



Design Guidelines



MARCH | 2022

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SECTION 1

Purpose and Intent of Design Guidelines

SECTION 1

Purpose and Intent of Design Guidelines

| PURPOSE AND INTENT

The Haymeadow (HM) Master Design Guidelines (guidelines) have been created to ensure that all improvements at HM reflect the natural beauty of the Brush Creek Valley setting, ensure harmonious residential design, and protect and enhance property values. The architecture will both integrate with and enhance the beauty of the Town of Eagle and the Brush Creek Valley. The guidelines are intended for use by all persons and entities involved in any improvements within Haymeadow. All new buildings or landscapes, as well as subsequent additions or alterations to any property or improvements in Haymeadow must be reviewed and approved in accordance with the provisions of these guidelines.

The Haymeadow community has been designed to include a series of individual yet interconnected neighborhoods supported by a school site, large park and recreation areas, a comprehensive, integrated pedestrian and bicycle trail system, and the preservation of key areas of open space. This framework of roads, trails, parks and open space creates an organized layout of neighborhoods and community uses. The concepts of livability, sense of place, community and compact, walkable neighborhoods are important elements of the overall Haymeadow plan and will be reflected in the guidelines.

The site design for Haymeadow, and for Neighborhood A in particular, is to create pedestrian friendly, walkable, well-connected neighborhoods. The streetscape plan includes a wide planting strip with street trees and sidewalks along both sides of the street to frame the residential development. In the single family and duplex neighborhoods, recessed garages and a well-established front porch element will create a strong neighborhood pattern. As development progresses into Neighborhoods A1, B, C and D the densities decrease and the narrow lot pattern and streetscape design may become more relaxed.

Haymeadow provides a wide range of housing choices within this series of neighborhoods. These guidelines will encourage a diversity of design that also fosters an overall unified and harmonious community. The overall architectural design is inspired by the natural materials and simple gathered forms of the surrounding historic Western Slope of Colorado mountain architecture. These typical asymmetric historic buildings which evolved over time have a casual and intimate architecture which is at harmony with the land. The proposed palette of earth colored stucco, timbers and stained wood sidings will give buildings a natural patina that will blend in with the surroundings. The architecture of the community will be rooted in the history of the place. An understanding and respect for the beauty of the site, as well as an understanding of the area's history and climate, will provide the keys to the successful design of new buildings and landscapes at Haymeadow.

Any and all exterior improvements must have approval from the DRC, and as required approval from the Town of Eagle prior to commencement of construction.

| ADMINISTRATION

The Guidelines are administered and enforced by the Design Review Committee (DRC) in accordance with procedures set forth in this document and Covenants for Haymeadow (covenants). The DRC's role is to provide guidance to owners and their design professionals.

| CHANGES

This document may be amended and supplemented by the DRC with the ratification of the Haymeadow Master Association (HMMA) Executive Board (Board). No change may be made to these Design Guidelines that would conflict with any requirement in the PUD Guide or Town Code without the approval of the Town Council. Any subsequent major revisions to the guidelines (as determined by the

Community Development Director), shall be subject to the review and approval of the Town of Eagle. All changes to the administrative sections of the guidelines are considered minor.

| SUPPLEMENTAL

The Design Guidelines are supplemental to the Town of Eagle's Building Codes, the Haymeadow PUD Guide, and the Master Declaration of Protective Covenants for Haymeadow, as may be amended from time to time. The owner and their chosen consultant(s) should carefully review the Covenants and the Haymeadow PUD Guide, as well as all pertinent Town of Eagle codes and regulations, prior to commencing the design review process.

| CONFLICTS

In the event of any conflict between these guidelines and other documents or authorities, the more restrictive shall govern and control. Unless the conflict arises from amended documents, then the most current amendment shall govern and control.

| QUALITY AND FEATURES

The strengths of the property are the openness of the valley and the views to the surrounding mountains as well as the interconnected neighborhoods through an integrated trail system with the preservation of key open space areas. Haymeadow has been designed to recreate the classic living environment for the Eagle River Valley for today's lifestyles by including:

- Traditional friendly neighborhoods.
- Rancher's sense of living close to the land.
- Long views to mountain skylines
- A sense of community created by a group of families that have sought out this spectacular natural setting and the lifestyle accompanying it.

| VISUAL HARMONY

The design of the homes in Haymeadow should work together to create a tapestry of compatible architectural solutions: no individual multi-family building or residence should stand so apart in its design as to detract from the visual harmony of the community.

| SUSTAINABLE DESIGN

Sustainable design will be a significant review point by the DRC in all applications. Sustainable design systems and technologies are dynamic and evolve rapidly. The DRC will expect applicants to incorporate cost-efficient technologies and practices to optimize renewable energy systems when possible. Such systems should be incorporated into the architecture so that they are aesthetically pleasing.

Location and orientation. Building sites provide for the optimization of views to key elements of the landscape. Those view opportunities should be an important organizing factor in the architectural design.

| FUTURE UPDATES

From time to time, the DRC will revise these guidelines, as it deems necessary to strengthen their ability to realize the original intent of the guidelines or to respond to changing construction technologies and market conditions. In the event these guidelines are revised property owners should expect that some existing homes in the community would not be approved under the then current guidelines. Any subsequent major revisions to the guidelines (as determined by the Community Development Director), shall be subject to the review and approval of the Town of Eagle. All changes to the administrative sections of the guidelines are considered minor.

| LICENSED PROFESSIONALS REQUIRED

It is required that the owner retain competent assistance from an architect licensed in Colorado and a landscape professional and licensed surveyor for all major improvements or new custom homes. All plans submitted for DRC final approval shall be stamped and signed by the architect. A topographical survey shall be signed and stamped by the surveyor. Additional assistance from other licensed design professionals such as a civil engineer is also recommended. It is also recommended that the owner of a lot commission a specific soils test for the proposed homesite prior to engaging the architect or structural engineer.

| MINOR IMPROVEMENTS

Projects listed here as minor improvements do not require licensed professionals assistance in getting DRC final approval, however all minor improvements still require DRC approval. Minor improvements included items such as, but not limited to, roofs, fences, window or door revision/replacements, painting or staining the exterior of the building, other minor alterations to the exterior of the building or solar. The DRC shall have final authority to determine whether a Project constitutes only minor improvements.

THE ARCHITECTURE
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EAGLE AND THE BRUSH
CREEK VALLEY



1.1 DRC Capacity to Interpret Guidelines

| INTERPRETATIONS BY DRC

By their nature, these guidelines are largely subjective. The DRC has broad capacity to interpret both qualitative and quantitative requirements to ensure that the intent of the guidelines is realized in the architecture of homes at Haymeadow. The DRC is charged with the preservation of quality and value of homes and properties at Haymeadow.

| DESIGN REVIEW PROCESS

The DRC and staff work hard to provide an efficient and friendly review process. It will, however, be strong in its enforcement of these guidelines and the realization of their authority and intent. Applicants are asked to share the same positive approach in working with the DRC. This is particularly important in the process of discussing attributes of proposed designs that the DRC feels need to be changed to achieve the quality and spirit of Haymeadow.



Photo showing key features for single-family home design standards:

Mountain Modern vocabulary

.....
Two (2) distinct building masses

.....
Cascading roofs with primary gable roof elements



SECTION 2

Single Family and Duplex - General Architectural Design Requirements

SECTION 2

Single Family and Duplex - General Architectural Design Requirements

2.1 Design Appropriate to the Site

Buildings are to be designed such that they appear to fit into the site instead of just sitting on top of it. To accomplish this goal, buildings must follow topographic changes using stepped floor levels or details on the exterior of the home that give the appearance that the building steps up or down where appropriate. This is particularly important for the hillside lots on the property. While it is required that building masses follow natural site contours, nothing in these guidelines shall prohibit a single floor level, provided that the building height, massing and grading guidelines are met. The DRC may require, in such a case, that the exterior detailing of the building reflect changes in contour through changes in siding materials and details.



Image #2: Image of walkout basement driven by sloping site.



Image #1: Stepped floor plan across the street elevation of the house.

2.2 Non-Repetition

In general, each custom home at Haymeadow must be unique. Floor plans may not be re-used with an exception for developers who are building an entire enclave or street that is separate from any custom home neighborhoods. Such arrangements must be worked out prior to the beginning of construction within the community.

2.3 Developer Built Enclaves

A “developer built enclave” is defined as any unified project of residence constructed or to be constructed by one party for retail sale to homeowners. Developer shall submit a site plan for the complete enclave or street for DRC review. When reusing a floor plan, the developer is encouraged to mirror or flip the floor plan, adjust the roof lines when possible, and/or use different exterior finishes to differentiate between the appearance of neighboring buildings.

2.4 Resource Conservation

All homes at Haymeadow are required to be constructed in compliance with Town of Eagle's adopted energy building and water conservation ordinances.

2.5 Passive Energy and Recycled Materials

Haymeadow encourages the use of appropriate passive energy technologies and the utilization of products made from recycled materials. The DRC will actively support the use of additional resource conservation measures in the design of all new homes in ways that are compatible with the intent of the Master Design Guidelines.

2.6 Building Height

The maximum vertical rise from the lowest grade on the perimeter of the building to the highest point of the building, as illustrated below as H . Measurement shall be from existing or finished grade, whichever is more restrictive. For new subdivisions and/or Development Permits, existing grade, shall be determined by the approved grading plan for the subdivision or Development Permit. The perimeter of the building shall include any and all attached decks. An additional 10 feet (h) over and above the maximum height will be allowed for deck piers as illustrated below as h . Antennae (except those exempted from federal regulations), chimneys, flues, vents and similar unoccupied appurtenances shall not extend over five feet (5') above the maximum height limit. Those unoccupied appurtenances on the roof shall not exceed five percent (5%) of building footprint area.

a. Residential Single Family/Duplex: 35 ft.

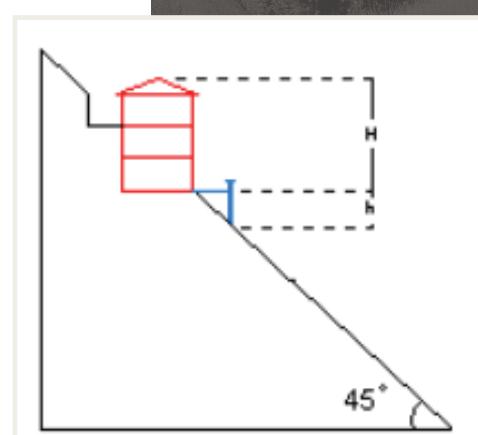


Image clarification for building height definition

2.7 Single story buildings

Are allowed in single family neighborhoods. Roof forms must follow requirements of the Master Design Guidelines, roofs must be broken into a minimum of two roof forms with additive and descending roof elements. Single story single family residences adjacent to another single story residence must have different roof forms. Creative design solutions which seek to maximize views from within each home and the surrounding neighborhood will be considered by the DRC.

