

**AMENDED CREEK RANCH ARCHITECTURAL CONTROL GUIDELINES**  
**EFFECTIVE May 29, 2020**

**Version 05292020**

These Guidelines have been updated and modified by the Architectural Control Committee (hereinafter “the Committee” and approved by the Creek Ranch Owners Association Executive Board on the date noted above. The purpose and intent of the Guidelines is 1) to clarify items in the Covenants that are confusing, 2) to make more specific items in the Covenants that are vague and 3) to organize everything that was written in the Covenants pertaining to Creek Ranch Architectural Control and the Review Process and to correct any inconsistencies between the Covenants and Guidelines. If you have any questions, please contact the Architectural Control Committee. Please refer to the Creek Ranch website [www.creekranch.com](http://www.creekranch.com) and log into the owners site for Committee and Board members’ contact information.

Please refer to the following sections of the DECLARATION OF PROTECTIVE COVENANTS FOR CREEK RANCH (Covenants) upon which these Guidelines are based.

SECTION 1. Definitions: Sections 1.05; 1.06; 1.07; 1.14; 1.19; 1.27; 1.29

SECTION 2. Purpose and Intent: PURPOSE: Section 2.01; INTENT: Sections 2.02.01; 2.02.02; 2.02.07

SECTION 3. Use, Restrictions and Obligations: Section 3.01; 3.03.03; 3.03.09; 3.03.12; 3.03.13;

SECTION 4. Architectural Control Committee and Approval of Construction Plans: In its entirety

SECTION 9. Landscaping and Fences: In its entirety

SECTION 10. Entry Features and Signs: In its entirety

SECTION 12. Elevations, Floor Space and Garage Space; No Modulars: In its entirety

SECTION 13. Building Setback: In its entirety

SECTION 14. Building Exteriors, Roofs, Walls and Flues: In its entirety

SECTION 15. Parking: In its entirety

SECTION 16. Revegetation: In its entirety

SECTION 17. Building Envelopes; Relocation: In its entirety

**G1 Architectural Control Committee, Approval of Construction Plans:**

The Executive Board of the Association may appoint an Architectural Control Committee (the “Committee”) of the Association consisting of at least two persons and may remove and replace any and all members of the Committee from time to time. If a Committee has not been appointed, or if at any time there are not at least two persons serving as the Committee, the Executive Board of the Association shall constitute the Committee. (Should an Owner seeking approval be a member of the Committee, they shall recuse themselves from participating in the approval process of their submission. The President of the Executive Board shall appoint a

member of the Executive Board to act on the behalf of the Committee for said review only. (If the Lot is owned by the President of the Executive Board, then the Vice President shall appoint a member of the Executive Board to act on behalf of the Committee.

Except as otherwise provided below, no Structures (please refer to Guidelines Definitions) of any kind shall be erected, constructed, placed, expanded, or maintained upon any Lot unless the plans, elevations and specifications for each Structure including landscaping and the proposed location of such Structure, is approved in advance by the Committee in writing (Please refer to item G6 of Guidelines). Proposed changes after initial approval consisting of any remodeling, reconstruction, alteration, or addition to the exterior of any Structure shall be approved in advance by the Committee in writing unless otherwise stated in item G8 of Guidelines. No material changes in, or deviations from, the approved exterior plans and specifications shall be made without prior written approval of the Committee unless otherwise stated in item G8 of Guidelines.

**ALL SUCH PLANS AND SPECIFICATIONS SHALL BE PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THESE GUIDELINES AND THE COVENANTS.**

A Lot (please refer to Guideline Definitions) shall not be graded, cleared, marred, changed or altered in any way unless in strict compliance with the plans and specifications for the development of the Lot which have been approved by the Committee. Note: Driveways cannot be “roughed in”, graded or constructed in any way without prior Committee approval. All Structures on Lots shall be erected, constructed, and placed on the Lot only in full compliance with the approved plans and specifications. Exception: Small excavations, borings, and other test holes shall be permitted at any time for the purpose of soils engineering, percolation testing, etc. After such work, the terrain shall be restored and appropriately reseeded.

The dwelling on each lot shall be constructed before, or simultaneously with the construction of any Outbuilding, unless a waiver is approved by the Board.

All owners are reminded that before you modify anything on the exterior of any structures located on your lot or modify any previously approved plans, you must submit a written change request to the Committee. The Committee will then inform you as to what specific type of plan you may need to submit for the Committee to consider. A change request form can be found on the Committee section of the website.

## **G2 Elevations, Floor Space and Garage Space, No Modulars:**

Each Dwelling on a Lot shall have a minimum fully enclosed habitable floor area (as measured by reference to exterior walls) devoted to living purposes, exclusive of porches, garages, balconies, decks, patios, terraces, cellars, basements (refer to Basement in Definitions section of Guidelines), carports, lofts and attics, of 2,000 square feet.

