DEER CREEK VILLAGES OWNERS' ASSOCIATION

DESIGN REVIEW GUIDELINES

Effective: May 21, 2025

Table of Contents

1. INTRODUCTION 3

1.1 Definitions **3**

1.2 Purpose and Intent **5**

1.3 Community Concept and Character **5**

1.4 Relation of the Design Guidelines to Other Regulations **5**

1.5 How to Use the Design Guidelines **6**

2. SITE PLANNING AND DESIGN 6

2.1 Site Standards/Setbacks **6**

2.2 Accessory Structures and pools **7**

2.3 Driveways and Parking Areas **8**

2.4 Dog Runs **8**

2.5 Gardens **8**

3. ARCHITECTURAL DESIGN 8

3.1 Purpose and Intent **8**

3.2 Dwelling Size **9**

3.3 Color **10**

3.4 Materials **10**

3.5 Corner Lots **11**

3.6 Roofs **11**

3.7 Building Projections - Massing of Components **11**

3.8 Garages **11**

3.9 Antennas - Satellite Dishes - Solar Panels **11**

3.10 External Mechanical Equipment **12**

3.11 Building Codes **13**

4. LANDSCAPE DESIGN 13

4.1 Purpose and Intent **13**

4.2 Timing and Components **13**

4.3 Fencing **14**

4.4 Site Drainage and Grading **15**

4.5 Berms **15**

4.6 Lawns/Yards **15**

4.7 Rock and Mulch **16**

4.8 Lighting **16**

4.9 Landscape Components **16**

4.10 Maintenance of Properties (Landscaping and Weed Control) **16**

4.11 Burning **19**

5. DESIGN REVIEW AND APPROVAL PROCEDURE 19

5.1 Prior to Plan Submission **19**

5.2 Submission of Plans by Owners/Builders **19**

5.3 Custodial Management of the Project **20**

5.4 Resubmission of Plans **20**

5.5 Accuracy of Plans **20**

5.6 Verification Process **21**

5.7 Work in Progress **21**

5.8 Completion Deadline **21**

5.9 Townhome Design Guidelines **22**

5.10 Right of Variance **22**

5.11 Non-Liability of the DRC **22**

5.12 Enforcement **23**

6. CONSTRUCTION REGULATIONS 23

6.1 Construction Hours **23**

6.2 Excavation **23**

6.3 Utilities **23**

6.4 Construction Site Maintenance **23**

6.5 Restoration of Property **25**

6.6 Soil, Rock, and Debris Removal **25**

7. AMENDMENTS 25

8. ALTERATIONS, ADDITIONS, OR IMPROVEMENTS 25

9. SIGNS OR FLAGS 25

10. PARTICIPATING BUILDERS 27

11. ADOPTION 28

Index 29

Signature page copies

1. INTRODUCTION

1.1 Definitions

Accessory structures are any man-made improvement including, but not limited to, storage sheds, pools/hot tubs, permanent play structures (up for more than 5 days), pergolas/arbors, and outdoor kitchens.

Berms are artificial ridges or embankments used in landscaping to create a natural-looking raised bed
or focal point in the landscaping

BOD refers to the DCVOA board of directors

CCIOA refers to Colorado Common Interest Ownership Act

Construction/Contractor Signs refer to signs located on a lot for the express purpose of advertising a home under construction; a renovation of an existing structure; the builder, tradesperson, or firm doing the work; and/or the bank or financial institution funding the project. This shall include a sign for roofing, solar installation, landscaping, irrigation, painting, stucco, or fencing.

Declaration refers to Deer Creek Villages Owners' Association Master Declarations

DCVOA refers to Deer Creek Villages Owners' Association

DG refers to Design Guidelines

DRC refers to the Design Review Committee

For Rent Signs refer to signs (either commercial or private) that are used for the sole and express purpose of advertising the rental availability of an existing residential structure and must contain words such as "For Rent," "For Lease," "To Let."

For Sale Signs refer to signs (either commercial or private) that are used for the sole and express purpose of advertising the sale of a lot with or without a residential structure thereon. The sign must contain words that clearly define how the property is being sold (e.g., "Realty," "For Sale," "For Sale by Owner," "Build to Suit").

Habitable Space refers to space in a home that is to be used for living, sleeping, eating, or cooking purposes, excluding bathrooms, toilet rooms, closets, halls, storage rooms, and other areas not used by persons for extended periods.

HOA refers to Deer Creek Villages Owners' Association (DCVOA).

Improved Lots means lots with a residential structure on a property.

Landscape fence is a structure of limited length and size which is used to offset a porch, patio, garden, or hot tub area.

Maintenance Buffer Zone shall mean a portion of a property, approved by the DRC, where native areas are left undisturbed. Native areas maintain the natural character of Cedaredge and may include hillsides, trails, ditches, creeks, areas surrounding other bodies of water, and nonplayable areas of the Cedaredge Golf Club.

Multistory Dwelling is a home with more than two stories.

Noxious Weeds are plants that are injurious to agricultural or horticultural crops, natural habitats or ecosystems, or humans or animals. There are several noxious weeds in Colorado. Among the worst are leafy spurge, several species of knapweed, Canada thistle, musk thistle, two species of toadflax, field bindweed, and purple loosestrife. For a more comprehensive list, contact the Delta County Weed Program Coordinator at 970-874-2102. You can also visit https://extension.colostate.edu/topic-areas/agriculture/noxious-weeds-invasive-plant-species/.

Occupiable Space refers to space in a home that is intended for human activities, excluding those spaces intended primarily for other purposes, such as storage rooms and equipment rooms that are only occupied occasionally and for short periods of time.

Perimeter fence is a fence around the approximate boundaries of the property to offset and designate the property from neighboring properties.

Permitted "stamped" plans refer to plans that have been permitted by the Town of Cedaredge.

Plant fence is a section of wire fencing placed around a bush, shrub, or tree to protect it from animals or damage.

Property or Properties include new construction and/or any addition to an existing property.

Single-ridge roof construction is the primary ridgeline that is an unbroken or largely unbroken horizontal line as seen from any street

Townhome Lots are owned and maintained by the Sub-Association for Stonebridge Townhomes at Deer Creek. Guidelines herein are applicable to these and all Common Elements.

Unimproved Lots means lots with no residential structure on a property.

Xeriscape is a landscaping method developed especially for arid and semiarid climates that uses water- conserving techniques such as drought tolerant plants, mulch, and efficient irrigation. It does *not* mean "zero-scape."

1.2 Purpose and Intent

The following Design Guidelines (DG) have been prepared to ensure that the goals and vision are realized for properties in the Planned Community known as Deer Creek Villages.

The purpose of these DG is to provide specific design criteria for the subsequent improvement or modification of landscapes within the community. The DG are designed to establish and maintain a quality community appearance, assure compatibility, direct character and form, and enhance value.

The DG allows individual identity yet compliments an overall community theme. While the DG ensure that each property relates to the overall community image, they do not inhibit innovative design. They provide clear direction and specific criteria for evolving an overall sense of community.

To this end, owners are encouraged to review this entire document to better understand the relationship of each building site to the total design goals of the community.

All development within Deer Creek Villages is to abide by the applicable criteria established by these DG in addition to the development standards established by the Town of Cedaredge.

1.3 Community Concept and Character

The community design concept for Deer Creek Villages provides for residential homes and other properties to be linked by public roadways and pedestrian walks within close proximity to the public golf course. All applications are reviewed to confirm that any proposed improvements to the lot are in conformance with both the Declaration of Covenants and the Design Review Guidelines. Improvements should relate favorably to the landscape and the existing structures in the neighborhood. Approval shall be based upon, but not limited to, conformity and harmony of the exterior structure, preservation of esthetic beauty, and the specifications set forth in these Guidelines. “Conformity and harmony” are defined as being in accord and consistent with the architectural style, quality of workmanship, use of materials, color, and construction detail.

