: _____

Scalable Plans:	Accepted/Rejected
Square Footage (bi-level) _____	_____
Exterior Colors _____	_____
Trim Colors _____	_____
Roof Material Color _____	_____
Veneer/Colors _____	_____
Entry Door _____	_____
Garage Door _____	_____
Building Height _____	_____
Site Plan:	
Setback Dimensions _____	_____
Any Out Buildings _____	_____
Road Access/Driveway _____	_____
Utility Lines Location _____	_____
Proposed Drainage _____	_____
Trees to be removed _____	_____
Submittal Fee _____	_____
Certificate from Surveyor _____	_____
Landscape Plan* _____	_____
Liability Insurance _____	_____
Start Date _____	_____
Estimate Completion Date _____	_____

*May be submitted within 90 days after Occupancy Certificate from La Plata County. Work must be completed within nine (9) months of Occupancy Certificate.

DRB Members:

Name

Signature

Date

Owner

Builder

Edgemont Ranch Unit 1 Property Owner's Association.
Design Review Board (DRB)
EXTERIOR PROJECT FORM

Date _____

Application for Projects:

Lot Number _____

Owner Name _____

Co-Owner Name _____

Address _____

Remodel **Exterior** Only

- ___ Addition to the home
- ___ Window replacement with color change
- ___ Landscape, grading and rock walls changes
- ___ Fence Requests including invisible fences
- ___ Outdoor Play Equipment
- ___ Pools (in-ground and above-ground), spas and hot tubs
- ___ Exterior Paint Changes
- ___ Roof Color Change
- ___ Sheds (Out Buildings)
- ___ Patio Covers
- ___ Other _____

Description of Proposed Project / Anticipated Start and Completion dates:

Attached Documents and Drawings:

Failure to request approval from the DRB for projects listed above may result in fines being imposed according to the rules in the CC&R's.

Edgemont Ranch Unit 1 Design Regulations - Residential

1. Purpose of Design Regulations

The Edgemont Ranch Residential Design Regulations are established to create and preserve an attractive, enjoyable residential community. Design review is intended to establish and preserve harmonious design and to protect the value of property within the community. The benefits of design review to the investor and homeowner are, therefore, both economic and aesthetic.

The specific objectives of the Edgemont Ranch, Unit 1, Design Review processes are as follows:

To preserve and protect the beauty of the natural environment within the Edgemont Ranch, Unit 1.

To promote protection of views, sun exposure and privacy by proper site planning with neighboring structures.

To promote a harmonious relationship of buildings, landscape, topography, vehicle and pedestrian circulation and overall community design.

2. Authority of Design Review Board (DRB)

The EPOA is hereby exercising its authority, pursuant to the Comprehensive Amended Declaration of Covenants, Conditions and Restrictions (CCRs) for Edgemont Ranch Unit 1 recorded in the office of the La Plata County. The CCRs establish rules, procedures, standards, guidelines and requirements including, without limitations, architectural design and design regulations and guidelines, which shall govern the review and approval or disapproval of proposed improvements within the Edgemont Ranch Unit 1 and proposed builders of such improvements, and other matters provided for therein. The DRB shall consist of a minimum of three (3) members who may be owners of lots in the Edgemont Ranch Unit 1. All members of the DRB shall be appointed and removed from time to time by the EPOA Board of Directors at its sole discretion.

The Board of Directors may make such amendments and additions to the Design Regulations as the Board deems necessary or appropriate from time to time to accomplish the purposes of (and as are not in conflict with) the Comprehensive Amended Declaration and of any pertinent Supplemental Declaration and to ensure the orderly and attractive development of the Edgemont Ranch Unit 1.

DRB regulations and rules will be enforced per the CC&R's section 4.21 Enforcement.

No construction of, or alterations to, any improvements, whether temporary or permanent, including but not necessarily limited to buildings, fences, walls, pools, above ground pools, spas, sheds, playground equipment, patio covers, earthwork, paving, vegetation, signage, or secondary structures such as utility or trash enclosures, shall be commenced on any lot or tract in the Edgemont Ranch Unit 1, as described in the CCRs for Edgemont Ranch Unit 1, prior to receiving the written approval of the DRB. The provisions of this paragraph shall not be interpreted to allow any temporary structure prohibited by the CCRs.