Each Dwelling shall have at all times a fully enclosed attached or detached garage of a size sufficient to accommodate at least two ordinary size automobiles. No garage space shall be converted to Dwelling or other uses without the prior written approval of the Committee and County, and no permanent conversion of garage space shall be permitted unless there will remain or will be constructed a fully enclosed attached or detached garage space sufficient to accommodate at least two ordinary size vehicles. No Dwelling or Outbuilding shall have more than 3 standard residential single garage doors OR 1 standard double residential garage door and 1 standard residential single garage door in a row.

Caretaker Units shall not exceed the maximum size permitted by the County law for secondary units in the zone designation for the Subdivision in effect at the time the proposed Dwelling plans are submitted to the ACC (with respect to Lots, 800 square feet at the time the Declaration was recorded), or in the absence of any such maximum size under County law, the Caretaker Units shall not exceed 1,000 square feet.

No modular home, pre-fabricated home or component home construction is permitted within the Subdivision. (The use of Structural Insulated Panels, commonly referred to as "SIPS" shall be permitted.)

A Structure shall not be higher than two (2) stories above the ground, unless otherwise approved in advance by the Committee. Any building permit application for a Dwelling or Outbuilding on Lots 12, 13, 14, 15, 16, 17 and 19 must include a certification by a Colorado licensed architect that the improvements on such Lot shall not project above the top of the ridge as seen from Routt County Roads 29 or 179. In lieu of such certification building heights shall be limited to 25 feet on Lots 16, 17 and 19 and to 27 feet on Lots 12, 13, 14 and 15, and all of such Lots shall be subject to additional design and landscaping requirements as specified by the Committee to mitigate visual impact of the improvements on such Lots from Routt County Roads 29 and 179. The additional requirements may include the use of topography and vegetation to minimize visual impact, the use of natural-appearing materials and the consideration of the form and size of improvements. Owners are encouraged to construct low profile buildings to lessen the impact of the Structure on the landscape and to not create visual obstructions for other Lots.

### **G3 Building Exteriors, Roofs, Walls and Flues:**

The exterior walls of each Dwelling and Outbuilding on a Lot shall be constructed of stucco or natural materials (please refer to Guideline Definitions), such as approved wood siding, logs and natural stone. Exposed concrete, whether painted or not, is not an approved siding material and is only permitted to be visible at grade where the continuation of siding or rock is not feasible. The style and colors of all Dwellings and Outbuildings, including roofs and chimneys, shall harmonize with the natural surroundings, and Outbuildings on Lots must be design coordinated with the Dwelling on the Lot. The appearance of any flues and the materials out of which flues shall be constructed must be approved in writing by the Committee. All roofs shall be covered with wooden shake shingles, tile, high quality asphalt shingles, or other materials approved in writing by the Committee, and the color of roofing materials must be approved in writing by the Committee. Garishly colored or reflective roofing material shall not be permitted or installed on any Structure. Three-fourths (3/4) of exterior walls of Dwellings on Lots shall have at least one break in the vertical plane.

### **G4 Review Process:**

The review process consists of these steps:

1. Submit conceptual architectural drawings to the Committee before committing to completed architectural building plans. These include general structural designs and site plans for the Dwelling and any Outbuildings, as well as list of proposed exterior materials. This prevents the Owner from having to bear undue architectural expenses prior to determination of the appropriateness of their design and proposed materials for the anticipated structures.
2. Wait for questions, input or decision of ACC regarding your building design concept and materials.
3. If the ACC gives you the go ahead, proceed to complete architectural plans and specifications and assemble the necessary materials for submission to the ACC for plan approval. (Please refer to section G5.)
4. Deliver the plans and one set of actual samples of exterior materials to the Committee members. It is recommended the owner send at least one set of exterior material samples to a Committee member, designated by the Committee, to speed up the approval process. (Please refer to section G5 and G6 below for further direction.)
5. Deliberation and written decision by the Committee. (Please refer to section G6.)

