



# The Cottonwoods at Dalton Ranch Homeowners Association Design Guidelines

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# Cottonwoods HOA Design Guidelines

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# DESIGN GUIDELINES FOR THE COTTONWOODS

## 1. PURPOSE AND CONTROL

The Design Guidelines are intended to promote harmonious design and enhance property value. They address the use, shape, height, exterior materials, exterior color, landscaping and location of all structures. Each owner is required to review these guidelines to make sure they understand the requirements for building. No structure shall be placed, erected, or installed upon any Unit and no improvements or other work (including staking, clearing, excavation, grading and other site work, exterior alterations of existing improvements or planting or removal of landscaping and garden structures) shall take place within The Cottonwoods, except in compliance with the Design Guidelines.

The Design Guidelines are a part of the Governing Documents of The Cottonwoods. The provisions contained herein shall apply to all of The Cottonwoods until such time as they are amended, modified, repealed, or limited pursuant to the Declaration of Covenants, Conditions and Restrictions for The Cottonwoods ("Declaration"). Failure to comply with the Design Guidelines may result in the imposition of sanctions.

Each Owner, Builder, Owner/Builder, Person or other interested party is responsible for insuring that all employees, agents, representatives, sub-contractors, assigns, and successors obtain, review and comply with the Design Guidelines, including any amendments or supplements thereto. Copies of the Design Guidelines, along with any amendments or supplements, may be obtained from the Association.

The Board will interpret, modify, and enforce these Design Guidelines. The Board will provide the review and approval of the site design and adherence to architectural guidelines.

The Design Guidelines are meant to be minimum standards and each project is encouraged to exceed these at every opportunity. In addition to these guidelines, all Cottonwoods improvements are subject to all town, county, state, and federal building requirements.

If conflicts arise among the Association's documents, they will be resolved by the Board.

## 2. ARCHITECTURAL CHARACTER

These are not allowed: geodesic domes, A-frames, stark contemporary, plain box, etc. Also no manufactured, factory built or log homes

## 3. OVERALL COMPATIBILITY AND LAND USE

- a) The Board will make all decisions with regard to these design guidelines.
- b) No lot shall be subdivided nor shall more than 1 primary residence be constructed on any lot.
- c) Lots are to be used solely for a single family residence. No outbuildings are allowed (except as indicated in Section 11 -ACCESSORY STRUCTURES).

## 4. HOUSE SITING

- a) Work within existing topography and setbacks, etc. Excessive amounts of grading is prohibited.

- b) Must have an approved grading, drainage, and landscape plan.
- c) Protection of existing trees and vegetation must be preserved as much as possible.
- d) Setbacks shown on plat. Corner lot frontage designated by driveway entry.
- e) House footprint: Minimum size 1800 sf without garage. Maximum size 6500 sf without garage providing county standards are met for lot coverage.
- f) Garage and garage orientation: Minimum 2 car garage. Maximum 3 car garage. No carports.
- g) Driveways: Minimum 12 ft. width at entry. Concrete surface is required. Must allow for 2 additional off street parking sites.

## 5. ELEVATION REQUIREMENTS

- a) Maximum elevation of roof line 30 ft. above finished grade. Front and rear elevations minimum 6 planes. Side elevations minimum 4 planes.
- b) No 3 story buildings.
- c) Generally, second story should not exceed 80% of the main level.
- d) Unbroken 2 story elevations are not allowed on the front elevation.
- e) Each home must have a covered entry porch. Decks above front entry are not allowed.
- f) Architectural character of the garage shall be in keeping with that of the house.

## 6. EXTERIOR MATERIALS

Acceptable materials to be stucco, stone (manmade or natural), rusted metal and/or natural materials (i.e. Cedar, redwood, etc.). No log structures allowed. No manufactured siding (hardy board). Fascia and soffit smart wood type material is allowed. Trex type material is allowed for decks.

- a) Stucco: hard coat or EIFS stucco can be used with an approved color list. Stucco cannot comprise more than 70% of the entire exterior and no more than 60% of the street elevation.
- b) Natural material: A single natural material may not comprise more than the same 70% / 60% stucco figures.
- c) Stone: A variety of real and synthetic stone is approved and encouraged to accent and anchor the home.
- d) Timbers, logs, and beams: Allowed as timbers, columns, and trim.
- e) Exterior colors: All colors must be approved by the Board.
- f) Window colors: Darker colors are encouraged. White and light colors will be limited in application



## **7. ROOFS**

- a) Class A fire rated "architectural asphalt shingle is acceptable if it meets architectural standards. Other material may be acceptable with Board approval.
- b) Minimum 4/12 main roof pitch with 2 ft. overhangs. Dormers must be at least a 2/12 pitch.

## **8. FOUNDATIONS**

6 inches of exposed foundation is the maximum allowed.

