

**DESIGN GUIDELINES**

**FOR**

**STARWOOD AT FOX MEADOW**

**Longmont, Colorado**

**Please check with the Management Company to be certain you have the most current version of the Design Guidelines.**

REVISED  
June 17, 2009

## DESIGN GUIDELINES

### **Starwood at Fox Meadow**

Longmont, Colorado  
Boulder County

#### 1. **PURPOSE**

The goal of these Design Guidelines, and the Design Review Procedures, is to ensure a development of consistently high quality and to maintain harmonious relationships among structures, vegetation and topographic features, thereby protecting and enhancing the investment and property values of all residents within **Starwood at Fox Meadow** ("Starwood").

These Guidelines set forth specific criteria regarding residential building construction and site development. They do not supersede, but rather supplement the Covenants, Conditions and Restrictions (CCR's) for Starwood, and any other regulations of the City of Longmont, which may be in effect. Where Design Guidelines and CCR's are in conflict with the City of Longmont Regulations, the more stringent requirements shall apply. The purpose is to establish a standard of quality and to ensure adherence to the general design principals described herein.

2. **DESIGN COMPATIBILITY:** Compatibility is defined as harmony in architectural style, quality of workmanship and similarity in use of materials, fenestration, color and construction details. The proposed constructions shall be compatible with these Guidelines, as approved by the **Design Review Committee** ("Committee"). The creation of a distinctive neighborhood identity is one desirable aspect of design compatibility. Within the sense of distinctive community identity, however, innovation and creativity are encouraged.

3. **PROTECTION OF NEIGHBORS:** Proposed construction/improvements shall contain reasonable provisions for surface water drainage, sound and visual buffers. It should be noted that the developer of Starwood and the Committee do not guarantee a view from each of the individual lots.

#### 4. **DESIGN REVIEW PROCEDURES:**

The following review and approval procedures provide the framework by which the Committee will review, process and approve construction and improvements within Starwood. Plans and specifications shall be submitted to the Committee in accordance with the following procedures.

*These Design Guidelines may be amended or modified pursuant to Article 9 of the Declaration of Covenants, Conditions, and Restrictions of Starwood at Fox Meadow. In the event of a conflict between Article 9 and these Design Guidelines, the Design Guidelines shall prevail. The Architectural Review Committee may adopt other limitations and restrictions in its reasonable discretion. 1/23/02, 7/24/2003, 2/19/09, 6/17/09*

**4.1 Approval Required:** (a) All non-exempt construction, installation, erection, refinishing, or expansion of any building, structure, or other improvement, including utility facilities and fences; (b) the demolition or destruction, by voluntary action, or any building structure, or other improvement; (c) the landscaping, grading, excavation, filling, or similar disturbance to the surface of the land including, without limitation, change of grade, change of ground level, change of drainage pattern, change of stream bed, or change of established grade; and (d) any change or alteration or any previously approved improvement to property, including any change of exterior appearance, color, or texture in Starwood is prohibited until an Owner, or the Owner's designated representative, first obtains written approval as provided herein. All improvements shall be constructed in accordance with approved plans and specifications.

Every violation of these Design Guidelines including, without limitation, any construction, reconstruction, refinishing or alteration of any improvement or landscaping in Starwood or landscaping without the approval of the Committee or the alteration of any improvements or landscaping in Starwood not in conformance with plans and specifications that have received approval from the Committee, are declared to be and to constitute violation of the declaration and every remedy allowed by law or in equity against a lot owner or developer/builder shall be applicable against every said violation.

The Homeowners' Association reserves the right to correct any violation of the declaration after serving the owner or builder written notice. After serving written notice, the Homeowners' Association may contract to correct the violations and back charge the owner, or builder the cost for the correction. If the owner or builder fails to pay the cost of such corrections in the specified time the Homeowners' Association may file a lien against the property and pursue appropriate foreclosure actions. The owner, builder will be liable for all related costs incurred above and beyond the actual construction costs, including, but not limited to, consultant fees, legal fees, managerial fees and accounting fees.

**4.2 Exemptions:** The following types of changes, additions or alterations do not require approval of the Committee: (Although exempt from review of the Committee, all work must proceed in accordance with all applicable federal, state and City of Longmont codes, ordinances and regulations and the intent of these Design Guidelines.):

- a. Addition of vegetation to a property in accordance with a previously approved Landscape Plan.
- b. The addition of permanent planting materials that do not conform to an approved landscape plan as long as the mature size of the planting does not exceed 24 inches in height, including flowers and vegetable gardens.

- c. Modifications to the interior of a structure when those modifications do not materially affect the outside appearance of the structure.
- d. Re-roofing, repainting and/or re-staining within original color tones.
- e. Repairs to a structure in accordance with previously approved plans and specifications.
- f. Seasonal decorations if removed within 30 days following the holiday.
- g. Removal of dead or diseased vegetation shall be done as soon as possible after the discovery of the diseased condition. Such vegetation shall be replaced as soon as possible with materials of similar size and appearance.
- h. Installation of permanently mounted gas-fired barbecues.
- i. Open rail fencing (as illustrated in Exhibit B) is required.
- j. One Basketball Backboard not more than thirteen (13) feet in height is permitted without approval. One temporary movable basketball board is permitted without approval provided it is not used on any lot in a manner which provides for long-term or permanent use.

Only those items listed above are exempt from the residential Design Review Process. All other types of residential construction, development, landscaping, site modification, and other such items must comply with the Procedures and Guidelines contained herein.

**4.4 Removal of Nonconforming Improvements:** The Committee may require an offender and/or owner to remove any improvements constructed, reconstructed, finished, altered or maintained in violation of these Guidelines and/or The Committee's approval. The owner thereof shall reimburse the Association for all expenses incurred by the Association or by the Committee in connection therewith.

