

# **CORDILLERA VALLEY CLUB**

**Design Guidelines**

**Amended January 2008**

# CORDILLERA VALLEY CLUB

## Design Guidelines

PREPARED FOR:  
CORDILLERA VALLEY CLUB PROPERTY OWNERS ASSOCIATION

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# FOREWORD

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## **CORDILLERA VALLEY CLUB OWNERS:**

The Cordillera Valley Club Design Guidelines provide owners with a framework for designing and building their home. As such these Design Guidelines are the primary tool for implementing the Cordillera Valley Club design philosophy and design style. Collectively, these Design Guidelines will ensure that the design of all homes and improvements in the Cordillera Valley Club will preserve and enhance the natural landscape and will establish a unified design style throughout the community.

These Design Guidelines have been amended in order to achieve the following objectives: establish clearly defined design and construction standards and objectives for all buildings and improvements; preserve, enhance, and restore the existing natural environment; encourage a characteristic style of architectural and landscape design that conveys the Cordillera Valley Club design style; protect each owner's investment in their home by requiring all owners to comply with the same high standards for design and construction; establish a review process designed to assist owners and their design team with the design and construction process.

The underlying goal for the design and development of the Cordillera Valley Club is quality. A great deal of time and energy has been spent on the design of the golf course and clubhouse, roads, lots and other improvements. The reason for this extensive planning and design effort is to establish a high level of quality throughout the community. These Design Guidelines will ensure that the same high level of quality will be devoted to the design and construction of individual homes. In order to ensure design quality, it is required that owners retain only licensed architects and professional landscape architects (licensed or eligible for license as of 1/1/2008) to design their homes and landscape plans. Designing homes in mountain regions presents a variety of unique challenges. It is strongly recommended that owners retain design professionals that are intimately familiar with designing in the mountain environment of Colorado.

The Cordillera Valley Club Design Review Board (DRB) plays a key role in the design process. The DRB has established objectives for owners and their design team. Owners and their design team should read every Section and all Appendices of the Design Guidelines thoroughly in order to become familiar with the Cordillera Valley Club design style and specific elements and objectives of these guidelines. Becoming familiar with these Design Guidelines and other related documents early on will ensure a smooth review process for the owners and the DRB.

All construction within the Cordillera Valley Club must conform to all Eagle County Regulations and Building Codes, copies of which can be obtained from the Eagle County Community Development office. It is not the responsibility of the DRB to ensure that any project within the Cordillera Valley Club conforms with the above regulations.

The Cordillera Valley Club Design Guidelines have been promulgated pursuant to Article XVI of the Declaration of Covenants, Conditions, Restrictions, and Easements for the Cordillera Valley Club (as amended), and the Cordillera Valley Club Planned Unit Development Guide (as amended). These Design Guidelines are binding upon all persons who at any time construct, reconstruct, refinish, alter or maintain any improvement upon the Property, or make any change in the natural or existing surface, drainage or plant life thereof. These Design Guidelines are administered and enforced by the DRB in accordance with the Declaration and the procedures herein and therein set forth. In the case of a discrepancy within or between these documents, the more restrictive application will apply. These Design Guidelines may be amended from time to time and it is the responsibility of each owner or other person to obtain and review a copy of the most recently revised Cordillera Valley Club Design Guidelines.

## **CORDILLERA VALLEY CLUB DESIGN REVIEW BOARD**

JANUARY 2008

# 1 DESIGN PHILOSOPHY & DESIGN STYLE

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## 1.1 THE CORDILLERA VALLEY CLUB DESIGN PHILOSOPHY

The philosophy, or vision, for the Cordillera Valley Club involves three fairly simple concepts. First, building and site improvements will be integrated with the landscape in a manner that preserves and enhances the natural characteristics of each homesite, to the greatest extent possible. Secondly, the design of all buildings will be limited to the same pallet of materials and architectural styles that over time will establish the desired design style. Finally, the Cordillera Valley Club will establish a true sense of community where neighbors know each other by name. This philosophy has been shaped by a respect for the site's natural environment and the desire to create a truly unique community centered around a truly exceptional golf course.

The Cordillera Valley Club's natural setting offers spectacular views, diverse vegetation, and varied terrain. Extensive environmental analysis of soils, geology, slopes, vegetation, wildlife and visual considerations were completed during the planning and development of the Cordillera Valley Club. The findings of these analyses provide parameters for how homes, roads, and other improvements should be placed within this setting. A fundamental goal is for all buildings and improvements to be set within the landscape in a manner that will preserve and enhance this delicate mountain environment.

## 1.2 THE CORDILLERA VALLEY CLUB DESIGN STYLE

### *Objectives*

- *Buildings should step with and be integrated into the site*
- *Buildings should be additive in nature*
- *Roofs should be low-profile and relatively simple in form*
- *Buildings should have porches, covered outdoor spaces, and a welcoming entry area*
- *All building and site features should incorporate natural building materials that are indigenous to the area*

Over time the Cordillera Valley Club has established a unique sense of place that is expressed by both the Cordillera Valley Club design style and the manner in which its buildings, landscaping and site improvements have been integrated with their surroundings. It is the intention of these Design Guidelines that the architecture of buildings and the materials used at the Cordillera Valley Club will convey a sense of the historical forms of the early American West yet be responsive to current design standards and innovations.

The origins of the Cordillera Valley Club design style are found in buildings typical of homesteads of the early American West. Buildings of this era were generally constructed from a limited number of building materials selected from what was readily available in the area. Designs consisted of simple building forms and generally expressed function over form. Driving the back roads of western Colorado, Utah and New Mexico today will reveal buildings that display examples of this architectural style.

The Cordillera Valley Club design style is defined by a number of fundamental architectural concepts. For example, roofs will be low-profile and relatively simple in form. The roof structure of all buildings will be expressed with exposed rafter-tails. Timbers shall be exposed to express the structural form of the building. Outdoor spaces are another important design element of a home. All homes at the Cordillera Valley Club will include covered porches, integrated decks and patios, and other similar outdoor living spaces. Buildings will be designed with a limited number of predominantly natural building materials consistent with materials used during this era. All buildings will be constructed primarily of stone, timbers and siding. The use of stone on all buildings will provide a common unifying architectural element throughout the Cordillera Valley Club. Building colors, generally, will be subdued to blend with the surrounding landscape. Architectural details such as hand-crafted joinery, exposed hardware, deep set reveals, and stone or timber lintels and sills represent other ways of expressing the Cordillera Valley Club design style. Refer to Section 3 - Architectural Design, for these and other architectural guidelines described in greater detail).

In addition to the architectural concepts described above, the manner in which buildings and improvements are located on a site is an equally important element of the Cordillera Valley Club design style. The design of all buildings and improvements should be complementary to the land. Building siting should draw inspiration from the surrounding natural environment and buildings should not overpower the landscape. Landscape improvements should be designed to visually tie a building to its site and to restore all portions of a homesite that have been disturbed during construction.

The Design Guidelines outlined in this document have been written to express the architectural style of Colorado and the early American West and in doing so implement the Cordillera Valley Club design style. It is not the intention of these Design Guidelines to encourage the literal duplication of the ranch house or prairie homestead found in the early American West. Rather, the design of buildings at the Cordillera Valley Club should reflect an interpretive expression of the architectural styles and building materials typically associated with buildings of this era. While all buildings at the Cordillera Valley Club are to reflect the architectural styles defined in these Design Guidelines, each building should also present unique and creative design solutions that avoid a repetitive copy of preceding structures. Applications are reviewed in accordance with the most recent set of Design Guidelines and applicants should not base their design on existing homes as they may have been subject to earlier Design Guidelines.

The highest quality of site planning, building design and construction will be required in order for the Cordillera Valley Club to achieve these design goals. It is essential that highly qualified teams are assembled and called upon to design and construct the homes within Cordillera. Therefore, only licensed architects will be permitted to design homes at the Cordillera Valley Club and only licensed landscape architects will be permitted to design landscape and site improvements. Landscape architects must be licensed, or eligible to be licensed as of 1/1/2008. It is strongly recommended that all architects and landscape architects have experience designing in the mountain environment of Colorado. After final approval from the DRB is obtained, all general contractors must complete the Pre-Construction on-site meeting and receive written approval of a construction management plan prior to commencing construction at the Cordillera Valley Club.

Sections two, three and four of the following Design Guidelines outline specific considerations to be addressed during the site planning, architectural design and landscape design process. Sections five, six, and seven outline the construction regulations, the design review process, and the Design Review Board and Organization.

# 2 SITE PLANNING

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## 2.1 INTRODUCTION

### *Objective*

- *A creative site plan will find a balance between preserving and enhancing the natural features of the site*

Site planning is a critical element to successfully integrating buildings and improvements with the natural landscape. In order to assist owners with the site planning process building envelopes have been identified for each homesite. The building envelope identifies the best location for a home in order to maximize site attributes and minimize potentially adverse impacts on sensitive portions of the site and off-site relationships. Building envelopes are indicated on Individual Lot Diagrams that have been prepared for each homesite. Copies of these diagrams can be obtained from the DRB Administrative Staff.

A well studied site plan must be prepared in concert with architectural design and in doing so must respond to building siting and orientation, views, grading, access, drainage, and other design issues.

## 2.2 BUILDING ENVELOPE

### *Objectives*

- *Identify the portion of each site that will allow the design of the home to maximize views and solar orientation*
- *Establish separation between homes*
- *Preserve existing vegetation and optimize other site attributes*

A building envelope has been established for every residential homesite at the Cordillera Valley Club. The building envelope is indicated on the final plats for the Cordillera Valley Club and on Individual Lot Diagrams.

Building envelopes were determined based on overall planning and design objectives for the Cordillera Valley Club and the site specific characteristics of each homesite. All habitable space must be located entirely within the area defined by the building envelope. As such, the building envelope represents a very important consideration in the design of a home. Owners are encouraged to meet with the DRB early in the design process in order to understand their site and building envelope, including improvements allowed to be built outside the building envelope, and improvements that must be built inside the building envelope.

While owners are strongly encouraged to design their homes and related improvements to comply with the building envelope on their lot, the Cordillera Valley Club Planned Unit Development Guide outlines procedures for allowing certain elements of a building to encroach outside of the envelope and for modifying building envelope locations. Refer to Appendix I and Appendix J of these guidelines for additional information on encroachments and building envelope amendments.

### **Allowed:**

- All portions of a home, including all accessory buildings, garages, decks, patios, terraces, recreational equipment, artwork, swimming pools, hot tubs/ jacuzzis, retaining walls, site walls and fences, and similar features shall be located within the building envelope.

### **Exceptions:**

- At their discretion, the DRB may approve non-habitable space such as roof overhangs, balconies, porches, patios, garages, and service areas that are located outside the building envelope provided such proposals are found by the DRB to be in accordance with the procedures outlined in these Guidelines (See Appendix I).
- Driveway access (including grading and retaining walls necessary for site access) and landscape improvements may be located outside of the building envelope subject to approval by the DRB.

- Unless necessary for driveway access, the removal of existing vegetation outside of the building envelope is prohibited without specific approval from the DRB and may result in fines up to the full amount of the Compliance Deposit. Special approval will be given in cases where the Eagle County Wildfire Regulations require the owner to remove existing vegetation and/or trees outside of the building envelope.

Conditions for Exceptions are outlines in Appendix I -Procedures for Minor Encroachments Outside Building Envelopes.

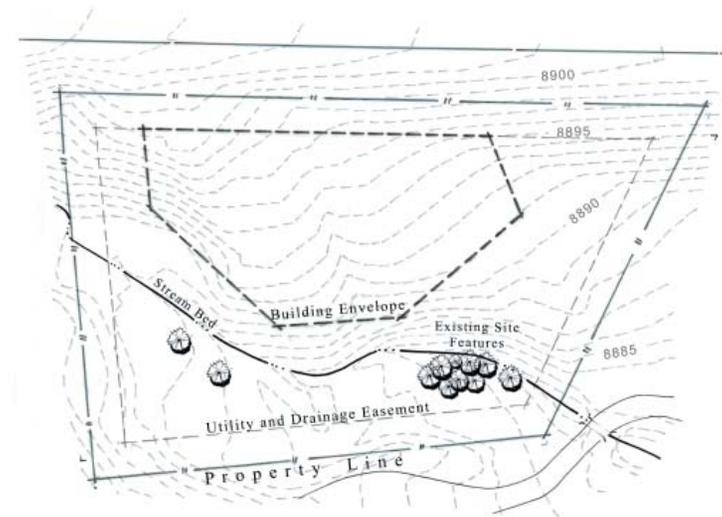
## 2.3 BUILDING SITING

### Objectives

- *Buildings should be designed as an integral element of the terrain and landscape*
- *The siting of the building should influence design direction*
- *A well-prepared site plan must be developed in concert with building design*
- *The buildings and improvements should be sited to blend with the natural landscape and not to dominate natural site characteristics*

### Design Considerations

- The DRB will require buildings on sloping lots to be designed to step with existing contours.
- Buildings and improvements should be located and designed to minimize site grading and the loss of trees and shrubs.
- In order to respond to site characteristics, consideration should be given to homes designed as a composition of smaller building forms clustered around outdoor spaces such as courtyards, porches or verandas.
- Buildings should be located to allow the least impactful driveway access.
- Buildings should be designed with access roads and driveways determining floor elevations.
- All improvements located in the right-of-way or easements are at risk and subject to repair or replacement at the owner's expense.



## 2.4 GRADING AND DRAINAGE

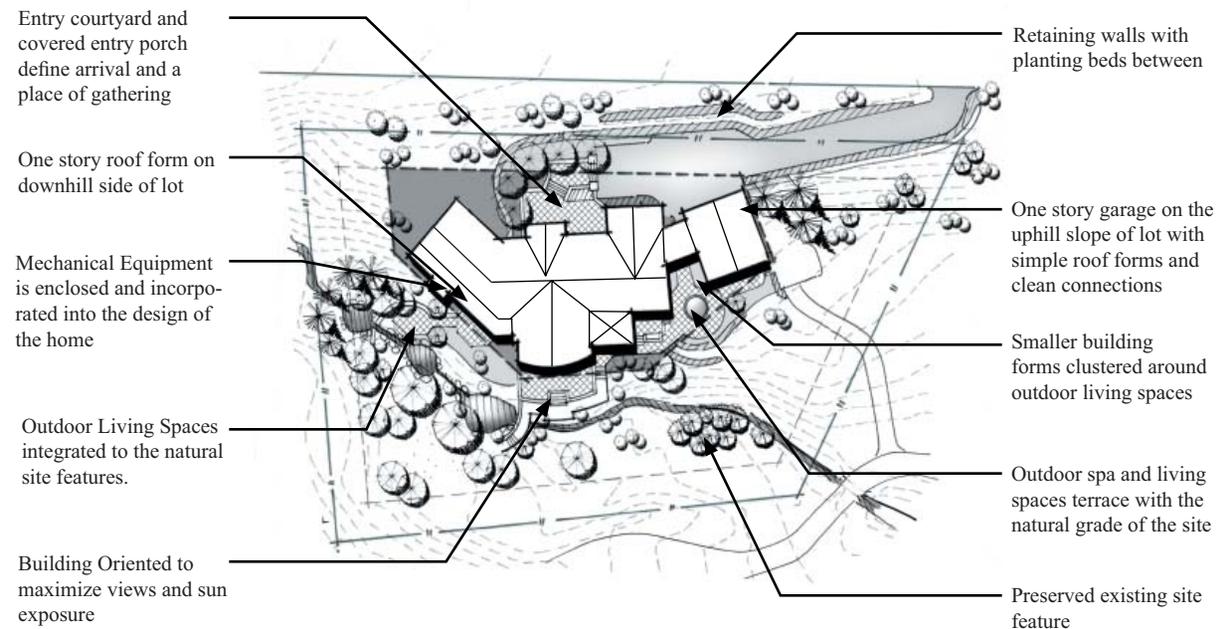
### Objectives

- *Site grading shall be limited to no more than what is necessary to integrate the home and exterior living spaces with the site features and topography*
- *Site grading shall be limited to what is necessary to accommodate the development of a home and site access.*
- *A drainage plan must direct all water on the site to the existing drainage channels in the Cordillera Valley Club*

The DRB requires a licensed civil engineer to review and stamp the grading, drainage and soil stabilization plans. Drainage must be controlled during construction (RE: Section 5.7- Erosion Control and Revegetation). In regard to drainage during the construction process, Eagle County Regulations must be followed. The Cordillera Valley Club has unique soil conditions and native drainage channels from the native landscape that has resulted in severe flooding and erosion issues.

### Grading Considerations

- Excessive re-contouring of a site, or over lot grading, is not permitted.
- Grading must be confined to within the building envelope and driveway unless otherwise approved by the DRB.
- Grading shall be designed to blend with the natural contours of the site by feathering cuts and fills into existing terrain.
- In order to minimize impacts on existing vegetation and excessive site disturbance, the use of retaining walls is encouraged in lieu of re-grading large areas of site. At their discretion, the DRB may require the use of retaining walls in lieu of grading in order to preserve significant vegetation or site characteristics (RE: Section 4 - Landscape Design)



- When cut and fill slopes are necessary, they should be as steep as possible to minimize site disturbance while still allowing for revegetation. Generally, a 2:1 slope is the maximum slope allowed in order to ensure adequate revegetation. If soil characteristics are appropriate, steeper slopes may be approved by the DRB with the additional of boulder retaining areas for planting.
- Grading, landscaping, or site improvements shall not interfere with the functional aspect of natural drainage courses and easements.

### Drainage Considerations

- All drainage and utility easements disturbed by construction shall be revegetated to their existing condition (RE: Section 4, Landscape Design for additional guidelines on retaining walls).
- Owners are responsible for controlling drainage resulting from the development of their homesite; no additional drainage shall be directed onto other lots or tracts unless located within a designated drainage easement.
- Roadway drainage shall be accommodated by a culvert under the driveway. Culvert ends shall be cut to match finished grade and faced with stone to match stone used on the main residence. Flared metal or plastic ends are unacceptable. A culvert detail shall be included with the Site Plan and must extend a minimum of two feet (2') on either side of the driveway. Culverts and stone facing are the responsibility of the homeowner.

## 2.5 DRIVEWAYS

### Objective

- *Limit the impervious ground cover to an area necessary for the needs of adequate access and parking*

The Individual Lot Diagrams identify recommended site access to each homesite. In certain cases, adjacent homesites will share a common driveway easement. Unless otherwise approved by the DRB, access to each homesite shall generally conform with access as indicated on the Individual Lot Diagrams.