1.4 Relation of the Design Guidelines to Other Regulations

The DG are not intended to supersede applicable federal, Colorado, or Cedaredge codes or ordinances. In case of conflict or discrepancy, or for subjects not addressed in the DG, the more restrictive DG, governing agencies, codes and/or regulations shall take precedence. The DG are issued by the DRC.

The DG are to be used by owners when modifying or upgrading properties or landscaping on individual properties within Deer Creek Villages.

The DG will also be used by the Deer Creek Villages Design Review Committee ("DRC") in reviewing proposals to determine their relative conformance to the overall design objectives and criteria.

The DG are intended to cover each site-specific or lot-specific issue, and community issues such as edge treatments and relationships to adjacent land uses. The DG are to be used in conjunction with the recorded Declaration.

1.5 How to Use the Design Guidelines

The DG are organized into major elements such as Site Planning and Design, Architectural Design, Landscape Design, and procedural sections such as Submittal Requirements and Owner Construction Period Regulations. Each element is introduced with a description of intent followed by specific items within each element.

There is no established "number" of design criteria that must be met in each proposal. The relationship between design variables is dynamic, and each combination of elements is perceived differently. The DG identifies those elements that should be considered and defines performance characteristics the elements should have but there is no "standard formula" for an "appropriate" design solution. In all instances, the DRC will consider interrelationship of the design variables and the specific criteria.

2. SITE PLANNING AND DESIGN

2.1 Site Standards/Setbacks

All building sites must have an electric construction box installed before construction begins. Gasoline, propane, or natural gas generators used for construction electrical power are not allowed due to noise and pollution. A builder's or its subcontractor's unauthorized use of power or water from a neighboring site may result in removal from the Participating Builders List.

Homes intended to be solar powered may have the electric construction box removed upon receipt of their Certificate of Occupation (CO); owners must provide to the DRC proof of documentation of total home solar power generation and storage capacity.

Minimum setbacks for lot addresses 300, 305, 320, 325, 335 on SE Cobblestone, SE Flagstone, SE Limestone, and SE Sandstone shall be as follows:
Front yard—30 feet from property line
Side yard—15 fee from property line
Rear yard—15 feet from property line

All other properties, unless otherwise noted on the subdivision plat, shall be as follows or modified by design revision on a per property basis.

Front yard—30 feet from property line
Side yard—15 feet from property line
Rear yard—30 feet from property line

All dimensions shall be measured perpendicular from the property line to the foundation. If the property line cannot be located, a survey must be completed, or a plat map (registered with the county) may be used.

Curb lines, sidewalks, fence lines, edges of roadways or pavement are not considered accurate means of establishing property lines. Survey lot corners (survey pins), monuments, and other legal markers are the only recognized methods to establish property boundaries.

The siting of the improvements proposed for a property shall be responsive to all the following site features:

- Existing grades

- Drainage patterns
- Topography
- Rock outcroppings
- View corridors
- Sun exposure
- Vegetation
- Adjacent home sites and their view corridors

The proposed improvements should be sited to take advantage of existing views, microclimatic conditions, and solar access while respecting existing terrain, vegetation, and adjacent land uses. Disruption of existing conditions shall be minimal. Where possible, all existing healthy trees shall be preserved and existing drainage patterns and views or view corridors shall be respected.

Homeowners are encouraged to meet with their adjacent neighbors or vacant lot owners for input on the project and possible impacts to their property prior to project approval.

2.2 Accessory Structures

In general, accessory structures (gazebos, hot tubs, decks, green houses, firepits, outdoor kitchens, sheds, etc.), as defined in Section 1.5, are not allowed on any property without written approval of the DRC. A site plan is required showing the dimensions, style, and placement of any accessory structure.

Sheds—Specifically, sheds are discouraged and will not be approved for homes built after December 31, 2021.

All new construction built after December 31, 2021, should provide ample storage that is integrated into the principal building. Ample storage should provide for items including, but not limited to, lawn and garden supplies and equipment, snowblowers, golf carts, household goods, and pet housing/shelters. Integrated storage examples include, but are not limited to, sufficient interior closet space, basements, or expanded storage areas off garages.

Property owners of homes built prior to December 31, 2021, desiring an accessory building should make an application to the DRC including proper documentation explaining why they desire an accessory building. Whenever possible and where practical, accessory structures should appear as if they are attached to the house and are an integral part of the principal building. All accessory structures that are approved by the DRC must adhere to the setback requirements stated in 2.1.

The DRC has up to 60 days to review a site plan submittal. It is recommended the accessory structure materials not be purchased until written approval has been received.

For approval, storage sheds and structures shall be a maximum of 120 square feet. The shed or structure shall have a single-ridge gable with a maximum of 6:12 pitch. Side walls shall be a maximum of 8’ tall. Storage sheds and structures shall be located behind the residence as established by the back-foundation corners. All accessory buildings must match the principal

building in materials, color, and architectural style, including type and color of windows and trim in structures including those elements. Approval will not be granted if these criteria are not met.

No variances will be granted for detached sheds that may be viewed from the golf course.

No accessory structures shall be placed on an unimproved lot.

Pools – All below-ground pools must be approved by the DRC prior to installation. They must be completely screened from view from the street, surrounding homes, and the golf course using approved landscaping screening materials. The yard must be surrounded by a fence per these guidelines and municipal code. Semi-permanent above-ground pools (over 30-inch wall height above ground) are not permitted. Temporary above-ground pools, such as kiddie pools or wading pools (less than 30-inch wall height above ground) are permitted. They must be removed at the end of the summer season (spanning May 1 to September 30). Homeowners with any pool must manage noise levels and lighting to avoid being a nuisance to neighbors. All pools must be within the building set-back, except they may be within a 5-foot minimum distance of the rear property line. Pools on corner lots must be located behind the house. All pools must be kept in good condition. Homeowners with pools should carry liability insurance for any injuries or damages caused by the pool. DCVOA and its representatives are not responsible for any injuries or damages caused by the pool.

2.3 Driveways and Parking Areas

Driveways are required to be concrete.

Additional Parking Areas are required to be concrete. Additional Parking Areas require written approval from the DRC.

Driveways and Parking areas are not permitted to be expanded/modified without written approval from the DRC.

2.4 Dog Runs

Dog runs are not permitted.

2.5 Gardens

Vegetable gardens are permitted in front, rear, and side yards. Flower gardens are encouraged in the front or side yards as a compliment to the landscape.

3. ARCHITECTURAL DESIGN

3.1 Purpose and Intent

The architectural character of the Properties in Deer Creek Villages is intended to reflect regional character with a variety of interesting and compatible relationships of form, texture, and style. Additionally, economic factors, environmental concerns, and construction practices

prevalent in the industry are important influences. These DG are intended to promote a high level of design quality, assure compatibility between residential products within the community, and guide character and form. Together, these key components comprise an essential part of the Deer Creek Villages image.

The architectural theme for Deer Creek Villages has been established by the Declarant and is best characterized by a commitment to regional design styles that demonstrate form elements with shadow- lines, building materials with strong textures, and exterior colors complimentary to the natural environment.

There is no single "correct" architectural style for properties in Deer Creek Villages, yet all design elements are expected to relate clearly to the established design theme. All primary residences must be built on site and NO modular or manufactured homes are allowed.

This identification and compatibility with the established architectural theme are expected to be achieved to all levels of design identification, including individual dwellings, "street scenes," and the total community.

DG guidelines encourage new homes to be of unique custom designs for the specific lot identified at the time of submittal. The HOA expects designs and construction that will complement and enhance the neighborhood. It is strongly suggested that owners use architects and builders with proven vision and design imagination. New homes should differ in styling, texture, line, and colors, illustrating architectural imagination from the other homes within view of the building site.