## **9. CHIMNEYS AND OUTDOOR FIRES**

Exposed metal flues are not allowed except for termination caps or spark screens. - Interior and exterior wood burning fireplaces must comply with county regulations.

## **10. ROOF AND WALL PENETRATIONS**

Need to be in the least visible location and painted to match the surface upon which it's mounted.

## **11. ACCESSORY STRUCTURES**

Patios, decks, trellises, gazebos, greenhouses, storage sheds, and other approved appurtenances shall be consistent with the homes architecture, and are integrated into the design. Storage sheds must match as closely as possible the paint color of the house, and must be screened from neighbors and the street by vegetation (bushes, trees, etc.).

## **12. ANTENNAS / Satellite Dishes**

Antennas and satellite dishes must be installed in the least conspicuous location.

## **13. AWNINGS**

Awnings are allowed to provide shade over windows. Full extension awnings to cover patios are only allowed with Board approval.

## **14. SOLAR**

Passive solar design is encouraged. Active solar must be approved by the Board.

## **15. MECHANICAL EQUIPMENT**

All mechanical equipment must be screened from view. No equipment may be placed on the roof.

## **16. EXTERIOR LIGHTING**

A "dark skies" ordinance is enforced. Landscape lighting must be low shielded lights. All bulbs must be shielded.

## **17. FIREPLACES**

Interior fireplaces are approved subject to county regulations.

## **18. SCREENING WALLS, FENCING, AND RETAINING WALLS**

- a) Site walls or fences must appear as a visual extension of the building. Material and design must be approved.
- b) Fencing
  - 1. Front and rear decorative fencing shall not exceed 3 ft. in height (front) and 42 in. in height (rear), and will be of natural material with Board approval.
  - 2. No perimeter fencing is allowed, except as noted in Article 7 of the CCR's.
  - 3. All fencing shall be of open construction and will consider Division of Wildlife recommendations.
  - 4. See specific lot recommendations in Article 7 of the CCR's.
- c) No chain link fencing is allowed including dog runs.
- d) Retaining walls over 4 ft. must be designed by an engineer and approved by the Board. Wood walls are not allowed. Concrete walls must fit the architectural guidelines.

## **19. LANDSCAPING**

- a) Landscaping is required at time of occupancy unless completion is between 11/15 through 3/15. Winter occupancy must have landscaping finished by 6/15 of the following spring.
- b) Landscape requirements for all yards will comply with state of Colorado noxious weed list.
  - 1. 10 trees of minimum 1 1/2 in caliper.
  - 2. 20 shrubs of minimum 5 gallon size.
  - 3. Natural turf or groundcover for all areas not paved or mulched.
  - 4. All walks or paths must be paved in concrete, concrete stone, brick, decorative rock or rock pavers. Check with the Board.
  - 5. For all corner lot residences that have a side yard facing a public street, these same requirements apply.
- c) No open space, wetlands, or greenbelts can be disturbed or improved in any way
- d) Railroad ties are not allowed for landscaping



## **20. SUBMITTAL REQUIREMENTS**

- a) Plans shall be a minimum of 18 in x 24 in, complete, legible, well drawn and to scale. Digital plans are also required. Proof of insurance is required.
- b) A site plan or lot plan with the following - scale 1 in = 10 ft. or larger. Show entire property, location of the proposed building envelope, the residence and all buildings, driveway, parking area, topography, finished floor elevation, terrain features to be preserved, trees to be removed, all utility sources and connections, and site walls.
- c) Floor plan and roof plan (scale 1/4 in = 1 ft.) showing finished floor elevations and roof pitches.
- d) Building section (scale 1/8 in = 1 ft.) showing existing and proposed grade lines.
- e) All exterior elevations (scale 1/4 in = 1 ft.) showing both existing and proposed grade lines, plate heights.
- f) Exterior paint chips, material samples, examples, and literature as requested by the Board, digital samples accepted.
- g) Complete landscape plan (scale 1 in = 10 ft.) showing size and type of all proposed plants, irrigation system, all decorative materials, and all retained plants.
- h) On-site staking of all building corners may be requested by Board.

## **21. Board REVIEW AND DECISION**

- a) 30 day turnaround on decision unless time period is extended by written mutual agreement.
- b) All decisions will be in writing with explanations if the application is denied.
- c) No application shall be reviewed unless all submittal items are complete.
- d) A deposit fee of \$1500 shall be paid prior to beginning construction and with a written application approval. Up to \$1000 of the deposit fee may be refunded upon completion of the building and landscaping within the specified and agreed time period. \$500 will be used for wear and tear road maintenance No construction can be started without written application approval or fees as determined by the Board.

## **22. CONSTRUCTION GUIDELINES**

Guidelines are written and will be enforced to ensure construction in a safe and orderly manner with minimal disruption to the neighbors. The contractor must sign on acknowledgement of these guidelines and acceptance of the terms. If any contractor fails to correct any violation within the guidelines within 5 days of receipt of written notice to contractor and owner of said violation, then the Board may impose fines as determined by the Board.