## 5. **PLAN REVIEW:**

**5.1 Plan Review - Submittal Contents:** The purpose of the Plan Review process is to ensure that final plans conform to these guidelines. Any changes from the Preliminary Concept submittal should be brought to the Committee's attention in the letter of transmittal. The contents of the submittal shall include a minimum of three (3) copies of required

drawings or refer to paragraph 5.7 if plans are to be mastered. Submittal for Final Plan Review shall include the following:

- a. Complete sets of drawings and specifications (as described in appendix A), suitable for construction and including floor plans and building elevations, and site plan which are identical to the documents to be submitted to the City of Longmont for a building permit. One (1) copy of reviewed documents will be returned to the applicant.
- b. Lot grading shall be in conformance with the City of Longmont approved "Over lot Grading Plan" and/or "Master Grading and Drainage Plan" for Starwood. Nothing herein shall be construed such that the Committee or the Developer is responsible for any drainage problems that might occur before or after a residence is constructed.
- d. Color/Sample selections: Submittals must indicate all exterior materials and colors. No similar colors are allowed to be used directly adjacent or across from one another. The Design Review Committee reserves the right to pre-approve certain colors submitted by approved builders that may be built on several lots.
- e. Any other information and materials deemed necessary in the judgment of the Committee to ensure compliance with these Design Guidelines or desired by the applicant to help indicate conformance.

5.2 **Review Time Table:** The Final Plan Review Submittal shall be made at least ten (10) calendar days prior to applying for a building permit from the City of Longmont, unless plans are pre-approved (see section 5.7) Final Plan Review Approval must be obtained from the Committee prior to applying for a Building Permit from the City of Longmont as required by the Final Plat restrictions, and prior to any construction. If, in the opinion of the Committee, the submittal complies with these Design Guidelines, written approval shall be granted. If the submittal is found not to be in compliance with the Design Guidelines, the Committee shall provide the applicant with a written description of the aspects in which the submittal does not comply. The applicant must then present required revisions to the Committee and follow the same review procedures. **Should modifications be required, approval will be granted only after such changes have been incorporated into the Final Plans.**

5.3 **Changes After Final Review:** There may be occasions when an applicant desires to make a change during construction which affects the exterior of the Building or Site. When an applicant wishes to make a change which deviates from the plans as

approved by the committees, the applicant must submit a written request to the Committee along with three (3) "redlined" sets of plans clearly delineating the proposed change. The Committee shall review and respond to such requests within ten (10) calendar days from the receipt of the request. No changes will be made unless approved in writing by the Committee.

- 5.4 **Construction Period and Project Completion Review:** An on-going periodic review of the construction of the Project may be undertaken by the Committee or its representatives with the purpose of monitoring exterior appearance of the Project and ensuring its conformity to the design and the construction documents as approved by the Committee or its representatives.
- 5.5 **Notice of Completion:** A notice of completion shall be submitted to the managing agent at which time the Committee or its representatives will do a final inspection of the home. If any items do not meet the approved guidelines it will be brought to the attention of the Applicant, along with measures that the Committee requires to mitigate or eliminate the deviation.
- 5.6 **Approval Timing:** Committee approval is good for one (1) year from date of final approval, unless changes are made to the approved Final Plans, which will require re-submittal and review. At the sole discretion of the Committee, extensions may be granted for mitigating circumstances.
- 5.7 **Pre-Approved Plans and Colors:** The Design Review Committee reserves the right to pre-approve certain plans and colors submitted by the approved builders that may be built on several lots. Care shall be taken to avoid the identical home being built on lots that are close to one another. Further, the same plan with the same elevation shall not be built on any two adjacent lots or any lots directly across from each other. Pre-approved plans and colors do not need to undergo the approval process excepting those paragraphs that concern landscaping and setbacks.
6. **FEE SCHEDULE:** A fee of \$80 per hour will be charged for all architectural applications that are submitted to modify existing improvements on the home or landscape and for the addition of minor improvements to the home or landscape. A fee of \$125 per hour will be charged for the review of all architectural applications that concern the construction of major improvements to an existing home or landscape or for the construction of a new home or installation of a new landscape. Minor or Major modifications shall be determined at the sole discretion of the Design Review Committee.
7. **APPEAL PROCEDURES:** If an Owner wishes to appeal any decision of the Committee, he or she may do so by submitting a written appeal to the Committee within thirty (30) calendar days of the original Committee decision. The Committee will then schedule a

*These Design Guidelines may be amended or modified pursuant to Article 9 of the Declaration of Covenants, Conditions, and Restrictions of Starwood at Fox Meadow. In the event of a conflict between Article 9 and these Design Guidelines, the Design Guidelines shall prevail. The Architectural Review Committee may adopt other limitations and restrictions in its reasonable discretion. 1/23/02, 7/24/2003, 2/19/2009, 6/17/09*

meeting with the Owner at which time the appeal will be reviewed. The Owner will have the opportunity to be heard prior to the Committee rendering a final decision. Within seven (7) days of the decision regarding the appeal request, the Committee shall give notice in writing of their decision to the Owner. All decisions of the Committee shall be final.

8. **DESIGN GUIDELINES:** These Guidelines are divided into three major divisions as follows: **Site Planning, Architectural Design Guidelines, and Landscape Design Guidelines;**

9. **SITE PLANNING GUIDELINES:**

9.1 Site planning shall respect the relationship to existing landforms and vegetation. Natural topography shall be maintained wherever possible.

9.2 An attempt should be made, when siting the residence, to vary the front yard and side yard setbacks (within the standards specified herein) as well as to offer a variety of building forms and elevations along the street wherever possible.

9.3 When siting structures, the following guidelines should be considered:

a. Avoid siting structures in natural drainage channels;

b. Distant and close-in views looking into and out of adjacent sites to mountains or golf course should be maintained where possible and landscaping should be designed to maintain the same. It is not the intent of these guidelines to "guarantee" that each and every lot owner has a clear and unobstructed view to the mountains or golf course. Adjacent lot owners are encouraged to work together to preserve views from their respective lots. Where desired for solar access, lot owners are encouraged to negotiate "solar access easements" from adjacent property owners.