In order to prevent like residences from being in too close proximity to one another, substantially the same Front Elevation, including the dimensions, roof lines, location of doors, windows, porches, garages, as well as house colors, shall not be used on nearby lots, to include within four (4) lots (including the build lot) of another residence on either side of the same street or within eyesight in any direction not to exceed the above mentioned four (4) lot limit. No two substantially same Front Elevation residences, as described above, shall be allowed on any cul-de-sac street.

3.2 Dwelling Size

All square footage will be measured from the exterior of the foundation or concrete pad.

For lots 53-93 on SE Stonebridge Drive north of Independence Avenue, no ranch or single-story dwelling shall be permitted on these lots with less than 1,500 square feet. No two-story or multi-story dwellings shall be permitted on any of these lots with less than 1,700 square feet; the main level footprint must remain a minimum 1500 square feet. Finished walk-out basements shall be included in total square footage of living space; the main level must remain at a minimum of 1500 square feet. To meet the requirements regarding sheds in Section 2.2 above, garage and mechanical utility space must be a minimum of 600 square feet to provide for two cars plus storage area.

For all other lots in Deer Creek Villages, no ranch or single-story dwelling shall be permitted on these lots with less than 1,800 square feet. No two-story or multi-story dwellings shall be permitted on any of these lots with less than 2,000 square feet; the main level footprint must

remain a minimum of 1800 square feet. Finished walk-out basements shall be included in total square footage; the main level must remain a minimum of 1800 square feet. To meet the requirements regarding sheds in Section 2.2 above, garage and mechanical utility space must be a minimum of 600 square feet to provide for two cars plus storage area.

3.3 Color

All exterior material including stucco, painting, or staining, either original or repainted, shall be done in earth tones or other approved colors and shall blend with the "natural landscape" so they do not compete with any surrounding physical setting. Proposed stucco, paint, or stain colors for all exterior areas must be submitted to the DRC for approval before application. Prior to exterior painting, the proposed exterior colors must be painted on a 24" by 24" piece of wood or siding and leaned against the front of the residence in a conspicuous place so DRC members may assess appropriateness in the actual residential setting. It must remain there until the DRC confirms or denies the color, at which time it may be removed.

3.4 Materials

Exterior surfaces shall be made of natural and such other materials that blend and are compatible with the community and the landscape. The use of each material shall be a truthful and appropriate expression of the characteristics of that specific material. Use of brick, wood, stucco, and stone is preferred. The exterior surfaces of each house shall consist of brick, wood siding, concrete material to look like wood siding, or stucco materials. Aluminum and vinyl siding are not allowed. The front elevation (street frontage) shall, in addition, have a minimum of *30 percent of the net total square footage with either brick, stone, stone or ceramic veneer, or other architectural accents to complement* the exterior surface materials. Architectural accents are defined to include beams, arches, columns, piers, and stucco build ups around defined openings. Architectural accents do not include wall coverings of siding, metal, or stucco. The net total square footage is the total square footage less the square footage of all openings (doors, windows, garage doors) on the front elevation.

Front, rear, and any other street facing elevations of the house shall have a minimum of *15 percent* of the total exterior façade in windows, doors, or openings based upon the total square footage of the elevation and the total square footage in total of the windows, doors, and openings. Non-street facing elevations of the house shall have a minimum of *10 percent* of the total exterior façade in windows, doors, or openings. Covered porches and covered patios shall not be considered as openings. For purposes of these calculations, *only the size of the actual windows and doors (not the trim) shall be considered*. All plans submitted for review shall have a schedule with the number and size of all individual windows and doors to be included in the house, and the application shall include all required calculations.

Exposed concrete blocks, painted concrete, multi-colored masonry, mirrored glass, metal or vinyl siding, prefabricated metal building, simulated brick, unnatural brick tones, and silver finish aluminum doors and windows are not acceptable without written permission from the DRC and the Board of Directors of Deer Creek Villages. Architectural "add-ons," appliques, or obviously simulated material are not acceptable without written permission from the DRC.

3.5 Corner Lots

Corner lots will be considered for all design review purposes to have two fronts, two sides, and no rear. The addressed street side shall be considered the primary front. The non-addressed street side shall be considered the secondary front. Setback requirements in Section 2.1 for fronts and sides will be applied according to current regulations. Exterior surface material requirements in Section 3.4 will apply to the primary front. Exterior surface material requirements for the secondary front will be reduced to 20 percent. Driveway access will be to the addressed street side. Owners of a lot that necessitates the driveway and primary front of a house to be placed on different sides shall contact the DRC for consideration of a variance.

3.6 Roofs

Single-ridge roof construction shall be allowed only if it includes gables, hips, dormers, or other elevation features *on all sides.*

All roofs shall be of a material, color, and texture approved by the DRC. Replacement material shall be the same quality or better, unless otherwise approved by the DRC in its sole discretion. Replacement shingles shall coordinate with the house color.

3.7 Building Projections - Massing of Components

All projections including, but not limited to, chimney flues, vents, gutters, downspouts, porches, railings, and exterior stairways, shall match the color of the surface from which they project or shall be of an approved color. Vents are to be painted a color that blends with the roofing color.

3.8 Garages

All garages must be a minimum of 600 square feet in size. Consideration will be given to the lot size, orientation, and elevation. Any variance request must be submitted to the DRC along with the original builder application.

Garage door color must blend with the rest of the dwelling and be approved by the DRC.

3.9 Antennas - Satellite Dishes - Solar Panels

A satellite dish is allowed pursuant to the terms of the Declaration as approved by the DRC. Large satellite dishes shall be prohibited in favor of the smaller (18") varieties unless otherwise approved by the DRC. Large antennas are not permitted without express written permission of the DRC and the Board of Directors of Deer Creek Village.

DCVOA has adopted aesthetic and safety provisions for the protection of the owners and community. All owners who wish to install solar panels are required to apply to the Design Review Committee using the appropriate forms. All applications for solar installations must be accompanied by complete documentation from the installation company. Installer must provide documentation that installation meets building codes and conforms with DCVOA Design Guidelines and Colorado law. Solar panels may not be installed on common areas or HOA owned property.

Solar panels or solar devices are defined by Colorado law (C.R.S. 38-30-168) as “a solar collector or other device, or a structural design feature of a structure, which provides for the collection of sunlight and which comprises a part of system for the conversion of the sun’s

radiant energy into thermal, chemical, mechanical or electrical energy." Solar panels or devices are typically mounted on the roof.

Roof-mounted solar panels requirements:

1. To the extent possible, avoid installing solar panels on the front, or public-facing view of the property
2. Panels are to be flush mounted and securely anchored to roofs, and pitched differently from the angle of the roof only to the extent necessary for solar efficiency.
3. No property owner can erect an object, or construct or install an improvement that will obstruct access to sunlight for existing solar panels without the express written permission from the owner of the property with the solar panels.
4. Panels must be installed by a licensed contractor who specializes in solar installation and comply with local, state and federal safety regulations.
5. To the extent possible, panels will be aesthetically integrated into the structure.
6. Panel mountings must be finished/painted in either earth tones or black. Panels must be anti-glare, anti-reflective so as not to cause glare to neighboring properties.
7. Property owners requesting roof mount must document that installation is not "oversized" for the electrical demand requirements of the home.

Ground-mounted solar panels require a variance approved by the HOA board. The owner must submit a variance request that documents the reasons that roof mounted solar panels will not work on the property and/or document that roof-mounted panels would be either at least 10% more expensive or 10% less efficient (C.R.S. 38-30-168).

If a variance for ground-mounted solar panels is approved for installation, they must meet the following criteria in addition to any specific property/site requirements included in the variance:

1. All panels must be in the rear yard of a home.
2. All panels must be within the building set-back, except they may be within a 5-foot minimum distance of the rear property line.
3. Panels must be surrounded by landscape fencing that conforms to the Design Review Guidelines so as not to pose a safety hazard to either persons or animals.
4. Panels must be screened from view from the street and from neighbors by year-round dense landscape plantings of sufficient height and mass to effectively screen them at least 80% from view.
5. Panel mountings must be finished/painted in either earth tones or black. Panels must be anti-glare, anti-reflective so as not to cause glare to neighboring properties.
6. Solar arrays may be no taller than six feet.
7. Solar thermal is not an option for ground mount.
8. Ground mount must be fixed panels.
9. All transmission lines must be underground and meet building codes. Inverters and connections to the home must be mounted on the home and comply with building codes.
10. Property owners requesting ground mount must document that installation is not "oversized" for the electrical demand requirements of the home.