2.8 Setbacks/Building siting

a. Single family with front loaded garage:

1. **Front:** 12.5 feet minimum setback to the front porch and /or front of the building facade. Porch steps may encroach up to 5 feet into the 12.5 foot required setback. The minimum distance from the front property line to a garage door shall be 25 feet. The maximum front setback for the front porch shall be 22 feet from the front property line.
2. **Side:** 12.5 feet.
3. **Rear:** 12.5 feet for one-story elements and 20 feet for two-story elements.

b. Duplex with front loaded garage:

1. **Front:** 12.5 feet minimum setback to the front porch and /or front of the building facade. Porch steps may encroach up to 3 feet into the 12.5 foot required setback. The maximum front setback for the front porch shall be 22 feet from the front property line. The minimum distance from the property line to a garage door facing a front property line shall be 25 feet.
2. **Side:** 12.5 feet. The minimum distance from the side property line to a garage door shall be 33 feet for a lot with a shared driveway.
3. **Rear:** 12.5 feet. An unenclosed, covered porch or deck may encroach up to 5 feet into the rear setback.

c. Single family and duplex uses with alley loaded garage:

1. **Front:** 12.5 feet to the front porch and /or front of the building facade. Porch steps may encroach up to 3 feet into the 12.5 foot required setback. The maximum front setback for the front porch shall be 22 feet from the front property line.
2. **Side:** 12.5 feet
3. **Rear:** 12.5 feet, however, the minimum distance from the property line to a garage door shall be 22 feet, or 24 feet to the alley travel way, whichever is more restrictive.

d. Supplementary setback requirements:

1. Roof eaves, bay window elements and similar features may encroach up to 30 inches into any required setback.
2. Corner lots shall require compliance with the front setback standards on each side of the lot that fronts a public street.
3. There shall also be a 50 foot building setback from Sylvan Lake Road in Neighborhood A1 and A2.

e. Neighborhood D:

- a. **Front:** 25 feet
- b. **Side:** 15 feet
- c. **Rear:** 20 feet.

2.9 Single family and duplex maximum lot coverage

a. Neighborhoods A1, A2, B, & C

1. Building 40%
2. All impervious materials - 60%
 - i. Impervious material coverage includes paving, concrete walkways/patios, building footprint. Excluding wood decks.

b. Neighborhoods D

1. Building 30%
2. All impervious materials - 50%

2.10 Building Mass and Form

Buildings must be residential in scale and preferably asymmetrical in form. Exterior volumes should express the nature and organization of interior spaces to provide articulation of walls and roofs. In order to guarantee the articulation of multiple masses within each building, a minimum of at least two distinct masses are required on each home when site grading allows.

The exemption on two distinct building masses are when steep site grading requires tuck under parking or garden level walkouts. Building elements such as walls and roofs and roof ridges cannot have an unbroken horizontal length greater than 30 feet, not including distance required for roof overhangs. Exterior elevations may not exceed two-stories in height without some form of set-back, projection or other architectural elements that create visual relief. Similarly, elements that create long horizontal wall planes such as unbroken materials/wainscots are not permitted in single family building forms.



2.11 Roof Forms

Homes should be designed such that they appear to “cascade” from a higher mass to lower volumes at the perimeter.



Image example for cascading roof forms

2.12 Building Projections

The use of porches, courtyards, and patios for climate control and/or outdoor living and circulation is encouraged. Such projections must be designed as integral elements of the building using compatible forms and materials.

2.13 Building Projections into setbacks

The PUD Guide established at 30" projection into setbacks for bay windows and roof eaves. Additionally, the Town of Eagle allows certain “architectural projections to exceed the limits of the building setbacks.” These are reviewed by the Town Community Development Department and typically include roof overhangs, balconies and porches. Check with the Town to determine what will be acceptable for determining a final design that includes projections into building setbacks. Elements that extend into the building setbacks are also subject to review and approval by the DRC which is directed to make determinations based on both the overall scale of the home and the impact of the projection on neighboring properties.

2.14 Ancillary Structures

Garages, storage sheds, guest wings, caretaker units, etc. are to be designed as integral parts or extensions of the main building in terms of material and color, even if they are physically separated. In all cases, they are required to be secondary in scale to the primary structure. The DRC has wide latitude to make decisions regarding subjective questions about the appropriateness of the design of ancillary structures. Construction can be phased but the primary component of the home must be completed first. Accessory Dwelling Units (ADUs) may not be constructed in advance of the main house.

2.15 Garden Level Basements

Garden level basements are allowed on hillside home sites that have the existing topography to accommodate exposed garden levels. The home is to appear that it steps up or down per the topography.

2.16 Other Design Features of Importance

- Typical ranch house building forms with additive building elements like covered porches, garages, and connector elements are encouraged.
- Houses designed to optimize views and utilize natural features found on-site.
- An architectural vocabulary that emphasizes a ranch house heritage with a modern interpretation.
- Exterior surfaces that harmonize with the natural landscape as well as provide an outer skin that will withstand the climate extremes.
- Natural, stained, integrated/manufactured and painted finishes are encouraged to create distinctive homes/neighborhoods.
- Unfenced front yards.





SECTION 3

Multifamily - General Architectural Design Requirements

SECTION 3

Multifamily - General Architectural Design Requirements

3.1 Definition of Multifamily

Any building with three or more units.

3.2 Design Appropriate to the Site

Buildings should generally be designed such that they appear to fit into the site instead of just sitting on top of it. To accomplish this goal, buildings must follow topographic changes using stepped floor levels or details on the exterior of the building that give the appearance that the building steps up or down where appropriate.

This is particularly important for the hillside lots on the property. While it is required that building masses follow natural site contours, nothing in these guidelines shall prohibit a single floor level, provided that the building height, massing and grading guidelines are met.

The DRC may require, in such a case, that the exterior detailing of the building reflect changes in contour through changes in siding materials and details.

3.3 Resource Conservation

All homes at Haymeadow are required to be constructed in compliance with Town of Eagle's adopted energy building and water conservation ordinances.

3.4 Building Height

The maximum vertical rise from the lowest grade on the perimeter of the building to the highest point of the building, as illustrated below as H. Measurement shall be from existing or finished grade, whichever is more restrictive. For new subdivisions and/or Development Permits, existing grade shall be determined by the approved grading plan for the subdivision or Development Permit. The perimeter of the building shall include any and all attached decks. An additional 10 feet (h) over and above the maximum height will be allowed for deck piers as illustrated below as h. Antennae (except those exempted from federal regulations), chimneys, flues, vents and similar unoccupied appurtenances shall not extend over five feet (5') above the maximum height limit. Those unoccupied appurtenances on the roof shall not exceed five percent (5%) of building footprint area.

a. Residential Multi-Family: 40 ft.

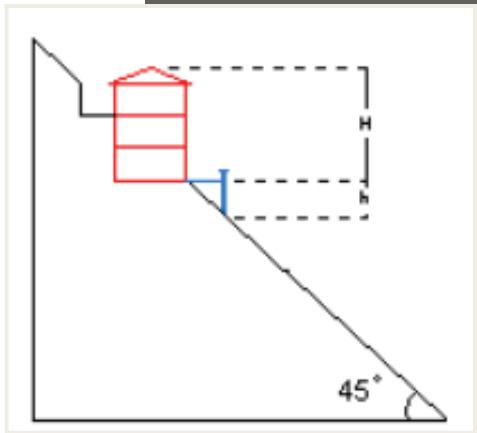


Image clarification for building height definition

3.5 Setbacks/building siting

a. Multiple Family:

1. **Front:** 15 feet. The minimum distance from the front property line to a garage door shall be 25 feet.
2. **Side:** 15 feet
3. **Rear:** 20 feet

3.6 Residential Multi-Family Maximum Lot Coverage:

1. Building 60%
2. All impervious materials - 70%
 - i. Impervious material coverage includes paving, concrete walkways/patios, building footprint. Excluding wood decks.

3.7 Building Mass and Form

Multi family and townhome building massing and roof forms are to be reminiscent of mountain lodge and historic mountain mercantile town architecture with an interpretation of modern architectural elements. Building elements such as walls and roofs can have continuous wall lengths greater than 45 feet, but architectural elements to break up unbroken wall lengths are encouraged.

3.8 Roof Forms

Multi Family and Townhome roof forms shall follow similar roof forms of Single Family homes but are allowed to have shallow roof pitches and flat roof elements. Roof forms for Multi Family and Townhome building must be additive in nature and shall have cascading roof and wall elements to break down the massing of the taller wall elements. Flat roof structures must have special roof elements like towers, cupolas, chimneys, etc to hide long lengths of flat roof parapets.

3.9 Upper Floors

Multifamily projects may have second and third floor equal to the ground floor square footage.

3.10 Building Projections

The use of porches, courtyards, and patios for climate control and/or outdoor living and circulation is encouraged. Such projections must be designed as integral elements of the building using compatible forms and materials.

3.11 Building Projections into setbacks

The PUD Guide established at 30" projection into setbacks for bay windows and roof eaves. Additionally, the Town of Eagle allows certain "architectural projections to exceed the limits of the building setbacks." These are reviewed by the Town Community Development Department and typically include roof overhangs, balconies and porches. Check with the Town to determine what will be acceptable for determining a final design that includes projections into building setbacks. Elements that extend into the building setbacks are also subject to review and approval by the DRC which is directed to make determinations based on both the overall scale of the home and the impact of the projection on neighboring properties.

3.12 Ancillary Structures

All multifamily parcels are only allowed to have trash, water service, pool equipment and recycling outbuildings. Within multifamily development parcels, there may be park amenities, shelters, bathrooms, common community buildings, garages/carports, and common HOA storage buildings. Ancillary Structure's architecture must complement the architecture of the principal building structure. Building materials of the ancillary structure must be of similar materials and percentage of material.

3.13 Garden Level Basements

“Garden level” basements are to be designed such that they appear to fit into the site. To accomplish this goal, buildings must follow topographic changes using stepped floor levels or details on the exterior of the building that give the appearance that the building steps up or down where appropriate. This is particularly important for the hillside developed areas of the property lots on the property.

3.14 Other Design Features of Importance:

- An architectural vocabulary that emphasizes a Western Slope mountain architecture or hunting/ranch lodge heritage with a modern interpretation.
- Multi family buildings are designed to optimize views from individual units, while being sensitive to adjacent buildings and homes to maintain mountain views.
- Exterior surfaces that harmonize with the natural landscape as well as provide an outer skin that will withstand the climate extremes.
- Natural, stained, integrated/manufactured and painted finishes are encouraged to create distinctive homes buildings/neighborhoods.



SECTION 4

Specific Architectural Design Requirements

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Specific Architectural Design Requirements

4.1

Roofs

Roofs potentially have the greatest impact upon the overall image of Haymeadow from many public viewpoints, community spaces and individual lots. For that reason, roof design will be one of the most carefully considered elements for design review by the DRC.

4.2

Key Design Features

The roof pitches, forms, color, texture and reflectivity are all key design considerations to ensure minimal visual impact. Internal volumes and groups of uses within the building should be expressed by changes in roof planes. The design of roofs should consider snow accumulation and shedding. Entryways, garages and pedestrian areas should be protected from potential snow shedding.



4.3 Roof Forms

A simple pattern of primary and secondary roof forms, dormers and a limited palette of materials and colors are the primary characteristics of acceptable roof forms. Gable roof forms are to be primary elements in the design. Hip roof forms with dormers and limited shed roofs are to be used as secondary elements in the design. Large unbroken expanses of single pitched roof, flat and mansard roof forms are prohibited.

4.4 Ridge lines and roof planes

These may not exceed 45' (except for overhangs) in horizontal length without some form of break to provide visual relief. Ridgelines for Multi Family Buildings will be reviewed by the DRC as a matter of scale. Vertical elements like cupolas, vents, and fireplaces can be considered as ridgeline breaks. For shed roofs, no more than 40% of the total roof may be designed as a single plane. If Gable and Shed dormers are used, they should be functional to allow window openings and head heights for upper level or loft living spaces. They can also be used to bring light into multi-story living spaces and to provide protection to entryways, decks and garages. If skylights are used in roof forms they will only be permitted if their visual impact from prominent views to the home is minimized.