### Slope and Site Considerations

- In order to ensure safe and convenient access, recommended driveway grades are 3-4% for the first twenty feet (20') of the driveway and no more than 10% grade on other portions of the driveway. Between 10-12% (the maximum), the DRB will require snowmelt and guard rails.
- Driveways should be designed to align with roadways at no less than a 75 degree angle.
- With the exception of parking spaces immediately adjacent to garages, and as may be necessary for emergency vehicle access, the width of paved driveway surfaces shall not exceed twelve feet (12').

### Material Considerations

- All driveways shall be constructed of asphalt, stamped asphalt, concrete/stone unit pavers or exposed or colored concrete. Gravel and porous stone are unacceptable as paving materials.
- Asphalt is only allowed to meet the home at the garage doors.

### Other Design Considerations

- Driveways may allow for a maximum 3' radius at the intersection of the drive and the access road. The DRB will allow an extra flare (of similar driveway material) on either side or both sides of the driveway in certain cases where the adjacent landscaping would otherwise be damaged by vehicles in the normal course of entering or exiting the driveway.
- Unless approved by the DRB, homesites shall be limited to one access point off of the adjacent roadway.
- Adequate snow storage areas should be provided adjacent to driveways and parking areas.
- Driveways should be minimized in length and square footage and should generally follow existing grades.
- Canting the driveway to the south or west for solar exposure is encouraged where possible.

- It is necessary to leave a minimum of three feet (3') between all retaining walls and the edge of the driveway for planting beds.
- Driveways must conform to all County and local government regulations.
- Any improvements made within a right-of-way or easements are at risk and subject to repair or replacement at the owner's expense.

## 2.6 PARKING AND GARAGES

### Objectives

- *Each homesite shall contain a minimum of two enclosed parking spaces plus one enclosed space for a secondary caretaker unit (if applicable)*
- *In addition to the required enclosed parking, a minimum of two surface parking spaces shall also be provided*
- *Surface spaces may be located on the driveway and should be located within the boundary of the building envelope*

### Design Considerations

- The minimum size of indoor parking spaces is 9' x 18' and the minimum size of surface parking spaces is 10' x 20'.
- Every effort should be made to minimize the extent of paved surfaces and preserve the natural environment.
- Garages may be physically separated from the main residence, but in all cases shall be compatible with the architecture and materials of the main residence.
- Garages should be designed to accommodate enclosed golf cart parking.

The DRB may approve parking located outside the building envelope provided that it is appropriately screened with large scale shrubs and trees and meets the overall intent of the Design Guidelines.

## 2.7 EXTERIOR EQUIPMENT AND RECREATIONAL EQUIPMENT

### Objectives

- *All exterior mechanical and electrical equipment such as metering devices, transformers, solar panels and related equipment, satellite dishes and air conditioning units shall be concealed from any public view or adjacent homesites*
- *Screen recreational equipment from adjacent lots, roadways or open areas with the use of appropriate mature landscaping materials.*

Recreational equipment (defined as equipment not being capable of being stored within the building on the lot) will be permitted to be constructed or installed on the site within the building envelope, only with DRB approval, in conjunction with the site plan.

### Design Considerations

- Wall mounted utility meters and connections shall be enclosed, incorporated into the design of the home, or screened from view by walls or mature landscaping.
- All free standing equipment shall be painted to match the finish materials of the home and be appropriately screened from adjacent properties and roadways with mature landscaping.
- Trampolines-must be located "in-ground", not above ground.
- All basketball, hockey, volleyball or other sporting equipment must be fully screened from adjacent lots and roadways and should be moveable.
- Swing sets, jungle gyms, play sets etc. must be fully screened from adjacent lots and roadways and have no bold colored parts.
- Any other equipment that is recreational in nature and is meant to be situated permanently outside of the home must be fully screened from adjacent lots and roadways.
- Satellite dishes twenty-four inches (24") in diameter or less may be

approved subject to review by the DRB. Such devices shall be located out of view from other homesites and from roadways. In order to reduce their visibility, satellite dishes shall be painted to blend with the building.

Refer to Section 3.4, Section 3.13, and Section 4.14 for additional information on solar panels and exterior equipment.

## 2.8 EASEMENTS AND UTILITIES

Utility easements have been established throughout the Cordillera Valley Club in order to facilitate the installation and maintenance of utilities. Owners are responsible for providing utility service lines to their home and for controlling drainage resulting from the development of their lot.

### Design Considerations

- Utility connections to the home shall be denoted on the site plan.
- Utilities are not permitted on the road edge within the Cordillera Valley Club.
- All utility lines that serve individual units shall be located underground.
- When feasible, utility service lines should be located under or along site driveways in order to minimize site disturbance.
- All drainage and utility easements disturbed by construction shall be revegetated.
- Buildings, or any parts of buildings, shall not be placed within any easements. If the DRB allows an improvement (building or structure) to encroach into an easement, owner must obtain “sign-off” letters approving encroachment into easement from all easement beneficiaries prior to Final Plan Approval by the DRB.

## 2.9 SIGNAGE

### Real Estate Signage

- No real estate “for sale” signs are permitted at the Cordillera Valley Club. Refer to Appendix D: Cordillera Valley Club Construction Rules and Regulations, Section D 4.3.19, for additional regulations regarding real estate signage.

### Construction Signage

- One temporary construction sign, not to exceed 12 square feet, is required during the construction of a home. In all cases the sign shall be located within the property boundaries and be visible from the adjacent roadway. Refer to Appendix D - Cordillera Valley Club Construction Rules and Regulations: Section D 4.3.19, for the design and information that must be indicated on the construction sign.
- Temporary construction signs require approval of the DRB, shall be placed on the site at the time of the pre-construction meeting, and shall be removed upon request by the DRB, either within one month after occupancy of owner, or within two weeks after owner obtains Letter of Compliance and prior to the release of the compliance deposit.

### Address Markers

- Address markers are required on individual lots. The marker shall be illuminated and be in compliance with county regulations. Refer to Section 4.9 - Driveways and Section 4.14 - Other Landscape Features, for additional information on address markers.

# 3 ARCHITECTURAL DESIGN

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## 3.1 INTRODUCTION

### *Objectives*

- *Each home should incorporate the Cordillera Valley Club design style which is defined by simple forms, additive massing, architectural detailing, and the use of indigenous materials and colors that are generally subdued to blend with the natural landscape*
- *New development shall blend with existing natural landforms and native vegetation*

The essence of the architectural style for the Cordillera Valley Club is for buildings to express the design features typically found in buildings of the early American West. Referred to as the Cordillera Valley Club design style, it is the intention of these Guidelines that buildings convey the image and spirit of buildings from this era. As previously described, there are a number of fundamental design concepts that define the Cordillera Valley Club design style. Rather than trying to mimic the building of the early American West, the intent of these Guidelines is for buildings to draw their inspiration from the design features that characterize these buildings. This will be accomplished by the implementation of specific architectural guidelines outlined below.

In addition to expressing the Cordillera Valley Club design style, it is important for buildings to be designed to blend with their site and the surrounding area. In order to implement these objectives, the following sections include information to assist with the design and development of each homesite.

Within the framework of the Design Guidelines, homes should be unique whether they are built as a custom home or a speculative residence. This will ensure the quality and individuality of the development. Additive forms, massing of the home, stepping with the slope of the lot, and the use of approved indigenous materials, can make a home unique to its environment

and consistent within the Cordillera Valley Club community. Each home should reflect the unique nature of its site.

Over time the Cordillera Valley Club design style and the manner in which buildings and improvements are integrated with their surroundings have established a truly unique sense of place and distinguishes the Cordillera Valley Club from other communities.

## 3.2 ALLOWABLE DEVELOPMENT

A single-family residence is permitted on each residential lot. In addition, certain designated lots also have the right to develop a caretaker unit. The Lot Development Standards located in Appendix A of these Design Guidelines lists the type of development that is permitted on each lot. This table indicates allowable land use and maximum allowable building height.

### **Floor Area**

- The minimum floor area requirement for all single-family homes is 2,500 square feet. A home must be proportional to its lot size. Floor area is defined as: The sum of all enclosed floor space of a building, exclusive of attic space, as measured from the exterior face of the exterior walls. Garage space necessary to provide for enclosed parking shall be excluded from the calculation of floor area.

### **Caretaker Units**

- Caretaker units may be incorporated into the main residence, or may be incorporated into the design of a separated garage. In all cases, the caretaker unit shall be architecturally consistent with the main residence. Architectural consistency shall be achieved by the use of common building forms, design, materials and detailing. In addition, separated structures may also be integrated with the main residence with the use of walls, bridges, courtyards, or landscaping.

- The caretaker unit shall not be sold separately from the main unit.
- Floor area of caretaker units shall not exceed 1,500 square feet of floor area.

### 3.3 BUILDING HEIGHT AND MASSING

#### Objectives

- *Building forms must step with the existing natural contours of the site and be designed to nestle into existing terrain*
- *Building height and massing shall be designed in relationship to the characteristics of each site and in all cases buildings shall be designed with a low-profile, understated appearance*

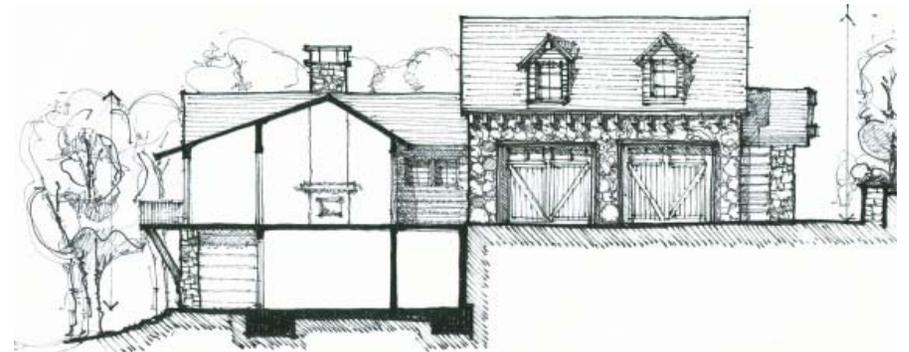
The building height limit for each homesite at the Cordillera Valley Club is thirty-five feet (35'). Maximum allowable building heights are not intended to imply that all portions of a building may be built to the maximum allowable height limit.

#### Design Considerations

- Building massing should emphasize horizontal scale and form. Building scale should be reinforced by varied building heights, off-sets in building elevations, a welcoming entryway, porches, covered outdoor spaces, well proportioned fenestration, decks and balconies, and architectural detailing.
- A mix of one and two story building masses is required. Three story masses are discouraged, however, when approved, must be broken down in scale and have either a one story element or lower roof attached.
- Buildings should be designed as a composition of additive forms; large structures and continuous unbroken building forms must be avoided.
- Homes should be designed as a composition of smaller building forms clustered around outdoor spaces such as courtyards, porches, or verandas.

### Building Height

- Building height is calculated as follows: A building's height can be up to thirty-five feet (35'). This height shall be measured vertically from any high point along the roof ridge lines, directly down to a point at either existing grade or finish grade, whichever is more restrictive. With DRB approval, small dormers and chimneys may be exceptions.
- In addition to the height limit established by the definition above, buildings must also comply with building height limits as defined by Eagle County. In most cases, buildings that comply with the height definition above will also comply with the Eagle County height definition. Owners and their design team should consult the Eagle County Land Use Regulations for additional information on how Eagle County calculates building height.



### 3.4 ROOFS

#### Objective

- *Roofs must be comprised of relatively simple forms with clean connections*
- *To reflect the additive nature of the architecture of the American West, homes should be comprised of a combination of primary and secondary roof forms*

Roofs are the most prominent visual element of homes at the Cordillera Valley Club. This is particularly true due to the visibility of homesites

from the golf course and the rolling terrain that characterizes much of the community. In order to ensure visual coherence throughout the Cordillera Valley Club, all roofs should be comprised of relatively simple forms and should utilize similar materials and colors that integrate the buildings with the site and surrounding area.

### Design Considerations

- Large continuous roof planes must be avoided. Smaller segmented roof forms consistent with the additive form of the home, or a composition of primary and secondary roof forms shall be used.
- Roof forms shall be limited to low-pitched gable, shed, or double-pitch roofs in the range of 4:12 to 8:12. 3:12 roofs may be allowed, as well as other roof forms, such as curved roofs or flat roofs, at the discretion of the DRB.
- Deep roof overhangs are encouraged in order to provide shade, particularly at southern elevations, and add interest to building elevations. Primary roof overhangs shall be a minimum of two feet (2'), where as secondary roof overhangs may be eighteen inches (18") minimum upon discretion of the DRB.

### Roof Materials

- Appropriate materials for primary roof forms include cedar shakes (treated class B rating), synthetic fire-rated shakes, and slate. Roof materials should be predominantly grey or brown in color and be compatible with the colors of the main residence. Homesites with a high wildfire rating must use class A rated roofing materials.
- In addition to the materials listed above, appropriate materials for secondary roofs also include corten steel, terned metal and copper. The limited use of these materials is appropriate because of their natural patina. Owners may be required to treat corten steel, terned metal and copper roofs in order to accelerate the natural weathering process, if at the discretion of the DRB the natural weathering process has not adequately dulled the finish of the roof within six months after installation.
- Flashing and gutter materials must be consistent with the metal roof

systems.

- Prohibited roof materials include:
  - Glazed tiles
  - Ceramic tiles
  - Asphalt or fiberglass shingles

### Ancillary Elements

- The design of ancillary elements such as flues, vents, solar panels and related equipment, mechanical equipment, snow fences and clips, heat tapes and lightning rods is very important in order to minimize roof clutter. Ancillary elements should be designed to be compatible with the primary roof and to not create a visual distraction. All flues and vents will be consolidated and enclosed in stone and/or metal. In the event that the consolidation and enclosure of all flues and vents is not feasible, the DRB may approve unenclosed flues and vents provided they are small in size and painted to match the roof color.
- Skylights are not permitted.



## 3.5 EXTERIOR WALLS

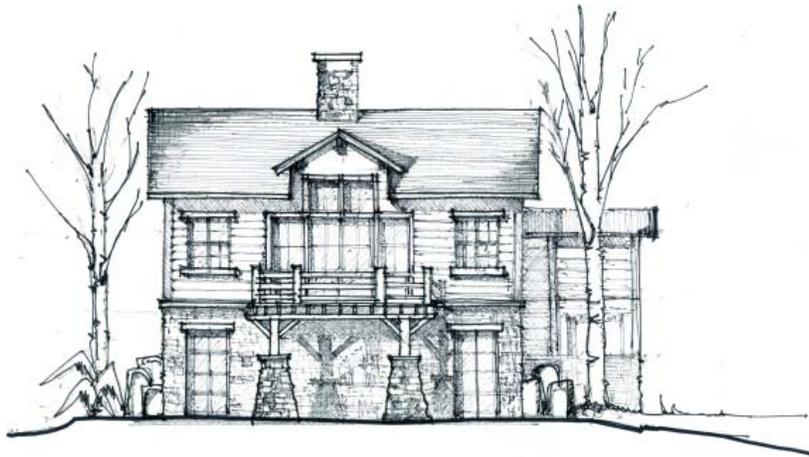
### Objectives

- *Exterior materials should be indigenous to the area and in color tones that relate to the natural colors of the site.*
- *Exterior materials must reflect the inherent structural qualities of the materials*

The type and composition of exterior wall materials should convey an authentic expression of structural integrity. Stone, as a base or a form, should be applied to reflect the structural massing of the building. The design, materials, and color of exterior walls should relate to the natural colors and textures of the site in order to reinforce the sense that the building fits within its surroundings.

Walls should be comprised of no more than three materials consistent with the specific guidelines outlined below, and should be complimentary in coloring. Unfinished foundation walls are prohibited.

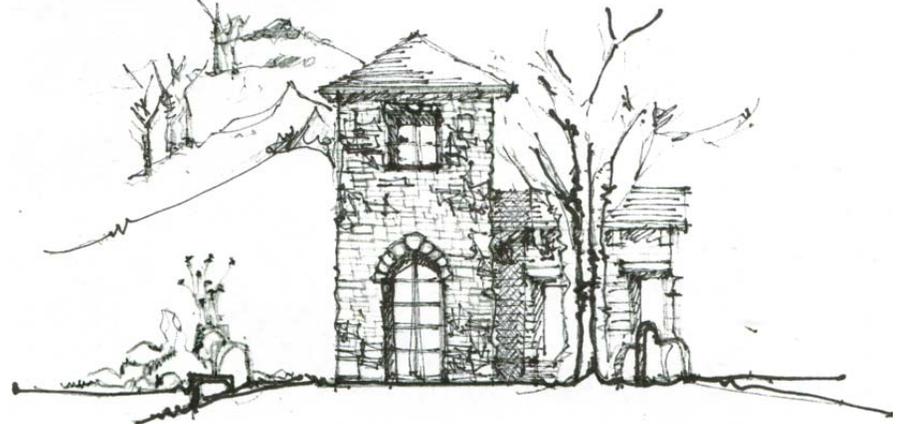
Wood or metal shall not be allowed to come to grade if it is not at a hard surface. Copper may be used at grade with the approval of the DRB if detailed to function to protect the wall surface as stone would. This exception is meant to be used sparingly throughout the home.



### 3.5.1 STONE

#### Design Considerations

- All buildings shall include stone. No less than 35% of exterior wall surfaces shall be stone. “Exterior wall surfaces” include all exterior walls of a building with the exception of chimneys. All chimneys must be stone, or a combination of stone and metal. The stone applied to the chimneys shall count toward satisfying the minimum 35% requirement.
- In order to visually tie a building to its site, stone should be used around the base of all buildings (with the exception of copper referred to in Section 3.5 above), however, care should be taken to avoid the appearance of a standard height “wainscot” surrounding the entire building.
- Appropriate stone materials include stone indigenous to the area, or stone indigenous to the Rocky Mountain region. River rock is not permitted.



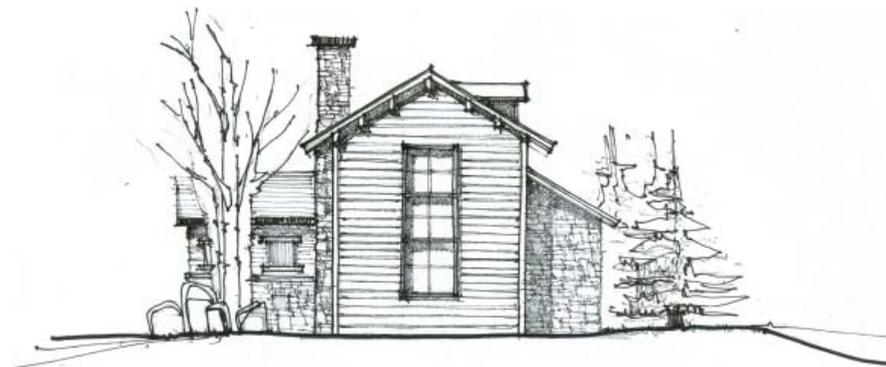
- Stone should be laid in an informal horizontal coursing to emphasize structural appearance, with deep rake mortar joints. Stone should have an irregular rectangular shape and larger pieces should generally be laid below smaller pieces. Or, if stone is not laid horizontally, the appearance of the stone must meet the structural design character of the home.

