

Solar Ranches, Filings 2B, 2C, & 2D **Architectural Guidelines**

Approved and Adopted by the Board 05/10/04

Intent

The Solar Ranches architectural concept is to create a quality community which shares common design elements and which promotes a sense of neighborliness. The use of energy efficient systems and earth friendly materials in a western or southwestern design are encouraged. Landscaping will be used as a tool to unify the community. Proposed plans will be evaluated for their contribution to maintaining the shared values described in these guidelines.

The Solar Ranches Architectural Review Committee (ARC) has been vested by the Bylaws of the Solar Ranches Homeowners Association, Inc. with the responsibility to review and approve all new construction, additions, major landscaping, decks, fences, walls, and any changes made to exterior design and/or color after original construction.

Minor landscaping, including planting additional trees and shrubs, does not need to be reviewed by the ARC.

Owners are strongly encouraged to meet with the ARC for a pre-project consultation before drafting final plans. This will help avoid time and expense associated with having to re-draft plans to meet ARC approval.

As provided below, the ARC meets on the first Tuesday of each month, at a time and location established by its members. Applicants should contact the ARC Chairman at least five days in advance for the next meeting time and location, prior to presenting any required submittal or request for consultation.

Article I – Architectural Review Committee (ARC) Defined

1. As further defined in Article II set forth below, the Architectural Review Committee, also referred to as ARC, shall have power to accept, deny, grant variances and exceptions for all applications for construction or remodeling of any single family, duplex, multi-family residences, landscaping and any accessory elements, on any property located in Solar Ranches Filings 2B, 2C, & 2D.
2. No building, fence, wall, permanent structure of any nature, or other improvements of any character shall be erected, nor the erection thereof begun, nor changes made in the exterior design or color thereof after original construction, nor shall landscaping be undertaken on any lot until plans and specifications showing the nature, kind, shape, height, materials, and location of same have been submitted to and approved in writing by the ARC, which approval shall not be unreasonably withheld.
3. Factors to be considered in connection with such approval shall include the exterior design, materials to be used, building massing/ forms in relation to adjacent lot owners, harmony of design, and topography within the subdivision. It is the intent of these guidelines to provide a quality and unique residential development. To that end, the ARC is hereby granted broad powers to construe and apply these guidelines and to decide on questions arising hereunder.
4. These ARC guidelines are in addition to all applicable building regulations and ordinances of the Town of Ridgway.

Article II – Review Process & Plan Approval

1. The ARC shall meet on the first Tuesday of every month. The time and location of meetings may change from time to time, and all applicants shall contact the ARC Chairman for the next meeting time and location, prior to presenting any required submittal or request for consultation.
2. All Owners shall arrange a pre-application consultation with the ARC to review the covenants, and the restrictions contained in these guidelines as it relates to their proposed project. A pre-construction checklist for the Owner shall be available at this meeting. All final applications for review must conform to the current Architectural Guidelines, as adopted by the Homeowners Association, and in place at the time of application.
3. After the initial pre-application consultation, the Owner shall submit to the ARC five (5) complete permit ready sets of plans and documents for review only at a regularly scheduled meeting. The ARC shall have a maximum of thirty (30) days to review the plans and documents. Plans should be of sufficient detail for the ARC to have a complete understanding of the proposed structure and any landscaping. If the submittal is incomplete it shall be denied and subject to re-submittal as a new application for ARC approval. On lesser projects that do not require a Town of Ridgway Building Permit and do not materially alter the color, shape or appearance of existing improvements, submittal requirements shall be determined during the pre-application consultation with the ARC.
 - a. A complete set of scaled plans shall be submitted, and shall include but not be limited to:
 1. Site Plan @ 1" = 20'-0" (minimum) Including location of propane tanks, all utility services, and any proposed changes to topography.
 2. Floor Plans @ 1/4" = 1'-0"
 3. Exterior Elevations - North, South, East, West @ 1/4" = 1'-0"
 4. Building height verification (Per Town of Ridgway Ordinance)
 5. Landscape Plan @ 1" = 20'-0" (minimum) Including plant material and size, all hardscape features & drainage patterns).
 6. Submittal requirements: Exterior lighting, exterior materials, roof color, sample of exterior surface material color and sample window type and color.
4. Upon final ARC approval, the ARC shall retain one (1) set of stamped, approved plans and return three (4) approved sets to the owner for the building permit. Prior to the start of any new single family or duplex structure construction, the Owner shall deposit \$3000.00 in an escrow account with the ARC, which will be held until the construction project and landscaping requirements are complete. Prior to the start of any new structure construction of any new multi-family-unit structure containing three (3) or more units, the Owner shall deposit \$3000.00 plus \$500 per unit for every unit greater than two (2) to be built on the site. Prior to the start of any remodel and/or addition to an existing structure, the Owner shall deposit \$1500.00. This deposit is intended to encourage that the structure will be built (or remodeled) according to the plans and specifications as submitted and approved by the ARC. The Owner and/or builder shall be required to maintain and protect all adjacent fences, streets, common areas and landscaping during the construction period. The Owner and/or builder shall correct any subsequent property damage to neighboring property, including all trash removal prior to the completion of, and final acceptance of, the construction project. The ARC reserves the right to use escrow funds for costs to remedy any said violation, or interim neglect including clean-up and trash removal, and refund the remaining amount to the Owner along with an accounting of how said funds were spent. Adjusted escrow amounts will be determined for lesser projects.