Interior modifications and/or improvements that do not alter the exterior appearance of a building or other site improvements shall not require the approval of the DRB.

3. **Edgemont Ranch Unit 1 Design Theme**

The Edgemont Ranch Unit 1 Design Theme is directed at establishing a strong image and "sense of place" for the community within its mountain setting. Compatibility of design within limits of individual expression will foster a sense of visual harmony and lasting value.

4. **Governing Regulations**

4.1 The DRB shall have the right to require a licensed architect and structural engineer to be utilized for the design of any structure to be constructed or located within the Edgemont Ranch, Unit 1.

4.2 4.2 All builder or owner/builders shall meet the following requirements:

4.2a Builder

- Must provide proof of insurance for general liability of a minimum amount of \$1,000,000.
- Must provide three references from the three most recently completed homes.
- Must provide proof of at least five full years of experience in residential home construction with the last three having been served in the capacity of a general contractor or job superintendent with the full responsibility for overseeing all aspects of the home construction.

4.2b Owner/Builder

An Owner/Builder shall meet the same requirements as the builder except that the business license is not required and the liability insurance can be job specific. If an owner/builder cannot meet these requirements and they still want to act as owner/builder then they must submit for approval a copy of a Construction Management Contract with an individual or company that is approved as a builder. This contract must provide, at the minimum, that the construction manager will supervise, advise and manage the job on an on-going basis in a capacity that the DRB determines will provide enough guidance and direction to complete the job according to the plans, quality and timeframe of the approvals.

4.3 In addition to the Residential Design Regulations, Local, County, State, and Federal regulatory agencies having jurisdiction will regulate building. The owner or his agent shall be responsible for conformance with any applicable regulations and should check with the La Plata County Building Department to verify that the most recent adoption edition of any applicable regulation is being used.

4.4 Lots on the Ranch are serviced by central water and sewer that are operated and maintained by the Edgemont Ranch Metropolitan District (ERMD).

Confirmation of the availability of utilities at the building site needed for County Building Permit application will be made at the time of Final Plan Approval by the DRB.

4.5 Preliminary and/or final plans must be submitted to the EPOA Board in writing with complete information and fee as specified in the "Checklist for Building. These should be submitted to:

Mailing Address: Edgemont Ranch Design Review Board
5972 County Road 234, Durango, CO 81301

Or Drop Off To: EPOA/ERMD Office
5972 County Road 234, Durango, CO 81301
Hours M-F 9AM to 1PM

5. **Design Regulation References**

Comprehensive Amended Declaration of Covenants, Conditions and Regulations For Edgemont Ranch Unit 1, recorded with the La Plata County Clerk and Records Office. Articles 3 and 4 are especially important.

Design Regulations Handbook. Design guidelines in the Handbook should be consulted to understand the elements that the DRB will consider for individual plans.

Edgemont Variances. The Edgemont Ranch Unit 1 Property Owners' Association Board of Directors may allow reasonable variances if they are not in conflict with the County regulations and have been recommended by the DRB.

Variance requests of items in the La Plata County applicable codes, or the building official's interpretation of codes, must be appealed to the La Plata County Board of Appeals. Inquire at the County Building Inspection Department for procedures.

Edgemont Ranch, Unit 1

Contractor Information

Edgemont Ranch Unit 1 Property Owners Association (EPOA) (970)259-3102

Owners/Contractors must comply with all DRB rules and regulations. See Checklist for building in Edgemont Ranch, Unit 1 on the following pages).

Edgemont Ranch Metropolitan District (ERMD) (970) 259-3102

Owners/Contractors must apply at the office of the ERMD for water and sewer services prior to construction.

A Final Plan Approval must be obtained from the DRB prior to ERMD utility approval.

La Plata Electric Association (970) 247-5786

La Plata County Building Department (970) 382-6250

EDGEMONT RANCH UNIT 1 PROPERTY OWNERS' ASSOCIATION REQUIREMENTS FOR BUILDING

The following is a checklist for all lot buyers and homebuilders on the requirements for submitting plans to the Design Review Board (DRB) of the Edgemont Ranch Unit 1 Property Owners' Association (EPOA).