9.4 **Setbacks:** All setbacks are measured from the property line unless otherwise noted. The setbacks at Starwood at Fox Meadow shall be in conformance with the approved Development Plan. A table is provided as Exhibit A to the Design Guidelines to clarify the setback restrictions for each lot.

9.5 **Additional Setback Requirements:** 15 of the lots located directly on the golf course have additional setback requirements. These lots are lots 5 through 12 and 15 through 21 of block 12 and are shown on the Final Development Plan.

The Committee realizes that it may, in some cases, be desirable to deviate from setbacks.

*These Design Guidelines may be amended or modified pursuant to Article 9 of the Declaration of Covenants, Conditions, and Restrictions of Starwood at Fox Meadow. In the event of a conflict between Article 9 and these Design Guidelines, the Design Guidelines shall prevail. The Architectural Review Committee may adopt other limitations and restrictions in its reasonable discretion. 1/23/02, 7/24/2003, 2/19/2009, 6/17/09*

Such deviations should be noted on Plan Submittals along with a written statement outlining the reason for the requested deviation. The approved final development plan for Starwood at Fox Meadow provides for different setbacks than those required herein. The Committee reserves the right to grant exceptions between the design guidelines setbacks and the final development plan setbacks. It shall however be noted that the City of Longmont Board of Adjustment is the ultimate authority for granting deviations beyond those described in the final development plan and the Committee or Association cannot predict or assure the issuance of any kind of variance.

9.6 **Driveways and Walks:** Driveways shall be designed with careful consideration of existing slopes and final grades. Paving materials for driveways, paths, steps, patios and other areas should have a dull, non-reflective hard surface that blends with the natural surroundings. The use of interesting paving patterns, circular drives, colored or exposed aggregate concrete as well as precast pavers, is encouraged. The use of asphalt is prohibited.

Where concrete is used, it shall be adequately reinforced and provided with adequate control and expansion joints to minimize cracking. Concrete driveways and parking areas shall be a minimum of four inches (4") in thickness to support vehicle wheel loadings, and reinforced as above. Other slab thickness and reinforcing are allowed provided the engineered soils report clearly describes the engineer's recommendations.

9.7 **Parking:** The provision for off-street parking in driveways is encouraged. Adequate on-site parking shall be provided for all vehicles owned by the Occupant of the Residence. Continuous storage of cars in driveways is not permitted beyond 72 hours. (See GARAGES under the Architectural Guidelines section below). Overnight on-street parking is prohibited.

9.8 **Fencing:** Any fencing that is installed on individual lots must be the open rail style fence as described in Exhibit B. **(No exceptions will be made to this requirement).** Fences shall be constructed so that all structural components are on the interior (lot side) of the fence so as not to adversely impact the adjacent lot. Rectangle wire mesh may be used on the open rail fence to contain pets and small children within the site. The wire mesh shall be 2" x 4", 9 gauge galvanized wire or as recommended by the fence manufacturer, installed on the interior (lot side) of the fence.

The North property line of lot 7 block 13, lots 5 and 6 block 14, and lot 1 block 10 may have a developer installed six foot stone or wood privacy fence.

No fencing is allowed in the front wall line of the principal building. (Fencing may begin at the half way point between the front and the rear of the principal building and continue to the rear of the lot). Fence locations and fence types must be



indicated on landscape plans including the location of gates. No fence may be installed until a landscape plan has been submitted and approved by the Committee. Chain link type fencing, pipe rails and metal posts are expressly prohibited.

Fences must be held a minimum of ten feet back from the front building line of the residence.

For corner lots, rear and side yard fences shall be a minimum of five feet from the sidewalks.

- 9.9 Screening: The purpose of the screening requirement is to ensure a neat and orderly appearance without superfluous visual clutter that detracts from property values and overall community clutter. The following items shall be screened with approved fencing or with approved plant materials:
- a. Vehicles: Automobiles shall be the only vehicles parked in the street or in visible areas on private property within the Starwood Subdivision. Onsite parking for boats, trailers, RV's and other types of recreational vehicles shall be prohibited. Vehicles shall not be parked adjacent to drives (in set-backs) in back of the front building line in accordance with City of Longmont Regulations. Any type of repair of any vehicle shall take place only within the garage. No repair work shall be done on the driveway. Any vehicles in inoperable condition shall be stored in garages.
  - b. Exterior Storage Areas: There shall be no exterior storage sheds or playhouses constructed on any lots in the Starwood subdivision.

Any visible exterior stored materials and/or equipment may be removed and stored by order of the Executive Committee of the Homeowner's Association or the Design Review Committee. The owner of such stored materials or equipment shall be responsible for the cost of the removal and storage of materials removed from his site. Neither the Homeowner's Association nor the Design Review Committee shall be responsible for the method of removal and damage or loss of the stored materials removed from the site. No accessory buildings may be constructed for storage unless the Committee has reviewed and approved all criteria related to the accessory building.

- c. Dog runs: Dog runs shall not be a nuisance to the neighbors, either auditory, visual or odorously. Dog runs and related yards shall be kept clean and free of pet waste and odor at all times. Dog runs shall be located on the required landscape plans and the screening shall conform to the fencing and screening standards. Location of dog runs shall be approved by the Committee before construction begins. Only the open rail fence may be used for dog runs.
- d. Mechanical Equipment: Air conditioner or heat-pump condensing units, or other

*These Design Guidelines may be amended or modified pursuant to Article 9 of the Declaration of Covenants, Conditions, and Restrictions of Starwood at Fox Meadow. In the event of a conflict between Article 9 and these Design Guidelines, the Design Guidelines shall prevail. The Architectural Review Committee may adopt other limitations and restrictions in its reasonable discretion. 1/23/02, 7/24/2003, 2/19/2009, 6/17/09*

exterior mounted mechanical equipment devices, not directly connected to the building, shall be screened from view, and located in either the rear yard; or one of the side yards. In no case shall such equipment be installed or located in the front yard or on the street facing side of corner lots.