- Other complementary stone may be used in order to add accent and variety to a building. Stone may be blended. Applications of complementary stone include lintels, band courses, wall caps or complementary stone integrated with the primary stone materials.
- Stone should appear structural, not as a veneer. Arches in stone must include voussoirs or similar structural detailing.

### 3.5.2 SIDING

#### Design Considerations

- Western red cedar or redwood may be used as wood siding material. Other siding materials in the context of the Cordillera Valley Club design style may be approved, at the discretion of the DRB.
- All siding and fascias shall be stained with transparent or semi-transparent stains in the natural color ranges.
- Siding may be ship lap, tongue and groove or board and batt and should be six inches (6”) to twelve inches (12”) in width, and not less than two inches (2”) thick. One inch (1”) members are prohibited.
- Cedar shingles may be used as an accent element on dormer or gable ends.



### 3.5.3 TIMBERS AND STRUCTURAL EXPRESSION

#### Objective

- *Timbers should convey an authentic expression of the building's structural form, and the size of timbers should accurately convey the structural load carried by the timber*

#### Design considerations

- All timbers shall have the appropriate finish for the style and character of the home.
- The use of exposed timbers for roof and porch framing, columns, lintels and sills is strongly encouraged.
- Stacked rounded logs (log homes) are not permitted in the Cordillera Valley Club. Stacked hewn timbers may be used.
- Logs may be used as an accent.
- Scale, size of members and joinery techniques should be consistent with the overall design of the home.

### 3.5.4 PROHIBITED WALL MATERIALS

Prohibited exterior wall materials include, but are not limited to:

- Imitation stone
- Plastic
- Cinder block
- Plywood or composite siding including T-111 or other hardboard materials
- Asphalt shingle or shakes
- Glu-lam beams
- Stucco

## 3.6 WINDOWS AND DOORS

### *Objective*

- *A hierarchy of windows and doors, and varying sizes and patterning should provide interest and individual character to the home*

Windows and doors introduce openings and relief to exterior walls and, in doing so, reinforce building scale. Properly detailed, windows and doors also present an opportunity to add interest and individual character to buildings.

### **Design considerations**

- Openings should be located to optimize view opportunities and be designed in proportion to the overall structure and form of the residence.
- Windows and doors in stone mass walls shall be deeply recessed (six to eight inches) or be trimmed in profiled wood (minimum 2" members) in order to provide interest and relief to building elevations.
- The use of timber or stone lintels and sills that are proud of the adjacent material is encouraged.
- True divided light windows are the most appropriate to the design style of the Cordillera Valley Club and must be incorporated in a consistent

pattern throughout the home. Snap-in grids systems are not permitted. In order to maintain a smaller scale, large window openings shall be composed of smaller panes of glass.

- Window casing shall be wood with natural, stained or clad finish.
- Window and door trim should be selected in concert with other building materials, and be no smaller than two inch (2") members.
- Windows of unusual shapes and sizes, and the use of colored, reflective or mirrored glass are not permitted.

## 3.7 ARCHITECTURAL DETAILING AND SIGNATURE STATEMENTS

### *Objective*

- *Every home shall be unique in character and expression*

Architectural details are an important element of the Cordillera Valley Club design style and also add individuality and creative expression to a home. In all cases, the origin and interpretation of architectural details should be consistent throughout a home.

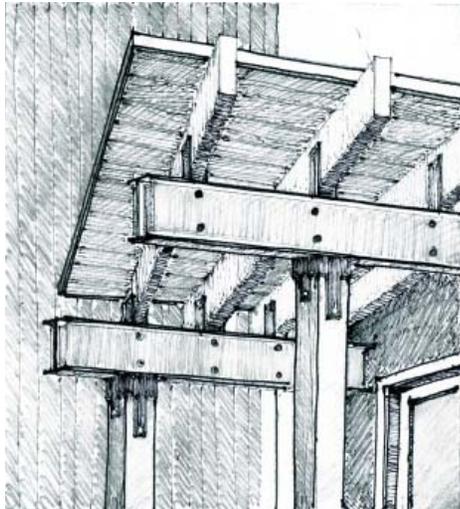
The use of the following architectural details is encouraged:

- Deep overhangs, as permitted by the Eagle County Wildfire Regulations.
- Consistent patterns of exposed structure and structural detailing, such as rafter tails, lookout beams and bracing.
- Carved timbers and hand-crafted timber joinery.
- Steel detailing, metal banding.
- Lintels and sills constructed of stone or timbers.
- Hand-crafted doors and decorative hardware on windows and doors.
- Main entry doors and garage doors designed to compliment the home.
- Deep set reveals in stone walls.
- Planter boxes.
- Decorative handrails and balcony railings.
- Decorative exterior light fixtures.
- Operable window shutters (sized in proportion to windows).

In addition to the architectural details described above, the following signature elements shall be incorporated into the design of all buildings and homes at the Cordillera Valley Club. The use of these elements is intended to express the Cordillera Valley Club design style and also to establish architectural features common to all buildings in the community.

### Signature Elements

- All buildings shall include some expression of the structure of the roof. Examples for expressing roof structure include exposed rafter tails (required) and exposed beams at overhanging gable ends.
- Porches or other similar covered outdoor spaces shall be incorporated into the design of all homes. Entryways shall be inviting and welcoming. Porches and entryways shall provide an introduction to the home. Refer to Section 4.8 for additional information on terraces, porches and outdoor living spaces.
- Other signature elements include, but are not limited to, shutters, window boxes, and steel beam details.



## 3.8 LIGHTING

### Objective

- *The exterior lighting shall maintain the rural character of the setting, preserve the night sky, and protect neighboring properties from undesirable side effects of outdoor lighting.*

Exterior lighting can be used for safety and security purposes and to subtly accent architectural features of a home.

### Design Considerations

- Exterior lighting shall be limited to address markers, security, and safety lighting. Residence address markers should be illuminated and visible from access roadways. In addition, outdoor lighting used to define driveway entrances, walkways, patios and other outdoor features may be minimally illuminating for enjoyment, safety, and security. Refer to Section 4.11 for additional information on exterior lighting.
- Indirect cut-off down lighting fixtures are required for reducing glare and providing ambient light. Opaque, frosted, pitted or seeded glass is required for exterior fixtures. Any fixtures where the source of illumination is not visible shall require installation of bulbs that total 40 watts or less. Any fixtures that have a visible source of illumination shall require installation of bulbs that total 25 watts or less.
- With the exception of the seasonal display of decorative holiday lighting (between November 15 and January 15), and small white lights in a reasonable amount of trees (between November 15 and March 15), the use of exterior landscape lighting is not permitted.
- Spotlights and landscape lighting shall not be permitted except to allow a minimum amount of low level landscape lighting as described in Section 4.11. Up-lighting of trees is discouraged.

## 3.9 CHIMNEYS AND FLUES

### *Objective*

- *Chimneys should be in proportion to the main residence and reflect a simple understated design*

The installation of any wood burning devices, anywhere on the site, must conform to Eagle County Regulations in effect at the time of installation. These regulations limit the type and number of wood burning devices permitted in a residence. A copy of these regulations may be obtained from the Eagle County Community Development Office.

### **Design Considerations**

- Chimneys shall be constructed of stone, or stone and metal, consistent with stone and metal used on other areas of the buildings.

## 3.10 ENTRYWAYS/ PORCHES

### *Objectives*

- *To provide a sense of entry to the home, entry porches are required*
- *All porches shall be an integral part of the overall design*

All homes shall have a welcoming, inviting entry designed to enhance the overall look of the structure and break up the verticality of its facades. The entry defines a place of gathering and receiving. The entry and front porch can be an opportunity to add individual creative expression, or a signature architectural statement, to the home.

### **Design Considerations**

- Porches must be constructed of materials that complement the materials on the home.
- The use of expressed structure, such as exposed rafter tails, lookout beams and knee braces are required.
- Porch roofs should be different, in pitch and materials, from the adjacent roof planes.
- Wrap-around porches are encouraged.



### 3.11 OUTDOOR LIVING SPACES

#### Objective

- *Every residence shall provide an outdoor living space that connects the building to its site*

The introduction of stone terraces, patios, courtyards and similar on-grade features as primary outdoor living spaces is required. Outdoor living spaces should provide a connection to the surrounding built and natural environment. This connection can be established through the use of site walls, stairs, a planted edge or a landscape element such as a water feature (RE: Section 4.8 for additional information on outdoor living spaces).



### 3.12 BALCONIES AND DECKS

#### Objective

- *All balconies and decks shall be designed as an integral part of the architecture of the residence such that they are extensions of the home and connect the building to the site.*

Balconies and above-grade decks are an important design element of a home. These features provide outdoor living space and add interest and scale to a home. Consideration should be given to incorporating roofs, balconies and above grade decks in order to protect users from the hot midday sun.

#### Design Considerations

- Balconies and above grade decks should be designed within the mass of the building or as an element of the building structure supported either by angled braces, by building mass below, or by substantial building elements such as stone columns that visibly tie the deck to the ground. In no case shall projecting decks or balconies be supported by narrow posts or columns.
- Projected decks on the downhill side of the building shall be tied into the existing grade, helping integrate them with the natural grade of the site.
- Support columns must have stone bases with dimensions consistent with the massing of the home.
- The underside of balconies and above grade decks shall be finished to be compatible with the building.
- Consideration should be given to protecting balconies and above grade decks from snow shedding from overhead roofs.

### **3.13 ACCESSORY STRUCTURES AND USES**

In order to ensure cohesive unified development in the Cordillera Valley Club, all accessory structures such as spas, trampolines, swing sets, jungle gyms, water features, fire pits, gazebos, kennels, dog runs and other similar features shall be physically and architecturally integrated with the main residence, and must be located within the building envelope. Please refer to Section 2.7 - Exterior Equipment and Recreational Equipment for additional information.

#### **Design Considerations**

- Accessory structures should be physically and visually connected with the main residence thru the use of structural elements, site walls, covered walkways or landscaping.
- All accessory structures shall use building materials, colors, architectural styles and forms consistent with the main residence.
- Enclosed areas shall be provided for trash containers, maintenance and recreational equipment, and the storage of firewood and seasonal equipment such as patio furniture.
- Dog runs up to 200 square feet in size may be approved by the DRB, however, they must be located within the building envelope contiguous to the main residence and be fully screened from the Cordillera Valley Golf Course and Clubhouse, adjacent properties, and roadways. At the discretion of the DRB, certain homesites may not be permitted to have a dog run due to the potential visibility from surrounding areas. Dog runs shall be constructed of materials consistent with the main residence.

### **3.14 ANTENNAE AND UTILITY LINES**

No antennae of any sort shall be installed or maintained upon any residential lot. All service utility lines to each residence shall be installed underground.

### **3.15 MODIFICATIONS TO EXISTING HOMES**

For any project submitted for an addition to the square footage or an exterior alteration, the DRB reserves the right, based on the scope of the project, to request that some or all elements of the home be brought into compliance with the current Design Guidelines.

### **3.16 EAGLE COUNTY REGULATIONS**

All construction within the Cordillera Valley Club must conform to Eagle County Regulations and Building Codes, copies of which can be obtained from the Eagle County Community Development office. It is not the responsibility of the DRB to ensure that any project within the Cordillera Valley Club conforms with the above regulations

# 4 LANDSCAPE DESIGN GUIDELINES

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## 4.1 INTRODUCTION

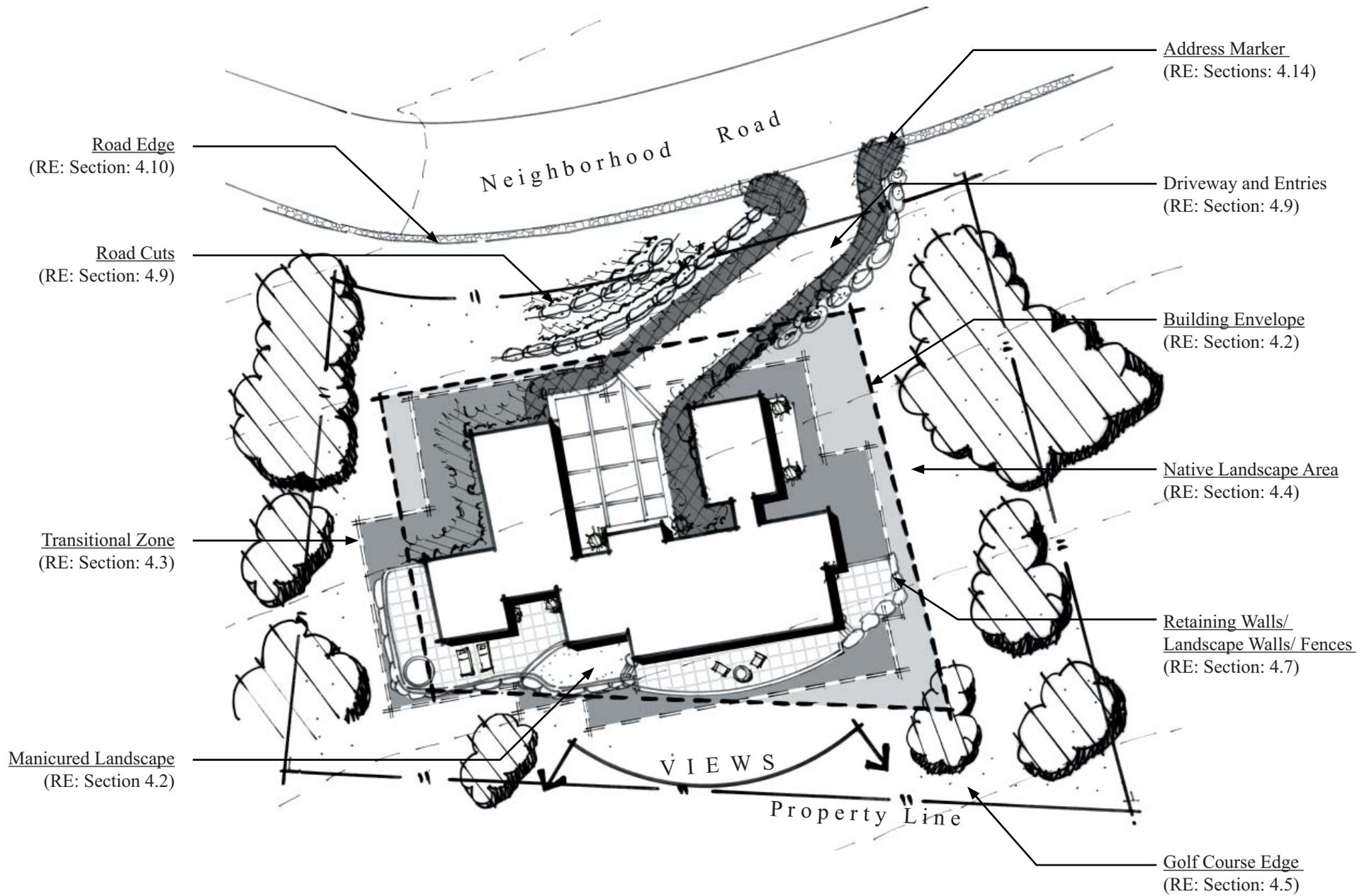
The underlying philosophy of the landscape design at the Cordillera Valley Club is to integrate homes and related improvements with their site and to establish a common natural landscape element throughout the community. Consistent landscaping of homesites will establish a unified natural environment and cohesive visual character for the entire community. Over time the restoration and enhancement of areas within individual homesites, along with the natural features of Cordillera Valley Club Golf Course will provide the dominant landscape features of the community.

The preservation of existing plant materials will be required in the design of all homes and site improvements. New landscaping will require plants that are appropriate in species, size, form, and growth habit. Planting will be done in such a manner as to integrate buildings and site improvements with their surrounding environment. Areas around homesites that have been disturbed by site development or home construction must be restored to reflect the characteristics of the natural landscape surrounding the Cordillera Valley Club. All areas disturbed as a result of construction will be enhanced with the introduction of new plant materials that are indigenous to the surrounding area.

All landscape plans must address three distinctive areas of a homesite – the building envelope zone, the native landscape zone, and a transitional zone. The design goals for each of these areas are different and as such, each of these areas requires different design solutions. A wide variety of landscape improvements and materials are permitted within the building envelope while plant materials and improvements in the native landscape area are relatively limited. The transitional zone is intended to soften the edge between the building envelope zone and native zone, making it is less abrupt and contrived. Landscape improvements in all three of these areas should be designed to minimize the need for irrigation.

All landscape design will conform to Eagle Count Land use Regulations and Eagle County Wildfire Regulations. Within these Design Guidelines are several references to both of these documents. It is the responsibility of each applicant to obtain the current adopted version of these Eagle County Regulations and to apply them to the landscape design of each homesite. This step will be required in order to obtain a building permit. In the case of a discrepancy between these Design Guidelines and Eagle County regulations and standards, the more restrictive will apply.

All landscape plans must be developed by a Professional Landscape Architect, licensed or eligible for license in the State of Colorado as of 1/1/2008.



## 4.2 LANDSCAPING WITHIN THE BUILDING ENVELOPE ZONE

### Objectives

- *To provide outdoor spaces and manicured landscaping to enhance, take advantage of, and create microclimates within the building envelope zone*
- *To allow formal and hardscape areas to be introduced to define outdoor spaces and entries within the building envelope zone*

Landscaping within the building envelope zone must be designed in order to define outdoor spaces and entries, frame desirable views, screen undesirable views, buffer prevailing winds, anchor the corners of the structure to the site, provide seasonal shade, and add color and interest to courtyards and other outdoor spaces. Consideration should also be given to the size, color and texture of plant materials. Landscaping within the building envelope zone may include the use of permanent underground irrigation. Ornamental plants, planting beds, gardens, and other formal landscape designs may be introduced within the building envelope zone. Plant materials may be chosen from Appendix B - Table 3 : Approved Plant Materials for Within the Building Envelope Zone. While many of these plants are native to the sagebrush and alpine regions of Western Colorado they do require supplemental water for establishment and peak performance.