4.5 Type and Location

Dormers may be gable, hip or shed. Dormers, if any, should be designed and located relative to the style and overall proportional balance of the roof and building. Shed dormers should not exceed more than 2/3 of the primary roof plane. In order to maintain a simple roof form and to effectively break up the mass of the building, the front face of larger dormers should be at least 2' back from the plane of the wall below.

4.6 Roofing Materials

In general, roofing materials are to be non-reflective, textured and a variegated dark color. Composite thick butt architectural grade asphalt shingles are all encouraged. Standing seam metal roofs and oxidized corrugated metal roofs may be approved if they are an integral part of the overall building aesthetic. Metal roofs must have a non-reflective surface and color cohesive to the building's exterior design.

4.7 Overhangs

Projecting roof overhang provides protection of vertical wall surfaces and can create deep shadow lines that reduce the appearance of the wall expanse as well as add visual interest to the overall structure. Other architectural roof elements such as corbels, rafter tails, and decorative cornices are encouraged to create shadow patterns, visual depth, and interest. Smaller elements such as dormers and selected shed roof may have appropriately scaled overhangs of 6 inches to 12 inches.



4.8 Pitches

A slope of 6 inches vertical in 12 inches horizontal (6:12) is recommended on the primary gable. Porch roofs and limited shed roofs are exempt from this requirement. The lower pitched roofs will be limited to a maximum of 30% of the roof and will be reviewed on a case-by-case basis by the DRC. For developer enclaves or streets, the DRC will take special consideration of alternate roof designs for similar floor plans and allow more leniency to roof pitches to allow for more variation. Multi family buildings can have roof pitches of 3 inch vertical in 12 inches horizontal (3:12). Flat roofs are allowed on single family and multi family building forms as secondary accent and connecting elements.

4.9 Variation Required

The DRC may determine that there is a negative cumulative effect of many residences having similar roof specifications and subsequently may not approve further use of the same specification.

4.10 Roof Colors and Reflectivity

Colors should be selected to be compatible with the surrounding natural landscape and integral to the exterior color palette of the house. Samples of approved colors are available from the DRC. In no case shall reflective surfaces be permitted, regardless of their color. Colors must be in the following families: black, dark greens, browns, grays or natural cedar.

4.11 Roof Projections

Flues, vents, and other equipment must penetrate the roof behind the ridge and must be compatible in height and material with the structure from which they project and/or painted to match the roof color. Large vents should be disguised so as to appear consistent with the building architecture.

4.12 Roof Mounted Mechanical Equipment

Roof Mounted Mechanical Equipment is prohibited with those permitted in the Renewable Energy Law.

4.13 Renewable Energy Generation Devices and Energy Efficiency Measures

Renewable Energy Generation Devices and Energy Efficiency Measures shall comply with Colorado law, CRS Section 38-30-168 (HB 08-1270).

Devices and measures may be approved by the DRC on an individual basis, after special review based upon adequate evidence. Plans shall show locations and dimensions of all devices and measures, including site plan, roof plan and elevations. Application submittals shall fully describe the devices and measures and graphically or photographically show all visible characteristics, including but not limited to external appearances, placement/location, dimensions, etc.

Pursuant to the Law, the DRC may place “reasonable aesthetic provisions that govern the dimensions, placement, or external appearance of an energy efficiency measure”. Additionally, the law states that “In creating reasonable aesthetic provisions, Common Interest Communities (the DRC) shall consider:

- The impact on the purchase price and operating cost of the energy efficiency measure;
- The impact on the performance of the energy efficiency measure; and
- The criteria contained in the governing documents (The RVRMA Protective Covenants and Design Guidelines) of the Common Interest Community.”

Therefore:

- Devices and measures shall visually blend in with the home, including colors and non-reflectivity characteristics.
- Devices and measures shall be located to minimize visibility from adjacent properties and public spaces.
- Special scrutiny shall be done for ground mounted devices, whether placed in a berm or on a free standing pole.

4.14 Renewable Energy Generation Devices

All devices shall be integrated into the design of the home and should not appear as add-ons, unrelated to the overall design. Non-reflective components shall be used wherever possible. Solar energy applications shall relate to the adjacent roof, match its plane, and blend/match its color with minimal projection therefrom. Other devices will be reviewed based upon submittal of plans, elevations, manufacturer's specifications and cut sheets, etc. All buildings shall incorporate conduit pathways during construction of the buildings to ensure the buildings will be ready for net zero energy systems.

4.15 Energy Efficiency Measures

Pursuant to the Law, CRS Section 38-30-168, energy efficiency measures include ONLY:

- “Awning, shutter, trellis, ramada, or other shade structure that is marketed for the purpose of reducing energy consumption;
- garage or attic fan and any associated vents or louvers;
- evaporative cooler;
- energy-efficient outdoor lighting device, including without limitation a light fixture containing a coiled or straight fluorescent light bulb, and any solar recharging panel, motion detector, or other equipment connected to the lighting device
- a retractable clothesline.

4.17 Skylights and Sun Tunnels Characteristics

These shall not be located on prominent, primary elevations of the home. They must match the slope of the adjacent roof with minimal projection from roof surface and lowest practical profile. They must be flat translucent surfaces, as opposed to dome or bubble in shapes. The colors of the translucent surfaces, and the frame, flashing and trim colors should blend or match the adjacent roof. Steps must be taken to minimize light emission to the exterior at night. “Energy Star” certification must be included with application, as evidence of net positive energy efficiency and performance.

4.18 Gutters and Downspouts

These must follow rooflines and building forms in logical places to diminish their overall visual impact. Downspouts and gutters must match exterior finish colors, be dark or muted colors that are complementary to the color scheme of the home.

FOUNDATIONS & RETAINING WALLS



4.19 Design Objectives

One of the primary design objectives at Haymeadow is to create a close integration of site, landscaping and building. The design of foundations is an important aspect of integrating these elements. Foundations and finished site grading must be designed so that the building is balanced and visually pleasing. Foundation walls that are above grade must be clad. The DRC will allow exposed foundations of 6 inches or less.

4.20 Sloping sites

Foundations must be stepped with the contours of the land to avoid high retaining walls or extensive cut or fill slopes. Exposed foundations or retaining walls that are in excess of 4 feet in height are generally not permitted. Special conditions are subject to review by the DRC.

EXTERIOR WALLS & FINISHES



4.21 Articulation

An excessive vertical or horizontal expanse of a wall plane may visually compete and contrast with the natural surroundings forming a dominant structure that cannot aesthetically blend or harmonize with its setting. To avoid this condition, the DRC will take special consideration for long expanses of a continuous wall. In addition, wall surfaces must be articulated for the purpose of adding interest and alleviating visual monotony. A continuous wall plane may be visually broken by one or more of a variety of design treatments described herein. The intent of any of these methods of articulation is to create a change in the appearance of wall surfaces utilizing: color, form, depth, material, or textural variations. Strong shadow lines resulting from different architectural treatments are effective means to achieve this objective.

4.22 Exterior Wall Materials

Exterior building materials are to be sensitive to the exposure and topography of the site. Exterior wall materials are to relate to the historic mountain proportion and position of the materials. Heavier materials are to be found on earth, lighter building materials should bear on heavier materials. Haymeadow mountain homes and multi-family buildings allow single materials on building faces as long as additive building elements break up building materials.

4.23 Exterior Finishes

Strong textural qualities, siding should be the dominant facade material with a clear break between different materials. Texture can be introduced into a wall surface using shingles, shiplap boards, board and batten, corrugated metal siding. Stone and Brick can be used to 'found' buildings, but are not required.

4.24 Typical Exterior Walls

Exterior steps or jogs in the exterior walls are encouraged to break up continuous planes of the exterior wall. Jogs or steps in the wall surfaces may be required over long continuous expenses of the exterior wall and the minimum jog/step required is 1'-0". Structural elements such as porches and trellis are used to add a sense of depth and are considered breaking a continuous exterior wall.

4.25 Siding

This should be the primary exterior building material within Haymeadow. Textured and smooth siding with profiles of channel rustic, shiplap, tongue and groove, vertical flush siding or board and batten are appropriate. Simulated wood siding is allowed if profiles simulate real wood siding profiles. Larger format panel siding is allowed as an accent material. Composite siding from James Hardie or equal is allowed as a siding material, vinyl or plastic siding is prohibited.

4.26 Stains and Paint

The use of transparent and semi-transparent stains is preferred to highlight the grain of the wood. The use of solid stain and paint is allowed to create a variety of colors in the neighborhood.

4.27 Cedar shales and shingles

These may be used in lieu of wood siding on secondary wall areas such as dormers and gables. Rectangular or half round shingles may be used.

4.28 Logs and timbers

These may be used as a secondary exterior finish material but must be approved by DRC. Logs with chinking on wall surfaces are prohibited. Heavy timber, logs and glue-lam beams can be used to express the structural framing of the building, particularly as trusses, lintels, sills, beams, purlins and rafters. The scale of the members should be consistent with the actual or apparent structural value. Connection details should be designed with care and heavy steel plates should be concealed or avoided. Columns must be set on a stone or concrete base or otherwise appear to be supported. Timbers should express a massive, hand-hewn appearance to reflect the natural shape, grain and inconsistencies of the material.

4.29 Stone

No requirement for stone on structures. Stone can be utilized on fireplace masses, accent walls, garden level walkouts and at the base of several building masses. If stone is present, a relatively flat surface such as sandstone or quarried mountain stones is strongly encouraged. Rounded alluvial or river rock is not permitted. If stone is utilized, large rocks or boulders to visually anchor corners and ground levels of rock walls and fireplaces is encouraged. Similarly, stone is to be used to enhance whole building volumes instead of single elevations; stone must wrap around corners and terminate at logical ending points.

4.30 Type of stone veneer

This will be reviewed by the DRC and it should appear natural and indigenous to the immediate area. Cultured/simulated stone is acceptable. Cultured stone must closely emulate natural stone and will be reviewed by the DRC very closely.

4.31 Lintels

Stone must appear to be self-supporting, where it is used above windows, doors or other openings, it must appear to be supported by an appropriately heavy lintel or a structural appearing arch.

4.32 Lintels and Sills

In accent walls or garden level walkout walls of stone, the use of lintel and sills at door and window openings is required. These lintel and sill members are to be detailed and proportioned so as to appear structurally sound. Lintels and sills may be made of timber, logs, cut stone or natural stone.

4.33 Stucco

Stucco may be used as a secondary exterior finish material, therefore no more than 45% of exterior surface area can be stucco. If used at significant wall surface areas stucco shall be finished in earth-tone colors that are compatible with the natural soils and rock. If stucco is being used as an accent wall, more color options are available and will be reviewed by the DRC very closely on a case by case basis.

4.34 Metal Siding

Rusted, corrugated, or prefinished metal materials may be used as an exterior finish material, not to exceed 25% of the exterior surface area. Galvanized or other reflective surfaces are not permitted.

4.35 Prohibited Wall Materials

In general, exterior materials are limited to the previously described materials. The DRC has the discretion to allow the use of non-identified materials provided that they meet the intent of the guidelines. The following materials, however, are specifically prohibited:

- Plastics
- Vinyl siding

4.36 Exterior Trim

Details are critical to expressing the quality and craftsmanship of a new home. In concert with the overall architectural style, details should be consistent throughout the building. At panel siding joints exposed metal flashing must be painted.

DOORS & WINDOWS

4.37 Arrangements

Doors and windows shall be designed in proportion to the structure and form of the building and should adhere to a traditional rectangular pattern in keeping with the overall design theme. Windows, in general, should be vertically oriented, however, large window openings are allowed to feature mountain views. Horizontal windows are allowed on secondary elevations or can be allowed on primary elevations with DRC review.