- 9.10 Satellite Dishes and Antennas: All rooftop and tower mounted radio, TV and microwave antennas are prohibited. The use of attic space for antenna mounting is strongly encouraged. Owners must notify the Design Review Committee of their proposed location for mounting a satellite receiver dish, as set forth in the Satellite Guidelines. They may not be located on the front most face of the home. They must be on a face at least five feet back from the front most face. Please see attached Satellite Guidelines and Notice of Intent to install on pages A-1 through A-5.
- 9.11 Exterior Lighting: Exterior lighting shall be used only for security, visibility and decorative effect. Exterior lighting shall not be directed in such a manner as to create an annoyance to adjoining properties and shall not be directed outside the property of the owner. Exterior lighting shall also consider light pollution and be screened accordingly. The use of unshielded or globular luminaries is prohibited. General area Floodlights are expressly prohibited, unless used with colored lights as part of a temporary, seasonal lighting display and directed toward the residence. The use of low-voltage, "ground lights", for decorative site-lighting, is encouraged. The use of photo-cell or time-clock controlled exterior lighting is also encouraged.
- 9.12 Play Equipment: Where visible from public streets or rights-of-ways or the golf course, play equipment may be erected within a screened or fenced area, and shall be in appropriate scale, of quality materials, and kept in good repair. Height and overall scale of play equipment must be approved by the Architectural Review Committee. There shall be no plastic multi-colored types of play equipment allowed. Trampolines must be approved in writing by the committee and, must be properly screened from view using adequate vegetation to eliminate any annoyance to neighbors or visibility from the street, or installed below ground level.
- 9.13 Ancillary Structures: All ancillary structures, such as greenhouses, arbors, patio covers, cabanas, gazebos, swimming pools, etc., shall be sited and designed to be compatible with the residence and/or fences. All such items will require Committee approval.
- 9.14 Basketball Backboards: Basketball backboards and any supporting materials shall be painted or stained to match the exterior color of the residence, if attached to the residence. Backboards above thirteen (13) feet in height, as measured from the ground level, shall be subject to the approval of the Committee.

- 9.15 Exterior House Numbers: Address numbers are required to be mounted on the house and shall be legible and visible from the fronting street in accordance with City of Longmont Requirements. Mounting in a location that is lit be a "porch light" is encouraged.
- 9.16 Mail Boxes: Only mail boxes approved by the Committee may be used.
- 9.17 Services: All electric, gas, telephone, cable television and other such utility services shall be installed underground and shall be connected in accordance with appropriate utility company requirements, as provided herein. Meters shall be installed on the side of residence to the rear of the set back line.
- 9.18 Construction site: Specifications for all construction activities shall include provisions to include the following, and shall be strictly enforced by the Applicant:
- a. During construction of any kind, the site must be kept clean, neat and orderly. All materials shall be stored in an orderly manner and all debris and materials shall be securely stored in an enclosure to prevent materials from blowing off of the site. The owner of record will be notified and given a 24 hour period to clean up the specific site. Failure to comply within the 24 hour notice will result in the owner of record being responsible to pay for any clean up performed by the Homeowner's Association, Developer's staff or maintenance contractors. The blame for any littering of the project will be allocated to the owner of record as the responsible party for the construction of the house.
  - b. No construction parking will be allowed in front of completed residences, nor will overnight parking of any construction vehicles be allowed within Starwood Subdivision except construction trailers specifically approved by the Committee.
  - c. All trash and debris shall be cleaned daily and stored in an enclosed area until removal.
  - d. There shall be no construction activity before 7:00 AM or after 7: PM.
  - e. No dogs will be allowed on the construction site.
  - f. Any mud or debris from a site that is carried onto streets must be removed within 24 hours, in accordance with City of Longmont Regulations. The owner of record will be required to pay for any clean up performed by the Homeowner's Association or Developer's staff or maintenance contractors. The blame for any littering of the project will be allocated to the owner as the

*These Design Guidelines may be amended or modified pursuant to Article 9 of the Declaration of Covenants, Conditions, and Restrictions of Starwood at Fox Meadow. In the event of a conflict between Article9 and these Design Guidelines, the Design Guidelines shall prevail. The Architectural Review Committee may adopt other limitations and restrictions in its reasonable discretion. 1/23/02, 7/24/2003, 2/19/2009, 6/17/09*

responsible party for the construction of the house.

- g. No concrete trucks will be allowed to "wash-out" off the site on which they were called unless the builder or contractor provides a specific "clean-out" area. It shall be the contractor's responsibility to remove all concrete debris upon completion of construction and prior to landscaping.
- h. Sanitation facilities must be available for each construction site. Facilities may be shared between sites that are owned by the same contractor or builder.
- i. Contractors shall be required to protect exposed areas of the project site, adjacent properties and streets, from erosion damage until completion of construction. Erosion damage includes silt washing onto streets, the ditch and adjacent lots. The use of temporary ditches, dikes, basins, vegetation and/or mulching is encouraged to protect exposed and adjacent areas during the course of construction.
- j. Construction on single lot purchases shall commence within one year after closing on the lot and shall be completed within twelve months of the issuance of the building permits.

The Declarant reserves the right to erect its signage for the purpose of new home sales or lot sales. Declarant's signage may be erected on any lots or any common area or association owned land.