### Design Considerations

- The landscape plan shall include a lot analysis indicating building envelope, significant views, solar aspect, suggested pedestrian and vehicular access, major tree groupings, significant drainages, rock outcrops and other significant site features
- A successful planting plan shall include various sized plant and landscape materials that will provide appropriate color, texture, and form to visually tie buildings and improvements to the natural surrounding landscape.

- Unless otherwise approved by the DRB, ornamental plants and other formal plant materials shall be located immediately adjacent to the home in courtyards, entries, or other defined outdoor spaces not immediately visible from adjacent lots or roadways.
- In order to minimize the use of water and to reinforce the integration of buildings and improvements to the natural environment, the introduction of formal manicured lawns is discouraged. When used, manicured lawns shall be confined to the building envelope zone and shall be located within courtyards or otherwise screened by buildings, walls or plant materials in order to minimize visibility from adjacent lots or roadways. The use of fescue grasses for manicured lawns is required in lieu of water intensive grasses such as Kentucky Bluegrass, in order to minimize maintenance and irrigation of lawns.
- Permanent underground irrigation systems up to 5,000 square feet in size are permitted within the building envelope zone. The use of moisture sensors and drip irrigation systems that conserve water is required. Backflow preventers are required and manual valves are prohibited. Overhead spray irrigation shall be confined to areas where drip irrigation is insufficient and must be approved by the DRB
- As defined in Section 4.6, the minimum quantity and sizes of plant material shall be installed before project completion. Additional landscaping may be required at the discretion of the DRB depending on the visual prominence of each site and adjacent site relationships (community roads, open space and adjacent home sites).

### 4.3 LANDSCAPING WITHIN THE TRANSITIONAL ZONE

#### Objectives

- *To soften the transition between the native landscape zone and the building envelope zone*
- *To restore disturbed areas back to their natural conditions*

The transitional zone will generally be defined as a fifteen foot (15') offset from the footprint of the building. In some cases the transitional zone may allow for landscaping improvements outside the building envelope zone. If the transitional zone crosses the property line or any other restricting factors such as a utility easement, the more restrictive is the limiting area. Due to varying conditions from site to site, the disturbance required by individual building design, and where the fifteen foot (15') offset does not apply or meet the intent of the transitional zone; the transitional area will be defined on a case by case basis. Refer to Appendix B for approved planting materials.

#### Design Considerations

- All plant materials used in the transitional zone shall be selected from Appendix B - Tables 2 & 3: Approved Plant Materials.
- The minimum quantities and sizes of plant material shall be installed before project completion. Additional landscaping may be required at the discretion of the DRB depending on the visual prominence of each site and adjacent site relationships (community roads, open space and adjacent homesites).
- The transition between formal landscape areas and the native landscape area shall be accomplished with a defined edge that clearly contains formal landscape improvements. A defined edge may be established with the use of patio walls, retaining walls, stone edging, or planting beds.

### 4.4 LANDSCAPING WITHIN THE NATIVE LANDSCAPE ZONE

#### Objectives

- *To provide a natural buffer between homesites, roadways and to maintain other natural features*
- *To restore and enhance the landscape within and around disturbed areas of the homesite*

The native landscape zone is generally defined as all portions of a homesite located outside of the building envelope zone (and the defined transitional zone). Any improvements in this zone should be designed and constructed to minimize the disturbance of the native landscape zone. The native landscape zone of some homesites will be disturbed in order to facilitate the construction of roads, utilities, and the golf course. In such cases, disturbance shall be minimized and landscape improvements shall restore disturbed areas to their natural condition using native plant materials. Appropriate grasses and shrubs will be required to be planted at a density to mimic the native landscape patterns and spacing. While the specific treatment of the native landscape area will vary depending on the characteristics of each homesite, the goal of every landscape plan is to restore and enhance the native landscape area to its original state. In order to achieve this goal, only those plant materials indigenous to Western Colorado that are capable of survival on natural precipitation are permitted in the native landscape area. Irrigation in the native area shall be temporary and shall only be used to help re-establish vegetation post disturbance.

#### Design Considerations

- As defined in Section 4.6, the minimum quantity and sizes of plant material shall be installed before project completion. Additional landscaping may be required at the discretion of the DRB depending on the visual prominence of each site and adjacent site relationships (community roads, open space and adjacent home sites).
- All plant materials used in the native landscape area shall be selected from Appendix B - Table 2: Approved Plant Materials for Within the Native Landscape Zone.

- All portions of the native landscape zone disturbed by the construction of the Club at Cordillera Valley Course, roads, and utilities, or disturbed during the construction of the homesite, shall be restored by the owner to reflect the natural characteristics of the surrounding area. Restoration shall include both the introduction of shrubs and trees and revegetation using seed mixes and shrubs planted at the same rate, density and spacing (RE: Appendix B Table 1 and Table 2).
- A pre-emergent shall be used on topsoil before seeding to aid in weed control on the homesite.
- In addition to restoring disturbed areas, landscape improvements should also include the enhancement of undisturbed portions of the native landscape zone.
- The removal of trees and mature landscape materials in the native landscape zone is prohibited without specific approval of the DRB. Removal of any trees and mature landscaping without approval of the DRB shall be subject to fines up to the full amount of the compliance deposit and replacement of said plant material at a ratio of 3:1.
- Temporary above ground irrigation systems to re-establish native vegetation may be permitted in the native landscape zone subject to approval of the DRB. Temporary systems shall be removed after one growing season, unless additional time is required for vegetation to re-establish. Such an extension requires approval from the DRB. Underground irrigation systems are not permitted in the native areas. The use of low water usage plants and moisture sensors on irrigation systems is required.
- Where the native landscape area meets the structure, a roof drip edge shall be established to mitigate soil erosion from roof runoff. Plantings between the drip edge and the structure are encouraged to accomplish all design goals (framing views, anchoring the structure to the site, etc.).

## 4.5 GOLF COURSE EDGE

### *Objectives*

- *To integrate the native landscape area of each homesite with the golf course edge and establish continuity at the transition between the rough and/or natural landscape areas of the adjacent golf course*
- *To address easement for utilities, golf course, and shot safety zones*

An integral part of the Cordillera Valley Club experience is the golf course around which many residential sites are located. The golf course has been carefully designed to blend with the natural environment. In cases where homesites abut the golf course, careful consideration shall be given to the interface of landscaping and to reinforcement of the natural landscape area that is already part of the golf course. The following landscape standards apply to homesites adjacent to the Club at Cordillera Valley Course.

### **Design Considerations**

- The native landscape area of each homesite should interface with the rough, or natural landscape area of the golf course to create a uniform edge treatment. Upon the completion of landscape improvements, the property line between the golf course and individual lots shall not be discernible.
- Consideration should be given to clustering plant materials to create a natural landscape transition between the homesite and the golf course.
- The use of mature landscape materials along the golf course edge that exceed minimum size requirements is required.
- All golf course easements shall be respected and shall not be encroached upon without express written consent from the Cordillera Valley Club Golf Course.

## 4.6 SIZE AND QUANTITY OF PLANTING AND LANDSCAPE MATERIALS

### Objectives

- *To create landscaping that has a significant visual impact immediately after completion of construction by requiring minimum quantities and sizes of plant material*
- *To use plants that are appropriate to each zone and that are water conserving*

Both the present and mature size of trees and shrubs shall be considered when selecting landscape materials. The use of large-caliper deciduous trees and mature evergreens and shrubs that exceed minimum landscape material sizes are required in order to quickly establish the landscape surrounding each homesite.

### Planting Requirements

#### I. Landscape Area Requirement / Calculation

For the purpose of the landscape calculations, the landscape area shall be defined as all areas within the property not covered by a structure or impervious surface (driveway, deck, patio, or walkway). The required landscape area of each homesite will be calculated using the following criteria and will be subject to the minimum quantity calculation (See 4.6.II. A Minimum Quantity):

- A. Lots smaller than .5 acres must landscape 40% of the lot and thereby apply 40% of the total area of the lot to the minimum quantity calculation.
- B. Lots ranging in size between .5 and 1.0 acres must landscape 30% of the lot and thereby apply 30% of the total area of the lot to the minimum quantity calculation.
- C. Lots ranging in size between 1.0 and 1.5 acres must landscape 25% of the lot and thereby apply 25% of the total area of the lot to the minimum quantity calculation.

- D. Lots ranging in size between 1.5 and 2.0 acres must landscape 20% of the lot and thereby apply 20% of the total area of the lot to the minimum quantity calculation.

#### II. Minimum Quantity

Landscaping must be provided within the building envelope zone, transitional zone, and native landscape zone. A summary of all calculations used to determine the landscape required for the site shall be provided with each landscape plan. The area of the property that is required to be landscaped by zone shall be identified in square feet and as a percentage of the entire property.

The number of trees and shrubs within a required landscape area shall be established as follows:

- A. Once the required landscape area is established, one (1) coniferous tree, one (1) deciduous trees, and six (6) shrubs are required for every 250 sq.ft. of required landscape area. The minimum size criteria shall then be applied to the required quantities of plant material.
- B. No lot shall have less than twelve (12) coniferous trees, twelve (12) deciduous trees, and seventy-two (72) shrubs that meet the minimum size criteria. All disturbed areas will be revegetated with the Approved Seed Mix found in Appendix B. Table 1.
- C. Additional large plant material may be required at the discretion of the DRB depending on the visual prominence of each site and adjacent site relationships (community roads, open space and adjacent home sites).

#### III. Minimum Size

Trees and shrubs depicted on the landscape plan shall be of at least the following minimum size at the time of their planting unless a larger tree size is specified by the DRB for buffering, screening, or planting on the homesite:

- A. Deciduous Trees: Deciduous trees shall be a minimum three inch (3") caliper, measured four (4') feet above the ground. Multi-stem specimens shall be an average caliper size of two inches (2"). Three (3)

one inch (1") caliper trees may be substituted for each three inch (3") caliper deciduous tree required. No less than 30% of the proposed deciduous trees shall be three inch (3") caliper size.

- B. Coniferous Trees: Coniferous Trees, other than Pinyon Pines and Juniper species shall be a minimum ten feet (10') in height, measured from the top of the root ball to the top of the tree. Each homesite will be required to have 25% of required coniferous trees to be a minimum sixteen feet (16') in height, 25 % a minimum fourteen feet (14') in height, 25% a minimum twelve feet (12') in height, and 25% ten feet (10') in height. 50% of the required coniferous trees shall be Pinyon Pines and Junipers in equal proportion, to help establish continuity with the existing Juniper and Pinyon Pine plant community indigenous to the Cordillera Valley Club community. The minimum size for all Pinyon Pine and Juniper trees required shall be four feet (4') in height or greater.
- C. Ornamental Trees: Ornamental and flowering trees shall be a minimum of three inch (3") caliper, measured four feet (4") from above the ground. Each ornamental tree proposed shall count towards the total deciduous tree requirement.
- D. Shrubs: Shrubs shall be in a minimum five (5) gallon container, and shall be a minimum two feet (2') in height. Each homesite will be required to have 20% of total required shrubs to be between three and four feet (3' - 4') in height and three to four inches (3"-4") in width. The remainder of required shrubs are to be five (5) gallon containers.

### **Planting Considerations.**

- Unless otherwise approved by the DRB, all plant materials shall be selected from plant lists found in Appendix B of these Design Guidelines.
- In order to create a natural appearance and to avoid monotony, landscape materials shall not be planted in rows or unnatural contrived patterns. Plantings shall be planted in random and/or organic patterns to reflect natural growth patterns.
- The height of each proposed tree shall be clearly identified on the plan. Slope should be accounted for when assigning heights. Trees in higher profile areas should exceed this height range.

## **4.7 RETAINING WALLS, LANDSCAPE WALLS AND FENCES**

### *Objectives*

- *To limit landscape walls and fences within the building envelope zone in order to create a sense of openness throughout the community*
- *To provide an edge between formal landscaped areas and the native landscape areas and allow the creation of private outdoor spaces such as courtyards*

Building envelopes have been located, in part, to minimize the need for retaining walls. In select cases walls and fences will be considered in the transitional zone. No walls or fences will be allowed in the native landscape area with the exception of retaining walls required for road cuts and driveways. When necessary, retaining walls, landscape walls and fences must comply with the guidelines below.

### **Design Considerations**

- No perimeter lot fencing or the arbitrary fencing of building envelope areas is permitted. Fencing must compliment the design, the materials and the color of the residence. Applicant must submit fencing details to the DRB for approval and a sample of the proposed material (with the proposed color and finish).
- Unless otherwise approved by the DRB, all retaining walls, landscape walls and fences shall be located within the building envelope.
- All retaining walls shall be constructed of stone or stone veneer consistent with stone used on the home.
- The design of landscape walls and fences should be integrated with the design of the residence, shall not exceed six feet (6') in height, and shall be constructed of materials consistent with materials used on the main residence. Any wall taller than thirty-six inches (36") shall have the approval of a professional structural engineer.

- Retaining walls shall not exceed six feet (6') in height, shall require the use of stepped walls and shall be designed to allow for the introduction of landscape materials between walls. In certain cases the DRB may approve retaining walls in excess of six feet ( 6)' when it is demonstrated that higher walls will result in a more sensitive design solution. Per Eagle County regulations, walls and fences cannot exceed eight feet (8') in height.
- Allow a minimum of three feet (3') for planting between retaining walls and any other hard surfaces, such as patios or driveways.
- When feasible, retaining walls should be designed as an architectural extension of the residence in order to visually tie the building to the ground.

## 4.8 TERRACES, PORCHES AND OUTDOOR LIVING SPACES

### *Objectives*

- *To provide an effective transition between a home and the outdoors and also reinforce the visual connection of a building and its site*
- *To integrate terraces, porches and outdoor living spaces with the design of the home*

Outdoor living spaces including terraces, verandas, patios, porches, courtyards, and other similar outdoor spaces should be an integral element of the design of all homes within the Cordillera Valley Club. Entry porches are required on all homes to create a sense of arrival and welcoming.

A number of factors should be considered relative to the design and location of outdoor spaces. How and when a space will be used is a primary consideration. For example, outdoor spaces that are designed with an eastern exposure need to be protected from prevailing winds. During the summer, outdoor spaces with a southern exposure will be most comfortable during the morning and evening due to the hot midday sun. Outdoor spaces with a northern exposure represent a viable alternative to avoiding the midday heat. Southern exposures will offer the best view opportunities on many lots.

### **Design Considerations**

- Porches and other covered outdoor spaces shall be confined to within the building envelope zone. The DRB may approve terraces, patios, courtyards, and other uncovered outdoor spaces located outside the building envelope within the defined transitional zone.
- Materials used for patios, courtyards and on-grade decks shall be consistent with materials used on the residence.
- The most appropriate manner for creating porches and covered outdoor spaces is to extend a roof over the outdoor space. In such cases, the use of a double-pitched roof should be considered and in all cases the structure of the roof extension shall be expressed with exposed rafter tails. Porches and covered outdoor spaces may also be created by trellises and other similar roof features.
- Outdoor spaces on sloping sites should be terraced in order to minimize the need for retaining walls or site grading. When retaining walls are required, they shall be constructed of the same stone used on the residence.
- The transition between outdoor living spaces and the transitional zone or native landscape zone should be defined by a hard edge such as patio walls, retaining walls, stone edging, or planting beds.
- Privacy fences and walls used to define courtyards and other outdoor spaces should be designed as an architectural extension of the main residence and in all cases materials used should be consistent with the residence.

## 4.9 DRIVEWAYS

### *Objective*

- *To create consistency in the landscape treatment of driveways throughout the community*

Driveways along community roadways play an important role in setting the character and experience for residents and guests of the Cordillera Valley Club. The landscaped area of a driveway is the one zone of a homesite where a greater diversity of landscape materials are allowed. Approved plantings from Appendix B - Table 1, 2 and 3 can be planted in this area.

### **Design Considerations**

- All driveways shall be constructed of asphalt, stamped asphalt, concrete/stone unit pavers or exposed or colored concrete. Gravel and porous stone are unacceptable as paving materials.
- Landscaping is required along both sides of a driveway, confined to a maximum 10' strip offset from the edge of paving (RE: Appendix B - Table 1, Table 2 or Table 3 for approved landscape plant materials). Use of plant material with vibrant color and texture is encouraged for visual punctuation of driveways and entry monuments.
- Road cuts required to install driveways shall be restored as part of the site landscaping. Road cuts and slopes exceeding 2:1 are discouraged. If approved by the DRB they will be required to be treated with tiered boulder walls and planted with the same landscaping materials as the immediate surrounding landscape.
- Each homesite shall include an address marker located at the driveway entrance. Markers shall be located so they are visible from the roadway, and if necessary may be located within the right-of-way subject to approval of the DRB. Marker design shall include low-level down-lighting consistent with the lighting guidelines outlined in Section 4.11 - Exterior Lighting and Landscape Lighting.
- Individual home mail delivery is not available and as such, mailboxes are not necessary.

## 4.10 ROADWAY EDGES

### *Objectives*

- *To establish landscape continuity along the roadways throughout the Cordillera Valley Club*
- *To control drainage along roadway edges in a consistent manner*

Road edges are integral in setting the character and experience of the Cordillera Valley Club community. The intent of these guidelines is to create consistent treatment of road edges along all residential sites. These guidelines apply for all new construction and, over time, for existing sites.

### **Design Considerations**

- All edges of any property adjacent to a roadway along drainage swales shall use an 18" wide edge of pervious stone ground cover.
- Any slopes along roadways that are exposed shall be revegetated with the native seed mixes as provided in Appendix B - Table 1.
- Any slopes along roadways in excess of 2:1 shall be protected with biodegradable erosion control netting.

## 4.11 EXTERIOR LIGHTING AND LANDSCAPE LIGHTING

### *Objectives*

- *To ensure all landscape lighting is low-level to minimize off-site impacts, light pollution, and maintain 'dark skies' for the enjoyment of star gazing and overall environmental quality*
- *To provide safety and identification of homesites*

All exterior lighting requires approval by the DRB. Appropriate uses of exterior lighting include low-level landscape lighting to define walkways, patios or other outdoor features immediately surrounding a home. All exterior lighting shall be designed to minimize impacts on adjacent

properties and, with the exception of entry/ address marker lighting, and driveway lighting, shall be located within the building envelope.