4.38 Large window openings

Large unbroken windows to provide unobstructed access to important views are allowed as long as it is adjacent to divided windows in traditional patterns. Additionally, windows must be used in logical patterns throughout the home such that they reveal the internal spatial organization of the home and are consistent on all elevations.

4.39 Elevations

All elevations of each home at Haymeadow must have sufficient fenestration to create visual interest and to prevent the appearance of blank wall areas. Windows and doors must be balanced such that the majority of openings are not concentrated on single elevations. Haymeadow DRC will take into consideration the unique view corridors in reviewing window elevations.

4.40 Special Window Shapes

Bay windows may be used.. Triangular windows where they occur within gable ends must match the angle of the roof and not the interior ceiling form created by a scissors truss. Rectangular windows are encouraged in this condition as an alternative.

4.41 Glass

Window glass may be coated or tinted to control solar heat gain, but a reflective mirrored appearance is prohibited.

GARAGES & DOORS

4.42 Garage Designs

These should be complementary to the rest of the home and follow the PUD Guide with relation to setbacks and front porch. Garage doors facing the street will be required to have glazing. Garage doors facing the street may have up to two bays - unless special permission is granted by the DRC for more than two. The number of bays may be limited to two if the DRC determines that the scale of the rest of the home is not sufficient to support the larger garage.

4.43 Garage Doors

The materials, treatment and color selected for the garage doors must be integrated into the design of the main residence. Garage doors facing the street must be of a premium nature, and have integral glazing.

4.44 Orientation

Garage doors may face the street for front loaded single family homes. Homesites that have alley access must follow PUD setback requirements. Multi family garage doors can be oriented with side access to all for some architectural variation.

4.45 Main Entry Door

Wherever possible, the front door of the home, rather than the garage structure, should be designed as the focal point to greet visitors rather than the garage structure; especially main entry doors, which should be designed with great attention to detail in order to create an individual identity for the building. Richly detailed doors are also characteristic of the design theme and must be in keeping with ranch and mountain design.

BALCONIES, PORCHES, STAIRS, & RAILINGS

4.46 Balconies

Balconies are encouraged. They can be either recessed into the wall mass or projected from exterior walls. When a projected balcony is used, consideration must be given to protection from snow shedding. The underside of projecting balconies must be finished with materials that match or complement exterior wall materials. Supporting structural systems must be visible and appear appropriately massive and must be decorative in nature. Balconies should be sized to individual room functions and should be proportional to the overall building massing.

4.47 Railings

These are subject to specific review by the DRC which is charged with the responsibility to ensure that accepted designs reflect quality and craftsmanship appropriate to Haymeadow. Historic and modern interpretations of railings are allowed. Railings can be fabricated of wood, steel, cable, and metal panels. Metal panel railings can only be used for 50% of individual railings.

4.48 Stucco or Stone Enclosures

Balconies or patios fully enclosed with solid stucco or stone walls are allowed if designed in character with the rest of the Master Design Guidelines.

4.49 Exterior Stairs

Exterior stairs of more than one story are prohibited in single family residences. Exterior stairs in single family homes are meant for primary access to the accessory dwelling unit. Exterior stairs are allowed in townhome and multi-family residences.

EXTERIOR COLORS



4.50 Earth Tones

Black, brown, gray, dark green, dark red, white, beige, or natural wood color families are required. Colors must be carefully chosen for their compatibility with the natural environment, their harmony with each other, and the overall aesthetic goals of the guidelines. Because of the emphasis on natural materials, finishes which complement and enhance the material's intrinsic qualities are encouraged. Colors should complement and blend, rather than contrast with the surrounding natural environment. Colors should generally be recessive; particularly those used for roofs and walls.

4.51 Accent color

A minor amount of accent color on trim work may be considered appropriate by the DRC.

4.52 Sample Board

This is required for Final Design Review by the DRC.

TEXTURE & DETAILS



4.53 Textures

Textures are to be incorporated throughout a structure in order to create a variety of light and shadows at all scales and eliminate monotony. Building forms are to be complex with setbacks, overhangs, porches, and varied skylines. Walls, roofs and windows are to be made up of clearly defined smaller elements.

4.54 Natural Materials

These are to appear closer to their natural state rather than manufactured in appearance.

4.55 DRC Review

Because this is a particularly subjective requirement, the DRC has the responsibility to act based on the spirit and intent of the Master Design Guidelines as it determines if a proposed design is characterized by an appropriate level of texture and detail. The DRC must be the arbiter that determines the right balance between the poles of austerity and excess.

EXTERIOR LIGHT FIXTURES



4.56 Minimal Lighting

In order to maintain a mountain character and to preserve views to the night sky, exterior lighting is to be minimized. Lighting should be used to meet the requirements of safety and easy identification of entrances and buildings while minimizing light pollution, glare and light trespass. The beauty of the dark, star filled night sky is an important value to the Haymeadow and greater Eagle community. Lights whose sole function is to floodlight a building or its yard will not be permitted. The Town of Eagle has an Exterior Lighting ordinance and those ordinances are subject to change. All exterior lighting must meet the more restrictive of these guidelines or the Town of Eagle lighting regulations. The DRC will be familiar with the Town of Eagle regulations and will enforce those regulations through the design approval process.

4.57 Design Character

Fixtures are to be in character with the architecture at Haymeadow and must be compatible with the design of the residence. Historic and mountain modern style decorative lanterns characterized by metal finishes are preferred, exposed light bulb fixtures are prohibited. Glazed luminaires will be required to be frosted or translucent. Clear glass is prohibited. Utilitarian fixtures will not be allowed anywhere the fixture is visible.

4.58 Soffits

Recessed can lights in exterior soffits cannot be higher than ten feet above exterior grade, unless approved by DRC.

4.59 Exterior Lighting Controls

Exterior Motion-activated, dimmer and/or timer controlled switches for exterior lights are strongly encouraged.

4.60 Landscape Lighting

Up lights and floodlights are not permitted. Down lights and/or path lights may be used to light paths and terraces. Down lights may not be placed higher than five feet from the ground to avoid the appearance of a flood light. Solar lights are encouraged.

4.61 Pathway lighting

Bollard lighting for pathways and sidewalks is recommended in multi-family development.

4.62 Pictorial specifications

for all exterior lights shall be submitted to the DRC before or during the Final Review process. Final approval will not be granted without submission and approval of light fixtures. Any changes must be submitted for review prior to installation.

EXTERIOR EQUIPMENT, UTILITIES, METERS, A/C UNITS & ECT.



4.63 Exterior Equipment

All exterior equipment, utilities, meters, air conditioning units and other equipment must be shown on architectural plans.

4.64 Equipment Enclosed or Screened

Any and all screening shall conform to manufacturers recommendation. Free standing external pad-mounted equipment such as A/C units, pools and spas or garbage can storage areas, must be integrated into the building through the use of walled or fenced enclosures, or intensely screened with landscaping materials where allowed within the manufacturers recommendation for specific equipment.

4.65 Meters and Utility Hook-ups

Utility meters and hook-ups must be coordinated with the utility provider and located in the most unobtrusive area possible. They shall be adequately screened, within requirements allowed from the purveyor, from any street on which the lot or unit is located and from any neighboring Lot or Unit and the Master Common Areas and public parks by structure or landscaping. Their location must be identified during the design submission and review process.

4.66 Site Utilities

All site utilities are to be installed underground in alignments that minimize grading, tree clearing, and other physical impacts on the homesite. To the extent possible and with the approval of the utility company, utility boxes are to be located and/or screened so that they are not visible from off-site.

4.67 Satellite dishes

Satellite dishes smaller than 18" in diameter are permitted, but their location must be approved by the DRC.

4.68 Exterior Service Areas

Outdoor work/storage areas and outside equipment such as mechanical equipment must be screened from street views by using walls, fences, and/or landscaping and incorporating them into the building design. In addition to screening, garbage can storage areas must also be made inaccessible to wildlife.

4.69 Irrigation Controls

These must be located so as to be accessible to maintenance personnel for repair and winterization.

FIREPLACES AND FIRE PITS



4.70 Fireplaces

In accordance with Town of Eagle ordinances, no wood burning fireplaces are allowed. Interior fireplaces and exterior facing fireplaces which are an integral element of the home are permitted, if gas fired UL labeled and approved by the Town.

4.71 Site Fire Pits/Exterior Fireplaces

Fire pits and exterior fireplaces are permitted, but special care must be taken to ensure safety. These must be constructed of fire-proof materials, contain spark arresting screening, and must be surrounded by a minimum circumference of five (5) feet of non-combustible material. Solid fuel sources are allowed per Town of Eagle code.





SECTION 5

Site Planning & Landscape Design

SECTION 5

Site Planning & Landscape Design

5.1 Purpose

The landscape guidelines have been formulated to ensure that residential construction and all public areas on the Haymeadow site create an overall pleasing aesthetic appearance which is consistent with the overall Haymeadow Development. Landscaping shall conserve water and follow best environmental practices. It is also the intent of these guidelines to provide flexible requirements at the discretion of the DRC.

5.2 Recommendations

The guidelines provide a framework for installation of landscape elements across the development.

5.3 General Design Considerations

The landscape is a major component in the overall image of the Haymeadow Development and these guidelines are provided to direct landscape treatments for multi-family dwellings, duplexes, single-family homes and community amenities. A separate document outlines the approach to landscaping for the streetscape and ROW plantings. The site design and landscape treatment are important considerations in creating a cohesive statement in relationship to the architecture itself. Homesite owners should plan on budgeting a minimum of 5% of their construction budget for landscaping.

5.4 Concepts

The following landscape concepts are recommended:

- Vegetation planted in clusters of like species.
- Landscape elements used to define spaces and frame views.
- Water-wise
- No requirement to protect views, however the DRC does encourage neighbor to neighbor cooperation.

5.5 Easements

Some homesites include drainage easements. Easements shall be maintained to allow for unimpeded drainage flow and access for maintenance operations. Trees, shrubs, retaining walls, fences, large decorative boulders, berms, etc. are not allowed in platted utility or drainage easements except if a TOE Encroachment Agreement has been approved.

5.6 Site Design

The site design for residential units, whether multi-family, duplex or single-family, shall be designed in relationship to the overall Haymeadow Development. Landscape improvements should minimize the amount of intensive irrigation to the extent possible with areas of irrigation concentrated at building entries and exterior patios and yards. Landscape plans should respond to and integrate the landscape designs, grading plans, and plant materials of adjacent buildings, community spaces and streetscape.