- I. PRELIMINARY PLAN APPROVAL** – The owner must submit applicable documents listed below for specific areas to be reviewed by the DRB.
- I.1. Name, Lot Number, address, email addresses, telephone numbers of owner, contractor, designer and architect.
 - I.2. Two sets of scalable plans and building specifications for residence.
 - I.2.1 Minimum living area of 2,250 square feet, unless specified otherwise in other sub-associations, not including unfinished basement, garage area, porches, balconies or out-buildings.
 - I.2.2 Building height restrictions: No residence or other structure within Edgemont Ranch Unit 1 shall exceed thirty-five (35) feet in height measured from average elevation of the natural grade along the perimeter of the structure to the peak of the roof (or a lesser height if so restricted by applicable building codes).
 - I.3. Two site plans, which include:
 - I.3.1 Set back dimensions.
 - I.3.2 Any out buildings or other structures not part of the residence.
 - I.3.3 Road access.
 - I.3.4 Utility line locations.
 - I.3.5 Proposed drainage systems.
 - I.3.6 Existing trees to be removed.
 - I.3.7 A North arrow.
 - I.3.8 Any unusual topographic features.
 - I.4. Two Landscape Plans and Timetable.
 - I.5. A check for the fee, as outlined in the Fee Schedule adopted by the Board of Directors, payable to the Edgemont Ranch Property Owners' Association.
 - I.6. A Lot survey plan, performed by a licensed surveyor, showing the property corners and perimeter of the structure indicating that it is in accordance with EPOA regulations. Set backs must be submitted the DRB **prior** to excavation of the site.
 - I.7. The applicant is advised that it is a La Plata County condition of Plat 1 at Edgemont Ranch that a Geotechnical Exploration and soil testing be performed for each individual lot at Edgemont Ranch Phase 1, copies of report submitted to DRB.

II FINAL PLAN APPROVAL must be obtained prior to application for a La Plata County Building Permit or an Edgemont Ranch Metropolitan District utility agreement. The following documentation is required:

- II.1. If a Preliminary Plan Approval was not requested, all items required for such approval must be included except the check.
- II.2. **Two stamped sets** of complete scalable building plans with construction details to meet or exceed the La Plata County Building Code.
- II.3. **Two Site plans, stamped by a licensed surveyor** showing:
 - II.3.1 All set back dimensions.
 - II.3.2 Driveway and parking area details (a 6' minimum radius is required where the driveway meets the road pavement.)
 - II.3.3 Culvert size (diameter to suit drainage area and approved by the ERMD).
 - II.3.4 2" diameter PVC Schedule 40 conduits are to be placed approximately 34" below the finished driveway grade level and 12" toward the house from the culvert for future utility service.
 - II.3.5 An asphalt or concrete apron (minimum 3" thick and 15' long) must be provided between the road and the driveway if the balance of the driveway is not paved.
 - II.3.6 Any construction not a part of the house plans.
 - II.3.7 A North arrow.
 - II.3.8 Existing trees to be removed.
 - II.3.9 Any unusual topographic features.
- II.4. **Two** Landscape plans and timetable.
- II.5. Material samples, color charts, and/or descriptive brochures showing exterior wall, rock, paint and roof materials, windows and exterior doors.
- II.6. A Certificate of General Liability Insurance with a limit of liability not less than \$1,000,000 combined single limit (CSL) naming the Edgemont Ranch Property Owners' Association, Edgemont Ranch Metropolitan District, as certificate holders, and a Certificate of Workman Compensation Insurance, listing the Edgemont Ranch Property Owners' Association, Edgemont Ranch Metropolitan District, as certificate holders.
- II.7. Construction schedule. The schedule shall show as a minimum a bar chart schedule showing major construction phases, milestones and completion dates.
- II.8. A check for the fee, as outlined in the Fee Schedule adopted by the Board of Directors, payable to the Edgemont Ranch Property Owners' Association.
- II.9. Lot owner and builder must sign two affidavits, stating they have read and understand the Comprehensive Amended Declaration of Covenants, Conditions and Restrictions for Edgemont Ranch Unit 1 and the Edgemont Ranch Unit 1 Property Owners' Association Design Regulations Handbook a copy to be returned to applicant.

The DRB will review the materials submitted and will advise the applicant within 30 working days of receipt of complete documentation, unless such time period is extended by mutual written agreement. The decision shall be in writing and if the decision is not to approve the proposed improvements or

builder, the reasons therefore shall be stated. The decision of the DRB shall be promptly transmitted to the owner at the address furnished by the owner to the DRB.