3.10 External Mechanical Equipment

1. Ground Level: All ground-level mechanical systems (e.g., air conditioning compressors) shall not be in front yards or on the address side of a corner lot and shall not extend into any setback. All electrical wiring services must be located underground. Individual room window and wall-mounted air conditioning units including "split-systems" are prohibited if visible from Common Elements or streets. Mechanical equipment should be concealed and located so as not to have an adverse effect on the use of adjacent property.

2. Rooftop: Roof-mounted HVAC or PTAC equipment including evaporative cooling (swamp coolers) is not permitted. Under-soffit-mounted evaporative coolers that are located on the side or back of the house are allowed. Preferred attic ventilators should be of the "pancake" low-profile type. Attic ventilators shall not extend above the roof ridge. Roof ridge vents are acceptable. Rooftop appendages (vents, stacks, sky lights, etc.), whenever possible, should be located on the rear slopes of the roof and not visible from the front of the house. Rooftop appendages are to be painted to match or blend with the color of the roof.

3.11 Building Codes

All structures will conform to all applicable building codes and ordinances. Approval by the DRC does not constitute or imply compliance with such codes and ordinances.
The DRC reserves the right to establish requirements that exceed applicable local and county building codes.

4. LANDSCAPE DESIGN

4.1 Purpose and Intent

The Landscape Design criteria are intended to supplement the Site Planning and Architecture Design criteria to integrate structures into the community. Additionally, landscaping should have compatibility with adjacent properties, the project's streetscape, and ultimately transition into perimeter landscaping. The DRC reserves the right to require landscape components as a part of the architectural approval.

4.2 Timing and Components

All landscaping plans must be given to the DRC and approved in writing prior to implementation. Any changes or additions in the landscape design that modify the existing design requiring anything more than hand tools (i.e.: backhoes, concrete trucks, skid-steers, or other heavy equipment) must be presented in writing for approval by the DRC.

Each property is to be fully landscaped. All landscaping (i.e., front yard, rear- and side-yard landscaping) is the obligation of the owner. This includes any portion of the owner's property that is considered the Town of Cedaredge Right-of-Way. Submittal of landscaping plans may require up to 60 days for review by the DRC. At the time of, or when possible, following construction of the residential structure on a property, but not later than one (1) year following the issued Certificate of Occupancy of a property, the front, rear, and side yard shall be suitably landscaped. In the event the landscaping has not been completed within one (1) year following the issued date of Certificate of Occupancy, landscaping requirements as set forth in the Declaration shall be enforced.

There are many yardscapes in DCVOA that have been artfully crafted and contribute to the engaging nature of our neighborhood. To enhance property values and to reduce energy costs, the DRC encourages new and redesigned landscapes to contain these common elements:

- Concrete curbs separating lawn, gravel, raised beds, and berms

- Underground sprinkler/drip systems
- Xeriscaping techniques that combine height, depth, texture, and color variations featuring a mixture of native plants; these include evergreen and deciduous trees, grasses, shrubs, and flowering plants that bloom at different times and seasons
- Crushed rock is typically used as a ground cover in Xeriscaping. Large boulders, river rock meandering stream beds, ground undulation, edging, and retaining walls are encouraged in addition to the vegetation described above. No expanse greater than 20 feet between landscape features (boulders, plants, trees, etc.) is allowed on rock ground cover areas.
- Natural grass areas.
- Please submit a list with pictures of vegetation and samples of non-vegetation landscaping materials with the landscape checklist. Please include a key for the location of all materials shown on your site plan.
- It is encouraged that owners use professional landscape companies and architects

Property owners, their builders, or other representatives are required to reduce the disruption to the community during the excavation and grading process. Consideration of snow storage and eventual runoff must be a consideration during the construction process. Existing and natural drainage corridors should be used to reduce the impact of adjacent properties.

Properties constructed before 2015 with design elements that are currently regarded as nonconforming are grandfathered in and are permitted to maintain, repair, and replace these elements as needed.

4.3 Fencing

All perimeter and landscape fencing requests require written approval by the DRC prior to purchase of materials or installation and are subject to a review period up to 60 days by the DRC.

All perimeter and landscape fencing requests must be in writing and accompanied with two (2) copies of a detailed written plan and map which shows the exact location of the fence on the property relative to the residential structure and the property boundaries.

Perimeter and landscape fencing at Deer Creek Villages is subject to review and must have written approval by the DRC. Review and approval require an on-site inspection of the proposed fence location by the DRC together with the homeowner prior to construction.

Perimeter fencing provides for a sense of security, provides confinement for family activity, yet avoids complete physical and visual enclosure. In cases where partial privacy fencing is desired, the enclosed area must be specified in a design plan and submitted to the DRC. Perimeter fences are not required to fence the entirety of the backyard of the property.

Fencing Regulations:

1. For lots 53-93 of Stonebridge Drive north of Independence Avenue, perimeter and landscape fencing shall be peeled post and rail wooden fencing with a maximum height of five (5) feet. The fence may include a lining of welded wire. The wooden fence shall have a natural finish or stain.

2. For all other lots in Deer Creek Villages, black metal (wrought-iron style) fencing is the only perimeter fencing allowed. Split rail, peeled post, and rail fences are not allowed for landscaping. The use of any material other than black metal is subject to the review and approval of the DRC based upon consideration of other landscaping elements for the property as set forth in Section 4.10 of the Design Guidelines. All perimeter fencing must be four (4) to six (6) feet high as measured from the ground.
3. All Deer Creek Villages Lots:
    a. Perimeter fencing is prohibited in the front yard of any residence. Backyard perimeter fencing shall return and terminate against the house a minimum of ten (10) feet from the front foundation corner of the house. Consideration shall be given to the location of various walls and structural extensions of the house relative to the street frontage in conjunction with the proposal submitted by the Owner. For corner lots, the location of the front or main entry into a house shall be used to establish the backyard area.
    b. Landscape fencing requests are considered, reviewed, and approved with the same considerations and requirements of other landscaping elements for a property as set forth in Section 4.10 of the Design Guidelines.
    c. Plant fencing may be installed anywhere upon a property by the owner without the prior review or approval of the DRC.

4.4 Site Drainage and Grading

All structures and landscape elements shall be placed on the property so that the existing topography shall be disturbed as little as possible. Finish grading shall be such as to prevent pooling or washing of water on the site and on the adjacent property while providing for a rolling lawn area. Drainage shall be away from structures. Newly graded areas shall be protected against erosion. Location of topsoil stockpiles, barrow pits on site, and excess material disposal areas are subject to DRC approval. Owners are encouraged to utilize soils engineers and landscape professionals to help ensure proper drainage is maintained.

4.5 Berms

All berms must be approved as landscaping by the DRC. Barrier berms will be considered for properties that abut SE Deer Creek Drive starting at Independence and heading north. This part of SE Deer Creek Drive is adjacent to Cedaredge Middle school and Cedaredge High School. All plant materials used on berms should be compatible with the local climate or be native or naturalized to the area.

4.6 Lawns/Yards

All landscaping shall be maintained by the owner in good condition. Lawn areas and all landscaping should be designed and installed to ensure proper drainage is maintained. Lawns must be edged and regularly mowed. It is strongly encouraged that underground sprinkling systems or drip systems for all plant materials be installed to adequately care for sod and to conserve water. Artificial turf may be used in lieu of natural grasses. A sample of the artificial turf to be used must be submitted along with the landscaping application and the proposed turf must be approved by the DRC prior to installation.