## **G5 Materials Required for the Review of Structures:**

Owner shall furnish each member of the Committee a complete set of design plans and general specifications for the proposed construction and Structures, including in the case of Dwellings and Outbuildings, the following:

1. Front, side and rear elevations, general floor plans for each level, (including floor and basement), square foot totals for each level, exterior color schemes and exterior material types and site plans indicating the anticipated location of such Structures or altered Structures on the Lot. Elevation, Floor Plan, and Roof Plan drawings of the Structure shall be at a scale of not less than  $1/4" = 1'$  (one quarter inch is equivalent to one foot). Exterior materials shall be clearly indicated by numbers on the drawings and shall be accompanied by a corresponding materials schedule.
2. An accurate color rendering of all elevations of the Structure(s) at a scale of not less than  $1/8" = 1'$ .
3. The Site Plan showing the Building Envelope at the largest practical engineering scale shall include but not be limited to the following information:
  - a) 2' contour intervals.
  - b) Location of major vegetation and landscaping features, including trees and shrubs to be retained, removed or added. (Refer to item #5 below.)
  - c) Location of major rock outcroppings.
  - d) Location of existing Deerwood Water System trunk lines, service stub, water meter, facilities, and easements within or adjoining the Lot.
  - e) Building setback lines. (Refer to Covenants Section 17, page 27)
  - f) Approximate location of proposed utilities, utility lines, appurtenances and easements, and waste water disposal facilities for Dwellings. NOTE: Effective 6/15/09, all site plans for the lots which are accessed or bordered by Rainbow Ridge, lot numbers 32, 31, 30, 29, 23, 17, 13, 12, 11, 10, 19 and 20, shall include the location of the Deerwood Service Company (DSC) communication cable and the site plan shall clearly state that the cable MUST BE LOCATED AND MARKED BEFORE DIGGING. (The communication cable relays signals to DSC regarding the water level in the storage tank.) Lot owner has the option to have their excavator locate the cable or they can contact DSC to locate the cable for them. Lot owner shall be responsible for any costs associated with hiring DSC to locate the cable. Note: Lot owner or excavator shall be liable for all repairs if the cable is cut. Please contact Deerwood Service Company by calling its Water System Manager, Bruce Thompson at 970-846-4137 or in writing at PO Box 881546, Steamboat Springs, CO 80488 for assistance or answers to any questions you may have.

- g) Approximate grading plan of the entire area to be affected by the construction including spot elevations in critical drainage areas.
- h) Approximate location of the Driveway, parking areas, and precise location of structures, including fencing.
- i) The location of Building Envelope on the Lot, or proposed relocation of such Building envelope. Note: Relocation of Building Envelope requires additional Routt County approval. (Please refer to Covenants Section 17, page 28 regarding relocation of building envelope.)
- j) Approximate location of the Septic Tank and Leach Field.
- k) Approximate location of the buried fuel tank. If a fuel tank is not used, a note so stating shall accompany the plans.
- l) Approximate location of Utilities outside the Building Envelope including telephone lines and appurtenances, existing overhead and or underground electric lines and appurtenances.
- m) One plan should include the whole lot, including what type of property borders the lot (e.g. other privately owned lots, Open Space, Remainder Parcels, etc.) The Fence Committee will need this information to determine what type of perimeter fencing will be allowed.

4. A Materials/Color Plan showing all major exterior material and color choices: Roofing, siding (including, but not limited to, log, stucco, cedar shake, etc.), trim, exterior window material and color, exterior door material and color, etc. It is preferable to submit actual exterior material and color samples to the Committee to expedite the approval process. However, a submitting party shall be permitted to provide reasonable alternatives (manufactures spec sheet etc.) to demonstrate to the Committee that the materials to be used in the construction of the Structures comply with the Covenants and Guidelines. A submitting party shall also be permitted to provide the Committee with the specific link within a website to view indicated samples, however, the Committee reserves the right to request additional physical samples be provided if the Committee deems the website does not provide adequate information.

5. Owners are obligated to landscape. (Please refer to Landscape Guidelines below, Section G12.), at a minimum, the area closely surrounding the Dwelling visible by Creek Ranch roads or adjacent building envelopes. The landscape plan for any Lot must be approved in advance by the Committee and general concept landscape plans shall be submitted at the time the full set of building plans are submitted for approval by the Committee. Landscaping shall not commence without prior written approval by the Committee. (Note: The contents of this paragraph provides detailed interpretations of, and clarifies, Section 9.01 regarding landscaping on page 23 of the Covenants.) Before any final landscaping or altering of the site for landscape

purposes can begin, the owner shall submit landscape plans or drawings, defined by the Landscape Guidelines outlined below, and in compliance with the requirements of the Guidelines and Covenants, to be considered for approval by the Committee. Any major changes to previously approved landscape plans or additions to installed landscaping on established homes shall be submitted to the Committee for approval in the manner prescribed herein. In addition, Owners are obligated to revegetate once construction is completed. Surface scars, cut and filled slopes, and all other excavated or graded areas shall be filled with topsoil and replanted or reseeded with vegetative cover to prevent noxious weed infestation or otherwise landscaped to prevent erosion and settling. Vegetation outside of lawn areas shall approximate native plant material affected by the excavation or grading and shall be installed no later than the next growing season following the end of construction. In any event, the approved landscape plan shall be completed by Owner by the end of the next full growing season after the disturbing construction on such Lot. To ensure landscaping is completed according to plans and within the given time frame, all landscape plans shall be submitted within two (2) months of completion of construction.