### Design Considerations

- No lighting is permitted outside of the building envelope with the exception of the main front walkway, driveway and address identification.
- Landscape lighting is only permitted within the building envelope to define entrances, walkways, patios, other outdoor features immediately surrounding the home and must receive approval of the DRB.
- Tree up-lighting shall be permitted only with the approval of the DRB and will consist of a maximum of three (3) trees, lit from grade by fully recessed fixtures, immediately surrounding the home.
- In order to reduce glare and provide general ambient light, all light sources shall be concealed within the building or light fixture.
- Opaque, frosted or seeded glass is required for all exterior light fixtures. No exterior lighting in which the direct source is visible from a neighboring property or which produces excessive glare to pedestrian or vehicular traffic shall be permitted.
- All water features must be lit underwater for safety purposes.
- Any fixtures where the source of illumination is not visible shall require installation of bulbs that total 40 watts or less. Any fixtures that have a visible source of illumination shall require installation of bulbs that are total 25 watts or less.
- With the exception of the seasonal display of decorative holiday lighting (between November 15 through January 15), and 'white' lights in a reasonable amount of trees (between November 15 through March 15), the use of exterior landscape lighting is not permitted.
- Spotlights and any other large landscape lights shall not be permitted.

## 4.12 WILDFIRE PROTECTION

### Objective

- *To design and maintain defensible space per Eagle County Wildfire Regulations and to minimize hazard to human life and safety*

As stated in the Eagle County Wildfire Regulations, "There are certain regions of Eagle County that have the potential to pose hazards to human life and safety and because they can be threatened by wildfire. These regulations are intended to provide standards to reduce or minimize the potential impacts of wildfire hazards on properties, the occupants of properties and the occupants of adjacent properties, as well as to facilitate access to man-made structures by firefighters in the event of a wildfire. Development should attempt to avoid high and extreme wildfire hazard areas whenever possible."

### Design Considerations

- All Eagle County Wildfire Regulations must be applied in the development of new residential homesites and additions to existing structures. It is the responsibility of the applicant to check for updates to the Wildfire Regulations and apply the latest adopted version of the Eagle County Wildfire Regulations.
- Specifically the Hazard Rating Assessment, as defined in the Eagle County Wildfire Regulations, shall be an absolute requirement in the submittal process to the DRB, and must be submitted at Sketch Plan Review.
- While not required, Cordillera Valley Club DRB strongly encourages existing homesites developed prior to adoption of the Eagle County Wildfire Regulations to conform to the Regulation retroactively.

## 4.13 WATER AND IRRIGATION CONSIDERATIONS

### *Objective*

- *To reduce water consumption and usage on every homesite*

### **Design Considerations**

- The irrigation of all homesites shall conform to the irrigation standards as set forth in the Eagle County Land Use Regulations, a copy of which can be obtained from the Eagle County Community Development Office.
- With the exception of turf and seeded areas, all irrigation of trees and shrubs shall be drip irrigation.

## 4.14 OTHER LANDSCAPE FEATURES

### *Objective*

- *To minimize the visual impact of landscape features confined within the building envelope*

This section of the Landscape Design Guidelines addresses landscape elements that do not fall into one of the standard sections which may be proposed by residents of the Cordillera Valley Club in combination with development of individual homesites. The intent is to give Cordillera Valley Club residents flexibility to allow the greatest and utmost enjoyment of their homesite, without compromising the quality and continuity of the natural and built environment of the overall community.

### **Address Marker**

- An address marker for the residence is required. The design should be appropriate for the Cordillera Valley Club. The lettering size must comply with Eagle County and Fire Department requirements. The DRB recommends a stone marker which incorporates the architectural styling and materials of the home.

- Address markers shall be integrated with the design of the landscape, and must be illuminated.

### **Water Features**

- In keeping with the overall landscape theme of integrating buildings and improvements with the existing natural landscape, the introduction of landscape water features is permitted.
- Small decorative fountains and features are permitted within courtyards or other outdoor spaces within the building envelope, subject to approval by the DRB.

### **Pools/ Hot Tubs**

- Swimming pools must be located within the building envelope. As with other landscape improvements, materials for pools, fencing and decks shall be consistent with materials used on the residence. Hot tubs are permitted within the building envelope only, and must be screened from public view. Hot tub areas must be integrated into the existing site and architecture of the home.

### **Solar Panels**

- Solar panels must be located within the building envelope and integrated into the design of the home and surrounding landscape. Solar panels must be reasonably and appropriately screened from adjacent properties, roadways, and the golf course. Photographs and product cut sheets must be submitted at the Sketch Plan Review for DRB approval. Colors and materials of solar panels must be integrated with architectural materials and the surrounding landscape.

### **Dog Runs**

- Dog runs up to 200 square feet in size may be approved by the DRB, however, they must be located within the building envelope contiguous to the main residence and be fully screened from the Cordillera Valley Golf Course and Clubhouse, adjacent properties and roadways. At the discretion of the DRB, certain homesites may not be permitted to have a dog run due to the potential visibility from surrounding areas. Dog runs shall be constructed of materials consistent with the main residence.

## **Tennis Courts**

- The construction of tennis courts on individual lots is not permitted at the Cordillera Valley Club.

## **Displays/ Artwork**

- Any and all artwork to be displayed outside of a residence requires review and approval by the DRB. Such artwork shall be located within the building envelope and not be directly visible from adjacent lots or roadways. The DRB reserves the exclusive right to approve or deny an applicant's request to display artwork outside of the residence. No artwork shall be installed, erected, displayed or placed on a lot without expressed written approval of the DRB.

## **Exterior and Recreational Equipment**

- Refer to Section 2.6 for more information on Exterior and Recreational Equipment requirements.
- All free standing equipment shall be painted to match the finish materials of the home and be appropriately screened from adjacent properties and roadways with mature landscaping.
- Trampolines must be located "in-ground", not above ground.
- All basketball, hockey, volleyball or other sporting equipment must be fully screened from adjacent lots and roadways and should be moveable.
- Swing sets, jungle gyms, play sets etc. must be fully screened from adjacent lots and roadways and have no brightly colored parts.
- Any other equipment that is recreational in nature and is meant to be situated permanently outside of the home must be fully screened from adjacent lots and roadways.

## **4.15 LANDSCAPE MAINTENANCE**

### *Objectives*

- *To ensure a healthy and well maintained landscape is in place for each homesite*
- *To require replacement of dead or dying trees*

### **Design Considerations**

- Landscape material that does not survive within the first three (3) years after being planted shall be replaced within three (3) months after it perishes, unless not during the planting season, in which case it should be replanted at the beginning of the next planting season.
- The landscape of every homesite shall be maintained by the Owner to a high level of quality appropriate for the Cordillera Valley Club environment. Landscape maintenance and replacement of plant material is the sole responsibility of the Owner. The Cordillera Valley Club DRB reserves the right to require individual homesites to conduct maintenance of landscaping that falls into a state of disrepair and/or becomes unsightly to the community.

# 5 CONSTRUCTION REGULATIONS

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## 5.1 INTRODUCTION

For any construction, landscape alteration, remodel or exterior project within the Cordillera Valley Club, the owner is required to submit an application to the DRB for approval. No work may commence until the following criteria have been met: approval of final construction drawings has been granted by the DRB, a DRB site inspection has taken place, and a building permit has been issued by the Eagle County Building Department.

Final Plan approval granted by the DRB is valid for one year. If construction does not commence within one year from the date of approval, said approval shall expire. In order to extend Final Approval for one year, a written request from the owner must be submitted to the DRB prior to the expiration date. The DRB will consider the request to grant a one-year extension, subject to review under the current Design Guidelines. Under no circumstances will the DRB grant more than two (2) one-year extensions. Any submittal that has not received an extension from the DRB will be considered expired, and may only be re-approved by the DRB (starting at Step Three-Final Review) subject to the current Design Guidelines. Applicable submittal fees will be charged. Any request for an extension that includes changes to the original DRB approved final plans will be considered a re-submittal for final approval and will be subject to a submittal fee. Refer to Appendix C for a current list of application fees.

Once construction of a project is initiated, completion of the project shall be pursued with due diligence until completion. Construction must be substantially complete within twelve (12) months of commencement, and fully and finally complete, including all required landscaping, within eighteen (18) months after commencement of construction. All construction and landscape improvements are subject to fines if not completed on time, unless the owner or owner's representative submits a revised construction schedule to the DRB and written consent is granted for an extension. If completion of the project is delayed or suspended for more than thirty days, the DRB may, at its discretion, require the restoration and revegetation of disturbed areas

of the site. Refer to Appendix D - Construction Rules and Regulations and Appendix H- Fine Schedule for additional information.

### Construction Criteria

- Complete a Pre-Construction Meeting.
- Submit a signed Construction Compliance Agreement to DRB Staff.
- Provide a detailed construction management plan which identifies the areas in which all construction activities will be limited, measures to protect existing vegetation from areas of disturbance, limits of excavation, erosion control, temporary access drives and parking areas, and the locations of temporary structures, chemical toilets, dumpsters, material lay-down and staging areas, and construction sign.
- Submit applicable compliance deposit to the DRB Staff.
- Stake all building footprints, setback lines and driveways for DRB approval.
- Submit 8" x 10" color photographs of existing site. Photos are specifically required of all areas to be disturbed by the construction or where re-vegetation will be required.
- Flag all significant vegetation and other landscape features that shall be protected during construction.
- Install temporary and permanent erosion control measures per the DRB Design Guidelines.

## **5.2 PRE-CONSTRUCTION MEETING**

Prior to commencement, the Owner or Owner's Representative, the general contractor and/or the project superintendent shall meet with a representative of the Design Review Board and Public Safety/ Community Operations representative to review the construction management plan, the Cordillera Valley Club Construction Rules and Regulations and to discuss construction related issues, including parking, scheduling, fines, etc.

The owner and general contractor are responsible for the actions of all sub-contractors and personnel related to the project. The owner or builder shall provide a detailed construction management plan which identifies the areas in which all construction activities will be limited, measures to protect existing vegetation from areas of disturbance, limits of excavation, erosion control, temporary access drives and parking areas, and the locations of temporary structures, chemical toilets, dumpsters, material lay-down and staging areas, and construction sign. The construction management plan shall be submitted as an element of the final plan review. Stamped approval of the construction management plan shall be obtained from the DRB prior to initiating construction.

## **5.3 COMPLIANCE DEPOSIT**

In order to ensure compliance with all construction regulations, a Compliance Deposit shall be deposited by the owner with the DRB prior to initiating construction (See Appendix C - Fee & Deposit Schedule for current fees). Said deposit shall be made payable to the Cordillera Valley Club Property Owners Association and submitted with an executed copy of the Compliance Agreement. If the DRB determines that any of the improvements outlined in the Compliance Agreement are not constructed in compliance with the plans and specifications by the date set forth therein or in compliance with these Guidelines, the DRB may withdraw from the cash deposit such funds as may be necessary to complete the unfinished improvements and correct any violations. The DRB shall not require concurrence of the owner prior to withdrawal of the funds.

Any remaining portion of the Compliance Deposit shall be returned to the owner within thirty (30) days after the issuance of a letter of compliance by the DRB.

## **5.4 PROTECTION OF PROPERTY**

All construction activity shall be confined to the lot on which a building permit has been issued, unless written authorization has been granted by an adjacent property owner to utilize an adjacent lot or in the case that an easement exists appurtenant to that property, such as a driveway easement. In such cases where adjacent properties are used during construction, revegetation and restoration plans for said properties shall be submitted as an element of the construction management plan. Any open space, adjacent lots or roadways damaged during construction shall be promptly repaired and/or restored to the DRB's satisfaction and, in every case, within thirty (30) days after such damage occurs. Failure to comply with any of the above may result in fines up to, or in addition to the full amount of the Compliance Deposit.

## **5.5 FIELD STAKING REQUIREMENTS**

All building footprints, setback lines and driveways shall be staked in the field by a licensed Colorado surveyor. Staking must be completed prior to initiating construction and is subject to review and approval by the DRB.

## **5.6 PROTECTION OF NATURAL FEATURES AND VEGETATION**

A certain amount of site disruption is to be expected during the construction process. Nonetheless, every effort shall be made to protect and preserve the natural site features not directly impacted by the placement of buildings or structures on a lot. The construction management plan shall specify all areas to be undisturbed by construction. In order to protect undisturbed areas, green plastic snow fencing, silt fencing, or other suitable means shall be erected on the site prior to initiating construction. Within the construction area, significant vegetation and other landscape features shall be protected

during construction through the use of flagging, fencing or other approved barriers. Such features to be protected within the construction area shall be determined by the DRB during the design review process and shall be indicated on the Construction Management Plan. Fines up to the full amount of the Compliance Deposit will be charged for any damage done to areas outside the established limits of disturbance, or damage to significant landscape features.

## 5.7 EROSION CONTROL AND REVEGETATION

In order to protect the Cordillera Valley Club's delicate natural environment, temporary and permanent erosion control measures shall be implemented during construction and site development. The grading, erosion control and soil stabilization plans must be reviewed, approved, and stamped by a Colorado licensed civil engineer (See Appendix D, Section D 4.3.8). The general contractor shall be responsible for controlling and mitigating soil erosion through the use of soil stabilization, site drainage and runoff control, and timely revegetation of disturbed areas of the site. All land surface disturbed by construction or soil erosion must be satisfactorily revegetated with plant materials that establish immediate soil stabilization and blend with the adjacent landscape areas. The builder shall adhere to the grading, erosion control and revegetation plans submitted to the DRB during the design review process. Specific methods of erosion control should be determined based on the specific characteristics of the site, but in all cases shall include the following:

1. Measures to control ground water and surface water run-off
2. Temporary measures to retain all eroded soil material on site during construction
3. Measures to permanently stabilize all disturbed slopes and drainage features upon completion of construction

Soil surfaces shall be temporarily rough graded in order to control ground water and surface water run-off. Concentrated storm water shall not be allowed to flow down cut or fill slopes unless contained in an adequate

channel, flume or slope drain structure. Eroded soil material may be retained on site by using vegetated buffer strips, straw bale dikes, silt fences, sediment traps and sediment basins. These elements shall be in place before disturbance takes place.

Recommended standards for these methods include:

Sod Buffer Strips	Maximum slope length of 50'
	Maximum slope of 6:1 (17%)
Straw Bale Barrier or Silt Fence	Maximum drainage area is 1/3 acre per 100 feet of barrier
	Maximum slope length is 150'
	Maximum slope is 2:1 (50%)
Sediment Trap	Maximum drainage area is 5 acres
	Must provide 1,800 cubic feet of storage per acre
Sediment Basin	Must provide 1,800 cubic feet of storage per acre of drainage area
	Outlet capacity shall be 15 gallons per minute per acre of drainage area.

Methods to permanently stabilize soil at final grade include seeding, mulching, use of erosion control mats, blankets and nets. Temporary surface roughening, seeding and mulching may be required to stabilize stockpiles and disturbed areas not yet at final grade.

A mixture of approved seed mixes and shrubs shall be used to reclaim the final landscapes. Each seed mix is dominated by native grasses. Introduced native grasses have been included to quickly colonize reducing erosion.

These species are generally short-lived or unaggressive and will not impact the establishment of preferred native species. Refer to Appendix B - Table 1: Approved Species for Seed Mixes for a list of requirements. Shrubs of various sizes shall be introduced to recreate the indigenous texture of the site. The applicant is responsible for submitting photographs of all areas to be disturbed to the DRB with the Construction Management Plan. All areas to be revegetated shall be restored to create a landscape with texture using a mixture of plantings. The DRB may require additional plantings in areas with drainage swales, steep slopes and/or other sparse conditions.

## **5.8 VEHICLES AND PARKING AREAS**

Construction vehicles, heavy equipment and construction workers shall park only in areas approved by the DRB and Public Safety/ Community Operations representative at the on-site pre-construction meeting. Construction and workers' vehicles shall not be parked on other lots, open space areas, cul-de-sac and Beard Creek Trail, without prior written approval by the DRB (See Appendix D, Section D 4.3.1- Access and Parking).

## **5.9 CONSTRUCTION EQUIPMENT, MATERIALS, TRASH AND DOGS**

The general contractor shall be responsible for maintaining a clean job site at all times, including any trash and debris along the adjacent roadways and properties. All construction material shall be stored in a designated materials storage area. At the end of each day of construction, all debris and related material shall be deposited in dumpsters or other suitable storage devices. Said dumpsters shall be emptied on a weekly or as needed basis. The location of the materials storage area and dumpster shall be indicated on the Construction management plan and shall be located to minimize the visual impact from adjacent properties and roadways. A bear proof trash container is required on all construction sites for all food trash. Contractors are prohibited from bringing dogs to any job site at the Cordillera Valley Club.

## **5.10 TEMPORARY STRUCTURES AND SANITARY FACILITIES**

A small field office, or temporary construction trailer may be placed on the site during construction. In addition, a temporary storage shed or out-building may be used for storage of materials and supplies while the project is under construction. Contractors are responsible for delivery, unloading and storage of all construction materials. Temporary buildings shall be in good condition and may not be used at any time for residence, either temporary or permanent. The location of all temporary structures shall be indicated on the construction management plan. All temporary structures shall be removed from the site within thirty (30) days after completion of the permanent building and prior to the issuance of a final Certificate of Occupancy.

The general contractor shall be responsible for providing temporary enclosed chemical toilets during the construction process. Portable toilets shall be located on the site and shall be screened from view and located away from neighbors. There shall be no overhead temporary power lines. In order to minimize impacts on existing roadways, temporary driveways constructed of road base or gravel shall be installed at each construction site at the commencement of construction.

All projects shall include a construction sign as described in the Cordillera Valley Club Construction Rules and Regulations. Temporary construction signs require approval of the DRB, shall be placed on the site at the time of the pre-construction meeting, and shall be removed upon request by DRB, either within one month after occupancy of owner, or within two weeks after owner obtains Letter of Compliance.

# 6 DESIGN REVIEW PROCESS

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## 6.1 GOVERNING REGULATIONS

All site development and improvements constructed within the Cordillera Valley Club shall conform with the following design review and construction procedures and all other applicable local, county, state and federal governing codes, regulations and restrictions. Please refer to Appendix D - Cordillera Valley Club Construction Rules and Regulations, which supplement these Design Guidelines.

It is the responsibility of the owner and the architect to become familiar with all regulations and requirements applicable to development in the Cordillera Valley Club, and to secure copies of the most up-to-date versions of all applicable regulations. The following list of codes, regulations and other documents are provided for informational purposes only, and serve as examples of other governing regulations that may or do apply to the Cordillera Valley Club:

- The Cordillera Valley Club Planned Unit Development Document
- Declaration of Covenants, Conditions, Restrictions and Easements for the Cordillera Valley Club
- Cordillera Valley Club Construction Rules and Regulations
- Eagle County Land Use Regulations
- International Residential Code
- Uniform Mechanical Code
- Uniform Plumbing Code
- National Electrical Code
- Uniform Fire Code
- NFPA 101 Life Safety Code
- ANSI A117.1 – Accessibility Standards for Buildings and Facilities
- Eagle County Wildfire Regulations

## 6.2 FIVE STEP REVIEW AND CONSTRUCTION PROCESS

The following pages outline the five major steps in the design review and construction process. Please refer to Appendix D - Cordillera Valley Club Construction Rules and Regulations for additional information.