5.7 Changes from Approved Plan

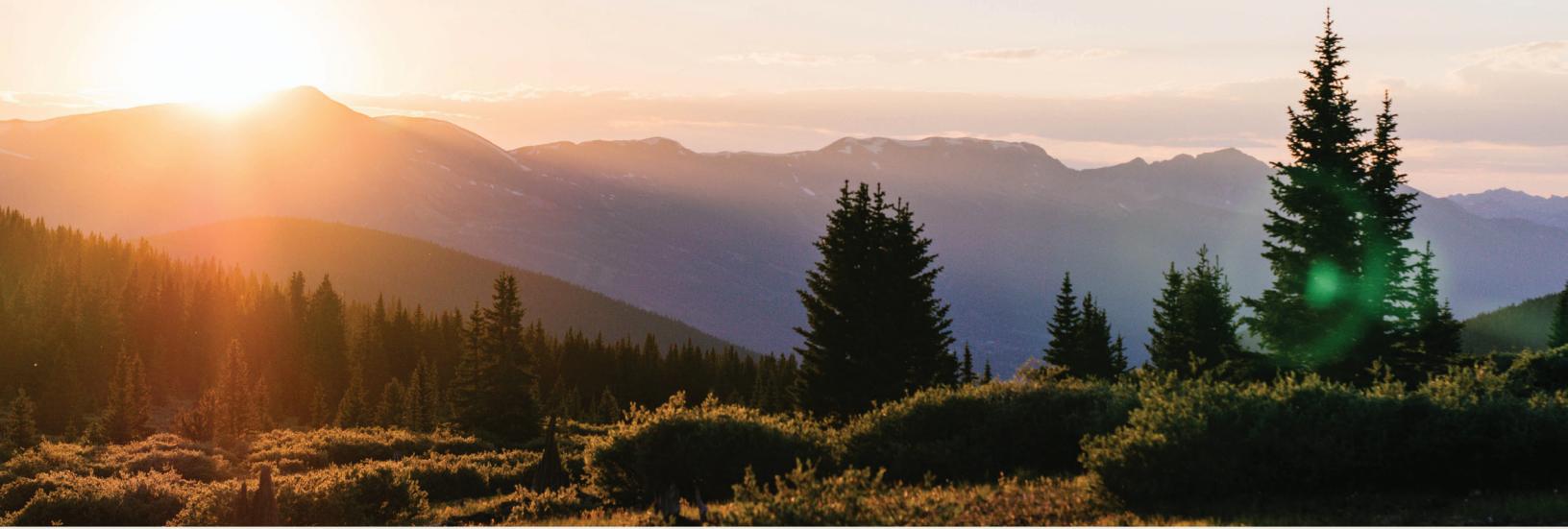
Any substantial change or additions require submission of proposed design drawings and DRC review.

5.8 Plant Material Selection and Location

The DRC will carefully review landscape plans to ensure that plant materials are located in appropriate areas and groupings. The DRC will also look to ensure that plant materials are compatible with the climate and the aesthetic objectives. Selected plant materials shall promote water conservation. Turf materials shall be water-wise species appropriate for this environment. Plant materials must be indicated on design drawings at mature size so that they will be located neither too close to each other nor too close to buildings, nor impinge on adjacent lots. Replacement of existing materials that have died or deteriorated at the same location and size does not require DRC review. Plant selection should be appropriate to deter attraction of wildlife, avoiding use of fruiting trees and shrubs. The use of herbicide and pesticide should be used on a limited basis with an emphasis on appropriate, maintenance, and watering practices.

5.9 Grouping

Materials must be grouped with compatible species with particular attention focused on relative water requirements of different species. All plant materials must be placed in ecologically appropriate areas. Landscaping shall be clumped: dry with dry and wet with wet. Drip irrigation, appropriate for dry type plants and trees, separate from other zones must be provided.



5.10 Screening

Evergreen trees and shrubs may be used where visual screening is an important functional requirement of the landscape. Long term growth and maintenance should also be considered when developing the landscape plan.

5.11 Tree Removal

The removal of existing trees and shrubs on homesites is to be avoided, but must be approved by the DRC, including where necessary to accommodate a new structure, or damage due to severe weather. Clearing for view corridors and solar exposure may be considered by the DRC provided it does not increase the visual impacts on adjacent homesites, public spaces, or off-site visibility of the house. Damage and performance deposits may be required.

5.12 Preservation/planting of Native Vegetation

This is particularly important where homesites are adjacent to common areas and back to the edge of residential development. The transition line from cultivated and irrigated area to native and dry land should be made in a pleasing manner. Landscape designers may choose to create an irrigated and manicured area around the home.

5.13 Xeriscape

Xeriscape approaches to the entire site are encouraged as the landscape moves away from the buildings. The DRC will exercise ultimate authority in determining if a landscape design is appropriate for the context of the particular building site. Soil amendments should be added to promote healthy plant growth and reduce water needs.

5.14 Wood Mulch

Wood mulch should be organic in nature and indicated on the landscape plans. Decorative scattered and clumped gravel/stone accents may be approved in natural, tastefully designed, manicured and bark mulch areas.

5.15 Gravel/Stone Ground Cover

The use of gravel and stone as a ground cover should be used as a tasteful application in hard to landscape areas such as drainage areas and adjacent to building foundations. Gravel/stone ground cover will be reviewed on an individual basis with samples of proposed material submitted and approved prior to installation.

5.16 Slopes and Berms, Maximum

In areas where grading is altered, slopes shall not exceed a rise of 1 foot over a run of 4 feet, (4 to 1), except in appropriate, special and hardship conditions, as determined by the DRC. Such graded areas must not affect off-site drainage.

FRONT, SIDE, & BACKYARD FOR DUPLEX & SINGLE FAMILY LOTS



5.17 Landscape Planning Areas

Each residential site can be considered in three zones; front yard, side yards, and back yard. The front yard is the public face of the residence, the side yards define and separate adjacent residences, and the backyard is the private outdoor living space but may also be visible from public spaces such as the streets or parks. Low undulating landforms shall be permitted provided they blend with existing grade, do not exceed a slope of 4 feet horizontally to 1 foot vertically, and do not affect offsite drainage. Play structures and out buildings are not permitted in the front yard zone. Native seed areas will be allowed in the side and back yard zones. All seeded areas, shrub beds, and gardens visible from off-site shall be maintained in a clean, weed free condition. Vegetation may not be used to form a wall that hides the residence from the street.

5.18 Front Yards

This area should provide continuity along the streetscape, compliment the vegetation planted in the Right of Way (ROW) and form a welcoming entrance to the residence. Landscape elements shall be used to enhance the residence's architectural design, soften long expanses of the facade, and screen utilities and parking. Graceful transitions shall be made between turf spaces and shrub bed/xeriscape spaces. Water-wise turf shall be placed in the front yard along the entire front property line to create continuity between the ROW and the private residence.

5.19 Side Yards

The side yard landscape design should provide privacy and screening between adjacent residences. The DRC will consider the owner's homesite and adjacent properties when evaluating the design. Utilities and Service Areas are permitted in the side yard, provided they are screened from offsite view. All native seeded areas, shrub beds, and gardens visible from offsite shall be maintained in a clean, weed free condition. Due to the narrow cross section of most side yards, landforms will only be permitted by special DRC review.

5.20 Back Yards

Landscape design should provide private outdoor spaces and continuity with adjacent uses such as park areas or undisturbed native areas. Landscape elements shall be used to compliment the architecture of the residence especially if the home is visible from public spaces. Native and mowed native areas are allowed and encouraged as water wise design.

5.21 Turf Area

Single family lots over 11,000 square feet in size shall be limited to a maximum area of irrigated turf no greater than 50% of the gross lot area. Multi-family properties shall be limited to a maximum area of irrigated turf not to exceed 20% of the overall gross lot area.

5.22 Minimum Quantities

Single family and duplex lots shall have a minimum (per unit) of 6 trees of 2" minimum caliper, 20 #5 shrubs and 30 #1 shrub/grasses and/or perennials. Multi-family properties shall include a minimum of 10 trees of 2" minimum caliper, 50 #5 shrubs and 60 #1 shrub/grasses and or perennials calculated on a per acre basis of the overall lot size.

5.23 Property to Open Space

Property lines that adjoin public spaces shall consider adjacent landscape treatment to create continuity between the public and private space. All seeded areas, shrub beds and gardens visible from offsite shall be maintained in a clean, weed free condition. Vegetation may not be used to form a wall that hides the residence from the public spaces.

5.24 Landscaping Compliance

All yards shall be fully landscaped. In addition to required street trees, additional ornamental and/or shade trees are strongly recommended in all yard areas. Such trees shall be of suitable growth habit for the site and placed to respect the architecture and ordinary use of the site. Evergreen trees may be allowed but are not required for every parcel and may not be appropriate to the local environment. Per Colorado Department of Wildlife recommendations, fruit bearing trees and shrubs should not be used in landscaping, to reduce black bear attractants and reduce human/black bear conflicts.

5.25 Timing of Completion

Final landscaping shall be completed within 90 days of TCO or within 90 days of the start of the next appropriate planting window. The completion deadline will be determined by the DRC as a part of the Final Construction Inspection.

RIGHT-OF-WAY (ROW) LANDSCAPING

5.26 ROW Landscaping

This area consists of turf, shrubs and trees planted in clusters along the street or within the street right of way. Irrigation systems, sidewalks and paths may also be present in this zone. Owners are not allowed to install or alter landscaping in this area. Landscape guidelines for streetscapes are detailed in the Haymeadow Guidelines dated April 18, 2019.

5.27 Damages

Due to the importance of the ROW landscape features, any damage except damage to the common irrigation system caused to this area by the owner or owner's operators shall be repaired by the HMMA and materials and labor billed to the owner. See sections related to damages in other parts of the guideline document.

5.28 Notices

The owner shall notify the HMMA of any damage that has occurred to the landscape elements within 24 hours of the occurrence. The disturbance shall be temporarily repaired or made functional within 24 hours and permanently repaired within 2 weeks of the disturbance. Due to the importance of the ROW irrigation system, any damage caused to this system by owner or owner's operators shall be reported immediately by the owner to the HMMA. See Repair of Damage to Common Irrigation System below.

5.29 Right of Way Irrigation

An underground irrigation system is installed in the street right of way (ROW). Damage caused to any part of the irrigation system jeopardizes the functioning of that irrigation zone and thus affects the health of the streetscape plantings in that area. Specifics of the irrigation layout for the ROW are available from the HMMA.

5.30 Fines

In addition to the responsibility to reimburse the HMMA for its out-of-pocket expenses, the following fines will also be charged to the property owner:

- \$2000 for each main line break.
- \$1000 for each damaged valve.
- \$500 for each instance of damage to lateral service lines and irrigation heads.

In addition, the cost of repair of any damage to neighboring irrigation systems as a direct result of the original damages will be assessed.

5.31 Performance and Damage Deposit

If there are funds remaining in the Performance and Damage Deposit, this account may be debited upon proper notification of the Owner. Otherwise, the property owner will receive a reimbursement assessment.

IRRIGATION & DRIVEWAY CONSTRUCTION

5.32 Driveway

Driveway construction may occur over the existing irrigation system. HMMA representatives or a contractor hired by the HMMA will meet with the Owner or Owner's Contractor during the pre-construction meeting to help locate the irrigation line and to provide guidance for installation. Any costs associated with this service and charged to the HMMA will be passed directly to the owner and collected as stated above.

5.33 Driveway Location

Driveways shall be located to affect as few irrigation heads as reasonably possible. Driveways will not be allowed over valve box or control clock locations except by DRC approval. The HMMA will be responsible for relocating valve boxes and control clocks with the costs to be paid to the HMMA by the Owner. Any costs associated with this service and charged to the HMMA will be passed directly to the Owner and collected as stated above.

5.34 Prior Inspection

Prior to making a driveway cut, the owner must request a visual inspection by the HMMA to determine if the cut will affect existing irrigation systems. In the event that irrigation heads are affected by driveway construction, the owner shall request relocation by the HMMA and will be responsible for the cost of its relocation.

5.35 Sleeving

The owner is also responsible to place three PVC sleeves under the entire width of the new driveway. Four inch and six inch sleeves must be installed 30" deep, 18" from the curb; an additional 4-inch sleeve is to be installed at a depth of 12 inches below grade immediately adjacent to the curb. This sleeve is necessary to accommodate future repairs or adjustments to the irrigation lateral line.