6. Owners shall provide the Committee members a list of contact information (owner, designer, architect, builder, etc.) as an index to the Plan sheets and may provide any Narrative the Owner, designer, architect, builder, etc. may feel useful to the Committee during the review process.

**G6 Submitting Plans for Review and Deliberation of Committee:**

Once the Plans are completed and ready for review, a complete set of design plans and general specifications for the proposed Structure as outlined in Section G4 shall be delivered to each member of the Committee. Prior to delivery Owner shall confirm with each member of the Committee where plans should be delivered and what format is acceptable (i.e., email, regular mail or UPS/FedEx). It is the Owner's responsibility to ensure Plans are delivered properly. (For example, if a Committee member is away from home for an extended period, it is the Owner's responsibility to ship the Plans to the address designated by the Committee member.) If hard copies of plans are requested by any Committee member, the plans shall be shipped no less than second day delivery service to each such Committee member. (The shipping invoice shall serve as proof of delivery to the Committee members.) Owner shall maintain receipts and other records necessary to prove that plans, documents, etc., were delivered to each Committee member. The Committee shall render its decision to the Owner within thirty days of receipt of the Plans and Materials/Color Plan. The "date of receipt" shall be considered the latest confirmed delivery date of all plans sent to Committee members recorded by shipping provider. The Committee Chairman shall notify the Owner via email and confirm the start date of the 30 day time period. Within thirty days the Committee shall respond as follows: Approved,

Approved Conditionally, or Not Approved. A letter of findings from the Committee in writing and signed by a majority of the Committee shall be forwarded to the Owner. A facsimile transmission of the Committee's letter or an email of the letter within thirty days shall constitute a response within thirty days. However, the Committee will forward a signed copy of the letter of findings to the Owner via registered mail as soon as all required signatures of the Committee are obtained.

Upon receipt of a letter of "Approval", construction shall be permitted to begin once permits are obtained from the authority having jurisdiction (usually Routt County). Owner shall insure the Approval Letter is posted at the construction site along with building permits.

If the plans are Approved Conditionally, any changes or modifications requested by the Committee shall be acknowledged by Owner in writing to the Committee (via regular mail, email, or fax) and shall be incorporated into the construction plans. Revised plans and specifications shall be submitted to the Committee, using the same process as outlined above, and approved by the Committee before commencement of construction. A new thirty day period shall begin at the receipt of revised plans and specifications by the ACC.

If the Plan is not approved, the required design changes as proposed by the Committee shall be incorporated into revised plans. The revised plans and if required, a new or revised Exterior Materials/Color Plan, shall be submitted to the Committee using the same process as outlined above. A new thirty day period shall begin at the receipt of revised plans and specifications by the ACC.

Any plans which are modified from originally submitted plans shall be so identified so the Committee can track the changes made on successive plan submittals.

If the Committee should fail to respond within thirty days of receipt of the Plans and Material/Color Plan, the plans shall default to being approved without conditions. Failure of the Committee to respond to a submission within the thirty days shall be proven by the Owner. That is, proof of delivery of the plans to the Committee by the means outlined above shall be furnished upon request. Such proof shall include, but is not limited to, receipts from the shipping company confirming delivery to each Committee member. Failure by Owner to provide proof of delivery to each Committee member shall confirm that the thirty day time period never started and therefore the Plans shall not default to being approved.

In the event the Committee and the owner are engaged in a dialogue regarding the plans and the Committee requests additional information from the owner and the thirty days is getting



close, the owner will be given a choice, to extend the period for review or to accept a Not Approved letter from the Committee regarding the current plans.

**G7 Construction without Approval:**

If construction of any sort of Structure (soils engineering exempted) should commence without prior approval of the Committee or provable default, upon written notice from the Committee the Owner shall be fined \$100 per day until construction is halted. Once construction is halted, Owner shall have 30 days to submit Plans to the Committee for approval. If Plans are not approved by the Committee within the initial 30 day time period, or an additional 30 day time period due to the need for re-submission of modified Plans, or a 30 day time period due to an appeal submitted to the Executive Board (a maximum of 90 days from the day construction was to be halted), the Owner shall return the Lot to the state it existed prior to commencement of work. If the fine should remain unpaid, the Executive Board shall take such actions as provided by the Covenants to collect the fine. Unpaid fines shall be a lien against the property.