- Step One: Pre-Design Meeting
- Step Two: Sketch Plan Review
- Step Three: Final Plan Review
- Step Four: Technical Review
- Step Five: Inspections

Design Review fees shall be submitted to the DRB in order to defray the cost of reviewing submittals and for site and building inspections. DRB staff has the discretion to determine an appropriate application fee if more time is expended by staff for the review of the application. Refer to Appendix C - Fee and Deposit Schedule for a comprehensive list of submittal fees.

The DRB may impose additional fees for any project having more than two Sketch Plan reviews and two Final Plan Reviews. Fees may be charged for the second Sketch Plan review or second Final Plan Review if the plan re-submitted was not modified from the previously denied submittal.

A Compliance Deposit will be submitted with the Tech Review Application. The Compliance Deposit shall be returned to the owner upon a successful final inspection and issuance of a Letter of Compliance minus any fines or charges imposed by the DRB. All fees shall be payable to the Cordillera Valley Club Property Owners Association (CVC POA). The plans will be stamped by the DRB after the Technical Review is completed, all fees and deposits are paid and the Compliance Agreement is signed by the owner. Refer to Appendix C - Fee and Deposit Schedule for additional information on fee and deposit requirements.

The Cordillera Valley Club Design Review Board meetings shall be held on the 2nd Tuesday of the month. The submittal cut-off date shall always be the 4th Thursday of the month following the previous board meeting for the next board meeting. All submittals must be received prior to 5:00 p.m. There shall be no exceptions. There is a cut-off for the amount of submittals that will be accepted, please contact the Design Review Board Administrator for availability. Modifications (improvements or re-models to an already existing structure or a structure under construction) may be submitted up to the Thursday prior to the desired meeting date.

All architectural construction drawings shall be prepared and stamped by a licensed architect. The architect's license must be valid in the United States and eligible for licensing in the State of Colorado. Landscape plans shall be drawn by a licensed landscape architect (must be licensed, or be eligible to be licensed as of 1/1/2008), and must include their landscape architect block. A complete set shall include the most current stamped and signed topographic survey, by a licensed surveyor, for Steps 1-4.

Incomplete submittals, submittals not stamped by a licensed architect, or submittals not presented with the required number of complete and stapled sets will be denied, by staff, in writing, within 48 business hours upon delivery to the DRB office (USPS not Accepted):

CVC Design Review Board Administrator  
c/o VAg, Inc. Architects and Planners  
90 Benchmark Rd. Suite 202  
Avon CO 81620

If denied, the applicant may re-submit for the next available meeting date.

### **6.2.1 STEP ONE: PRE-DESIGN MEETING**

Step One in the design review and construction process is for the owner and their design team to submit for a Pre-Design meeting with the Design Review Board. The purpose of this meeting is to discuss the Cordillera Valley Club Design Guidelines and the owner's development objectives. It is required that the owner's design team attends the Pre-Design meeting. Upon submittal of an application for pre-design of a new house, or a modification

to an existing structure or improvement, the Design Review Board Administrator may require the owner to provide notice to adjacent property owners. Refer to form K.3 for additional information on notification requirements.

The Pre-Design meeting may include a walking tour of the site to review specific site characteristic and opportunities, upon DRB request the site will staked for review.

The pre-design meeting will address the following issues:

- A rough site plan, rough elevation spot call-out, photos of the site and a topographic survey will be required
- Property boundaries and building envelope
- Utilities and easements
- Architectural design theme, site planning and landscape design regulations
- Site specific characteristics and design opportunities; review of the Individual Lot Diagram
- Preliminary design concepts
- Design review and approval process
- Construction process and Compliance Deposit
- Other relevant design considerations and regulations
- Review Model Requirements for the Sketch Plan Review

### **6.2.2 STEP TWO: SKETCH PLAN REVIEW**

Step Two in the design review and construction process is Sketch Plan Review. The purpose of the Sketch Plan review is to address the design of the proposed site, building and landscape improvements. A minimum 7 days prior to the sketch plan review, the Owner/ Applicant shall have the site staked to indicate lot corners, building envelope corners and the proposed building location. The Owner/ Applicant is responsible for notifying the Design Review Board when the site is staked and ready for review. At, or before, the Sketch Plan Review, the owner is required to provide proof of notification to adjacent property owners (RE: Appendix, K, Form K.3 for notification requirements).

Three full size sets and seven 11" x 17" size sets of the following information are to be submitted to the DRB on the scheduled submittal date:

1. Topographic Survey – must be current and prepared and stamped by a licensed surveyor indicating site contours at two foot (2') intervals, easements, and significant natural features such as a rock outcroppings, drainage, and mature stands of trees (Scale: minimum of 1"=10')
2. Site Plan – indicating property boundaries, building envelope, proposed buildings and structures, driveway and grades, parking areas, snow storage areas, major site improvements, existing and proposed grading and drainage (Scale: minimum of 1"=10'). These plans shall be prepared by a licensed architect or licensed landscape architect.
3. Floor Plans – indicating the general layout of all rooms, approximate size, and total square footage of enclosed space for each floor level (Scale: minimum of 1/8"=1'-0"). These plans shall be prepared by a licensed architect.
4. Exterior Elevations – with sufficient detail to indicate the architectural character of the residence, fenestration and existing and proposed grades. Elevations should also include a description of exterior materials and colors (Scale: same as floor plans). These shall be prepared by a licensed architect.
5. Roof Plan – indicating proposed roof pitch, overhang lengths, flue locations, roofing materials and elevations of major ridge lines and all eave lines (Scale: same as floor plans). These plans shall be prepared by a licensed architect.
6. Site/ Building Sections – indicating building walls, floors and roof relative to the site, including existing and proposed grades, retaining walls and proposed site improvements such as patios, decks, driveways and other landscape features (Scale: minimum of 1/8"=1'-0"). These shall be prepared by a licensed architect.
7. Landscape Plan – indicating all existing landscaping to remain and all existing landscaping to be removed, the location and size of all proposed landscape materials, other proposed improvements such as patios and decks, walkways, retaining walls, landscape walls, fences, and both temporary and permanent measures for slope stabilization and erosion

control. (Scale: minimum of 1"=20') Landscape plans shall be prepared by a licensed landscape architect

In addition, one copy of the following must be provided to the DRB with the submittal application:

1. Eagle County Wildfire Hazard Rating - This must be included with the sketch submission and must be completed by the Eagle County Wildfire Specialist. This document can be a copy.
2. Color photos - 8" x 10" color photos of the existing site and natural landscaping conditions must be provided to the DRB. Photos of the existing landscape of any area to be disturbed during construction are required. The owner is responsible for all photo documentation and will be responsible for restoring the site to its natural texture and density, at a minimum, before the Compliance Deposit will be released.
3. Verification of Notification to Adjacent Neighbors (RE: Appendix K, Form K.3 for additional information on notification requirements).

The review fee must be submitted with the Sketch Plan Review Application. Upon receipt of the Sketch Plan submittal, the Design Review Board will notify the owner within five days of the date, location and time of the meeting at which the sketch plan will be formally reviewed.

The owner and/or owner's representative shall attend the meeting to present the proposed project to the Design Review Board and to address any questions regarding the project. The Design Review Board will notify the owner in writing of its findings. Applicants who receive Sketch Plan approval may submit plans for Final Review. In the event the Design Review Board rejects the proposed Sketch Plan, the applicant may revise their plans and resubmit to the Design Review Board. A fee will be charged for the second Sketch Plan Review if a submittal was not approved, was resubmitted, and the plan submitted was not modified from the previously denied submittal. A fee may be charged for every additional Sketch Plan review meeting beyond two required by a project. If, after a second review by the DRB, the sketch plan is denied, the applicant may appeal the decision of the DRB to the Cordillera Valley Club Property Owners Association Executive Board. Said appeal must be filed within ten (10) days of the DRB's decision.

### 6.2.3 STEP THREE: FINAL PLAN REVIEW

*Note: A licensed Civil Engineer must review, approve and stamp the final Landscape Plan and Erosion Control & Revegetation plan.*

Step Three in the design review and construction process is the Final Plan Review. Upon approval of the sketch plan, the owner/ architect shall submit three full size sets and seven 11" x 17" size sets of the following documents to the Design Review Board for Final Plan Review by the submittal date prior to a scheduled Design Review Board meeting:

1. Topographic Survey - must be current and prepared and stamped by a licensed surveyor indicating site contours at 2' intervals, easements, and significant natural features such as rock outcroppings, drainages, and mature stands of trees (Scale: minimum of 1"=10').
2. Site Plan – indicating proposed building footprint, building envelope, site boundaries and easements, existing and proposed contours, utility locations, site drainage, retaining walls, proposed driveways and grades, parking areas, snow storage areas, walkways, patios, terraces, utility lines and connections, and any other proposed improvements (Scale: minimum of 1"=20'). These plans must be prepared and stamped by a licensed landscape architect.
3. Landscape Plan – indicating all existing landscaping to remain and all existing landscaping to be removed, specifically identifying all trees greater than 3" in diameter to be removed; a planting plan with proposed plant materials identified by common and botanical names and size and with plant installation specifications and instructions; type and location of irrigation system; the location and size of all other proposed landscape materials such as retaining walls, patios and decks, walkways, walls and fences, and specifications for seeded areas including seed mix, mulch and fertilizer type, and application method and schedule. The area of land covered by spray irrigation shall be calculated and listed, by square foot, on the landscape plan (Scale: 1"=20' minimum). Landscape plans shall be prepared by a licensed landscape architect, and must be reviewed, approved, and stamped by a licensed civil engineer.
4. Lighting Plan - indicating the location and total wattage of all exterior light fixtures on both the residence and within the landscape
5. Floor Plans – dimensioned plans indicating roof size, room names and sizes, the location of doors and windows, the location of mechanical and electrical systems, and total square footage of the residence by floor level (Scale: minimum of ¼"=1'-0"). These plans shall be prepared and stamped by a licensed architect.
6. Roof Plan – indicating roofing materials, pitch, overhangs, gutter and downspout locations, and projections and penetrations located above roof, such as mechanical vents and chimneys (Scale: same as floor plans). These plans shall be prepared and stamped by a licensed architect.
7. Exterior Elevations – indicating exterior appearance of all elevations including materials and colors, fenestration, textures and finishes, architectural details, shadow patterns and finished grade (Scale: same as floor plans). These plans shall be prepared and stamped by a licensed architect.
8. Building Sections – indicating floors, exterior walls and roof, existing and finished grade, decks and patios, and other pertinent information to demonstrate the relationship between the exterior and interior of the residence (Scale: same as floor plans). These plans shall be prepared and stamped by a licensed architect.
9. Building Height Calculation – Submit drawing indicating building footprint, Roof Plan configuration and grading. Drawing shall note all ridge lines with their associative elevations to the top of finished roof system, relative to existing topography. Provide all existing and proposed grading (existing grade shall be represented completely beneath the Roof Plan and building footprint background). Contour lines shall be shown at a minimum two foot (2') interval.
10. Stone Calculation – Each home requires a minimum 35 % percentage of wall surface to be stone. Determine the entire vertical wall surface (including that covered with stone) for all full and partial elevations around the building. (Columns, piers, and any element attached to the building structure may be factored in. Attached retaining walls are not included.) From the total above, subtract the area of window surface on all elevations (yields the total area of opaque wall surface). Determine from the remaining wall surfaces what area is dedicated to stone. Calculate the percentage of stone by dividing the total area of stone wall surface by the total area of overall opaque wall surface. Provide these

calculations on elevation drawing sheets and include with the full set of project drawings.

11. Model - indicating the buildings three-dimensional form, scale and massing, and relationship to the site (Scale: minimum of 1/16"=1'-0"). Must be brought to the meeting.
12. Details – provide descriptions and drawings in sufficient detail to demonstrate the architectural character of the building, exposed structural connections, material interfaces, etc.
13. Exterior Finish – samples indicating type, color and texture of all exterior materials. Must be brought to the meeting.
14. Specifications – provide written specifications and/or cut sheets for the following items: exterior wall materials, windows and exterior doors, exterior trim materials, wall and roof flashing, fireplace and flue caps, and exterior lighting fixtures.
15. Erosion Control and Revegetation Plan – indicating the means and time schedule by which the prevention of soil erosion will be addressed during and after construction, revegetation of cut and fill slopes, methods of controlling surface water, siltation control devices, vehicular access points, and location of soil storage areas and stabilization measures (Scale: minimum of 1"=20'). This plan must be reviewed, approved, and stamped by a licensed civil engineer.
16. Proposed Construction Schedule and Construction Management Plan – provide approximate time schedule of start-up and completion dates for construction, utility hook-up, and completion of landscaping and anticipated occupancy date. The Construction Management Plan shall identify a Limits of Disturbance Zone, an area within which all construction activities will be limited. In addition to the Limits of Disturbance Zone, this plan shall indicate the location of access drives and parking, temporary structures/ trailers, chemical toilet, dumpsters, material lay-down and staging areas, and construction sign. In addition, the Construction Management Plan shall indicate all mitigating measures for protecting natural features of the lot during construction. This plan shall be separate from the final landscape and site plans.
17. Perspective Sketches – architectural rendering(s) from pedestrian level

representing the primary public exposure of the building, building form and mass; fenestration; exterior materials, colors, textures and shadows; exterior character and detailing; and surrounding vegetation and landscape features.

18. Proof of Notification (RE: Appendix K, Form K.3 for additional information on notification requirements).
19. PDF of the Site Plan - to scale; if any modifications are made to the Site Plan, at any time, a new PDF must be submitted to the DRB Staff.

A minimum 7 days prior to the sketch plan review, the Owner/ Applicant shall have the site staked to indicate lot corners, building envelope corners and the proposed building location. The Owner/ Applicant is responsible for notifying the Design Review Board when the site is staked and ready for review.

Upon receipt of the Final Plan submittal, the Design Review Board will notify the owner of the date, location and time of the meeting at which the Final Plan will be formally reviewed. The owner and/or owner's representative shall attend the meeting to present the proposed project to the Design Review Board and to address any questions regarding the project. The Design Review Board will notify the owner in writing of its findings at the meetings.

Applicants who receive Final Plan approval may proceed with the preparation of construction drawings. In the event the Design Review Board rejects the proposed Final Plan, the applicant may revise their plans and resubmit to the Design Review Board. If, after a second review by the DRB, the Final Plan is denied, the applicant may appeal the decision of the DRB to the Cordillera Valley Club Property Owners Association Executive Board. Said appeal must be filed within ten (10) days of the DRB's decision. The DRB may impose additional fees for any project having more than two Sketch Plan reviews and two Final Plan Reviews. Fees may be charged for the second Sketch Plan review or second Final Plan Review if the plan re-submitted was not modified from the previously denied submittal.

#### **6.2.4 STEP FOUR: TECHNICAL REVIEW**

Step Four in the design review and construction process is the submittal and review of construction drawings. Construction drawings shall be submitted to the Design Review Board following Final Plan approval. A comprehensive set of construction drawings shall include, but not be limited to, stamped structural drawings and everything listed under Final Plan Review including the licensed architect's stamp.

At the time construction management plans are submitted, the Compliance Deposit and the signed and dated Compliance Agreement shall also be submitted. No final approval to commence with construction shall be issued until these deposits have been submitted to the DRB and the mandatory on-site pre-construction meeting with the general contractor and/or project superintendent, and a representative of the DRB, and Public Safety/Community Operations has been completed. The purpose of this meeting is to review the construction management plan and to discuss construction related issues.

The purpose of the Technical Review is to ensure that all aspects of the final construction drawings are consistent with the plans approved by the DRB at the Final Plan Review and as a final technical review for compliance with the Design Guidelines and other rules and regulations affecting construction within the Cordillera Valley Club. Step Four requires a mandatory on-site pre-construction meeting with the DRB Staff. This meeting counts as the first inspection. If construction drawings are consistent with the approved Final Plans and address all prior DRB comments, the DRB shall notify the owner within two weeks and in writing of its approval. Construction drawings that deviate from approved Final Plans shall be rejected. In such cases, the DRB shall provide a written statement describing why the proposed construction drawings were not approved. The architectural construction drawings shall be prepared and stamped by a licensed architect. Structural drawings shall be prepared by a licensed engineer.

#### **6.2.5 STEP FIVE: INSPECTIONS**

Step Five in the design review and construction process requires five inspections. All Cordillera Valley Club owners agree to allow site access to the DRB or its representative to inspect all work in progress at any time during construction, and when required, to give notice to the owner of non-compliance. Absence of such inspections or notification during the construction period shall not imply approval of the work in progress or compliance with these Design Guidelines. The owner/ builder is responsible for scheduling inspections and receiving written approvals from the Design Review Board at five critical stages, one just prior to construction and four during construction (See Appendix D- Cordillera Valley Club Construction Rules and Regulations). Inspections by the DRB are independent of the periodic inspections required by the Eagle County Building Department.

### **6.3 MODIFICATIONS TO APPROVED PLANS**

All changes to any part of the DRB approved plans shall be submitted to the DRB Administrator. Failure to submit modifications may result in a cease construction notice and/or loss of the owner's Compliance Deposit. There is no fee for modifications submitted during the initial construction process. Modifications undertaken after construction is complete will be subject to fees. Modifications include exterior changes to any structure, landscape or site. Approval must be granted, in writing, by the DRB before the modification work may commence. Refer to Section 3.15 and Section 6.6 for additional information on Modifications to an Existing Structure or Landscape Plan. Refer to Appendix C - Fee and Deposit Schedule for a list of applicable fees.

## 6.4 APPEAL PROCESS

Applicants (or any affected party, such as a neighboring property owner) may appeal a decision made by the DRB by submitting a written appeal within ten (10) days of the DRB's decision. The initial appeal of a DRB decision shall be considered by the DRB, provided however, that such appeal shall be considered no sooner than ten days after the initial DRB decision. The intention of this ten day period is to allow the applicant an opportunity to consider the comments of the DRB and to develop design solutions that are consistent with these Design Guidelines and the direction of the Board. The DRB will review the applicant's appeal and render a decision at the next regularly scheduled meeting. The decision will then be relayed to the applicant within ten days of the DRB meeting.