The DRB will mark and date the plans and documents to indicate Final Plan Approval and return one set to the applicants. The second set will be retained in the DRB files.

The Edgemont Ranch Metropolitan District will not take any action to confirm utility availability or make any hook-up until a Final Plan Approval is made.

If the DRB is unable to approve the application for Preliminary or Final Plan Approval, the applicant may request a meeting to resolve the issues.

In the event the DRB is not able to approve the plans after meeting with the applicant, the applicant may appeal to the EPOA Board of Directors for a variance.

NO EXCAVATION OR CONSTRUCTION MAY BE STARTED UNTIL DRB FINAL PLAN APPROVAL HAS BEEN OBTAINED AND COPIES OF REQUIRED BUILDING PERMITS ISSUED BY THE APPROPRIATE FEDERAL, STATE AND COUNTY AGENCIES ARE DELIVERED TO DRB.

III. AFTER FINAL PLAN APPROVAL

- III.1. **VALIDITY.** The issuance or granting of Final Plan Approval shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of these Design Regulations - Residential. No permit presuming to give authority to violate or cancel the provisions of these Design Regulations - Residential shall be valid.

The issuance of a Final Plan Approval based upon plans and specifications shall not prevent the DRB from thereafter requiring the correction of errors in said Final Plan Approval or from preventing building operations being carried on thereunder when in violation of these Design Regulations for Residential Structures per the Comprehensive Amended Declaration of Covenants, Conditions and Restrictions For Edgemont Ranch Unit 1 or the Bylaws of Edgemont Ranch Unit 1 Property Owners Associations.

- III.2. **LAPSE OF DESIGN REVIEW APPROVAL.** Following the approval of any proposed improvements and approval of the builder by the DRB for single family lots, the proposed improvements shall be completed by the lot owner using the approved builder: (a) as promptly and diligently as possible but not ever in excess of the time periods set forth below; (b) in compliance with the Design Regulations and with all applicable laws, regulations and codes, (c) in strict conformance with all plans and specifications and other materials presented to and approved by the DRB; and (d) in accordance with any and all conditions imposed by the DRB. All improvements approved by the DRB shall be completed, including issuance of a Certificate of Compliance and the removal of all construction equipment, materials and debris within **18 months** from the issuance of a building permit. Provided, however, that any and all landscaping and/or gardening approved by the DRB which is related to the initial construction of a residence on a lot shall be completed no later than **9 months** immediately following the issuance of the Certificate of Compliance for such residence. Failure to comply with the terms and

conditions of this shall constitute a non compliance with the terms and provisions of the Comprehensive Amended Declaration and the DRB and/or the Board of Directors shall have the right to invoke all rights and remedies provided to them, including but not limited to, the imposition of fines and penalties to be determined by the EPOA Board of Directors (see also Policy 5 in the CC&R's).

III.3. CONSTRUCTION REGULATIONS.

III.3.1 **Permits.** Construction shall not commence until Final Plan Approval has been **received from the DRB and copies required from Federal, State and County Agencies or** Departments are received by the DRB. Once started, Construction should proceed in an expeditious manner and shall be complete within 18 months of issuance of a building permit. If the permit is issued for a remodel which includes exterior additions and the value is less than \$50,000, the project will be completed within 12 months of issuance of a building permit and DRB approval.

III.3.2 **Pre-Construction Inspection.** The inspection process is designed to assure that projects are built in accordance with the Final Plan Approval. The inspection process includes the following steps:

III.3.2.1 **Site Preparation.** Owner/contractor will request a site inspection by the DRB prior to commencement of excavation to check property boundaries and building location per stamped surveyed plans.

III.3.2.2 **Tree Removal & Protection.** Prior to commencement of excavations, owner/contractor shall identify with surveyor's ribbon all trees to be removed. Trees to be removed shall be inspected by an authorized DRB member or representative. At this time, trees to be protected by fencing shall be identified. Excavation shall not commence until this process has been completed.

IV. **DESIGN CRITERIA**

IV.4.1 **Setbacks and Building Placement:** All buildings on all residential lots shall be set back at least 25 feet (25') from the side, 25 feet (25') from the rear, and 50 feet (50') from the front lot line, unless specified otherwise in sub-associations platting. The "Front Lot Line" is defined as that lot line abutting a P.U.D. dedicated road. On corner lots, the side yard, which faces a street, is to be set back a minimum of 50 feet (50'). Variances will be considered for unusual terrain features or if excessive tree removal is caused by setbacks.