**G8 Modification of Previously Approved Plans:**

Once Plans are approved, whether through the submission process or by default, Owner shall notify the Committee in writing of any modifications and/or variations to said plans, at any time, and Committee shall determine to what degree Owner must present the modifications to the Committee for approval. For example, minor modifications such as changes in paint or stain colors, change in type of rock, or the removal or addition of windows may not need formal approval or may be approved by the Committee using the existing Plans and a simple Narrative provided by the Owner, but, for example, a change in the roof line or the need to construct a retaining wall may require the Owner to submit modifications of plans to the Committee in the same manner, and are subject to the same time requirements, as prescribed in these GUIDELINES for initial submissions. It is not the intent of the Committee to unreasonably impede an Owner's building progress, therefore the Committee shall not unreasonably withhold approval of modifications or variations to previously approved plans. The manner with which any acting Committee approves proposed modifications is at the sole discretion of the Committee and does not set precedent.

**G9 The Decision of the Committee May be Appealed to the Executive Board:**

The decision of the Committee to approve, approve conditionally, or not approve, any plans and specifications submitted pursuant to the Covenants and these Guidelines may be appealed to the Executive Board of the Creek Ranch Owners Association by written notice to the Executive Board addressed to the following address: Creek Ranch Owners Association,

Executive Board, P.O. Box 880391, Steamboat Springs, CO 80488 (in addition, a copy of said letter may be sent via email to the Executive Board). In order to mitigate frivolous appeals, a \$1,000.00 deposit, payable to Creek Ranch Owner's Association, shall accompany the written appeal. The decision of the Committee shall be deemed final unless reversed within thirty days (of receipt by the Board) by the affirmative vote of a majority of the members of the Executive Board. If the Executive Board reverses the decision of the Committee, the Owner shall be notified in writing, signed by the President of the Executive Board, and the \$1,000.00 shall be refunded immediately to the Owner. If the decision of the Committee is deemed final, the \$1,000.00 shall not be refunded unless the Executive Board agrees the basis of the Owner's appeal was not frivolous. The Executive Board shall determine if the full deposit or a portion thereof shall be returned to the Owner.

**G10 Expiration of Approval and Completion of Construction:**

Once plans are approved, construction shall commence within three years from the date of the approval letter. If construction has not started within three years, the approval letter shall automatically be revoked and the Owner shall begin anew with the rules of the approval process in place at that time. Construction of Structures approved by the Committee shall proceed diligently to completion. Construction of each Structure shall be completed within eighteen (18) months following commencement unless such period is extended by the Committee. In order to ensure completion of construction within 18 months and completion of landscaping by the end of the next full growing season following completion of construction, a \$ 3,000.00 deposit is required to be paid once plans are approved by the Committee. Said deposit shall be made payable to Creek Ranch Owners Association and mailed to the Association's mailing address stated above within 30 days of date of Approval letter. Said deposit shall be held in a separate accounting category for the benefit of the owner and 100% of the deposit will be refunded upon proof of completion of construction and landscaping. In the event construction is delayed, owners must contact the Committee to request an extension of the deadline for construction completion. Extensions may be granted pending review of the extenuating circumstances. Failure to complete construction or landscaping within the above time frame or the approved extension will cause forfeiture of deposit. Lot owner(s) may be assessed additional fines based on extent of completion.

**G11 Liability of Committee:**

No member of the Committee shall have any liability whatsoever for the approval of, or for failure or refusal to approve plans, specifications or other matters provided such person acts in good faith. The Committee will most often be composed of non-professionals. As such, they shall not be held accountable to the standards of an Architect or other professionals. However,

the members of the Committee shall at all times decide in good faith for the benefit of Creek Ranch Owners Association collectively. No review or approval by the Committee of plans, specifications or other matters shall constitute an express or implied warranty of any nature whatsoever as to the plans, specifications or other matters in question, including whether such plans and specifications are complete or correct or whether any Structure to be built pursuant thereto is properly designed or engineered or satisfies the requirements of applicable law.

**G12 Landscaping:**

To serve as a basis for Owners, the Committee defines the word “landscape” as meaning: to enhance the appearance of an area of land as by planting trees, shrubs, flowers or grass and altering the contours of the ground for aesthetic effect.