Following a second review by the DRB, any applicant aggrieved by a decision of the Design Review Board may appeal the decision to the Executive Board of the Cordillera Valley Club Property Owners Association. Such appeal shall be in writing and shall be filed within ten (10) days after the decision of the DRB. In the event the decision of the Design Review Board is overruled by the Executive Board, the prior decision of the DRB shall be deemed modified to the extent specified by the Executive Board and, for purposes of this Declaration, such decision, as so modified shall thereafter be deemed the decision of the DRB.

## 6.5 EAGLE COUNTY REVIEW AND APPROVAL

The Cordillera Valley Club design review and construction process is required of all development within the Cordillera Valley Club Planned Unit Development. This process complements, rather than supplements, the plan review and approval process of Eagle County, Colorado. Approval of project design and/or construction methods by the Cordillera Valley Club Design Review Board shall not substitute for, or be misconstrued as, approval by Eagle County. Accordingly, the owner/ architect/ builder shall be responsible for meeting all requirements and regulations of Eagle County related to project development. Specific requirements may be obtained from the Eagle County Department of Community Development.

## 6.6 MODIFICATIONS OF EXISTING IMPROVEMENTS

Any exterior modification to an existing structure or landscaping plan is subject to review and approval by the DRB. Such modifications include, but are not limited to, remodeling the exterior of the building, refinishing the exterior of a building with a different color, adding square footage to the building, altering existing landscaping, addition of recreational equipment or a satellite dish, addition of solar or any other mechanical equipment, and the removal and/or addition of trees or plant materials on the property. Applicable fees will be charge. Refer to Appendix C - Fee and Deposit Schedule. The following procedures apply:

- Owner shall apply to the DRB, and submit drawings or 8" x 10" photos of existing conditions, and drawings of the proposed modification, and pay the applicable fee.
- Prior to acting on a proposal for a modification, the applicant for the modification shall notify all adjoining property owners prior to the scheduled meeting with the DRB. Refer to Appendix K, Form K.3 for notification procedures. Any comments and concerns of adjoining owners will be directed to the DRB. These comments will be considered by the DRB when making the decision to approve or disapprove the proposed modification.
- Depending on the size and scope of the Modification Plan, DRB staff may approve the plan, or the plan may be reviewed by DRB during a regularly scheduled meeting of the DRB. The DRB reserves the right, based on the scope of the project, to request that some or all elements of the home be brought into compliance with the current Design Guidelines.
- All procedures defined in these Design Guidelines apply to approved Modification Plans, including Section 5 - Construction Regulations, Section 6 - Design Review Process, and Appendix D - Cordillera Valley Club Construction Rules and Regulations.
- Modification Plans may or may not be subject to Eagle County review and approval. It is the responsibility of the Owner to obtain all required Eagle County approvals and permits for construction. Refer to Section 6.3 for additional information on modifications to an approved plan.

# 7 DESIGN REVIEW BOARD & ORGANIZATION

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## 7.1 DESIGN REVIEW BOARD MEMBERSHIP

The Cordillera Valley Club Design Review Board (DRB) shall consist of three to five members appointed by the Executive Board of the Cordillera Valley Club Property Owners Association. In the event the DRB consists of three members, then two members shall constitute a quorum to transact any business of the DRB. In the event the DRB consists of four or five members, then three members shall constitute a quorum. At its discretion, the Executive Board may designate an alternate member of the DRB to substitute for any regular member unable to be present at regularly scheduled meetings. Members of the DRB need not be members of the Cordillera Valley Club Property Owners Association.

The regular term of office for each member shall be one year, coinciding with the fiscal year of the Association. Any member may be removed by the Executive Board at any time by written notice to such appointee. A successor to fill such vacancy shall serve the remainder of the term of the former member. Any member of the DRB may at any time resign upon written notice delivered to the Executive Board.

## 7.2 DUTIES AND POWERS

All plans for site preparation, building construction, landscaping and site modifications, modifications to the exterior of buildings, alterations or enlargement of an existing structure, paving, fencing, sign erection or other improvements must receive written approval from the DRB. Approval from the DRB must be received prior to initiating any of the above activities. Alterations or remodeling of existing improvements which are completely within a building or structure and which do not change the exterior appearance of a structure may be undertaken without DRB approval.

During the construction process, no changes, alterations or additions to any plan or specifications shall be made prior to obtaining written approval by the DRB.

The DRB shall rely on and have the right to interpret the Design Guidelines contained herein as the primary basis for evaluating development proposals. The obligations and standards for DRB review are provided in Article XVI of the Declaration of Covenants, Conditions, Restrictions and Easements for the Cordillera Valley Club.

The DRB or its designated representative may monitor any approved project to the extent required to insure that the construction or work on such project complies with any and all plans and construction procedures. The DRB or its designated representative may enter upon any property at any reasonable time to inspect the progress, work status, or completion of any project. In addition to the enforcement of these guidelines, the DRB may withdraw approval of any project, and require all activity at such project to cease and desist if deviations from approved plans or construction procedures are not corrected or reconciled within 24 hours after written notification to the owner specifying such deviations. Any material to be submitted or notice given to the DRB shall be submitted at the office of the DRB.

## 7.3 OPERATING PROCEDURES

The DRB shall select its own chairman and vice-chairman from among its members. The chairman, or in his or her absence the vice-chairman, shall be the presiding officer of the DRB meetings. In the absence of both the chairman and the vice-chairman, the members present shall appoint a member to serve as acting chairman. Meetings shall be held upon call of the chairman or vice-chairman. All meetings shall be held in Eagle County.

Dependent on the number of appointed board members, two or three members shall constitute a quorum for the transaction of all business. The affirmative vote of a quorum of the members of the DRB shall constitute the action of the DRB on any matter before it. An alternate member may participate at any meeting at which there is not a quorum and shall have all of the full authority of a regular member. The presence of an alternative

member counts towards achieving a quorum vote, just as the vote of a regular member would. In the absence of a quorum, DRB meetings shall be adjourned to a later time or date as determined by the chairman.

#### **7.4 DESIGN REVIEW FEES AND COMPLIANCE DEPOSITS**

The Executive Board established a design review fee to defray the costs of reviewing applications submitted to the DRB. The DRB may impose additional fees for any project having more than two Sketch Plan Reviews and/or more than one Final Review. A fee will be charged at the second Sketch Plan Review or Final Plan Review if a submittal was not approved, was resubmitted, and the plan submitted was not modified from the previously denied submittal. A Compliance Deposit (for New Construction) shall also be required in order to guarantee compliance with construction regulations and the completion of all improvements as proposed and approved. A Compliance Deposit is required for any exterior modification of existing structures or landscaping. Finally, additional escrowed funds in an amount sufficient to guarantee completion of proposed landscaping or other site work may be required if a Letter of Compliance is requested prior to the completion of landscaping and site improvements. All fees and deposits shall be payable to the Cordillera Valley Club Property Owners Association. Refer to Appendix C for the current Fee and Deposit Schedule.

Failure to show up to a DRB meeting, or pre-construction meeting may result in additional fees. Failure to have a site completely finished (including removal of all construction materials) at Final Inspection and the scheduling of more than three meetings with the DRB for the review process may also result in additional fees. Fines for non-compliance will be determined by the DRB.

#### **7.5 DESIGN CONSULTANTS**

The DRB is authorized to retain the services of one or more consulting architects, landscape architects or land planning consultants to advise and assist the DRB in performing design review functions. Such consultants may be retained to assist the DRB on a single project, on a number of projects or on a continuing basis. The applicant will be notified if the DRB feels it is necessary to hire any additional consultants and the costs of such services shall be borne by the applicant.

#### **7.6 AMENDMENTS OF DESIGN GUIDELINES**

The Cordillera Valley Club Design Guidelines may be amended from time to time by a majority vote of the DRB. All such additions, revisions or other amendments shall be appended to and made part of the Cordillera Valley Club Design Guidelines and shall, therefore, have the same force and effect. Each owner is responsible for obtaining the most current set of Design Guidelines from the DRB.

#### **7.7 ENFORCEMENT**

The DRB shall have primary responsibility for the enforcement of the Cordillera Valley Club Design Guidelines and restrictions set forth herein. Authority of the DRB shall be as outlined in the Declaration of Covenants, Conditions, Restrictions and Easements for the Cordillera Valley Club.

# APPENDIX A - LOT DEVELOPMENT STANDARDS

LOT	LOT SIZE	MAXIMUM ALLOWABLE DEVELOPMENT	MAXIMUM BUILDING HEIGHT	LOT	LOT SIZE	MAXIMUM ALLOWABLE DEVELOPMENT	MAXIMUM BUILDING HEIGHT
<b>FILING #1</b>				<b>FILING #2</b>			
1	.552 ac	Single family	35'	1	1.608 ac	Single family/caretaker	35'
2	.540 ac	Single family	35'	2	.862 ac	Single family/caretaker	35'
3	.862 ac	Single family	35'	3	.871 ac	Single family/caretaker	35'
4	.788 ac	Single family	35'	4	.916 ac	Single family/caretaker	35'
5	.938 ac	Single family/caretaker	35'	5	.932 ac	Single family/caretaker	35'
6	.894 ac	Single family/caretaker	35'	6	1.464 ac	Single family/caretaker	35'
7	.984 ac	Single family/caretaker	35'	7	2.033 ac	Single family/caretaker	35'
8	.999 ac	Single family/caretaker	35'	8	1.559 ac	Single family/caretaker	35'
9	.839 ac	Single family/caretaker	35'	9	.953 ac	Single family/caretaker	35'
10	.886 ac	Single family/caretaker	35'	10	1.183 ac	Single family/caretaker	35'
11	1.007 ac	Single family/caretaker	35'	11	.746 ac	Single family/caretaker	35'
12	.861 ac	Single family/caretaker	35'	12	.934 ac	Single family/caretaker	35'
13	.835 ac	Single family/caretaker	35'	13	1.094 ac	Single family/caretaker	35'
14	.890 ac	Single family/caretaker	35'	14	1.403 ac	Single family/caretaker	35'
15	.799 ac	Single family/caretaker	35'	15	.634 ac	Single family	35'
16	.768 ac	Single family/caretaker	35'	16	.571 ac	Single family	35'
17	.678 ac	Single family	35'	17	.414 ac	Single family	35'
18	.904 ac	Single family	35'	18	.355 ac	Single family	35'
19	1.048 ac	Single family	35'	19	.428 ac	Single family	35'
20	1.653 ac	Single family/caretaker	35'	20	.419 ac	Single family	35'
21	1.358 ac	Single family/caretaker	35'	21	.361 ac	Single family	35'
22	.500 ac	Single family/caretaker	35'				

LOT	LOT SIZE	MAXIMUM ALLOWABLE DEVELOPMENT	MAXIMUM BUILDING HEIGHT
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### FILING #3

1	.586 ac	Single family	35'
2	.686 ac	Single family	35'
3	.634 ac	Single family	35'
4	.509 ac	Single family	35'
5	.794 ac	Single family	35'
6	.961 ac	Single family	35'
7	1.229 ac	Single family	35'
8	1.195 ac	Single family	35'
9	.860 ac	Single family	35'
10	1.118 ac	Single family	35'

### FILING #4

1	.435 ac	Single family	35'
2	.483 ac	Single family	35'
3	.479 ac	Single family	35'
4	.201 ac	Open Space	
5	.766 ac	Single family/caretaker	35'
6	.522 ac	Single family	35'
7	.453 ac	Single family	35'
8	.351 ac	Single family	35'
9	.377 ac	Single family	35'
10	.401 ac	Single family	35'
11	.613 ac	Single family	35'
12	.501 ac	Single family	35'
13	.300 ac	Single family	35'
14	.356 ac	Single family	35'
15	.439 ac	Single family	35'
16	.385 ac	Single family	35'
17	.397 ac	Single family	35'

LOT	LOT SIZE	MAXIMUM ALLOWABLE DEVELOPMENT	MAXIMUM BUILDING HEIGHT
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### FILING #5

1	The Legends Enclave		35'
2	The Legends Enclave		35'
3	The Legends Enclave		35'
4	The Legends Enclave		35'
5	The Legends Enclave		35'
6	The Legends Enclave		35'
7	The Legends Enclave		35'

### FILING #6

1	The Sanctuary Enclave		35'
2	The Sanctuary Enclave		35'
3	The Sanctuary enclave		35'
4	The Sanctuary Enclave		35'
5	The Sanctuary Enclave		35'
6	The Sanctuary Enclave		35'
7	The Sanctuary Enclave		35'
8	The Sanctuary Enclave		35'
9	The Sanctuary Enclave		35'
10	The Sanctuary Enclave		35'
11	The Sanctuary Enclave		35'
12	The Sanctuary Enclave		35'
13	The Sanctuary Enclave		35'
14	The Sanctuary Enclave		35'

LOT	LOT SIZE	MAXIMUM ALLOWABLE DEVELOPMENT	MAXIMUM BUILDING HEIGHT
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**FILING #7**

1	Seven Eagles Enclave		35'
2	Seven Eagles Enclave		35'
3	Seven Eagles Enclave		35'
4	Seven Eagles Enclave		35'
5	Seven Eagles Enclave		35'
6	Seven Eagles Enclave		35'
7	Seven Eagles Enclave		35'

**FILING #8**

1	Fall Creek Enclave		35'
2	Fall Creek Enclave		35'
3	Fall Creek Enclave		35'
4	Fall Creek Enclave		35'
5	Fall Creek Enclave		35'
6	Fall Creek Enclave		35'
7	Fall Creek Enclave		35'

LOT	LOT SIZE	MAXIMUM ALLOWABLE DEVELOPMENT	MAXIMUM BUILDING HEIGHT
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**FILING #9**

1	.51 ac	Single Family	35'
2	.50 ac	Single Family	35'
3	.51 ac	Single Family	35'
4	.57 ac	Single Family	35'
5	.50 ac	Single Family	35'
6	.50 ac	Single Family	35'
7	.52 ac	Single Family	35'
8	.58 ac	Single Family	35'
9	.50 ac	Single Family	35'
10	.50 ac	Single Family	35'
11	.52 ac	Single Family	35'
12	.54 ac	Single Family	35'
13	.55 ac	Single Family	35'
14	.67 ac	Single Family	35'
15	.58 ac	Single Family	35'
16	.51 ac	Single Family	35'
17	.397 ac	Single Family	35'
18	.59 ac	Single Family	35'
19	.63 ac	Single Family	35'
20	.60 ac	Single Family	35'
21	.78 ac	Single Family	35'
22	.87 ac	Single Family	35'

# APPENDIX B - APPROVED LANDSCAPE MATERIALS

**TABLE 1 - APPROVED SPECIES FOR SEED MIXES**

*Table 1. Due to the similarity of the understory of the big sagebrush and juniper woodland communities, one approved seed mix has been developed for reclaiming disturbed areas in both these communities. The seed mix is dominated by native species characteristic to these communities. The seed mix used for revegetation of disturbed areas of the site shall be composed of plants only in the Approved Species for Seed Mixes below.*

**Seeding Rates:**

\* Hydroseed at 20lbs/acre or Hand Broadcast at 40lbs/acre

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>VARIETY</u>
<b>SHRUBS</b>		
Artemisia tridentata		
ssp. vaseyana	Mountain big sagebrush	
Chrysothamnus viscidiflorus	Rubber rabbitbrush	
Purshia tridentata	Bitterbrush	
<b>Other Shrubs</b>		
Cercocarpus montanus	Mountain mahogany	
Chrysothamnus viscidiflorus	Douglas rabbitbrush	
Rosa woodsii	Woods rose	
<b>Sub-shrubs</b>		
Artemesia frigida	Fringed sage	
Eriogonum umbellatum	Sulphur flower	
Mahonia repens	Oregon grape	

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>VARIETY</u>
<b>Grasses</b>		
Agropyron trachycaulum	Slender wheatgrass	Primar
Agropyron spicatum	Bluebunch wheatgrass	Paloma
Oryzopsis hymenoides	Indian ricegrass	
Sitanion hystrix	Squirreltail	
Stipa lettermanii	Letterman needlegrass	
<b>Other Grasses</b>		
Elymus cinereus	Basin wildrye	
Festuca idahoensis	Idaho fescue	Joseph
Koeleria macrantha	Junegrass	
Poa sandbergii	Sandberg bluegrass	Canbar
Stipa comata	Needle and thread	
Stipa viridula	Green Needlegrass	Lodorm
<b>Forbes</b>		
Balsamorhiza sagattata	Arrowleaf balsamroot	
Linum lewisii	Blue flax	
Sphaeralcea coccinea	Scarlet globemallow	
<b>Other Forbes</b>		
Achillea lanulosa	Western yarrow	
Anaphalis margaritacea	Pearl everlasting	
Heliomeris multiflora	Showy goldeneye	
Ipomopsis aggregata	Scarlet gilia	
Lupinus argenteus	Blue lupine	

## TABLE 2 - APPROVED PLANT MATERIALS FOR OUTSIDE THE BUILDING ENVELOPE ZONE

Table 2. Provides a list of plants appropriate for use outside the building envelope zone. All these plants are native to western Colorado, capable of surviving on the precipitation at the Cordillera Valley Club, and will aesthetically blend with the big sagebrush and juniper woodland communities.

This list has been prepared by morphological class; evergreen trees, deciduous shrubs, evergreen shrubs, ground covers, perennial wildflowers, and grasses to assist planners and property owners in their selections of plants for landscaping, i.e. seed or container stock.

In addition to use outside the building envelopes, all these plants can also be used to produce ornamental plantings within the building envelope zone.