4.7 Rock and Mulch

Planting beds visible from the internal public right of way or private street may utilize a woody mulch or rock. Woody mulch provides a favorable environment for plants, reduces irrigation requirements, and minimizes long-term maintenance costs.

All mulch and rock must be placed over a weed barrier fabric and be kept in place with a steel, plastic, or brick edging. All edging should be installed to prevent damming of water near the foundation. Weed barrier fabric is not required for annual planting beds.

4.8 Lighting

A permanent electric or solar exterior light post is required with a light sensor. A light post shall be installed not more than ten (10) feet from the road and at a height of four (4) to six (6) feet. The light post shall be of such type and configuration as approved by the DRC.

To keep our rural skies dark at night and yet maintain safely lit streets, exterior lights on the home and on the light post shall follow the International Dark-Sky Association's (IDSA) guidelines, which encourage the use of full-cutoff fixtures that cast little or no light upward. All exterior lights shall have a point source of light that illuminates the surrounding ground area safely but is not directed outward or upward into a driver's or pedestrian's eyes. Only soft, white (or warm white) bulbs are allowed. No type of floodlight is permitted.

Post lights are required to be on during all hours that are dark, even when occupants are not present at the property. This is an important safety and security issue for all occupants of Deer Creek Villages and aids emergency vehicles.

No exterior lighting other than that provided by the builder shall be allowed on any property except with the written approval of the DRC. Subdued exterior lighting using full-cutoff fixtures is allowed by the DRC for such purposes as illuminating entrances, decks, driveways, landscaping and parking areas, and other approved purposes such as seasonal decoration.

4.9 Landscape Components

Ornamentation is allowed within the landscaping plan so long as it aligns with the overall look, natural color, and character of the property and neighborhood. Rain barrels, if aesthetically pleasing and enclosed, will be allowed. Homeowners requesting a rail barrel must identify the site location, materials to be used, means of keeping the barrel secured, and method of mosquito mitigation in a submittal to the DRC for their consideration.

4.10 Maintenance of Properties (Landscaping and Weed Control)

It is the responsibility of property owners to maintain their properties. In addition, to avoid miscommunication and misunderstanding, Owners are responsible for providing a current phone number to the HOA Manager.

Improved Lots: Owners shall keep Improved Lots clean, attractive, and in good condition and repair. This includes regularly maintaining the landscaping by trimming, weeding, cultivating, and keeping it in a healthy condition, which includes keeping the property free of noxious weeds. It is the Owner's responsibility to know the easement rights, if any, for his/her property.

Unimproved Lots: Upkeep of each Unimproved Lot shall be the responsibility of the Owner whenever necessary or appropriate. This means mowing and trimming vegetation, including noxious weeds, before the weed height exceeds eight (8) inches. Mowing and trimming helps prevent the spread of weeds and seeds to adjacent properties and maintains the overall appearance of the community. It is the Owner's responsibility to know the easement rights, if any, for his/her property.

Because the terrain differs between lot locations, requirements may vary:

1. Owners of lots backing up to the golf course must follow the Cedaredge Golf Course Maintenance Policy found at the end of "Governing Documents: Policies" on the HOA's website: dcvoa.com. Contact the HOA Manager to obtain a paper copy.
2. Owners of lots backing up to Surface Creek Walking Path may seek a *Maintenance Buffer Zone* (MBZ) from the DRC in which an Owner chooses to leave an undisturbed natural area on a portion of the lot. NOTE: Noxious weeds are not considered "natural," and owners will be asked to remove them from MBZ. Owners are responsible for maintaining landscaping or mowing and trimming weeds on that portion of their lot(s) that is(are) viewable from the street and is(are) outside of the DRC-approved *Maintenance Buffer Zone*.
3. Lots backing up to natural features or containing non-HOA properties (i.e., wetlands, ditches, hillsides) in which an Owner chooses to leave undisturbed any natural area(s) must receive approval from the DRC for a designated *Maintenance Buffer Zone* on their lot(s). Owners are responsible for maintaining landscaping or mowing and trimming weeds on that portion of their lot(s) that is(are) viewable from the street and is(are) outside the DRC-approved *Maintenance Buffer Zone*.
4. Owners of lots under active construction of a residential home are required to maintain the property under Section 6 of this guideline to include ensuring that weed heights do not exceed eight (8) inches.

Requests for *Maintenance Buffer Zones* must be directed to the DRC by completing the DRC checklist. (See the DCVOA website or contact the Community Manager.) The DRC will maintain details of the lots with approved *Maintenance Buffer Zones* and make this available to the HOA board, DRC members, or representative(s) who perform property inspections.

Mowing and Trimming Requirements

1. Whether Owners mow and trim their own lots or hire a mowing service, the following is required:
    a. Brush-hogs or brush-hog-type mowers are not allowed.
    b. Weeds must be mowed and trimmed at a frequency and to a level that keeps them below eight (8) inches.
    c. Vegetation must be trimmed along property boundaries and around all natural and artificial features on a lot, unless the lot has a DRC-approved *Maintenance Buffer Zone.*
2. The use of synthetic herbicides to control weed height is strongly discouraged.

Enforcement

1. Confirming compliance: In the event of any courtesy or violation notice for weeds, it is the responsibility of the Owner to contact the HOA Manager when his/her lot has been mowed and trimmed in compliance with the notification of violation.

2. Mowing Compliance List: The HOA shall maintain a list of Participating Mowers who have agreed to follow the mowing requirements in this guideline and to mow clients' lots every two weeks or at a frequency that keeps weeds below eight (8) inches in height. Owners who enter into a contract with a Participating Mower shall then contact the HOA Manager to be added to the Mowing Compliance List. The HOA board, DRC members, or representative(s) who perform property inspections will refer to this list if, during an inspection, an Owner's lot is in violation. Owners listed will not receive a violation at that time. However, if it is evident after a subsequent inspection that an Owner's lot is not being regularly maintained, the HOA shall notify the Owner of the violation.

3. Per DCVOA Policy #5 (4c), all Owners receiving a violation have a right to be heard, either orally or in writing, by the HOA Board at the next meeting of the Board, which is at least fifteen (15) days after the date of the notification. However, an Owner's right to a hearing does not preclude the HOA's responsibility to continue enforcement of this guideline.

Inspection Procedures

1. Lots within the HOA are monitored monthly, beginning April 1 or when active weed growth has begun. Lots with weed heights over eight (8) inches at the time of inspection shall be issued a violation notification. Owners in violation will receive a phone call and will need to mow and trim within two (2) weeks or by the date specified in the call (the correction period). An email or mailed reminder will follow the call. Lots will be reinspected after the correction period and every two (2) weeks until the lot is mowed and trimmed.

Violation Notification Schedule

1. Owners with a first violation will receive a Courtesy Reminder phone call and a Courtesy Reminder letter. No fine shall be assessed. Please note that while the HOA Manager will make every effort to call all Owners with first violations, it remains the responsibility of Owners to monitor their lots to assure they are in compliance.
2. If the Owner has not contacted the HOA Manager to confirm compliance with the first violation notification and the lot has weeds over eight (8) inches in height at the end of the correction period, a second violation will be issued. Owners shall be fined $75. The property must be mowed and trimmed within the next correction period to avoid a third violation.
3. If the Owner has not contacted the HOA Manager to confirm compliance with the second violation notification and the lot has weeds over eight (8) inches in height at the

end of the correction period, a third violation will be issued. Owners shall be fined an additional $100. The property must be mowed and trimmed within the next correction period to avoid further fines.

4. If the Owner has not contacted the HOA Manager to confirm compliance with the third violation notification and the lot has weeds over eight (8) inches in height at the end of the correction period, a fine of $50 per day for up to five days will be enforced until the Owner confirms compliance with the HOA Manager. A certified letter will be mailed in addition to a phone call.
5. If the Owner has not contacted the HOA Manager to confirm compliance, the HOA shall have the lot mowed. In addition to the fine (up to a maximum of $425), the Owner shall be assessed the cost of mowing the lot.