- a) A landscape design plan indicated on a site plan at the largest practical engineering scale showing the Lot, the Building Envelope, and any proposed or existing Structure shall be provided to each member of the Committee. The landscape plan shall include location and type of all major trees, shrubs and other plantings and landscape features such as berms or retaining walls. (Some retaining walls may require a building permit. Owners are encouraged to contact the Routt County Planning Department regarding size restrictions, etc.)
- b) Existing native vegetation over 4 inches in diameter measured 2 feet above the ground should be preserved to the extent reasonably possible.
- c) The Committee strongly encourages the use of native vegetation. Owners of Lots along Trout Creek are encouraged to plant native species, such as chokecherry, service berry, hawthorn, woods rose, buckwheat, flax, lupine, globe mallow blue bunch, wheatgrass, Sherman big bluegrass and Idaho fescue to replace lost grouse habitat. Owners along the east side of Trout Creek are encouraged to comply with the recommendations of the Colorado State Forester.
- d) Invasive non-native vegetation shall not be approved.
- e) Owners are obligated to control the spread of noxious weeds to adjoining properties and to comply with the Colorado Noxious Weed Act, the Routt County Weed Management Plan and the recommendations of the Routt County Weed Advisory Board.
- f) To insure landscape areas become established and continue to thrive, the Committee encourages Owner’s to plan for adequate irrigation of landscape improvements. If underground irrigation is installed by Owner, the irrigated areas on Lots shall not exceed 4,000 square feet in the aggregate. The Committee strongly encourages owners to consider landscape plans that recognize and act in accordance with the necessity for water conservation in Colorado.
- g) Seasonal changes in floral and shrub plantings shall not require Committee approval.

- h) The planting of any trees, shrubs or flowers native to Colorado anywhere on the Lot shall not require Committee approval.
- i) Many lots at Creek Ranch have extensive areas of weeds and brush. Brush-hogging, mowing, and /or herbicide spraying to suppress weeds and brush, and encourage the growth of grass and wildflowers, shall not require Committee approval.
- j) Replacement plantings (of vegetation previously approved by the Committee) of equivalent vegetation shall not require Committee approval.

### **G13 Parking:**

In January 2015, it was resolved by the members of the Executive Board and the Committee that the original regulations on Parking in the Covenants (Section #15, page 28) should be clarified and/or expanded. Taken into consideration were 1) the recreational use opportunities at Creek Ranch, 2) the realistic enforcement of many of the regulations and 3) the original intent of the Covenants. ("See Section" 2, page 6 and Section 2.02.07, page 7 of the Covenants") Therefore, effective 3/1/2015, Parking regulations are as follows:

Each Dwelling must have available off-street parking space sufficient for all occupants of the Dwelling and any Caretaker's Unit. Operable passenger vehicles of owners and family members being used on a regular basis are permitted to be parked outside of the garage in approved parking areas. One horse trailer per Lot is permitted to be parked unscreened as long as it is in an approved parking area. Cargo trailers or utility trailers not exceeding 8' X 12' used by nonpermanent residents may be parked in approved parking areas for 3 months. Commercial use vehicles (accessory use passenger vehicles, i.e., those not used for primary transportation, cargo trailers or utility trailers), owned by permanent residents may be parked temporarily (not to exceed 2 weeks) in approved parking areas and afterwards, must be parked screened from public view. Motorhomes or travel trailers are permitted to be parked in approved parking areas for a period not to exceed 30 days. Tractors must be parked screened from public view. Construction equipment shall not be parked or stored on any Lot except during construction on the Lot. Snowmobiles and ATV's are permitted to be parked in approved parking areas during the appropriate recreational season, but must be stored out of view during the off season.

No automobiles, trucks, motorcycles, campers, mobile homes, recreational vehicles, snowmobiles, boats, boat trailers, trailers, commercial vehicles, equipment, machinery or similar items shall be parked or stored on county roads or Ranch Roads. No trailer, camper, camping trailer, tent, mobile home, or similar item shall be installed or used within the Subdivision for residential or commercial purposes, except that a temporary construction trailer may be located and occupied during the daytime for construction business purposes during construction periods. Tents or pavilions may be installed and used for special events when

approved in advance by the Committee. No inoperable, wrecked or unsightly vehicles or equipment shall be parked or stored within the Subdivision unless wholly enclosed in a garage or other Outbuilding.

It is strongly recommended that Owners build a garage and/or outbuilding large enough to accommodate all existing or potentially owned vehicles (autos, ATV's, Snowmobiles, etc.). In reviewing and considering plans and specifications for Dwellings, the Committee shall encourage, and may in appropriate circumstances, require the construction of a Structure or guest parking spaces on the Lot. If excessive vehicles are found to be parked in approved parking areas to the extent it is determined by the Committee to be a visual impairment to the community, the Committee may require that screening in the form of landscaping (earth berms or vegetation) or privacy fencing be constructed.

Note: There is limited parking available by the ranch headquarters barn for horse trailers and other types of trailers. Due to the limited amount of spaces, rotation of use may be implemented. Owners must contact Equine Committee to make a parking reservation.

#### **G14 Fencing:**

All fencing matters on both private and commonly owned land shall be handled by the Fencing Committee. The location and design of fences on private lots must be approved by the Fence Committee in advance of construction. Please see website for contact information and requirements relating to fencing plans and submissions.