- a) Construction times are 7:00 am to 7:00 pm Monday through Friday. Weekends and holidays 8:00 am to 6:00 pm.
- b) No temporary living quarters on jobsite.
- c) Construction trailers must be removed from the site within 12 months of the start date or before the certificate of occupancy is issued whichever occurs first
- d) Sanitary facilities must be provided and maintained regularly.
- e) Jobsite debris must be contained in a dumpster or covered secure pile. All trash must be removed periodically and jobsite must be kept neat and orderly. All dirt hauling must be on a covered carrier.
- f) All on-site grading and construction resulting in excessive dust, shall be mitigated by appropriate water use so as to avoid excessive dust as per county regulations
- g) No burying or burning of trash, debris or other material.
- h) Pets belonging to construction personnel must be kept within vehicles or leashed at all times. Pet feces must be picked up on a daily basis. If pets become threatening or a nuisance to anyone they must be removed from jobsite.
- i) Noise is to be kept to a minimum. Radio sound will be kept to a low level.
- j) Erosion control is required.
- k) Builder is responsible for damage caused to other property. If damage occurs the property will be restored promptly. This includes use of adjacent property for access, etc.
- l) Tree protection is required on site.
- m) No discharging of firearms.
- n) All construction vehicles MUST access The Cottonwoods via Hermosa Meadows Road or be fined per each occurrence pursuant to number 29 below.

## **23. OWNER/BUILDER REQUIREMENTS**

- a) Proof of insurance must be submitted with application.
- b) All construction, including landscaping, must be completed within 1 year from date of application approval. Fines may be levied if not completed.

## **24. NO WAIVER OF FUTURE APPROVALS**

Each owner acknowledges that the persons reviewing applications under the Design Guidelines will change over time and that opinions on aesthetic matters, as well as interpretation and application of the Design Guidelines may vary. In addition, each Owner acknowledges that it may not always be



possible to identify objectionable features until work is completed, in which case it may be unreasonable to require changes to the improvements involved; but the Board may refuse to approve similar proposals in the future. Approval of applications or plans, or in connection with any other matter requiring approval, shall not be deemed to constitute a waiver of the right to withhold approval as to any similar applications, plans, or other matters subsequently or additionally submitted for approval.

## **25. VARIANCES**

The Board may authorize variances in accordance with duly adopted rules and regulations. No variance shall be effective unless in writing, or preclude the Board from denying a variance in other circumstances.

## **26. LIMITATION OF LIABILITY**

The standards and procedures established herein are intended as a mechanism for maintaining and enhancing the overall aesthetics of The Cottonwoods; they do not create any duty to any person. Review and approval of any application pursuant to the Design Guidelines may be made on the basis of aesthetic considerations only, and the Board shall not bear any responsibility for ensuring the structural integrity or soundness of approved construction or modifications, nor for ensuring compliance with building codes and other governmental requirements, nor for ensuring that all dwellings are of comparable quality, value, size, of similar design, aesthetically pleasing or otherwise acceptable to neighboring property owners.

Declarant, the Board, the Association, any committee, or member of any of the foregoing shall not be held liable for soil conditions, drainage, or other general site work; any defects in plans revised or approved hereunder; any loss or damage arising out of the action, inaction, integrity, financial condition, or quality of work of any contractor as a builder; or any injury, damages, or loss arising out of the manner or quality or other circumstances of approved construction on or modifications to any unit. In all matters, the Association shall indemnify and hold harmless the Board, and its' members.

## **27. APPROVAL REQUIRED**

Any owner may remodel, paint, and redecorate the interior of the unit without approval. However, modifications to the units' exterior (including color), or to the interior of screened porches, patios and similar portions of a unit visible from outside the structure shall be subject to approval by the Board.

## **28. SIGNAGE**

Address signage will be attached to the structure or landscape rocks, unless pre-existing on the driveway pillars. Real estate signs are allowed within certain limits. Professionally made signs in green/white or brown/white are encouraged. Construction signage is allowed during the construction process only with and must be removed prior to certificate of occupancy.

## **29. FINES**

Fines as contained herein shall be set by the Board, unless specified differently in other provisions.

### 30. CERTIFICATE


Reviewed and approved for recording by the Board of Directors, January 30, 2018.

**DATED THIS 30<sup>th</sup> DAY OF JANUARY, 2018**

I, the undersigned Secretary of The Cottonwoods at Dalton Ranch Homeowners Association do hereby certify that the foregoing is a true and complete copy of the Design Guidelines of said Association and as the same were adopted by the directors of said Association on the day of 2018.

IN WITNESS WHEREOF, I have hereunto affixed the seal of said Association and subscribed by name this 30<sup>th</sup> day of January, 2018.

Secretary

  
\_\_\_\_\_  
Alan Markert