4.11 Burning

Burning of vacant lots within the HOA is not permitted for control of weeds and other organic debris. Limited burning of debris in cross-lot drain and/or irrigation ditches is authorized provided the Town of Cedaredge has issued an appropriate burn permit.

5. DESIGN REVIEW AND APPROVAL PROCEDURE

5.1 Prior to Plan Submission

The submitter (builder) will be provided with:

1. DCVOA Master Declaration and Design Guidelines in PDF form; please read and understand them.
2. Builders are required to sign a Participating Builder's agreement that specifies they have read and will abide by all DCVOA governing documents. This agreement also requires each builder, contractor, and subcontractor to provide valid proof of liability insurance.
    a. The HOA may remove any Participating Builder for reasons such as, but not limited to a builder: who does not comply with the HOA's governing documents; who is not insured; whose subcontractors are not insured; who has used without authorization electricity/water from a different property; or who has a history of poor performance, incomplete projects, documented complaints, injunctions, or unpaid employees or subcontractors.
3. Submittal application and checklist

5.2 Submission of Plans by Owners/Builders

1. Please submit to the DCVOA Manager:
    a. An application fee of $500 along with the submittal application
    b. A complete set of plans to include:
        i. one (1) set of paper plans ii. digital plans
            1. A scaled PDF including, if available, an exterior 3-D full rotational site plan illustrating the building with lot gradients and landscaping.

2. Auto-CAD

iii. a cover sheet that includes:

1. door and window schedules including compliance with the DG window area percentage calculations
2. exterior materials compliance with DG percentage calculations
3. living area square footage
4. garage square footage

c. Samples of exterior materials with links to manufacturers' websites

d. Mechanical plan

i. Heating/cooling systems and other major components specified and their location

e. Exterior lighting plan

5.3 Custodial Management of the Project

1. The DCVOA Manager determines the project plan submission is complete with all required documentation.
2. DCVOA Manager transfers the project to the DRC chairperson.
3. The DRC chairperson assigns a member as the representative between the owner/builder and the DCVOA. The DRC rep will oversee that all DG are met and verified through to the completion of the project, terminating with a Certificate of Occupancy (CO).

After DRC review and HOA board approval, the owner/builder shall apply at the Town of Cedaredge for a building permit.

5.4 Resubmission of Plans

If the submitter's plan is not accepted, the submitter may revise his/her plan and resubmit for a second review at no additional cost. If the revised plan is not accepted a second time, each subsequent resubmittal will be an additional $200. Upon submission of the new or corrected plans, the review process, including the allowable time for review by the DRC shall begin again. Any plans that are re-submitted shall be subject to review and approval based upon existing DR Guidelines.

In the event a decision by the DRC is felt to be unjust, a request may be submitted in writing to the DRC within seven (7) days of the date of notification of the decision for a special hearing. This request shall contain the reasons why the decision is felt to be unjust and any other explanatory material that would be helpful to the DRC in reviewing the situation. A meeting of all parties concerned may be arranged when warranted and the decision of the DRC at any such meeting or after reviewing this material will be final.

5.5 Accuracy of Plans

Any owner submitting plans for approval to the DRC shall be responsible for the verification and accuracy of all Property dimensions, grade, elevations, and the location of the key features of the natural terrain. Each owner shall certify to the accuracy of that before the DRC will undertake its review.

5.6 Verification Process

After receiving HOA board approval for building plans, the owner/builder must contact the designated DRC rep for the following verifications:

1. Setbacks
    a. The building site must have the forms set for the slab-on-grade or foundation wall footers. Measurements shall be made from the corner pins and batter boards OR by a surveyor's electronic verification prior to pouring concrete. The finished slab-on-grade or foundation wall must comply with the DG setbacks.
    b. The BOD may enforce a cessation to construction if there is a setback encroachment until such time as the setback is in compliance.
    c. The DRC rep will initial and date the Submittal Checklist.
2. Door and window size compliance
    a. The DRC rep will measure and verify dimensions and percentages of all the window rough openings.
    b. The BOD may enforce a cessation to construction if openings do not comply with guideline percentages.
    c. The DRC rep will initial and date the Submittal Checklist.
3. Paint color
    a. The builder shall place proposed colors on 24" x 24" pieces of wood or siding and lean them against the front of the residence in a conspicuous place so a DRC member can assess appropriateness of the colors in the actual residential setting. It must remain there until the DRC member confirms or denies the color and contacts the builder. Samples may be removed when colors are approved.
4. Final build and Certificate of Occupancy (CO)
    a. When the building is completed, which includes finished grading according to approved plans and the house is issued a Certificate of Occupancy, the builder will provide a digital or hard copy of the CO to the DCVOA Manager.
    b. The DRC rep will initial and date the Submittal Checklist and return it to the DCVOA Manager for secure filing.

5.7 Work in Progress

Any changes in plans during construction must be approved by the DRC in advance of the builder making the change. The builder must contact a DRC member in writing (letter or email), describe the change, explain why the change is needed, and provide new specifications. The DRC may request building plans be resubmitted and a $200 fee charged if it is the second (or more) resubmittal.

5.8 Completion Deadline

Builders have 120 days from the date of approval to begin their project/break ground. Builders shall contact the HOA Manager to report the date of ground-breaking. Builders then have one year from the date of ground-breaking to complete their project and provide the DCVOA with a Certificate of Occupancy (CO). The BOD has the authority to extend or modify time frames. The

BOD also has the authority to levy fines, liens, and/or site cleanup of unfinished projects in accordance with applicable law.

5.9 Townhome Design Guidelines

All general Design Guidelines are applicable to townhomes within the HOA. See DG Section 3: Architectural Design.

The overall project shall reflect a continuity of styling and design themes yet provide for creative variations of the design theme palette for individual buildings within the project. Builders may use duplicate building designs. Individual buildings should not be duplicates of the buildings on either side in floor plan, exterior color, texture, materials, rooflines, shadow lines, accents, and appointments, etc.

1. Square footage
    a. Individual, single-story townhomes—a minimum of 1,400 square feet per unit
    b. Individual two-story townhomes—a minimum of 1,800 square feet per unit
        i. Walkout units are preferred to two-story, above-ground units to maintain continuity with the existing townhome themes.
2. Setbacks
    a. A 30-foot minimum project (entire group of duplex buildings) setbacks from lot lines, front, sides, and back
    b. A 15-foot minimum setback between project buildings
    c. The HOA may consider modified setbacks.
3. Mirror image and duplicate floor plans and exteriors are permitted.
4. Buildings may combine driveways to minimize individual curb cuts.
5. Water meters
    a. Each townhome unit should have its individual water meter.
    b. One common water meter should be used for the project's landscaping.

5.10 Right of Variance

The DRC reserves the right to grant a variance or vary any of the procedures or guidelines set forth in these DG at its discretion for good cause shown based on the standards set forth in the Declaration.

5.11 Non-Liability of the DRC

To the extent permitted by law, the DRC or their respective successors or assigns, shall not be liable in damages to anyone submitting plans. This exemption from liability shall be for any reason, including because of mistake of judgment, negligence, or nonfeasance. Every owner or other person who submits plans to the DRC for approval agrees, by submission of such plan specifications, that he will not bring any action or suit against the DRC to recover damages.

5.12 Enforcement

These Design Guidelines may be enforced by the DRC or the Association as provided in the Declaration.

6. CONSTRUCTION REGULATIONS

Before you begin your project, we ask you to be considerate of your neighbors and neighborhood.

All building sites must have a supervisor or foreman on-site on a regular basis, especially if the builder is using sub-contractors. The on-site supervisor/foreman's contact information will be provided on the Builder/DRC Checklist as the "Project Representative." The Project Representative is responsible at all times for the management, job-site appearance, workmanship, and behavior of all workers on the jobsite.