9.19 Signage: Owners/builders/contractors shall be required to utilize approved marketing signs. Only one sign shall be posted on the site during construction. Any advertising, special event, banners, open-house and similar signage shall be in strict accordance with the City of Longmont Sign Code. A copy of all permits will be furnished to the Committee prior to installation of the Sign(s). Political Signs are permitted on a one sign per candidate or ballot issue basis. Signs shall not exceed 3 feet by 4 feet in size. Political signs are only allowed to be placed 45 days prior to an election up to 7 days after the election.

## 10. **ARCHITECTURAL DESIGN GUIDELINES:**

10.1 General. Building design and construction shall not place all emphasis on the front elevation of the structure and neglect or downgrade the aesthetic appeal of the remaining elevations. Any accessory buildings and enclosures, whether attached to or detached from the main residence, shall be of similar, compatible design and materials.

10.4 Style: The following are expressly prohibited: Domes of any kind, underground houses, log houses, and 'A'-frames. Gambrel roofs, mansard roofs and flat roofs are

*These Design Guidelines may be amended or modified pursuant to Article 9 of the Declaration of Covenants, Conditions, and Restrictions of Starwood at Fox Meadow. In the event of a conflict between Article 9 and these Design Guidelines, the Design Guidelines shall prevail. The Architectural Review Committee may adopt other limitations and restrictions in its reasonable discretion. 1/23/02, 7/24/2003, 2/19/2009, 6/17/09*

prohibited.

- 10.5 Committee Discretion: The Design Review Committee shall have in its sole discretion, the authority to approve and to reject any or all applications from Owners, builders, designers and architects for proposed construction in Starwood at Fox Meadow. While the use of an architect is not an express requirement of these guidelines, Owner's are strongly encouraged to utilize the services of a competent architect or, at the minimum, use a design prepared by an experienced, competent design-builder.
- 10.6 Foundation and Drainage Plans: A foundation and drainage plan shall be submitted for review by the Committee. Said review shall be conducted pursuant to recommendations set forth by CTL/Thomson, Inc. of Denver, Colorado in the Geotechnical and Preliminary Geotechnical Investigations Report for Maruyama site, St. Vrain Road and County Line Road Longmont, Colorado (Starwood at Fox Meadow); Project Number 26970 dated December 30, 1997 (a copy of which will be made available upon request). Any variations from said recommendations of the Report shall require certifications from appropriate Colorado Licensed Engineer(s) that such deviations will not adversely affect either the design or adjacent properties.

Foundation and drainage plans shall provide adequate information as required to illustrate conformance to Soils Report recommendations; particularly regarding basement groundwater protection, and the Subdivision "Over lot Grading Plan".

Committee review of foundations and drainage plans is to determine conformance to Soils Engineer's recommendations only. If approved, such approval does not constitute an opinion of the Committee, or any of its members, of the design suitability of the drainage plan nor of the design and structural integrity of the foundation design as submitted. Review of the foundation/drainage plan is so that the Committee can note any obvious deviations, however, it shall not be construed to create any liability to the Committee or the Developer for any water related problems that exist or may arise at any time. **It is the ultimate responsibility of the homeowner to insure proper drainage is attained and maintained.**

- 10.7 Massing: Whenever possible, buildings should step down on all sides to minimize walls two stories or greater in height. Roof lines should be varied, with dormers or other such items, used to break up lone roof lines.
- 10.8 Minimum Size: The following are minimum sizes:

Single story/ranch style	2200 square feet (on the main level, not including area in the basement).
--------------------------	---

Two or multi-story

2600 square feet (on the main levels,  
not including area in the basement.)

- 10.9 Roof Design: Roofs are very important to the overall integration and compatibility of Starwood Subdivision. The design must be given careful consideration as they will be highly visible from streets, other buildings and neighboring sites. Preferable roof designs are those designed with multiple gables, hip roofs and dormers.
- a. The use of major rooftop elements such as dormers, chimneys or skylights should enhance the roof form and be an integral part of it. Special attention should be given to the design and placement of mechanical systems (i.e., vents, fans, etc.). Evaporative coolers are prohibited. Attic fans may be allowed, provided they do not project more than 12 inches above the roof surface and are located on the "rear" elevation. Solar equipment is discussed in a separate section below. In all cases exposed mechanical devices, metal flashing, (step flashing does not have to be painted) attic or soffit vents, chimney pipes and other such items shall be colored to match the color of roofing materials or trim. The use of step flashing at masonry is discouraged; when used, it should present a quality appearance in its final installation.
  - b. Acceptable roof designs are as follows: the minimum roof pitch allowed on major roof forms is 5:12 (5 vertical units per 12 horizontal units). Steeper roof pitches are highly encouraged. The pitch of minor elements, such as porches, dormers, etc., may be lower than 5:12 if the Design Review Committee approves it to be consistent with the architectural design and the roofing materials to achieve overall design continuity. The only allowable roofing materials are concrete tile or 40 year dimensional asphalt shingles. Roofing materials that differ from this must be approved by the Committee prior to construction.
- 10.10 Chimneys: Chimneys are very strong roof elements. They shall have proportions compatible with the design, form and style of the residence. No more than two (2) feet of exposed fireplace chimney pipe will be allowed. Square topped chimney caps and chimney fences are encouraged. Artificial "brick-look" and other similar metal chimney caps are expressly prohibited. Chimney height shall comply with City of Longmont Building Codes.
- 10.11 Exterior Walls: In designing floor plans and exterior elevations, care should be taken to create exterior wall surfaces of varying planes. It is desirable to avoid long, uninterrupted walls. Covered entryways, bay windows, angled walls and nooks, wall projections, covered porches and cantilevers (if consistent with the form of the

building) are encouraged. Round walls will be allowed only with the express approval of the Committee. The use of cantilevers is prohibited on the front of the residence.

The use of masonry as a major exterior building material is encouraged and shall be integrated into the architectural design.