IV.4.2 **Building Masses:** In all cases, building masses, forms and roof lines shall conform to and with existing contours, unless it conflicts with solar access or snow shedding.

IV.4.3 **Height Limitation:** No residence or other structure shall exceed thirty-five (35') feet in height measured from the average elevation of the natural grade along the perimeter of the structure to the peak of the roof (or a lesser height if so restricted by applicable building codes).

- IV.4.4 **Floor Area:** No building containing one or more residential living units shall be permitted or created on any site with a gross residential floor area of less than 640 square feet for multi-family units and 2,250 square feet, unless specified otherwise in sub-associations excluding unfinished basement areas, garage and porch areas, for single-family units, unless an exception to this provision is granted by Board of Directors due to special features of a particular site or for other reasons.
- IV.4.5 **Driveways:** Stabilized and permanently surfaced gravel, concrete, or asphalt driveways and parking areas are required. The use of stable materials impervious to water is encouraged. Where necessary to control erosion and washouts, all surface driveways and parking areas shall be constructed with approved edges. Materials used to create special paving patterns are subject to DRB approval. All property owners shall construct an asphalt or concrete apron off of the interior roads into and adjacent to their property for a distance of at least 15 feet. Said asphalt shall be at least three inches (3") thick. A six foot (6') minimum radius is required where the driveway meets the road pavement. Generally, no more than one driveway shall be allowed on any parcel of property, the footage of which is less than 100 feet (100'). Additional entrances or exits for parcels of property having frontage in excess of 100 feet (100') shall be permitted only after showing actual convenience and necessity. Construction of parking or service areas on the right-of-way is specifically prohibited. All driveways and approaches shall so be constructed that they shall not interfere with the drainage system of the street or roadway. Property owners shall be required to provide, at their own expense, drainage structures at entrances and exits, which are an integral part of the existing drainage system. The ERMD manager, prior to installation, must approve the dimensions of all drainage structures. Minimum culvert size is 12 inches (12"). Minimum cover over culvert is 8 inches (8"). In no case shall a driveway permit drainage onto the Metro road. The property owner shall assume responsibility for the removal or clearance of snow, ice or sleet upon any portion of the driveway approach even though deposited in the course of the ERMD snow removal operations.
- IV.4.6 **Roofs:** All roofs shall be of a Class A rating roof material and shall be of a material, color and texture approved by the DRB. No maximum or minimum pitch is specified except that wood shake roofs shall have a minimum pitch of 4:12. However, approval of roofs shall be based on the visual impact of the roof from the neighboring sites, dwellings, roads and common areas and its suitability to the climatic conditions in the area. Shiny or brightly-colored roofs are specifically prohibited. DRB may require that roofing materials be fireproof.
- IV.4.7 **Windows and Doors:** All exterior windows and doors and their frames shall be of an approved color and finish. Aluminum windows, doors and screen frames will not be allowed unless they have a colored finish. There shall be no natural aluminum finish. All exterior window and glass doors shall contain double-glazing, and shall be of a type designed to provide good insulation, as determined by the Federal Energy Requirements.
- IV.4.8 **Materials and Colors:** The use of natural types of materials, such as wood and stone, are encouraged; however, brick and stucco will be permitted only after careful review and approval by the DRB. The colors of materials shall be generally subdued to blend with colors of the natural landscape. Earth tones are recommended, although discreet use of

occasional accent colors will be permitted. All exposed shiny metal such as flashings, chimney caps, gutters, roofs, etc., shall be painted or coated to blend with the structure.

IV.4.9 Towers and Antennae: No radio, television or other antennae of any kind or nature, and no device for the transmission or reception of audio, microwave, visual or other signals, including without limitation satellite dishes or receivers, shall be erected, placed or permitted to remain upon any lot or common area except with the prior written approval of the DRB, and then must be adequately concealed from view by fencing or screening approved by the DRB, except satellite dishes not exceeding eighteen (18) inches in diameter which are authorized but must also be reasonably concealed from view.

IV.4.10 Insulation: All single-family residences shall have a minimum insulation as required by the Federal Energy Requirements.