Property owners—please inform your contractor, subcontractors and any workers visiting your site to follow these construction guidelines:

6.1 Construction Hours

Construction hours are between 7:00 a.m. to 6:00 p.m. Monday through Saturday.

6.2 Excavation

Excess excavation material may be required to be removed from the property. Excavation, except utility trenching, shall be on the owner's site only.

6.3 Utilities

Contractors will use only utilities provided on the site on which they are working. Accessing utilities from any other site without written permission of the owner of that site is trespassing and violators may be charged.

6.4 Construction Site Maintenance

Trash Receptacles: Continuous clean-up of construction sites is mandatory. For new construction or significant remodel projects, please provide an on-site dumpster (with a cover) that can accommodate a minimum of 4 cubic yards of waste. A covered trailer that can accommodate an equivalent amount of waste is also acceptable. Do not let dumpsters/trailers overflow with trash. In addition:

1. Do not use dumpster for food or waste that will attract animals.
2. Do not use dumpster for materials that may leak, be caustic, flammable, or hazardous.
3. Locate the dumpster in an accessible place for service that is as screened and away from your adjacent neighbors as possible.
4. The dumpster is for your construction project only (e.g., no old sofas).

Toilets: If you are building new construction or an extended remodel project where workers will not have access to a bathroom in your home, provide an outside portable toilet.

1. Place the outside portable toilet in an accessible place for service that is as screened and away from your adjacent neighbors as possible. The outside portable toilet must be on the building site, not at the street curb.

Maintain a clean jobsite.

1. Confine all construction activity within the boundaries of your construction site.
2. Confine all construction tools and materials within the boundaries of the construction site and screen (cover) material piles from your neighbors and neighborhood views during non-work periods, lunch breaks excepted.
3. Do not store construction equipment or machinery such as excavators, bulldozers, loaders, skid-steers, graders, trenchers, backhoes, telehandlers, forklifts, dump trucks, concrete mixers, etc. on the street where it can cause traffic congestion and visually impact the neighborhood.

At the end of each workday:

1. Clean up the exterior of the jobsite and remove or place in the dumpster all construction waste including, but not limited to building materials, nails, screws, metal, tile, etc. We suggest using a magnet on wheels to remove metal objects (nails, screws) on the ground around the jobsite and adjacent areas.
2. Inspect adjacent public roads, trails, easements, and property adjoining your worksite and remove any waste created from your project, especially waste that may cause injury to people, pets, or vehicles such as, but not limited to, sharp objects, nails, screws, metal, glass, etc.
3. Cover tools and materials.

Job site practices

1. Construction employees' vehicles are not to block driveways or create parking or traffic congestion. Construction vehicles shall not damage any improvements or public streets, including damage from dripping oil.
2. Reasonable efforts shall be made to control noise and odor emitted from construction areas.
    a. No outside jobsite radio or stereo use is permitted that may be heard by adjacent neighbors. Use ear buds, headphones, etc.
    b. Be considerate of adjacent neighbors who may hear your conversations. Avoid coarse language.
3. No off-leash, threatening, or barking dogs permitted on the jobsite. Do not bring your dog to work.

a. A service dog belonging to a construction worker is permitted.

4. In addition to your work crews, there will be other visitors to your jobsite including, but not limited to a DRC rep, DRC member, inspectors, potential clients, realtors, etc. These individuals are required to wear hard-hats when on the construction site. Keep your project neat, clean, and with a safe, professional appearance.

The DRC understands occasionally there are special circumstances that may require exceptions or variances to these guidelines. Please contact the DRC first to request an exception.

6.5 Restoration of Property

Upon completion of construction, each owner shall clean the construction site and repair all damaged property. Repairs shall include, but shall not be limited to, restoring grades, planting shrubs and trees as approved or required by the DRC, repair of streets, driveways, pathways, drains, culverts, ditches, signs, lighting, and fencing.

In addition, the owner shall be held financially responsible for the cost of site restoration/revegetation and trash removal required on all adjacent properties because of trespass or negligence by their employees or subcontracted agents.

6.6 Soil, Rock, and Debris Removal

There shall be no dirt or construction stockpiles on any lots unless construction is already occurring. Builders must contact the DRC before transferring and depositing dirt piles on any other lot to which they have legal access. Lots to which dirt piles have been added (with DRC approval) must be graded within 48 hours and watered down to prevent dust and debris from blowing into adjacent lots. If construction halts for two (2) months or more, dirt piles must be removed immediately at the owner's expense. The DRC may consider an application for variance.

7. AMENDMENTS

The DRC shall have the right to amend and modify these DG any time in its sole discretion.

8. ALTERATIONS, ADDITIONS, OR IMPROVEMENTS

No alterations, additions, or improvements may be made to a property without the prior written consent of the DRC established by the Declaration. The DRC may adopt guidelines that, as amended from time to time, shall be deemed incorporated within these Rules.

9. SIGNS OR FLAGS

Per CCIOA, the HOA may establish reasonable, content-neutral sign regulations based on the number, placement, or size of signs or on other objective factors.

1. An Owner may display the following items in such a manner that they do not block the vision from any neighbor’s driveway to the street.
    a. A maximum of two (2) flags may be displayed at any one time.
        i. The dimensions of each flag shall not exceed 36 inches by 60 inches.

ii. Flags shall be displayed from a window, a pole (maximum of six [6]feet) mounted on an exterior wall, or from one lighted flagpole that is a minimum

of 18 feet to a maximum of 25 feet high. The light on the pole shall be mounted near the top and shaded to direct light downward. Flood lights or ground-mounted lights are not allowed. Please see International Dark-Sky Association recommendations at www.darksky.org.

b. A maximum of one (1) garden or decorative flag may be displayed at any one time.

i. The dimension shall not exceed 18 inches by 24 inches.

ii. The garden or decorative flag shall be displayed from a window or a pole not to exceed six (6) feet in length attached to an exterior wall.

c. A maximum of two (2) yard signs may be displayed at any one time.

i. The dimension shall not exceed 18 inches by 24 inches. The top of the sign shall not be any higher than four (4) feet from the ground. ii. The sign shall be displayed from a window or in the front yard. iii. The sign shall not be any closer than 10 feet to an adjacent property.

d. A maximum of one (1) electronic pet fence/pet beware sign may be displayed.

i. The dimension shall not exceed 8 inches by 10 inches.

ii. The sign shall be displayed in the window or on the fence facing the front of the house. If one of the lot boundaries is adjacent to the golf course or the Surface Creek Trail, an additional sign may be placed on the fence facing the course or trail.

e. A maximum of four (4) security system signs may be displayed.

i. The dimension of each sign shall not exceed 12 inches by 12 inches.

ii. The signs may be displayed for each residence's entrance, in a window, and at each fence gate, if applicable.

f. No banners are allowed.

g. It is recommended that the signs and garden/decorative flags be posted for a time that is limited to the purpose of the messages.

h. Owners are asked to respectfully refrain from displaying signs or flags containing obscene, profane, or vulgar symbols or language.

2. Two (2) different commercial signs that represent different entities are allowed providing the following criteria are met:

a. Only For-Sale, For-Rent, Construction, Contractor, or Financial Institution signs are allowed.

i. A sign must not exceed 24 inches tall by 36 inches wide. The top of the sign must not be any higher than 4 feet from the ground.

ii. One sign shall be displayed in a window or on the street side of a lot. If one of the lot boundaries is adjacent to the golf course or the Surface Creek Trail, an additional sign may be placed facing the course or trail.

iii. When possible, signs must be placed where there will be no interference with sprinkling systems.

iv. The sign must be removed from the property within fourteen (14) days from the sale, rental, or completion of work on the property.

10. PARTICIPATING BUILDERS

No contractor or builder shall construct initial Improvements to a Property unless such a contractor or builder shall have been first submitted to and approved in writing by the DRC.