5. Final ARC approval is required prior to the start of any project that falls under the jurisdiction of these guidelines; and is additionally required prior to any application for a building permit from the Town of Ridgway Building Department, should a building permit be required for an Owner's particular project.
6. Any changes from approved set of plans shall require additional approval from ARC before proceeding with the said change.
7. The ARC reserves the right to require a professional designer or architect to design any structure to be constructed within Solar Ranches, Filings 2B, 2C, & 2D.
8. The ARC reserves the right to invoke a court injunction to stop construction that does not conform to the approved set of plans, and all costs related to the resolution of the non-compliance, including but not limited to reasonable attorney's fees, shall be incurred by the Owner.

Article III – Definitions

The following words when used in these guidelines (unless the context shall prohibit) shall have the following meanings:

- (a) "Property or Properties" shall mean and refer to all real property described herein and being a part of Solar Ranches, Filings 2B, 2C, & 2D and subject to these guidelines.
- (b) "Lot or Lots" shall mean and refer to any lot, or lots of properties, as shown upon the recorded maps in the Town Of Ridgway entitled Solar Ranches, Filings 2B, 2C, & 2D, and within the Town Of Ridgway, County of Ouray, State of Colorado; together with any and all improvements that are now or may hereafter be constructed thereon.
- (c) "Owner" shall mean and refer to the record owner, whether one or more persons or entities of the fee simple title to any lot or part, portion, or parcel of the properties, notwithstanding any applicable theory of mortgage or trustee under a mortgage, Deed of Trust or similar instrument, unless and until such mortgage or trustee has acquired title pursuant to foreclosure or any proceeding in lieu of foreclosure.
- (d) "Variance " shall apply to the process of requesting and granting a variance. The ARC shall require a majority vote of the members to grant a variance from these guidelines, as contained here within. A variance will only be granted for hardship not created by act of the applicant and then only if the variance would not violate the spirit of the Declaration of Restrictive Covenants. If a variance request is denied, a final appeal may be made to the Board of Directors of the Homeowners Association.
- e) "Improvement" shall apply to any permanent improvement upon any lot or location within Solar Ranches, Filing 2B, 2C or 2D.