5.36 Private Residence Irrigation

Each residence is required to install and maintain an underground electrically controlled irrigation system that is connected to the Haymeadow Irrigation mainline in the adjacent ROW. Homeowners to coordinate irrigation requirements with the DRC prior to design and installation. Coordination required for size of water meter, isolation valve, backflow preventer, and available water pressure. All irrigation system design shall promote the efficient use of water. For the untreated water irrigation system the following are required:

- Inspection: Irrigation system design must be reviewed and approved by the DRC's authorized representative prior to its installation.
- System Zone Controls: Zone control boxes must be located in an area accessible to maintenance personnel for repair and winterization purposes.

5.37 Dry Climate Vegetation

Due to the dry climate in Colorado, lawn areas, trees, shrubs, and gardens will require permanent irrigation throughout the summer. Native seed areas and xeriscape gardens will require irrigation for the first few years to establish the plant material. Irrigation may be removed from these areas upon establishment of healthy, naturally sustainable plant material.

5.38 Weed Control

Homeowners shall be responsible for controlling the growth and spread of noxious weeds and invasive plant species. Failure to do so may result in enforcement action by DRC.

SITE GRADING & DRAINAGE



5.39 Site Grading

Site grading shall be used to provide adequate drainage within the homesite, as well as enhance the aesthetic qualities of the residence. Due to the character of the neighborhood, imposed severe grade changes and steep berms are not permitted. Existing vegetation and site features shall be protected from potential damage from site grading.

5.40 Drainage Plan

Developing a proper drainage plan will be the responsibility of the owner. Owners must ensure that when driveways intersect streets that any existing road shoulder drainage patterns are maintained. Any drainage damage that may occur from one homesite to another or common areas because of a change in natural conditions will be the responsibility of the owner of the homesite that caused the unnatural drainage flow. Approval of a drainage plan by the DRC does not make it liable or responsible to the owner or others with respect to the adequacy of the engineering or otherwise, but merely implies compliance with the intent of these guidelines and with design aesthetics. DRC approval does not eliminate or reduce the obligation of the owner to comply with all legal requirements and be responsible for all damages arising from changes in natural conditions.

5.41 Grading Requirements

Grading is to be designed as a combination of cuts, fills, and occasional retaining walls that protect existing vegetation and blend into and/or appear to be extensions of existing natural landforms. Whenever possible, natural slopes are preferable to structures. Retaining walls where visible from off-site, are to be built of rock or stone, and/or treated timber. Structures exceeding four feet in height require a TOE Building Permit with a Professional Engineer stamped Plans and should be battered and stepped to include ample planting pockets. Slopes should not exceed a slope of four feet horizontally by one foot vertically unless there are extenuating circumstances. Disturbed areas are to be re-vegetated and blended into the surrounding vegetation and site conditions.

5.42 Erosion Control Plan

Grading plans to include erosion control methods for areas of steeper grades. Erosion control must be considered on a proactive basis to prevent damage to the site. Erosion control measures to follow best management practices per construction industry methodology.

5.43 Stockpiling and Removal of Excavated Materials

Topsoil disturbed by grading operations must be stockpiled within the construction area and reused as a part of the site restoration/landscape plan. Excess materials must be removed from the Haymeadow site unless specific permission is granted by the DRC.

DRIVEWAYS & VEHICLE ACCESS

5.44 Driveways

The street scene of Haymeadow has been carefully planned to include street trees and landscape features. The interruption of this landscape feature can have a significant impact on the appearance and character of a site. Only one driveway entrance will be permitted for each homesite. Lots located at the corner of a collector street, a residential street, or a cul-de-sac, shall have the driveway access from the subordinate street.

5.45 Alignments

To ensure minimal visual impact and disturbance, the alignment of residential driveways must generally follow the contours of the land and avoid the removal of trees, shrubs and irrigation to the greatest extent possible. Driveways are not to exceed 10% in slope.

5.46 Turning Radius

Minimum inside radius of the driveway edge or curb should accommodate easy egress and exit from garages.

5.47 Damages

Any damage done to the landscaping and irrigation in the street ROW that may occur during the construction of the driveway, must be repaired at the Owner's expense.

5.48 Drainage across driveways

This should be integrated into the design of the drive or apron. Additionally, consideration must be given to the location, orientation and screening capacity of adjacent building envelopes and public areas relative to potential visual impacts from exposed road pavement, headlight glare, traffic disturbance, and general loss of privacy.

5.49 Paving Materials

Paving materials should have a primary material. These materials may vary as they relate to individual architecture, but should always maintain a finished, and purposeful quality. These areas shall have a dull, non-reflective surface and color that blend well with the natural surroundings. Concrete, Bomanite concrete, colored exposed aggregate concrete, colored concrete, stone black asphalt, and chip-and-seal are approved materials. Gravel is not permitted.

5.50 Bike Paths

Where driveways cross the bike path, the Owner shall maintain the path surface material regardless of their choice of materials for their driveway. The new driveway surface shall be flush with the path. The Owner shall repair any damage done to the bike path at their expense.

5.51 Parking Requirements

Each single family residence or duplex shall include at least one parking space in an enclosed garage and shall adhere to Town of Eagle parking requirements.

FENCES, WALLS & GATES



5.52 Fences

In order to preserve a continuous neighborhood character, the DRC will generally prohibit the use of fences, walls or gates along the front property line or within the front yard. In addition, on corner homesites, fences, walls, or gates may not be allowed along the side yard property line facing the street. The DRC will consider exceptions on a case-by-case basis where the building envelope of a lot may restrict the placement of a main structure in such a way that the front of the home is not facing the street and/or the area facing the street is the usable recreational space typically reserved for a rear or side yard. Perimeter fences along other side and rear yards are permitted, however, these fences shall be limited to a two or three rail split fence, a corral type fence or a wooden privacy fence. In order to meet wildlife safe fencing standards the maximum fence height shall be 42 inches. The DRC may approve the addition of a 12 or 14 gauge galvanized wire fencing to provide animal control, however additional landscape screening will be required. In all circumstances, the DRC's primary objective will be to preserve a consistent streetscape with the rest of the community, particularly with the neighboring homesites. The DRC will review fencing plans for material selection and layout prior to approval.

AREA

The total fenced area on a single family or duplex lot shall be no more than 5,000 square feet.

PET AREA

Single Family and Duplex lots may contain a dog run fence to enclose a maximum of 500 square feet and have a maximum height of 72 inches. The location of the dog run is strongly encouraged to be in the rear yard. Dog runs are not allowed within the front or side building setback areas.

MULTIFAMILY AREA

Multi-family lots may use approved fencing to enclose recreation/play areas and to create a child safety barrier from common areas to public streets. Total fence enclosure of multi-family lots is not allowed.

DOG PARKS

Multi-family parcels may include a 60 inch tall wood split rail with wire or corral fence for enclosed dog parks not to exceed 5000 square feet.

PUBLIC PARKS/OPEN SPACES

Public parks and open space areas will serve as wildlife movement areas and should limit fencing to the greatest degree possible. Public parks and ball fields may use epoxy coated chain link fences, split rail or approved fencing materials not to exceed 42 inches in height as necessary to delineate uses and protect users from roads and other hazards. Public community gardens, and public swimming pools may utilize an epoxy coated chain link or corral fence up to 72 inches in height not to exceed an area of 20,000 square feet.

5.53 Retaining walls, privacy fences or screen walls

These elements must be an extension of the architectural design of the residence and will be permitted within the building envelope and within the side yards that must not abut streets. They may be built out of wood or stone. They may be used to separate the private areas from the rest of the building envelope and/or as a screening element for parking and service areas otherwise visible from other homesites or public areas. These walls may be used to articulate horizontal and vertical building planes. The standards that shall apply to the use and treatment of site wall are listed below:

USES

Site walls may not be used to delineate property lines or building envelopes. Site walls are typically used for screening and/or defining outdoor living or private spaces.

COLORS

Colors of the walls must be compatible with the residential exterior walls and conform to the same exterior color requirements.

FINISH TO GRADE

Finish materials on all site and building walls must be continued down to finished grade so as to eliminate exposed or unfinished foundation walls.

STONE

When stone is used, the base course of stone must be 1/3 below grade to give the appearance of a true structural wall.

MAXIMUM HEIGHT

The objective to minimize site disturbance suggests balanced cut and fill grading solutions, and in turn, reduces the need for tall retaining walls. However, if retaining walls are required, they may not exceed a height of 4' measured from the lowest of the wall to the top of the wall. Slope at the back of the wall shall not exceed 3 to 1.

TERRACED RETAINING WALLS

Must be offset horizontally by a minimum distance of 3 feet to support viable plant materials in each terrace.

5.54 Deer/Wildlife Fencing

Fencing temporarily erected for protection of landscape vegetation from deer and elk shall follow the winter fencing guidelines.

ALLOWABLE TIME FRAME

This material may be erected from October 15th to April 15th. These are general dates as conditions may necessitate extending these dates, which will be at the discretion of the DRC.



SECTION 6

Design Review Process

SECTION 6

Design Review Process

6.1 Purpose of Design Review Process

This section provides a guide to the design review process for the Haymeadow community. The process involves a series of meetings between the owner, their design professionals and the DRC. It begins with an informal introductory meeting and concludes with the completion of construction. Along the way are a series of meetings designed to ensure a smooth and efficient review of the new home design or improvements to an existing home. The DRC is committed to assisting owners through the design review process.

6.2 Before submitting plans

For any DRC Design Review, the owner and their consultants are highly encouraged to obtain and review all pertinent documents to the development of their property, including but not limited to the Design Guidelines, the Covenants, the Haymeadow PUD Guide and any other pertinent Town of Eagle regulations, such as lighting and water use requirements.



6.3 Submittals for Improvements

Submittals will be reviewed for completeness prior to acceptance and scheduling for a formal DRC hearing. Incomplete submittals will not be accepted for review at the discretion of the DRC. Applicants and their consultants should review the appropriate submittal checklist found in the Appendix. The design review process, and DRC approval, is required for any of the following improvements:

- Construction of new buildings.
- Any change, renovation, expansion or refinishing of the exterior of existing buildings including re-painting or restaining with a different color than previously approved by the DRC.
- Site or landscape improvements, including removal of landscape plantings, except for replacement of plant materials similar to those previously approved by the DRC. The installation of fences or any changes that might impact existing drainage will require DRC approval.

6.4 Interpretations of Guidelines

The DRC evaluates proposals on the basis of the Master Design Guidelines. Most of the guidelines outlined in this document are written as relatively broad standards and the interpretation of these standards is left up to the discretion of the DRC. Some of the standards contained herein are absolute design parameters and it is the responsibility of the DRC and the owner's professional designers to ensure that improvements comply with these absolute standards.

6.5 Interpretations by DRC

By their nature, these guidelines are largely subjective. The DRC has broad capacity to interpret both qualitative and quantitative requirements to ensure that the intent of the guidelines is realized in the architecture of homes at Haymeadow. The DRC is charged with the preservation of quality and value of homes and property at Haymeadow and takes its responsibility seriously.

6.6 Meetings, fees and inspections

Meetings of the DRC shall follow a regular schedule as published by the DRC at the beginning of each calendar year. A special meeting of the DRC may be called by the Chairman of the DRC as deemed necessary. A fee schedule shall be published at the beginning of each calendar year. The DRC will conduct inspections at the following stages of each project, as applicable: site/utility grading, foundation, framing, final architectural and final landscape. The Design Review process shall include the following steps:

- Pre-application meeting
- Preliminary design meeting
- Final design review
- Pre-construction conference
- Construction commencement notification
- Inspections during construction

6.7 Pre-Application Meeting

This is a required meeting between the HMMA Executive Director or DRC Administrator and the architect and/or owner that is held prior to the submission of any design materials. The purpose of the meeting is to review the design and construction process in an informal atmosphere, while reinforcing the importance of enforcement of Master Design Guidelines and the rules regarding the construction process. This meeting is required to take place prior to the submission of design materials for Preliminary Design Review. This review will address property boundaries, easements and utilities, homesite location, architectural theme and special design considerations and the design rationale. The DRC will respond as quickly as possible to requests for a pre-submission conference, but may require up to (10) business days to schedule the meeting.