All exterior painting or staining shall be done in compatible colors and shall harmonize with the existing homes in the area. Color sample submittals should indicate areas that are to be painted/stained and the color proposed. Colors must be complimentary, and not of high contrast. Only those areas that were painted/stained originally shall be repainted/stained. The use of low-maintenance materials is strongly encouraged. Paint colors must be approved by the Committee and shall be deemed to be complimentary.

Incorporating more than one material on exterior walls may be desired, but special care should be taken so that materials do not detract from the buildings overall design, form and style, and should be continued to other visible elevations. Large expanses of exposed concrete foundation walls are prohibited. Where necessary, siding materials must be continuous to within 8" of finished grade on any elevation, or exposed foundation walls shall be finished with brick or stone. Non-articulated window and door openings and corners (those without trim) are strongly discouraged; with masonry the use of quoining, soldier, stretcher and rowlock coursing is encouraged to provide definition to openings and corners.

Materials must be appropriate for the scale of a building, and compatible with adjacent structures.

- a. Brick or stone masonry finishes are required on several elevations of the house and the following proportions are required: 30% of the area of the front elevation (excluding doors and windows) or 20% of the front elevation (excluding doors and windows) if the remaining front elevation is finished in stucco. 20% of the side and rear elevation (excluding doors and windows) must have a masonry finish with a minimum full length masonry wainscot required. For rear elevations on golf course lots, additional masonry massing is strongly encouraged. Other materials which are acceptable as a compliment to the masonry are as follows: Redwood siding, Masonite siding, Cedar siding (with horizontal lines) and Stucco. All garden level and walkout elevations must be full masonry. Horizontal siding must have no more than an eight inch (8") exposure. Material shall not end abruptly at exterior corners. The corner shall be wrapped a minimum of approximately two feet, zero inches (2'-0") with the better quality material, i.e., wrap with brick rather than wood siding.

- b. Windows shall be painted, stained or pre-finished insulated wood or quality vinyl or other materials architecturally integrated in color and placement. The use of horizontal sliding windows is strongly discouraged. All exterior doors shall be architecturally compatible and coordinating in color with the design, form and style of the building. Storm doors shall be integrated architecturally with the design of the residence.
- c. The use of the following materials does not achieve the desired quality and are prohibited:
  - i. Metal siding of any kind.
  - ii. Concrete (except as required for foundation walls).
  - iii. Plywood or composite sheet siding, with the exception of use for soffits.
  - iv. Board and batten siding unless incorporated into an architectural feature (gable area, pop-outs)
  - v. Man made, i.e., synthetic, not fired clay, brick or brick appearing panels.
  - vi. Mirrored glass or very dark glass, with the exception of "low E" glass where appropriate.
  - vii. Non-anodized (mill finish, silver) aluminum or unpainted metal windows, doors or gutters and down spouts.
- d. The juxtaposition and size of various areas of different types of wall materials is critical to the design of the home and of special importance to the Committee. The extent and type of wall materials shall be clearly defined on the drawings of all elevations of the home.

#### 10.12 Covered Entryways and Outdoor Living Areas:

- a. Covered entryways and outdoor areas, including front porches, patios, decks and balconies are encouraged to provide gracious transitions to outdoor areas, as well as shade for living areas.
- b. The size of an enclosed porch, patio, deck or balcony should be compatible to human scale and proportional to the size of its base structure.
- c. Porches, patios, decks and balconies should be compatible or integrated with building forms to enhance and compliment architectural character.
- d. Balconies, patios and decks should be located so as to respect the privacy of adjacent dwellings.
- e. Materials and colors of all elevated decks shall be consistent with or complimentary to the base structure. Vertical supports shall be masonry (brick or stone).
- f. Where sites permit, rear patios and decks should step down the slope or incorporate

*These Design Guidelines may be amended or modified pursuant to Article 9 of the Declaration of Covenants, Conditions, and Restrictions of Starwood at Fox Meadow. In the event of a conflict between Article 9 and these Design Guidelines, the Design Guidelines shall prevail. The Architectural Review Committee may adopt other limitations and restrictions in its reasonable discretion. 1/23/02, 7/24/2003, 2/19/2009, 6/17/09*



terracing.

- 10.13 Garages: Due to their size, garages are also major elements of a residential structure and should be as carefully designed as the residence to either be a part of, or compatible with the main building. It is recognized that the main intent of a garage's function is for the storage of vehicles and owners are required to use garages for this intended use. As a result, if a garage is also going to be used as a work-shop or storage area or other such use, it should be designed with an adequate area to serve for both vehicle storage and the ancillary use.

Garages shall be a minimum of a large three car garage. Two and single car garages are prohibited. A tandem type three car garage is acceptable. The design of the garage portion of the principal building shall be compatible in materials and detailing to the main house, including the use of masonry, windows and window trim and roof slopes and materials.

- 10.14 Surface Mounted Equipment: The location and finish treatment of items mounted on the exterior surfaces of the building(s) should be carefully planned and detailed. Such items include, but are not limited to, skylights, vents, mechanical equipment, access ladders, electrical equipment or meters, gas meters, etc. In no case should these items give the appearance of simply being mounted on the exterior surface of the building(s) with no relationship to the surrounding elements.

Solar panels shall be permitted subject to Committee approval.

- 10.15 Water and Energy Conservation: Water and energy conservation techniques are encouraged where appropriate in Starwood Subdivision through complying with City of Longmont minimum Energy Codes and water usage requirements. Site planning and landscape design for energy conservation should be considered, such as planting deciduous trees on the southern exposures to provide summer shading and solar gain in the winter, and evergreen planting on northwestern sides to act as a wind buffer for winter winds. Irrigation systems should be designed with water conservation in mind.

- 10.16 Maintenance: All owners or occupants of property shall maintain all buildings, drives, easements, rights-of way and other structures or improvements located upon said property in good and sufficient repair and otherwise maintain the property and structures thereon in an aesthetically pleasing manner.

Any structure, driveway, patio, deck or other such items that are damaged by the elements, vehicles, fire or any other cause shall be repaired as promptly as the extent of damage will permit.