Article IV - Design Standards and Requirements

1. The total floor area of each single-family detached residence, exclusive of open porches, garages, and unfinished basements, shall be not less than 1300 square feet, nor greater than 4000 square feet. The total floor area of each duplex residence, exclusive of open porches, garages, and unfinished basements, shall be not less than 1000 square feet, nor greater than 2000 square feet. The total floor area of each multi-family residence in a structure containing more than two residences, exclusive of open porches, garages, and unfinished basements, shall be not less than 800 square feet, nor greater than 1500 square feet. The ARC may grant exceptions to these size restrictions if, in its sole judgment, it believes that the proposed design mass and scale is appropriate for the lot on which it is being proposed to be built.
2. The maximum height of a building shall not exceed 27 feet. The process for determining the maximum height of a building shall be according to the current Town of Ridgway regulations in place at the time of application for building plan approval.
3. Duplex and multi-family structures, including garages, shall be a contiguous structure sharing common architectural elements. All exterior elements and surfaces of a proposed project will be taken under consideration for approval during the review process.
4. The exterior walls/ surfaces of any residential dwelling unit and associated components, exclusive of doors and windows, on any lot, shall not be less than 65% hard surface materials; ie: stucco, stone or plaster.
5. All flat or sloped roofing materials, and/or siding materials on any permanent structure, shall require approval prior to installation. No horizontal, vertical or sloped roofing or siding material shall be of a reflective nature. Applicable roofing materials for consideration might include the following:
Slate, non-reflective metal, concrete/ clay tile, fire retardant Class B cedar shakes (as defined by the 1997 Uniform Building Code) or asphalt composition. Rusted, non-reflective metal roofing material must be treated to encourage rusting PRIOR to installation.
6. No building equipment and/or materials of any kind shall be placed or stored upon any lot 10 days prior to commencement of improvements.
7. Construction and related building or landscape materials shall be placed within the property lines of the Lot upon which the Improvements are to be erected. All such material, if not consumed or disposed of immediately, must remain on the Lot for which construction is in progress, and at the completion of such improvements, any residual materials must be immediately removed from the property. No stumps, trees, underbrush, or any refuse of any kind, nor scrap material from the Improvements being erected on any Lot, shall be placed on an adjoining Lot, street, right of way and/or common areas. All property owners and builders/contractors are required to address dust control, parking, noise and inconvenience to adjacent property owners during the construction phase.
8. All construction debris shall be disposed of in a required dumpster or receptacle during all phases of construction. Special care must be given to avoid trash blowing out of dumpsters. A minimum of one sanitary facility is required during construction activities until, at such time, permanent plumbing facilities are installed.
9. Allowable time for construction activities is between 7:00 am, in the morning, to 6:00 pm, in the evening, Monday through Saturday; and 11:00am, in the morning, to 4:00pm, in the afternoon, on Sundays. All construction related activities shall be contained only on the Lot under construction.
10. Following approval of any proposed plans, specifications, and site plan, construction of the proposed improvements shall proceed diligently, and the exterior of any such improvements shall be completed

within a maximum period of six (6) months after the commencement of construction. Interior finishing may extend beyond such six-month period, provided that all building materials and construction equipment are not stored in an unsightly manner. All landscaping, as submitted and approved during the review process, must be completed within a twelve (12) month period from the start of construction.

11. No dwelling commonly referred to as a "mobile home" shall be placed or erected on any Lot. What are commonly referred to as "modular homes" may be constructed, so long as they otherwise meet the design standards and requirements herein, and so long as they are determined, in the sole judgement and discretion of the Architectural Review Committee, to be architecturally suitable and compatible with a first-class subdivision.
12. No recreational vehicle, or heavy equipment or other vehicles construed to be unsightly by the ARC shall be maintained, stored, or kept on any Lot.
13. All residential structures constructed upon any Lot shall have at least a two-car garage. Each individual multi-family or duplex dwelling unit shall have at least one, non-front entry one-car garage. Placement and design of all garages, for any dwelling unit, shall be reviewed and evaluated in context as to overall placement, or orientation and use of construction materials, etc.
14. Replication of design, duplicate plans or mirror imaging of structures on different Lots is not permitted. Repetitive tract type of construction is unacceptable and is not permitted.
15. All exterior lighting shall comply with the Town of Ridgway Lighting Ordinance. In addition, no exterior lighting shall broadcast above the horizontal plane of the light apparatus contained within the light fixture, and no light shall trespass off of the property to which the fixture is attached. No exceptions or exemptions shall be considered. All exterior lighting shall address the concerns of brightness and light pollution of the night skies. Down lighting or shielded recessed lighting is encouraged.
16. The location of all permanent structures to be constructed, erected, situated or placed upon any Lot ie: utility box, storage shed or satellite dish, must be in conformance with the building set backs as established by the Town of Ridgway, Colorado.
17. All propane tanks must be buried. Utility service panels must be screened from street front and adjacent lots. Applicant shall consider placement of utility service panels and equipment. Such placement shall be indicated on the final Site Plan as submitted for the ARC review process.

Article V - Architectural Review Committee

1. The Architectural Review Committee and its successors are hereby vested with the full right and authority to act as such under the provisions of these restrictions. A majority of the committee may designate a representative to act for it. In the event of death or resignation of any member of the committee, the remaining members shall have full authority to designate a successor. Neither the members of the committee nor it's designated representative shall be entitled to any compensation for services performed pursuant to this covenant. The Architectural Review Committee shall not be liable for damages to anyone who has submitted plans for approval, or to any Owner or occupant of the Properties by reason of error or mistake in judgment, negligence, or nonfeasance arising out of, or in connection with the approval, disapproval or failure to approve such plans.
2. In the event said ARC or it's designated representative, fails to approve or disapprove in writing, any design or location for improvement within thirty (30) days after a complete set of plans and specifications have been properly submitted to the ARC, then, and only then, such approval shall not be required and the requirements, covenants and restrictions concerning such Improvement, as outlined in these guidelines, shall be deemed to have been fully met.