PRELIMINARY DESIGN REVIEW

6.8 Meeting Agendas

To be placed on a DRC agenda, Complete Submittal Packages are required a minimum of five (5) working days in advance of the regularly scheduled meeting. In the event that there is no regularly scheduled meeting, the DRC will notify the owner of the date of the meeting, which is to be held within three (3) weeks of the submission. The DRC reserves the right to set its agenda and assign meeting dates for review of Submittal Packages.

6.9 Design Review Application Form

Submission of all required materials together with the fee for design review will initiate the process. This preliminary step in the review process is intended to avert wasted time and professional fees that result from pursuing a design solution which is in conflict with the standards contained in these guidelines.

Preliminary Plan staking: The applicant will use a licensed surveyor to stake the location of the corners of the proposed building(s) and all other major improvements including driveways two (2) days prior to the DRC meeting. In some cases the DRC may require ridgeline flagging be erected to indicate proposed heights of buildings. The DRC or a DRC representative will conduct a site visit prior to the meeting to review the staking.

6.10 Meeting Summary

The DRC will provide a written summary of the findings of the Preliminary Design meeting within five (5) working days of the meeting.

FINAL DESIGN REVIEW

6.11 Timing

Within six-months (6) after the initial Preliminary Design meeting, the owner must initiate the Final Design Review process by submitting a Design Review application form together with the required final documents. Should more than six months lapse between the preliminary and final submission, the DRC may require the owner to resubmit for preliminary review.

6.12 Final meeting submittal

The owner/architect should deliver fully developed design drawings that address any concerns identified in the Preliminary Design Review. All submission requirements and a material Sample Board is required for final approval. In situations where significant changes are required during the Preliminary Reviews, the DRC may reasonably encourage an interim submittal prior to a Final Review, to make sure that the redesign is on the right track before proceeding to completed documents.

6.13 Design Review meeting

The DRC will provide a written summary of the findings of the DRC within fifteen (15) days. Additional review meetings may be necessary to review corrected and/or new materials.

If the decision of the DRC is to disapprove the submission, the DRC will provide the owner with a written statement of the basis for such disapproval to assist the owner in modifying or redesigning the project so as to obtain the approval of the DRC. An additional design review fee may be required for each resubmission as required by the DRC.

Final approval is valid for eighteen (18) months. Should more than eighteen months lapse, the owner must resubmit for approval and pay the necessary resubmission fees. If necessary, the DRC can require that the process be started at the beginning.

6.14 Conformance of Improvements

Any “Improvements” by owners must conform to approved plans. Therefore, the final approval of a proposed design constitutes an agreement with the HMMA that the proposed home or modification be consistent with the approved plans and specifications.

6.15 Subsequent Changes

Additional construction, landscaping or other changes in the improvements that differ substantially from the approved final design documents must be submitted in writing to the DRC for review and approval prior to making changes.

6.16 Changes after Approval

The DRC understands that the construction process may result in either a need or desire to make a change from the approved drawings. It is required that the DRC review and approve proposed changes to final approved plans and will welcome the opportunity to review proposed changes before they happen. In the event a change is desired, the owner, builder or architect must first contact the Executive Director to inform of the proposed change and submit the proposed changes in a graphic form including applicable photographs. The DRC will work in a reasonable manner to respond to a request for change as quickly as possible, but the review process will remain consistent with the aforementioned guidelines.

6.17 Reconsideration Procedure

The owner has the right to request that the DRC reconsider decisions made by the DRC. The owner can initiate such a reconsideration procedure by submitting in writing a document stating the reason for the request. The DRC or its Administrator will set a hearing date for the DRC to review the appeal and notify the owner of such a date. The owner or representative must be present at the reconsideration hearing. The DRC will render a decision in writing within fifteen (15) days after the hearing and provide the reasons for denying or approving the reconsideration.

6.18 Pre-Construction Conference

The contractor (and the owner if possible) shall participate in the Pre-Construction Conference with the DRC Administrator. The design guidelines and construction regulations are reviewed during this meeting to ensure that the owner and builder understand the policies contained in the guidelines and the HMMA’s ability to enforce them. Particular emphasis is placed on the importance of requesting approval for potential changes to the design.

6.19 Enforcement of Approved Design

The final approval of a design submission is an agreement between the HMMA and the property owner that the property owner will construct the proposed home consistent with the design documents approved by the DRC. Any failure of the property owner to construct the home consistent with the approved design shall be a default by that owner under these Master Design Guidelines and the HMMA Covenants.

6.20 Inspections

These will be performed by a DRC representative and Inspection Reports filed with the DRC Administrator, as described in Section TBD: Construction Regulations.

6.21 Unapproved Changes

If the DRC or DRC Administrator determines that any changes made by the owner or builder are not in compliance with the approved design, a letter is sent to the builder and owner with a copy of the inspection report notifying the builder and/or owner that specific changes that are noncompliant. All construction work related to the noncompliant design must be stopped immediately, but so long as the owner timely submits for DRC approval of the revised design, other construction on the project may continue. The builder and/or owner must submit to the DRC an alternative plan to bring the design into compliance with the guidelines and to revise the approved plans within one week. Proposed revisions must be submitted graphically and are subject to normal review by the DRC.

6.22 Stop Work Order

If the builder or owner fails to submit a proposed revision within the required time frame, the DRC will issue a stop work order requiring all construction work on the project to be suspended immediately. If the stop work order is violated, the owner will be subject to a daily fine for each day work continues without resolution with the DRC of the unapproved construction. The owner has the right to appeal the decision of the DRC to the Executive Board.

6.23 Fines Levied

Fines may be imposed where changes are made without advance approval of the DRC or for any violation of the Covenants, rules and regulations and policies of HMMA, or violation of these Master Design Guidelines, in accordance with a written fine schedule adopted by the DRC from time to time. Fines can be doubled for repeat violations, as provided in the fine schedule. Any fines levied are, as between the owner and HMMA, the direct obligation of the owner regardless of whether the owner knew of or participated in the violation; owners are in all respects responsible for the acts and omissions of their contractors, builders and the like performing work on a project. If not paid, fines will become default assessments pursuant to the HMMA Covenants and enforceable as such, including by legal action and foreclosure of HMMA's lien on the owner's property.

6.24 Schedule of Design Reviews and Inspections

The DRC will make every reasonable effort to comply with the time schedule for development review outlined below. However the DRC will not be liable for delays that are caused by circumstances beyond its control. See Appendices for necessary checklists and forms. The DRC will provide a design review according to the following schedule. If all required materials are not submitted, the DRC will not be responsible to meet these requirements.

- Pre-Submission Meeting: Scheduled within fourteen (14) days of receipt of written request.
- Preliminary Design Review(s): Application documents to be submitted at least seven (7) days prior to the next scheduled DRC meeting. Written comments from the DRC meeting shall be provided to the builder/owner within fourteen (14) days after the meeting.
- Final Design Review(s): Application documents must be submitted fourteen (14) days prior to the scheduled DRC meeting, and within six months after completion of Preliminary Design Review. Written comments from the DRC meeting and/or written notice of Final Design Approval shall be provided to the owner within fourteen (14) days after the meeting.
- Pre-construction Meeting: Scheduled within fourteen (14) days after the date that the owner's written request is received by the DRC Administrator.
- Construction Inspections: Performed periodically throughout the process. Final inspection within twenty-one (21) days after the date the DRC Administrator receives a written request for Certificate of Compliance from the owner.

6.25 Fees for Design Reviews

In order to defray the expense of reviewing plans and related data, and to compensate any consulting architects, landscape architects, and other professionals, the DRC will publish a Fee Schedule at the beginning of each calendar year. No applications will be accepted or meetings scheduled without proper payment of the required fees. The DRC reserves the right to require payment of additional fees for review meetings in excess of 2 meetings.

6.26 Damage and Performance Deposit

A Damage and Performance Deposit must be deposited with and held by the DRC prior to the commencement of any work on-site. The Damage and Performance Deposit will be included in the Fee Schedule and can be used to reimburse the DRC for time involving unapproved changes and/or to cure damages incurred during construction and/or for any other proper purpose.

6.27 Non-Liability

The DRC, any member, employee or consultant shall not be liable to any party for any action or failure to act with respect to any matter if such action or failure to act was without malice.

SECTION 7

Design Review
Committee (DRC):
Organization, Duties,
Responsibilities
& Authority

SECTION 7

Design Review Committee (DRC): Organization, Duties, Responsibilities & Authority

7.1 DRC Membership

The DRC shall consist of a minimum of three (3) members. All members of the DRC shall be appointed and removed from time to time as described in Section 6.6 of the Declarations for the HMMA. Any member of the DRC may resign from the DRC at any time upon written notice stating the effective date of the member's resignation.

7.2 Interpretations by DRC

By their nature, these guidelines are largely subjective. The DRC has broad capacity to interpret both qualitative and quantitative requirements to ensure that the intent of the guidelines is realized in the architecture of homes at Haymeadow. The DRC is charged with the preservation of quality and value of homes and property at Haymeadow.

7.3 Functions of the DRC

The principal functions of the DRC are as follows:

- To consider and act upon such proposals or plans submitted to it in accordance with the Design Review Process described in these guidelines.
- To amend the Guidelines as deemed appropriate.
- To perform any duties assigned to it by the HMMA as set forth in this document and the covenants.

7.4 Administrative Assistant

The DRC may hire or appoint an administrative assistant for the DRC and shall provide appropriate compensation for any such services. The DRC shall have the right to establish one or more sub-committees to perform one or more of the functions of the DRC.

7.5 DRC Meetings

The DRC will meet bi-monthly or as needed to perform its duties. A quorum shall consist of three (3) members. The DRC's actions on matters will be by a majority vote. If one of those members is associated with an application that member shall abstain from voting and such project may only be approved upon agreement of the other members present. DRC meetings will include a virtual meeting link, and committee members can attend virtually.

7.6 Email Actions

Any action required to be taken by the DRC may be taken without a meeting, if consent in writing, or by E-mail, setting forth the action so taken is signed by a majority of the DRC members. Meetings may be held by telecommunication or video conference.

7.7 Records of Actions

The DRC's Administrative assistant will keep and maintain a record of all actions taken by it, and report in writing to the Executive Board all final actions taken by the DRC relating to design review will be in addition to requirements imposed by the Town of Eagle.

7.8 Compensation

The Executive Board has the right to set compensation for DRC Members. Professional consultants retained by the DRC to assist them in carrying out their responsibilities may be paid such compensation as the board determines appropriate.

7.9 Amendments of Design Guidelines

The DRC may recommend adopting, and/or repealing, by majority vote, any changes to be incorporated into or amendments to the guidelines which, among other things, interpret, supplement, or implement the provisions of the guidelines. All such changes will be appended to and made a part of the guidelines. Any subsequent major revisions to the guidelines (as determined by the Community Development Director), shall be subject to the review and approval of the Town of Eagle. All changes to the administrative sections of the guidelines are considered minor. Any subsequent major revisions to the guidelines, shall be subject to the review and approval of the Town of Eagle.

7.10 Current Revised Design Guidelines

Each owner is responsible for obtaining from the DRC a copy of the most recently revised Design Guidelines. These are available via the HMMA website, delivered via email or produced in hard copy for a fee.