**In addition to the design guidelines set forth in the above paragraphs for Starwood at Fox Meadow, the City of Longmont has prepared and requires the following Residential design standards to be met also (Most of the following city of Longmont guidelines are addressed in these guidelines in exhibit B, however careful attention should be paid to insure that all are met):**

A. Applicability/Purpose. The design standards are intended to implement LACP strategies for new residential development and promote quality design of an urban environment. Except as expressly exempt by this section, in all new residential development (including PUD's), a mixture of different lot sizes, dimensions, and housing models shall be provided, as described in this section, to avoid monotonous streetscapes.

B. Mixture of Different Lot Areas Required.

1. General Rule. No more than twenty percent of all lots within a subdivision of ten or more lots containing one-family dwellings shall be similar in lot area. For purposes of this subsection, "similar" shall be included with all subdivisions plats.

2. Exceptions.

a. Lots that comply with the affordable housing requirements of this Development Code are exempt from this lot area variation requirement.

b. One-family dwellings in PUD developments are exempt from this lot-area variation requirement.

c. Up to thirty percent of the lots within the subject subdivision may be similar if the decision-making body finds that, notwithstanding deviation from the twenty percent standard stated above, lot areas and dimensions are sufficiently varied, for different housing types, to avoid monotonous streetscapes. The applicant shall incorporate at least five different lot area categories, each with a range of one thousand square feet and each comprising at least ten percent of the total number of lots.

3. Dispersion of Lot Areas Required. Similar lot areas shall be distributed throughout a subdivision rather than consolidated in one area of a subdivision.

C. Variation of Front Yards Required.

1. Front setbacks on adjacent lots shall vary by at least two and one-half feet.

2. A building envelope plan and a table listing setbacks for each lot shall be included with all subdivision plats.

3. All setbacks shall conform to the requirements of Sections 15.05.010(B) of

*These Design Guidelines may be amended or modified pursuant to Article 9 of the Declaration of Covenants, Conditions, and Restrictions of Starwood at Fox Meadow. In the event of a conflict between Article 9 and these Design Guidelines, the Design Guidelines shall prevail. The Architectural Review Committee may adopt other limitations and restrictions in its reasonable discretion. 1/23/02, 7/24/2003, 2/19/2009, 6/17/09*

this Chapter, or as approved in a PUD development plan.

D. Garages and Porches. To prevent residential streetscapes from being dominated by protruding garage doors, the following standards shall apply to all new residential development (including PUDs containing residential uses) that contain one-family, two-family, three family, or four-family dwellings:

1. At least fifty percent of the dwellings located on any block face shall have garages that are either:
  - a. Recessed or flush with the street-facing façade of the living area of the dwelling, provided the living area is at least twelve feet wide;
  - b. Recessed or flush with the street-facing façade of an unenclosed, covered porch, provided the area of the porch is at least sixty square feet; or
  - c. Side-loaded (garage doors are perpendicular to the front lot line).
2. No garage with street-facing doors shall protrude more than six feet from the street-facing façade of a living area (measuring at least twelve feet wide) or from an unenclosed, covered porch (measuring at least sixty square feet). No more than three adjacent dwellings located on the same block face shall have a protruding garage with street-facing doors.
3. When garage doors are other than street-facing (e.g., the doors face a side or rear lot line), the side of the garage facing the street shall include windows or other architectural details that mimic the features of the living area portion of the dwelling.
4. Garage doors shall not comprise more than fifty percent of the street-facing linear building frontage, except that garage doors located on the side of a dwelling facing a side yard street may comprise up to two-thirds of the street-facing linear building frontage. For purposes of this provision, the width of the garage door(s) shall be measured as the linear distance between the outer edges of the door(s), including any wall area separating two or more garage doors that is less than two feet wide.

## 11. LANDSCAPE DESIGN GUIDELINES:

- 11.1 Design Intent: The design intent of Starwood at Fox Meadow Subdivision master landscape plan and overall theme of the Development is that of natural and informal groupings of plant materials in order to unify Starwood into a cohesive neighborhood. To the greatest extent possible, utilizing natural landform and native or hardy landscape materials is encouraged. Landscaping includes, but is not limited to, trees, shrubs, turf, planting areas and gardens, patios, decks, retaining wall

*These Design Guidelines may be amended or modified pursuant to Article 9 of the Declaration of Covenants, Conditions, and Restrictions of Starwood at Fox Meadow. In the event of a conflict between Article 9 and these Design Guidelines, the Design Guidelines shall prevail. The Architectural Review Committee may adopt other limitations and restrictions in its reasonable discretion. 1/23/02, 7/24/2003, 2/19/2009, 6/17/09*

structures, "lawn sculptures", gazebos, arbors, water features, ponds, swimming pools and other such items.

- 11.2 Landscaping Plan: Landscaping shall be installed pursuant to a professionally prepared landscaping plan prepared by a qualified professional with experience in the State of Colorado. **The use of a qualified Landscape designer is required.**

A Final Landscape Plan indicating location and numbers of plantings, location of plant beds, berms, fences (including typical sections of all fence types) and other information as required to demonstrate compliance with these Design Guidelines shall be approved by the Committee prior to installation of landscaping.

The landscape plan shall include all proposed landscaping improvements including: Fences, shrubs, turf, planting areas and gardens, patios, mulches (bark, gravel, etc.), landscape structures (decks, retaining walls, gazebos, arbors, built-in barbecues, etc.), swimming pools, ornamental features (water features, statuary, etc.), garden areas and any other such feature, as well as a general description of the irrigation system.

The final landscape plan shall include a schedule, indicating botanical names, common names, quantity and size of all plant materials, excluding flower beds and gardens. In addition, landscape plans shall include property lines, easements, building envelopes (including ancillary structures), locations of special areas to be screened with either fences or vegetation and service line locations.