#### **G15 Dry Lots:**

Because the Covenants prohibit overgrazing of lots, on June 2, 2016, the Board approved the following language regarding dry lots be included in the Guidelines. "To prevent overgrazing of any lots, horse owners are encouraged to fence off a small portion of their lot as a "dry lot" or "sacrifice area" in which horses will be confined and fed if the pasture portion of the lot is in danger of over grazing. The location and size of the dry lot should be included on the site plan and must be approved by the ACC. As far as possible, the location and size of the dry lot should minimize its visual impact from adjacent lots, roads and open space."

#### **G16 Design Attributes to Be Included in Concept Plan:**

The Covenants and Guidelines provide for minimum requirements for square footage. It is important to keep in mind that even if your design meets the minimum requirements, it will not be approved unless the design elements are in compliance with the other mandated elements set out in the Covenants and Guidelines. In other words, a minimum square footage of a plainly

designed house will not be acceptable or approved and likewise, a much larger home with a “big box” design will also not be acceptable or approved.

When considering the design of your home and creating your concept plan to be submitted to the Committee for review, please keep in mind the design attributes listed below and examples shown by the graphics in this section. You should include as many design features suggested below as this will increase the likelihood of approval of your concept design by the Committee.

1. Interesting roofs: This can be achieved with multiple sections, dormer windows, shed roofs, dog house ridge vents, and additional gables.
2. Extra trim details: This can be achieved with decorative exposed rafter tails, decorative gable end trusses, corbels, brackets.
3. Include physical details that break up the horizontal and vertical planes: This can be achieved with items such as a garage portico, eyebrow roof or pergola, or portico over large windows or doors. On multi-story houses, examples to break up the vertical plane include setting the second story back from the first floor, adding areas where the second story cantilevers out over the first floor, or add a wrap-around porch.
4. Break up large areas: Sometimes there are areas on the exterior of a house that are not suited to windows, etc. Large gable ends, garage wall, etc. Break those areas up with gable end trusses, or faux windows. Faux windows can be done with actual glass windows or with a closed window with shutters, using varying the trim materials, etc.
5. Outdoor living spaces add value and interest: This can be achieved with attached pergola roofs over patios or decks, covered porches, decks, etc.
6. Larger Decorative and structural components: Examples of these are wide eaves, wide fascia boards, large diameter posts, large beams. If logs are used, large diameter logs. (All of these are items that a builder will make smaller on a budget house—narrow eaves offer less in both weather protection and cost.)
7. Mix the exterior finishes: Use an adequate quantity and balance of real stone, stucco, wood siding, logs or true log siding.

Everything should feel proportionate, and rather than looking for symmetry, look for balance. Any of the above items are relevant to all styles of homes, whether farmhouse, mountain modern, ranch, or log style.

## **Appendix I: Guideline Definitions:**

**Approval Letter:** A letter from the Committee approving the design elements and/or color choices of Structures to be constructed at Creek Ranch.

**Architect:** A person licensed by the State of Colorado to practice architecture.

**Architectural Control Committee (Committee):** A committee appointed by the Board pursuant to the Covenants whose responsibility it is to assure the architectural fit of homes and other structures at Creek Ranch.

**Attached:** For an exterior addition to be approved as “attached”, the proposed addition and the Dwelling must share a common wall. If the addition does not share a common wall, it shall be considered a detached Outbuilding, therefore becoming the second allowed Structure within the Building Envelope. Incidental accessory features such as trellises, decks, patios, halls, breezeways, sheds or other such structures, whether open-sided or enclosed, with the principal purpose of connecting two otherwise independent structures shall not be considered to “attach” the two structures and convert them into a single Structure.

**Barn:** A Structure used for storing grain, hay, or straw or for housing livestock or to store vehicles, equipment, or other items, or to be used as shop space.

**Basement:** A level of a structure any part of which is below the finished grade of a dwelling.

**Breezeway:** Acknowledging there are several definitions and interpretations of “breezeway”, for ACC review a Breezeway is defined as: An open-sided roofed or fully enclosed narrow passageway specifically designed and intended to connect two Structures

**Building Envelope:** The area within each Lot, Remainder Parcel B and Remainder Parcel C in which it is permissible to build the Dwelling or an Outbuilding. Note that the Development Agreement with Routt County allows a maximum of two buildings (one Dwelling and one accessory structure (Outbuilding) on each lot, and further requires that all buildings must be located within the Building Envelope. Certain items such as the Septic Tank, Leach Field, wells, etc., need not be located within the Building Envelope.