11. ADOPTION

The forgoing Design Guidelines recommended by the Design Review Committee were adopted by the Executive Board of Deer Creek Villages Owners Association, Inc. on April 16, 2025, and are in effect on April 16, 2025.

Marcia Martin, President 05/21/2025

_____ _____

DCVOA Board Representative Date

Tate Locke, Vice President 05/21/2025

_____ _____

Board Attestation Date

INDEX OF REVISIONS

Deleted verbiage is shown with a strikethrough in this index, and revisions or additions are italicized in green.

Effective: 05/21/2025: clarification for Solar installation and approval

3.9 Antennas - Satellite Dishes - Solar Panels

Removed: ~~It is preferred that solar panels be mounted on the roof on the back side (not street side) of the roof and not be angled or raised unless such panel placement is necessary for efficient operation.~~

Replaced with: DCVOA has adopted aesthetic and safety provisions for the protection of the owners and community. All owners who wish to install solar panels are required to apply to the Design Review Committee using the appropriate forms. All applications for solar installations must be accompanied by complete documentation from the installation company. Installer must provide documentation that installation meets building codes and conforms with DCVOA Design Guidelines and Colorado law. Solar panels may not be installed on common areas or HOA owned property.

Solar panels or solar devices are defined by Colorado law (C.R.S. 38-30-168) as “a solar collector or other device, or a structural design feature of a structure, which provides for the collection of sunlight and which comprises a part of system for the conversion of the sun’s radiant energy into thermal, chemical, mechanical or electrical energy.” Solar panels or devices are typically mounted on the roof.

Roof-mounted solar panels requirements:

8. To the extent possible, avoid installing solar panels on the front, or public-facing view of the property
9. Panels are to be flush mounted and securely anchored to roofs, and pitched differently from the angle of the roof only to the extent necessary for solar efficiency.
10. No property owner can erect an object, or construct or install an improvement that will obstruct access to sunlight for existing solar panels without the express written permission from the owner of the property with the solar panels.
11. Panels must be installed by a licensed contractor who specializes in solar installation and comply with local, state and federal safety regulations.
12. To the extent possible, panels will be aesthetically integrated into the structure.
13. Panel mountings must be finished/painted in either earth tones or black. Panels must be anti-glare, anti-reflective so as not to cause glare to neighboring properties.
14. Property owners requesting roof mount must document that installation is not “oversized” for the electrical demand requirements of the home.

Ground-mounted solar panels require a variance approved by the HOA board. The owner must submit a variance request that documents the reasons that roof mounted solar panels will not work on the property and/or document that roof-mounted panels would be either at least 10% more expensive or 10% less efficient (C.R.S. 38-30-168).

If a variance for ground-mounted solar panels is approved for installation, they must meet the following criteria in addition to any specific property/site requirements included in the variance:

11. All panels must be in the rear yard of a home.
12. All panels must be within the building set-back, except they may be within a 5-foot minimum distance of the rear property line.

13. Panels must be surrounded by landscape fencing that conforms to the Design Review Guidelines so as not to pose a safety hazard to either persons or animals.
14. Panels must be screened from view from the street and from neighbors by year-round dense landscape plantings of sufficient height and mass to effectively screen them at least 80% from view.
15. Panel mountings must be finished/painted in either earth tones or black. Panels must be anti-glare, anti-reflective so as not to cause glare to neighboring properties.
16. Solar arrays may be no taller than six feet.
17. Solar thermal is not an option for ground mount.
18. Ground mount must be fixed panels.
19. All transmission lines must be underground and meet building codes. Inverters and connections to the home must be mounted on the home and comply with building codes.
20. Property owners requesting ground mount must document that installation is not "oversized" for the electrical demand requirements of the home.

Effective: 04/16/2025: clarification of footprint

3.2 Dwelling Size

...No two-story or multi-story dwellings shall be permitted on any of these lots with less than 1,700 square feet*; the main level footprint must remain a minimum 1500 square feet*. Finished walk-out basements shall be included in total square footage of living space*; the main level must remain at a minimum of 1500 square feet...*

...No two-story or multi-story dwellings shall be permitted on any of these lots with less than 2,000 square feet; *the main level footprint must remain a minimum of 1800 square feet.* Finished walk-out basements shall be included in total square footage; *the main level must remain a minimum of 1800 square feet...*

Effective: 01/01/2025:

2.5 Gardens

Vegetable gardens are permitted in *front,* rear, and side yards. Flower gardens are encouraged in the front or side yards as a compliment to the landscape.

Section 3.1 Purpose and Intent

Last paragraph:

In order to prevent like residences from being in too close proximity to one another, substantially the same Front Elevation, including the dimensions, roof lines, location of doors, windows, porches, garages, as well as house colors, shall not be used on nearby lots, to include within ~~five (5) lot lines~~ *four (4) lots (including the build lot)* of another residence on either side of the same street or within eyesight in any direction not to exceed the above mentioned ~~five (5)~~ *four (4)* lot limit.

Section 3.6 Roofs

Single-ridge roof construction shall be allowed only if it includes gables, hips, dormers, or other elevation features *on all sides.*

Section 4.2
Second paragraph, sentences seven and eight:
At the time of, or when possible, following construction of the residential structure on a property, but not later than one (1) year following the ~~closing or first~~ *issued Certificate of Occupancy* of a property, ~~whichever occurs first,~~ the front, rear, and side yard shall be suitably landscaped. In the event the landscaping has not been completed within one (1) year following the *issued date of Certificate of Occupancy* of the property, ~~whichever comes first~~, landscaping requirements as set forth in the Declaration shall be enforced.

Third paragraph:
Natural grass ~~yards, which meet or exceed the minimum of 30% coverage of the lot~~ *areas*

add bullet point: *Crushed rock is typically used as a ground cover in Xeriscaping. Large boulders, river rock meandering stream beds, ground undulation, edging, and retaining walls are encouraged in addition to the vegetation described above. No expanse greater than 20 feet between landscape features (boulders, plants, trees, etc.) is allowed on rock ground cover areas.*

add bullet point: *Please submit a list with pictures of vegetation and samples of non-vegetation landscaping materials with the landscape checklist. Please include a key for the location of all materials shown on your site plan.*

Section 4.9:
add : *Rain barrels, if aesthetically pleasing and enclosed, will be allowed. Homeowners requesting a rain barrel must identify site location, materials to be used, means of keeping the barrel secured, and method of mosquito mitigation in a submittal to the DRC for their consideration.*

Section 5.6 *VERIFICATION*
4. Final build and Certificate of Occupancy

> *a:.* When the building is completed, which includes finished grading according to approved plans and the house is issued a Certificate of Occupancy, the builder will provide a digital or hard copy of the CO ~~number~~ to the ~~DRC Rep~~*. DCVOA Manager.*

Section 11 - Adoption
The forgoing Design Guidelines recommended by the Design Review Committee were adopted by the Executive Board of Deer Creek Villages Owners Association, Inc. on ~~June 21, 2023~~ *December 18, 2024, (added)* and effective on 0~~7/19/2023~~ *01/01/2025 (added)* by Marica Martin (President) and Attested by Tate Locke (Vice President).

Effective: 07/19/2023:

Section 5.3 - paragraph after 3.

After DRC review and HOA board approval, the owner/builder shall apply at the Town of Cedaredge for a building permit. ~~Note: If the owner/builder's project is in full compliance with the original approved plans, and there have been no plan resubmittals, the owner/builder will be refunded $200.00.~~

Effective: 06/21/2023:

Section 11 ADOPTION

The forgoing Design Guidelines recommended by the Design Review Committee were adopted by the Executive Board of Deer Creek Villages Owners Association, Inc. on ~~November 16, 2022.~~ *June 21, 2023 (added)* and signed on 07/19/2023 *(added)* by Tate Locke (President) and Attested by Sharon Coquillette (Vice President)