7.11 Non-Liability

Provided that DRC members act in good faith and without malice, neither the DRC nor any member will be liable to the HMMA, any Owner or any other person for any damage, loss or prejudice suffered or claimed on account of:

- Approving or disapproving any plans, specifications and other materials, whether or not defective constructing or performing any work, whether or not pursuant to approved plans, specifications and other materials.
- The development or manner of development of any land within Haymeadow
- Executing and recording a form of approval or disapproval, whether or not the facts stated therein are correct; and/or;
- Performing any other function pursuant to provisions of the Guidelines and/or the Covenants.

7.12 Master Declaration of Protective Covenants

Contains additional requirements regarding the DRC and its activities, responsibilities, and authority.



SECTION 8

Construction & Builder Regulations, Inspections and Changes

SECTION 8

Construction & Builder Regulations, Inspections and Changes

8.1 Introduction

To assure that the construction of any Improvements on a homesite will occur in a safe and timely manner and without damaging the natural landscape or common improvements of Haymeadow or disrupting residents or guests, these regulations will be enforced during the construction period.

The contractor and owner must sign the Pre Construction check-list, which acknowledges that the owner and his contractors have read and will comply with the most recent copy of the guidelines prior to commencement of work.

8.2 Storage of Materials and Equipment

The storage of materials and equipment on the lot is prohibited until completion of the Pre-Construction Meeting and authorization to begin construction.

8.3 Commencement of Construction

Construction will not begin until:

- Final Plan Approvals have been issued from the DRC
- Building permit has been obtained from the Town of Eagle
- Damage and Performance Deposit has been placed with the HMMA. See Appendix X.
- Adjacent Lot Use Permission or Party Wall Permission form completed and signed with the neighboring Owner, if necessary. See Appendix X.
- Construction area plan approved by the HMMA.
- Pre-Construction Meeting: Prior to commencing construction, the builder/contractor must meet with an authorized representative of the DRC or Haymeadow to review the Pre-Construction Checklist, approved Final Plans, the Construction Area Plan and the Construction Regulations. At this meeting the builder/contractor or owner must have available a copy of the Building Permit issued by the Town of Eagle.
- Construction shall begin within fifteen (15) days or as reasonably agreed upon in writing by the Executive Director after the Pre-Construction Conference.

8.4 Construction Management Plan

Prior to the commencement of any construction activity the builder/contractor will provide the DRC with a detailed construction management plan inclusive of all items listed below as well as identifying location of construction trailers, sanitary facilities, dumpsters and showing the area in which all construction activities will be confined, and how the remaining portions of the homesite will be protected.

| CONSTRUCTION FENCING

The construction area is required to be fenced with green mesh construction fencing, chain link, or other material approved by the DRC that must be maintained in good upright condition throughout the construction period. Orange fencing is prohibited.

| STORAGE AND PARKING AREAS

The owner or owner's contractor will identify the location and size of the construction material storage and parking areas, and the locations of the chemical toilet, temporary trailer structures, dumpster, debris storage, utility trenching, and the limits of excavation. Additionally, silt dams are required where conditions merit their use to prevent the loss of soil into waterways or onto adjacent property. Silt fences, where required, must be secured by burial of a minimum of 12 inches.

| ACCESS TO CONSTRUCTION AREAS

Access to the construction site for all will be limited to the route established by the DRC prior to the commencement of any construction activity. Usually, the identified route is the future driveway. Prior to the installation of the permanent driveway materials, contractors are required to use a road base on the access route. If the identified access route is violated or not maintained with gravel or superior surfaces, the DRC may seek curative measures as described in Section TBD of the Covenants.

| VEHICLES AND PARKING AREAS

Parking for construction personnel vehicles machinery other than within the DRC approved construction area on-site, will occur only in specific areas designated by the DRC to minimize damage to the existing landscape and adjacent properties. Any approved on-street parking must be limited to one side of the street, thereby allowing the smooth flow of normal vehicular traffic. Construction crews will not be permitted to park on adjacent homesites without written approval from the homesite Owner that is forwarded to and recorded by the DRC or any other unapproved areas.

8.5 Construction Period and Phasing

Construction must be completed within twenty-four (24) months of the date of final approval of the planned Improvements by the DRC. Construction can be phased, but the primary component of the home must be completed first. Accessory Dwelling Units may not be constructed in advance of the main house.

8.6 Construction Activity Times

The time of construction will be limited to the period from 7:00 AM until 7:00PM Monday through Friday, 8:00 AM until 6:00 PM on Saturdays. Town of Eagle's regulations prohibit construction activity on certain national holidays or on Sundays.

8.7 Construction Trailers, Sanitary Facilities and Temporary Structures

Owner or Builder/Contractor who wants to bring a construction trailer or the like to Haymeadow must obtain written approval from the DRC. The DRC will work closely with the builder to locate the trailer in the best possible location to minimize impacts to the site and to adjacent homesite owners. Sanitary facilities must be provided for construction personnel on-site in a location approved by the DRC. The facility must be facing the interior of the lot, away from the street, and is not allowed within the Right-of Way. It must be maintained in such a manner to prevent it from becoming foul smelling or unsightly. All such facilities must be removed from the homesite prior to issuance of a Certificate of Compliance and may not remain on the site after substantial completion of the home or homes for which it is being used. Temporary living quarters for the owner, builder/contractor or their employees will not be permitted.

8.8 Debris and Trash Removal

Builders/contractors must clean up all trash debris on the construction site at the end of each day. Trash and debris must be removed from each construction site whenever the trash receptacle has become full or poses a threat of allowing trash to blow away. Lightweight material, packaging, and other items, must be covered to prevent wind from blowing such materials off the construction site. Builders/contractors are prohibited from dumping, burying, or burning trash on the Lot or elsewhere in Haymeadow.

8.9 Clean Up and Eyesore Appearance

During the construction period, the site must be kept neat and tidy to prevent it from becoming a public eyesore or affecting adjacent homesites. Dirt, mud or debris resulting from activity on each construction site must be promptly removed from roads, open spaces, and driveways or other portions of Haymeadow. Any clean-up costs incurred by the DRC or the HMMA in enforcing these requirements will be billed to the Owner, and payable to the HMMA per Section TBD of the Covenants.

8.10 Excavation, Grading and Tree Protection

The Builder/Contractor will take extreme care during excavation to assure that trees not authorized for removal are not damaged. All trees remaining within an approved construction area must be properly tagged and protected prior to the commencement of any grading operations. Every effort must be made to reduce compaction and/or disturbance within the drip line of all trees located within and outside of the fenced approved Construction Area.

8.11 Dust and Erosion Control

Blowing dust resulting from grading operations must be controlled by watering. During construction, erosion must be minimized on exposed cut and/or fill slopes through proper soil stabilization, water control and revegetation. The Builder is responsible for the implementation of all erosion control techniques as may be required by State or local agencies. Grading operations may be suspended by the DRC during periods of heavy rains or high winds.

8.12 Damage Repair and Restoration During Construction

Damage and scarring to other property including open space, adjacent homesites, roads, driveways, and/or other improvements will not be permitted. If any such damage occurs, it must be repaired or restored promptly at the expense of the Owner of the homesite. See Fines in Appendix X for special requirements for the repair of common irrigation systems. Upon completion of construction, each Owner and Builder will be responsible for cleaning up the construction site and the repair of all property which was damaged including, but not limited to restoring grades, planting shrubs and trees as approved or required by the DRC, and repair of streets, driveways, pathways, drains, culverts, ditches, signs, lighting and fencing, but not including common irrigation systems. Any property repair costs as mentioned above, incurred by the DRC or the HMMA will be billed to the Owner. Failure to remedy damage as directed by the DRC will result in the cost of the damage repair being deducted from the Damage and Performance Deposit. See Fines in Appendix X.

8.13 Damage to Right of Way Landscaping

Due to the importance of the Right of Way (ROW) landscape features, any damage except damage to the common irrigation system caused to this area by the Owner or Owner's Contractors shall be repaired in a timely fashion by the Owner utilizing materials and construction techniques to match existing landscape elements. See Appendix X for procedures regarding damage to irrigation systems in Common Areas and Right of Ways. The Owner shall notify the HMMA of any damage that has occurred to the landscape elements within 24 hours of the occurrence. The disturbance shall be temporarily repaired or made functional within 24 hours and permanently repaired within 10 days of the disturbance. If damage to the landscape elements is not repaired within 10 days, the HMMA shall perform the repairs and subsequently charge the Owner for all costs incurred.



8.14 Damage to Common Irrigation System

Because the long term effective operation of the common irrigation system in the ROW's and Limited Common Assessment areas depends on its coherence in materials and installation, damage done by property owners or their operators to the common irrigation system will be repaired by the HMMA and its operators. Owners are required to reimburse the HMMA for all of its direct expenses. Frequent damage to the common irrigation system and the downstream impacts of allowing dirt and gravel into the lines necessitates a fining system to discourage sloppy construction activities.

8.15 Driveway Construction

New driveway construction will occur over the existing irrigation system. The Owner or Builder shall locate the driveway to effect as few irrigation heads as possible. Driveways will not be allowed over valve box or control clock locations, except by DRC approval. The HMMA will be responsible for relocating valve boxes and control clocks with costs to be paid for by the Owner.

8.16 Irrigation Sleeves

Prior to making a driveway cut, the Owner or Builder must request a visual inspection by the HMMA to determine if the cut will affect existing irrigation systems. In the event that irrigation heads are affected by driveway construction, the Owner or Builder shall request relocation by the HMMA and will be responsible for the cost of its relocation. The Owner or Builder is also responsible to place three (3) PVC sleeves under the entire width of the new driveway. Four-inch (4") and 6" sleeves must be installed 30" deep and 18" from the curb. An additional 4" sleeve is to be installed at a depth of 12" below grade, immediately adjacent to the curb. This sleeve is necessary to accommodate future repairs or adjustments to the irrigation lateral line.

8.17 HMMA Inspections

In addition to the building inspections required by the Town of Eagle, the following inspections must be scheduled with the DRC and the HMMA:

| SITE INSPECTION

Which will include the staking within the fenced Construction Area, all comers of proposed buildings, the driveway, extent of grading, protected vegetation must be staked, together with the locations of any temporary buildings. This inspection must be completed prior to any site clearing or disturbance of existing grade.

| FINAL INSPECTION

This inspection must be done prior to any application to the Town of Eagle for a Certificate of Occupancy.

| LANDSCAPING INSPECTION

Shall be performed as part of the Final Inspection. In the event that seasonal restrictions prohibit the completion of the landscape installation concurrent with the completion of the home, scheduling of completion must be made and agreed to in writing with the Executive Director. A portion of the Damage and Performance Deposit may be withheld pending completion, inspection and approval of the landscape installation.

| IRRIGATION INSPECTION

Shall be performed as part of the Final Inspection to determine that the irrigation as installed conforms to approved plans.

Additionally, the DRC will be doing on-going frequent informal inspections with the intent to catch any problems, deviations from plans or violations before they become “built-in”.

8.18 Pets

All pets belonging to construction personnel must be kept within vehicles or always leashed while within Haymeadow. They must not be a nuisance to or threaten any persons or wildlife.

8.19 Security

Precautions at the construction site may include temporary fencing approved by the DRC. Security lights are prohibited except for those activated by motion detectors. Audible alarms and guard animals will not be permitted.

8.20 Noise

Builders/Contractors will make every effort to keep noise to a minimum. Radio sound will be kept at a low level to minimize disturbance to neighbors and wildlife. Builders/Contractors will follow all Town of Eagle noise ordinances.



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