**Caretaker’s Unit:** A portion of a Dwelling designed to be occupied as self-contained living quarters separate from the remainder of the Structure. (Refer to item 1.06 on page 2 of the Covenants for further information.) Creek Ranch: A Land Preservation Subdivision in Routt County Colorado.

**Creek Ranch:** A Land Preservation Subdivision in Routt County, Colorado.

**Designer:** A person who designs homes and other buildings, but who is not licensed as an Architect by the State of Colorado.

**Drawings:** Originals or copies of the design drawings whether hand drawn or created using a computer and printing device. Drawings are commonly referred to as “blue prints”. D-size drawings (Standard D-size, 22” x 34”, or Architectural D-size, 24” x 36”) are the minimum acceptable by the Committee. **Driveway:** The roadway from the street to the Garage or Dwelling whether paved or unpaved.

**Driveway:** The roadway from the street to the Garage or Dwelling whether paved or unpaved.

**Dwelling:** A single building constructed for residential purposes and occupied by one family as a single-family residence, or a single building constructed for residential purposes and containing a Caretaker Unit, the Caretaker Unit being occupied by not more than one family as a residential unit, and the remainder of the Dwelling outside of the Caretaker’s Unit being occupied by a different family as a residential unit.

**Elevation Plan:** Scale Drawings of all elevations of the exterior of a Structure. Minor elevations, such as those created by bay windows, etc., need not be drawn.

**Executive Board:** The Executive Board of the Creek Ranch Owners Association as defined in the Creek Ranch Owners Association by-laws.

**Floor Plan:** Scale Drawings of all floor levels of the Dwelling or of an Outbuilding. For the purposes of the Committee, a Floor Plan shall show the exterior walls, decks, etc. Interior walls are not required, but shall be permitted to be shown if desired or convenient. The gross area (relative to exterior dimensions) in square feet shall be clearly shown for the Livable Floor Area, attached Garage, any Deck (each instance), Outbuilding (if one exists), etc. **Leach Field:** The field used to dispose of the liquid waste output of a Septic Tank whether by evaporative transpiration, leaching into surrounding soils, or by other means.

**Landscaping:** To enhance the appearance of an area of land as by planting trees, shrubs, flowers or grass and altering the contours of the ground for aesthetic effect.

**Leach field:** The field used to dispose of the liquid waste output of a Septic Tank whether by evaporative transpiration, leaching into surrounding soils, or by other means.



**Loafing Shed:** A small, three sided structure intended to protect horses from harsh or extremes of weather. A loafing shed shall either be attached to an Outbuilding (for example, a barn) or it shall count as the second Outbuilding.

**Lot:** A legally defined parcel of land that is part of the Creek Ranch subdivision, but is privately owned. (Refer to item 1.17 on page 4 of the Covenants for further information.)

**Mandatory:** Mandatory rules of these guidelines are those actions that are specifically required or specifically prohibited. Required items are denoted by use of the word shall; prohibited items are denoted by the phrase shall not.

**Materials/Color Plan:** A mockup of the major exterior material choices and colors including, but not limited to, roofing, siding, door and windows, etc., to be used in the construction any Structure.

**Narrative:** Any written, explanatory material included with the drawings.

**Natural Materials: Deleted in August 2016** (See previous versions of Guidelines if so desired.)

**Outbuilding:** A barn, garage, storage building, shed or similar Structure not attached to a Dwelling on a Lot. (Refer to above definition of "Attached") It was previously stated in the Guidelines that an Outbuilding may contain a Caretaker's Unit. At this time, Routt County prohibits a Caretaker's Unit to be constructed in an Outbuilding. It is strongly recommended that Owners considering the construction of a Caretaker's Unit contact the Routt County Building Department since rules are subject to change. (Refer to item 1.19 on page 4 of the Covenants for further information).

**Plans:** Drawings that show the Elevations, Floor Plans, and Roof Plans of a Dwelling or Outbuilding, as well as Site Plans, and landscape plans.

**Roof Plan:** A scale plan view of the roof of the Dwelling or Outbuilding that shows peaks and valleys of the roof system.

**Septic Tank:** A holding and biological processing tank for the sanitary waste from the Dwelling or from an Outbuilding.

**Site Plan:** A scale drawing showing the placement of the Dwelling, Outbuilding, driveway, utilities, major rock outcroppings, Landscaping, contour intervals (two foot minimum) etc.

**Structure:** A Dwelling, building, outbuilding, driveway, private or common drive, parking area, fence, improvement, wall, foundation, walkway, covered walkway, gazebo, patio, deck, pool, landscaping, utility line, well, ditch, pond, dam appurtenance or other fixture, structure, or improvement affixed and situated on a Lot with the intent that it will remain indefinitely.

**Adopted by the Committee and approved by the Executive Board, on September 26, 2016.**