IV.4.11 Solar Hot Water and PV Panels: Any structure or residence within the Edgemont Ranch Unit 1 may be constructed in a manner capable of facilitating solar hot water collectors and PV panels, subject to other provisions of this Handbook.

IV.4.12 Landscaping: The purpose of the **EPOA Design Regulations** is to maintain the natural appearance of the subdivision.

IV.4.13 Wildfire mitigation should be considered in the design and landscaping of the site.

The DRB requires complete landscaping plans, including but not limited to, a complete list of plants.

Owners and their representatives or builders will be required to:

- IV.4.13.1 Minimize site disruption from grading.
- IV.4.13.2 Revegetate and restore ground cover for erosion control and appearance.
- IV.4.13.3 Use indigenous species of plant material.
- IV.4.13.4 Select man-made elements that are not shiny or reflective but blend into and are compatible with the land.
- IV.4.13.5 Use existing or natural drainage paths whenever possible.
- IV.4.13.6 Consider and provide for snow storage and surface water runoff.
- IV.4.13.7 Conserve and protect topsoil, vegetation, rock formation and unique landscape features.
- IV.4.13.8 The lawn area for single-family homes shall be no more than the total gross square footage of the living area of the home.

IV.4.13.8.1 No more than 200 square feet of lawn for each multi-family unit.

IV.4.13.8.2 The above maximum areas shall not include landscaping other than lawn, but in no event shall irrigated landscaped areas exceed 300% of the allowable irrigated lawn area.

IV.4.13.8.3 All excavated and new soils brought to building site should be sprayed with a total vegetation killer to prevent weeds.

IV.4.13.9 Water landscaping may be permitted, after a **detailed plan** is submitted to the DRB and approved. General guidelines are:

IV.4.13.10 Waterscape cannot exceed 15% of total landscaped area.

IV.4.13.11 The maximum depth may not exceed 20 inches.

IV.4.13.12 The Waterscape area must be lined.

IV.4.13.13 A circulating pump must be installed and running to prevent stagnant water.

IV.4.13.14 Total gallons of water used shall not exceed 1000 gallons.

IV.4.13.15 Location of propane tank, description and style of fence to enclose tank.

IV.4.14 **Fences:** No fence, wall or similar barrier of any kind shall be constructed, erected or maintained on any lot unless approved by the DRB. Fencing of an entire lot is prohibited and no fences shall be erected more than fifteen feet (15') from any residential structure or any residential lot and only along one side. Chain link or chicken wire fences shall not be permitted. No fence shall be greater than four feet (4') in height in single-family areas and no fence shall be greater than six feet (6') in height in multi-family areas.

IV.4.15: Invisible fences are allowed. Invisible boundaries must be submitted to the DRB for approval. Invisible fences will be installed a minimum of 10 feet (10') from the front property line and a minimum of 5 foot (5') from the side property lines.

IV.4.16 Pools, spas, above ground pools and hot tubs shall conform to the CC&R and guidelines.

V. **GENERAL GUIDELINES**

The EPOA and the DRB reserve the right to make and enforce regulations concerning trash removal and disposal, access to the development and its resources, construction crew behaviors, etc., some of which are:

V.5.1 **STREETS.**

V.5.1.1 Debris tracked onto the streets by construction shall be cleaned up on a daily basis.

V.5.1.2 Please contact ERMD before doing any work in the street right of ways.

V.5.1.3 No building material or construction equipment shall be stored on or adjacent to the roadways.