Consistent landscape design from the front yard to side yards and the back is strongly encouraged in order to give a uniform appearance to the lot, similar to the requirements for uniform building elevation design as listed above. This is particularly important for corner lots, or those lots which do not have privacy fencing between adjacent lots, and are therefore visible from surrounding properties or public access areas and streets.

Landscaping design should keep in mind view corridor recommendations as outlined herein; specifically with location of ultimately tall trees and, more importantly, ultimately large evergreens. The Committee will not be reviewing plans for potential view conflict. These considerations should be made as a courtesy to neighbors. (Deciduous trees allow views in the winter months while evergreen trees would block views year round). Poplar trees are strictly prohibited.

- 11.3 Grading/Drainage: Natural drainage patterns must be respected. The use of berms is encouraged only if continuous expanses of landform are created which look natural as opposed to looking man-made. Berms should not obstruct drainage channels, divert drainage onto adjacent properties or toward building foundations. Finish

grading should be designed to: avoid ponding on the site; allow 10% slopes away from the residence for a distance of at least 7 feet; avoid excessive run-off at a point onto adjacent sites; and maintain existing drainage patterns/channels.

The final landscape plan shall indicate contours and/or finish grade elevations showing and assuring that the proper drainage conforms to the Master Grading and Drainage Plan and shall not deviate through the construction of the landscape. The responsibility rests with the owner to insure that the site is in accordance with the Master Drainage and Grading Plan. Any drainage, grading, ground water, or any water problems that exist or arise are not the responsibility of the Committee or the Developer. The owner of any lot expressly waives any and all action against the Committee or the Developer at any time related to water problems on any site or common area at Starwood.

- 11.4 Irrigation Systems: Each and every lot shall have an automatic irrigation system capable of watering all landscaped areas containing plant materials to ensure the continued survival of plant materials. Irrigation systems shall be equipped with a time clock to provide for automatic irrigation of areas to allow watering during periods of minimum of evaporation. The irrigation system shall be designed by a qualified individual or installer. Final landscape plan shall indicate irrigation system head placement and pattern for Committee review. Irrigation systems should be designed to minimize over-spray onto adjacent lots or public sidewalks, and to conserve water.
- 11.5 Ornamentation: The utilization of non-living objects as ornaments in the landscape is permitted in keeping with the scheme/theme of the community and are in good taste at the sole discretion of the Design Review Committee, Board of Directors and Managing Agent.
- 11.6 Maintenance: All landscaping shall be maintained in a neat and attractive condition. Minimum maintenance requirements include watering, mowing, edging, pruning, removal and replacement of dead or dying plant materials, removal and/or elimination of weeds and noxious grasses, treatment of diseased plant material and removal of trash.
- Maintenance of vacant lots shall be the responsibility of the lot owner. Such maintenance may require occasional mowing or "natural" vegetation and removal of obnoxious weeds.
- 11.7 Installation: Landscaping shall be installed in accordance with the approved Final Landscaping Plan. All landscaping shall be installed within six (6) months (weather permitting) significant completion of the residence as evidenced by a certificate of

occupancy. Homeowners are required to maintain all previously established drainage patterns as shown on the grading plan. Drainage and drainage problems are the responsibility of the homeowner.

- 11.8 Minimum Plant Material Quantities: The following landscaping quantities are the minimum requirements. The Committee strongly encourages additional plantings to complement and add to these minimums and to be consistent with the guidelines, contained in this section. In addition, the use of flower beds, with variety to promote seasonal color, is also strongly encouraged. Each lot within Starwood Subdivision shall comply with the following minimum planting requirements:
- a. Three, two and one half inch (2 ½") caliper trees in the front yard;
  - b. Two, two and one half inch (2 ½") caliper trees in the rear yard; (Six foot conifers may be substituted for deciduous trees);
  - c. Ten, five gallon shrubs in the front yard;
  - d. Ten, five gallon shrubs in a shrub bed in either the back or side yard that is visible from adjacent lots, public ways or streets; and
  - e. All areas not in shrub beds, designated garden/flower bed areas, areas planted with acceptable ground cover materials, patios, decks or other hard surface areas shall be sodded with a Kentucky Bluegrass or a predominately Kentucky Bluegrass mixture. A more drought tolerant grass such as Fescue is also permitted. (Seed for turf areas may be utilized with special approval of the Committee).
  - f. It is recommended that trees not be planted closer than six feet (6.0') to sidewalks, driveways or patio slabs where possible, to minimize potential root damage to the concrete.
  - g. Landscape plans should designate all plant materials at approximately two-thirds of their final, mature size.
12. Committee Review: Upon receipt of the application for, plans and specifications, the Committee will advise the Applicant of any additional information, if any, needed to complete the application.

The Committee will meet to review and approve or disapprove the application. The Committee has thirty (30) days to notify the Applicant in writing of approval or disapproval of an application, which time period shall commence only upon receipt

of a complete application package, including all necessary supporting documentation and any additional information requested by the Committee. Approval of an application may be subject to conditions consistent with these Guidelines and the Declaration; the applicant must accept such conditions or the application will be denied.

13. Variances: Variances or deviations from the Design Guidelines are discouraged and will only be permitted under rare circumstances and only when circumstances such as topography, natural obstructions, hardships, or aesthetic or environmental conditions may require. See Section 9.17 of the Declaration.

In addition, an Owner requesting a variance must provide reasonable proof to the Committee that neighboring Owners within one hundred fifty (150) feet of the boundaries of the Lot have been notified about the requested variance and, if obtained, provide statements from such neighboring Owners to the Committee.

The Owner shall notify the affected neighboring owners by any reasonable means, and shall permit the Owners a reasonable amount of time to submit their views and opinions on the requested variance to the Committee. Consent to the proposed variance is presumed if the neighboring Owner fails to respond to the notice within 30 days of the notice.