- V.5.1.4 Contractors are responsible for paved road load limits.
- V.5.1.5 All contractors, construction crewmembers, sub-contractors, etc., are required to obey the posted speed limits within the Edgemont Ranch Unit 1.
- V.5.2 **FIRE HYDRANTS.** Fire hydrants are NOT to be used as a water source at any time. Water is available after a meter and pit is installed and an account is opened with the ERMD.
- V.5.3 **NOISE AND HOURS.** Blasting, heavy equipment operations and other loud noises from construction shall be prohibited between 6:00 P.M. and 7:00 A.M. All blasting will require prior written approval of the DRB. The owner/owner's agent shall take necessary precautions and notify adjacent property owners, local traffic, pedestrians, etc., prior to blasting.
- V.5.4 **TRASH CONTAINMENT AND REMOVAL.** Trash, construction debris, tree stumps or limbs, etc., shall be kept in containers of a type that has been approved by the DRB. Containers shall be emptied on a regular basis to insure sufficient room to store trash at the end of each working day. It shall be the responsibility of the general contractor to remove and dispose of, at an authorized county landfill, any excess trash and construction debris. Storage of trash and construction debris outside of an approved container shall not be permitted under any circumstances. No open burning is permitted on the residential property.
- V.5.5 **ADJACENT PROPERTY.** All construction equipment and activity including stockpiling of materials and topsoil must be kept within perimeter of the lot unless written authorization is received from the DRB. Any adjacent property including roads or common grounds damaged during construction shall be promptly restored and revegetated to the satisfaction of the DRB. If such restoration is not completed promptly, the DRB will contract for the improvements with all costs charged to the person in whose name the Final Plan Approval was issued.
- V.5.6 **TEMPORARY STRUCTURES.** Sanitary facilities must be furnished and maintained by the contractor during the construction period. A small job office or trailer may be located on the site during the construction period. The job office must be removed from the site prior to receiving the Certificate of Occupancy from the La Plata County Building Department. Any temporary structures must be approved by the DRB prior to placement of same on any lot.
- V.5.7 **EROSION CONTROL.** All disturbed areas of the site shall be protected from erosion during and after the construction period. Erosion control means measures must be taken during construction to insure soil stabilization, sediment control, and timely revegetation. The owner shall require the contractor to implement all erosion control techniques in the Final Plan Approval. Of particular importance are the reduction of soil erosion and the control of transported sediment.
- V.5.8 **No pets or construction crew children at construction site at any time.**

V.5.9 In the event a conflict exists between any provision of these regulations and the Covenants, the provisions of the Covenants shall control.

ENFORCEMENT: The requirements and provisions of these regulations shall be enforceable in accordance with the rights and procedures set forth in Article 4 Design Review Board and Article 12 paragraph 4 of the Covenants. The EPOA will fine owners for violations of the General Guidelines listed above. In the event that the owner is notified of the violation and does not rectify the situation, the EPOA may perform the necessary work and the owner will be billed for the work performed.

VI. COMPLETE INSPECTION.

Upon the completion of any improvements for which plans and specifications and a builder have been approved by the DRB, the owner or approved builder shall submit to the DRB a written application for a Certificate of Compliance, on a form to be provided by the DRB, which application shall certify that the improvements have been completed in accordance with the plans, specifications and conditions approved by the DRB and with the Design Regulations. Until receipt of such application, the DRB shall not be deemed to have any notice regarding completion of the improvements.

Within thirty (30) days following receipt of the application, the DRB or its duly authorized representative shall inspect the improvements. If the DRB finds that the improvements shall not have been completed in accordance with the plans, specifications and conditions approved by the DRB and/or with the Design Regulations, it shall notify the lot owner in writing of such noncompliance within said thirty (30) day period, specifying the particulars of noncompliance, and shall request the owner to remedy the same. (See also the Comprehensive Amended Declaration of Covenants, Conditions and Restrictions For Edgemont Ranch Unit 1, Section 4.12, page 36.). The process for receiving Certificate of Compliance must be resubmitted in writing to DRB. If a third or more inspection is required, there will be charge of \$100.00 for each additional inspection.

After receiving Certificate of Compliance the Lot Owner or Builder has 21 days to obtain from the County, a Certificate of Occupancy and deliver a copy to DRB. If not delivered in said time period Certificate of Compliance is revoked. The Edgemont Metro District will be notified to turn off their services. The process for receiving Certificate of Compliance must be resubmitted to DRB.

UNDER NO CIRCUMSTANCES CAN ANYONE OCCUPY ANY HOUSE OR OTHER STRUCTURE ON LOT UNTIL ALL REQUIREMENTS ARE SATISFIED.

NOTHING IN THE PROVISIONS OF THIS HANDBOOK NOR ANY APPROVAL GRANTED BY THE DESIGN REVIEW BOARD OR THE EPOA BOARD, SHALL BE CONSTRUED AS WARRANTING OR GUARANTEEING THE ADEQUACY OF ANY PROPOSED CONSTRUCTION OR MATERIAL. NO ONE IS AUTHORIZED TO RELY UPON THE PROVISIONS OF THIS HANDBOOK OR ANY SUCH APPROVAL FOR ANY PURPOSE WHATSOEVER.