(x)- need 1" moisture every week

(xx)-need .5" moisture every week

(xxx)-need .5" moisture every other week

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>MIN. SIZE</u>
<b>Evergreen Trees</b>		<b>10' Tall</b>
Juniperus monosperma(xx)	One see juniper	
Juniperus scopulorum(xx)	Rocky Mountain juniper	
Pinus edulis(xx)	Pinyon pine	
Pseudotsuga menziesii	Douglas fir	
<b>Deciduous Shrubs</b>		<b>3" Cal.</b>
Amelanchier alnifolia(x)	Saskatoon serviceberry	
Cercocarpus montanus(xxx)	Mountain mahogany	
Chrysothamnus nauseosus(xxx)	Rubber rabbitbrush	
Chrysothamnus viscidiflorus(xxx)	Douglas rabbitbrush	
Gutierrezia sarothrae	Snakeweed	
Krascheninnikovia lanata	Winterfat	

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>MIN. SIZE</u>
Purshia tridentata	Bitterbrush	<b>3" Cal.</b>
Rosa woodsii(xx)	Woods rose	
Symphoricarpos oreophilus(xxx)	Mountain snowberry	
Tetradymia canescens	Horsebush	
<b>Evergreen Shrubs</b>		<b>5 gal.</b>
Artemisia tridentata		
var. tridentata(xxx)	Big sagebrush	
Juniperus communis(xx)	Common juniper	
<b>Ground Cover</b>		<b>5 gal.</b>
Artemisia frigida(xxx)	Fringed sage	
Eriogonum umbellatum	Sulphur flower	
Fragaria americana	Wild strawberry	
Mahonia repens(xx)	Oregon grape	
Penstemon caespitosus	Mat penstenon	
Phlox hoodi	Hoods phlox	
<b>Perennial Wildflower</b>		<b>1 gal.</b>
Achillea lanulosa(xx)	Yarrow	
Anaphalis margaritacea	Pearly everlasting	
Balsamorhiza sagittata	Balsamroot	
Castilleja chromosa	Indian paintbrush	
Castilleja linariifolia	Narrowleaf paintbrush	
Delphinium ramosum(x)	Branched larkspur	
Erysimum asperum	Wallflower	
Gaillardia aristata(xxx)	Blanket flower	
Hedysarum boreale	Northern sweetvetch	
Helenium hoopesii	Orange sneezeweed	
Heliomeris multiflora	Showy goldeneye	
Ipomopsis aggregata	Scarlet gilia	
Lathyrus leucanthus	Peavine	
Linum lewisii	Blue flax	
Lupinus argenteus	Silvery lupine	
Lupinus caudatus	Tailcup lupine	

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>MIN. SIZE</u>
Lupinus sericeus	Silkey lupine	<b>1 gal.</b>
Oenothera caespitosa(xxx)	Evening primrose	
Oxtropis lambertii	Locoweed	
Penstemon osterhoutii(xxx)	Osterhout penstemon	
Penstemon strictus(xxx)	Rocky Mountain penstemon	
Sphaeralcea coccinea	Scarlet globemallow	
Vicia americana	American vetch	

**Grasses (For use in various combinations in seed mixes, or individually as ornamentals.)**

Agropyron dasystachyum	Thickspike wheatgrass
Agropyron smithii	Western wheatgrass
Agropyron spicatum	Bluegrass wheatgrass
Agropyron tachycaulum	Slender wheatgrass
Elymus cinereus	Basin wildrye
Festuca idahoensis	Idaho fescue
Festuca ovina	Sheep fescue
Festuca rubra	Red fescue
Koeleria cristata	Junegrass
Oryzopsis hymenoides	Indian ricegrass
Poa canbyi	Canby bluegrass
Poa sandbergii	Sandberg bluegrass
Sitanion hystrix	Squirreltail
Stipa comata	Needle and thread
Stipa lettermanii	Lettermans needlegrass
Stipa viridula	Green neeegrass

**Ferns**

Adiantum piedatum	Maidenhair fern	<b>5 gal.</b>
Athyrium filix-femina	Lady fern	
Dryopteris filix-mas	Colorado male fern	

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>MIN. SIZE</u>
<b>Vines</b>		<b>5 gal.</b>
Clematis ligusticifoli(x)	Virgin's bower	
<b>Succulents</b>		<b>5 gal.</b>
Echinocereus triglochidiatus	Hedgehog cactus	
Opuntia polycantha	Prickly pear cactus	
Yucca glauca(xxx)	Spanish bayonet	

### TABLE 3 - APPROVED PLANT MATERIALS FOR WITHIN THE BUILDING ENVELOPE

Table 3. Provides a list of plants suitable for use in landscaping around homes within the building envelope zone. All these plants are natives to western Colorado and naturally occur in a variety of communities from sagebrush to the alpine life zones. Thus, many of the high elevation plants will require supplemental water for peak performance.

The diversity in life form, size, shape, foliage, flower color, and flowering periods should be adequate for the most discerning gardener. The ground cover listing includes plants appropriate for rock gardens. Materials other than these listed in Table 3 may be used within the Building Envelope.

(x)- need 1" moisture every week

(xx)-need .5" moisture every week

(xxx)-need .5" moisture every other week

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>MIN. SIZE</u>
<b>Evergreen Trees</b>		<b>10' Tall</b>
Abies concolor	White fir	
Abies lasiocarpa	Subalpine fir	
Picea engelmannii	Engelmann spruce	
Picea pungens	Colorado blue spruce	
Pinus contorta(xx)	Lodgepole pine	
Pinus flexilis(xx)	Limber pine	
Pinus ponderosa(xx)	Ponderosa pine	
<b>Deciduous Trees</b>		<b>3" Cal.</b>
Acer glabrum	Rocky Mountain maple	
Acer negundo	Boxelder	
Populus tremuloides	Quaking Aspen	
Populus angustifolia	Narrowleaf cottonwood	
Quercus gambelii(xxx)	Gambels oak	

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>MIN. SIZE</u>
<b>Deciduous Shrubs</b>		<b>5 gal.</b>
Amelanchier utahensis(x)	Utah serviceberry	
Artemisia cana(xxx)	Silver sagebrush	
Artemisia ludoviciana(xxx)	Prairie sage	
Artemisia nova(xxx)	Black sage	
Ceanothus fendleri	Fendler ceanothus	
Ceanothus velutinus	Snowbrush ceanothus	
Cornus stolonifera	Redosier dogwood	
Ephedra viridis	Green Mormon tea	
Grayia spinosa	Spiny hopsage	
Jamesia americana	Waxflower	
Lonicera involucrata	Bush honeysuckle	
Pachystima myrsinites	Mountain lover	
Potentilla fruticosa	Shrubby cinquefoil	
Prunus americana	American plum	
Prunus virginiana	Chokecherry	
Rhus parviflora	Thimbleberry	
Rhus glabra	Smooth sumac	
Rhus trilobata	Skunkbrush sumac	
Ribes aureum	Golden currant	
Ribes cereum	Wax currant	
Sambucus racemosa	Red elderberry	
Shepherdia argentea	Silver buffaloberry	
Sherperida canadensis	Russet buffaloberry	
Symphoricarpos albus	Common snowberry	
<b>Evergreen Shrubs</b>		<b>5 gal.</b>
Artemisia cana	Silver sagebrush	
Artemisia nova	Black sage	

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>MIN. SIZE</u>
<b>Ground Cover (For use in rock gardens, or other ornamental plantings.)</b>		<b>5 gal.</b>
Antennaria parvifolia	Dwarf pussytoes	
Antennaria rosea	Pussytoes	
Arenaria obtusiloba	Sandwort	
Arctostaphylos uva-ursa	Kinninnik	
Atriplex corrugata	Mat saltbrush	
Draba oligosperma	Few-seeded drab	
Phlox condensata	Phlox	
Phlox multiflora	Phlox	
Sedum lanceolatum	Stonecrop	
Silene acaulis	Moss campion	
Telesonix jamesii	Telesonix	
Townsendia rothrockii	Rothrock's townsend	
<b>Perennial Wildflowers</b>		<b>1 gal.</b>
Androsace septentrionalis var. puberulenta	Rock jasmine	
Aquilegia coerulea	Colorado blue columbine	
Aquilegia elegantula	Red columbine	
Aquilegia formosa	Western columbine	
Arnica cordifolia	Heartleaf arnica	
Asclepias tuberosa(xxx)	Butterfly aster	
Aster chilensis(xx)	Pacific aster	
Aster coloradoensis(xx)	Colorado aster	
Aster engelmannii(xx)	Engelmann aster	
Aster glaucodes(xx)	Blue leaf aster	
Aster novae-angliae(xx)	New England aster	
Campanula rotundifolia(x)	Harebell	
Castilleja sulphurea	Sulphur paintbrush	
Cleome serrulata	Beeplant	
Coreopsis lanceolata(x)	Coreopsis	
Dodecatheon pulchellum	Shooting star	
Echinacea purpurea(x)	Purple coneflower	
Epilobium angustifolium	Fireweed	
Erigeron speciosus(xx)	Showy daisy	

<u>SCIENTIFIC NAME</u>	<u>COMMON NAME</u>	<u>MIN. SIZE</u>
Geranium richardsonii(x)	Richardsons geranium	
Geranium viscosissimum(x)	Wild geranium	
Geum triflorum (xx)	Alpine avens	
Hedysarum boreale	Nothern sweetvetch	
Helenium autumnale(x)	Sneezeweed	
Hymenoxys grandiflora	Old-man-of-the-mountain	
Iris missouriensis	Rocky Mountain iris	
Lupinus perennis	Wild lupine	
Monardo fistulosa	Wild bergamot	
Oenothera biennis(xxx)	Yellow evening primrose	
Oenothera caespitosa(xxx)	White evening primrose	
Oenothera hookeri(xxx)	Hooker evening primrose	
Oenothera pallida(xxx)	Evening primrose	
Penstemon rydbergii(xxx)	Blue mountain penstemon	
Polemonium caeruleum(xx)	Jacob's ladder	
Potentilla hippiana(xx)	Silver cinquefoil	
Ratibida columnifera(xxx)	Prairie coneflower	
Rudbeckia hirta(xx)	Black-eyed susan	
Sisyrinchium montanum	Blue-eyed grass	
Solidago nana(xx)	Goldenrod	
Stanleya pinnata	Prince's plume	
Thermopsis montana	Golden banner	
Verbena stricta	Purple verbena	
<b>Ferns</b>		<b>5 gal.</b>
Adiantum piedatum	Maidenhair fern	
Athyrium filix-femina	Lady fern	
Dryopteris filix-mas	Colorado male fern	
<b>Vines</b>		<b>5 gal.</b>
Clematis ligusticifoli(x)	Virgin's bower	
<b>Succulents</b>		<b>5 gal.</b>
Echinocereus triglochidiatus	Hedgehog cactus	
Opuntia polycantha	Prickly pear cactus	
Yucca glauca(xxx)	Spanish bayonet	

# APPENDIX C - FEE & DEPOSIT SCHEDULE

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1. SKETCH PLAN SUBMITTAL.....	\$3,500.00
2. FINAL PLAN SUBMITTAL.....	\$3,500.00
3. EXTRA MEETING (SEE SECTIONS 6.2 AND 7.4).....	\$1000.00
4. COMPLIANCE DEPOSIT (NEW CONSTRUCTION).....	\$20,000.00
5. COMPLIANCE DEPOSIT (MODIFICATIONS TO EXISTING IMPROVEMENTS)	
CONSTRUCTION COST >\$100,000.00.....	\$10,000.00
CONSTRUCTION COST <\$100,000.00.....	\$5,000.00
6. ROAD CUTS.....	\$3,500.00
7. ADDITION OF LIVABLE SQUARE FOOTAGE.....	\$500.00
8. MODIFICATION WITHOUT ADDITION OF SQUARE FOOTAGE (I.E. DECK ADDITION, HOT TUB ADDITION, ETC.).....	\$200.00
9. MINOR LANDSCAPE OR SITE MODIFICATION, RECREATIONAL EQUIPMENT APPLICATION, COLOR ALTERATION.....	\$50.00
10. WILDFIRE MITIGATION..... (REQUIRES NOTIFICATION TO DRB OF TREES TO BE REMOVED)	NO FEE
11. BUILDING ENVELOPE ADJUSTMENT.....	\$500.00
12. MODIFICATIONS TO APPROVED PLANS.....5% OF TOTAL COST OF THE MODIFICATION UP TO AND NOT TO EXCEED.....	\$500.00
13. REQUEST FOR 1-YEAR EXTENSION OF FINAL DRB APPROVAL	
EXTENSION REQUEST W/ NO CHANGES.....	\$200.00
EXTENSION REQUEST W/ CHANGES (NEW FINAL SUBMITTAL).....	\$3,500.00
3RD EXTENSION REQUEST (NEW FINAL SUBMITTAL).....	\$3,500.00

**CONSTRUCTION RULES  
AND  
REGULATIONS**

CORDILLERA VALLEY CLUB DESIGN REVIEW BOARD

**PREPARED JULY, 1998**

**REVISED APRIL, 2000**

**REVISED SEPTEMBER, 2000**

**REVISED APRIL, 2001**

**REVISED APRIL, 2002**

**REVISED JANUARY, 2008**

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**\* THIS DOCUMENT, THE CORDILLERA VALLEY CLUB CONSTRUCTION RULES AND REGULATIONS, REFERENCES SECTION 5 AND SECTION 6 OF THE DESIGN GUIDELINES: “CONSTRUCTION REGULATIONS” AND “DESIGN REVIEW PROCESS.”**

## D.1.0 TITLE

This document shall be known as the “Construction Rules and Regulations” and may be referred to herein as the “Regulations.”

## D.2.0 PURPOSE

In order to ensure that any Construction Activity (as such term is defined below) conducted within the Cordillera Valley Club is done in the most sensitive manner possible and to minimize impacts to guests and Owners, the following Construction Regulations shall be enforced during the construction period. These Regulations supplement the Design Guidelines, which are incorporated herein by reference. The Cordillera Valley Club Design Review Board has the power to amend these Regulations from time to time, without notice.

## D.3.0 DEFINITIONS

- a) “Association” means with respect to the Cordillera Valley Club, the Cordillera Valley Club Property Owners Association, Inc.
- b) “Construction Activity” means any Site preparation, grading, or construction or alteration of any building, structure or other improvement on any Site.
- c) “Compliance Deposit” means the deposit that an Owner is required to deliver to the DRB prior to commencing any Construction Activity.
- d) “Compliance Agreement” means the document the property owner signs with the DRB to ensure improvements are built within compliance of the approved drawings.
- e) “Construction Site” or “Site” means a Site upon which Construction Activity will take place or is currently taking place.

- f) “Construction Vehicle” means any car, truck, tractor or other vehicle used to perform any part of a Construction Activity or to transport equipment, supplies or workers to a Construction Site.
- g) “Cordillera Valley Club” means all Covered Property as defined in the applicable Declaration or Supplemental Declaration.
- h) “Declaration” means with respect to the Cordillera Valley Club, that certain Declaration of Covenants, Conditions, Restrictions and Easements for the Cordillera Valley Club recorded in Deed Book 674, Page 809, et. seq. of the records of the Office of the Clerk and Recorder for Eagle County, Colorado as it may have been or may be amended from time to time by Supplemental Declaration or otherwise.
- i) “Design Review Board” or “DRB” means the Design Review Board as appointed by the Cordillera Valley Club Property Owners Association Executive Board pursuant to the Declaration.
- j) “Owner’s Representative” means any contractor, subcontractor, agent or employee performing the duties of an Owner with the consent of an Owner in connection with any Construction Activity.
- k) “Quiet Work” means indoor work or Construction Activity conducted on the Construction Site, which is not audible from adjacent Sites by homeowners or visitors.
- l) “Public Safety Department” or “Cordillera Valley Club Public Safety” means the Cordillera Valley Club Metropolitan District’s Public Safety Department which has been contracted by the Association to provide public safety, security, and enforcement of Association rules and regulations or any other entity to whom such responsibilities may be delegated by the Association from time to time.

All capitalized terms used in these Regulations, unless specifically defined elsewhere in the Regulations, shall have the meaning ascribed to them in the appropriate Declaration.

# D.4.0 CONSTRUCTION PROCESS

## D.4.1 DESIGN REVIEW

Prior to commencing any Construction Activities within the Cordillera Valley Club, design approval must be granted by the Cordillera Valley Club Design Review Board. Design Guidelines have been prepared to ensure visual harmony between the built environment and the landscape; to preserve the beauty of the natural environment; to maintain and enhance views; to protect and maintain property values; and to ensure that construction within the Cordillera Valley Club is done in the most sensitive manner possible. All new buildings, modifications to existing buildings, landscaping, site improvements and the use of property within the Cordillera Valley Club must be reviewed and approved in accordance with the provisions of the applicable Design Guidelines. The Design Review Board has been appointed to implement these Design Guidelines and assist owners with the design review process.

The Design Guidelines interface with these Rules and Regulations and contain additional information regarding the design review and construction process. Owners, owner's representatives and contractors must review and become familiar with both documents prior to initiating the design and construction process.

The design review process includes five distinct levels of DRB review. These review steps are described in detail in Section 6 of the Design Guidelines, which should be reviewed by the owner and Owner's representative and contractor. In summary, those levels of review include:

**Step One: Pre-Design Review**

**Step Two: Sketch Plan Review**

**Step Three: Final Plan Review**

**Step Four: Technical Review & On-Site Pre-Construction Meeting**

**Step Five: Inspections and Letter of Compliance**

### D.4.1.1 FINAL PLAN REVIEW

The interface between the Design Guidelines and these Construction Rules and Regulations begins during Step Three - Final Plan Review of the review process with the submittal and review of the Construction Management Plan and Proposed Construction Schedule. This plan and schedule provide an approximate time line for project start-up and completion dates for construction, utility hook up, completion of landscaping, and an anticipated occupancy date. The Construction Management Plan identifies the limits of disturbance, a limited area within which all Construction Activities must take place. In addition to the limits of disturbance, the Construction Management Plan indicates the location of all access drives and on-site construction parking areas, temporary structures and trailers, sanitation facilities, dumpsters, material lay-down and staging areas, and the construction sign, and further, all mitigation measures for protecting natural features of the lot during construction including an erosion control and soil stabilization plan for areas of construction disturbance.

Written approval of a Construction Management Plan must be obtained from the DRB prior to initiating any construction activities.

#### **D.4.1.2 TECHNICAL REVIEW**

Step Four of the design review and construction process involves the submittal and review of the construction drawings. Three full size sets of the construction drawings shall be submitted to the Design Review Board following final plan approval. A comprehensive set of construction drawings shall include, but are not limited to, the requirements for Final Approval plus a final grading plan, foundation plans, framing plans, floor plans, roofing plans, elevations, all relevant specifications and material schedules and the construction management plan.

At the time the Technical Review is submitted, the Compliance Deposit is collected (RE: Section D.4.2).

#### **D.4.1.3 PRE-CONSTRUCTION MEETING (ON-SITE)**

Step Four of the design review process includes a mandatory on-site pre-construction meeting with the Owner or Owner's Representative and the project superintendent, a representative of the DRB, and Public Safety and Community Operations representative. This meeting may be scheduled by calling the offices of the DRB. The purpose of this meeting is to review the Construction Management Plan and to discuss construction-related issues. All site fencing and staking must be installed prior to the pre-construction meeting. This meeting is to follow the Eagle County Wildfire Regulations Review by Eagle County. If any other construction related activity occurs on site before the Pre-Construction Meeting is held, a fine will be levied (RE: Section D4.3.15t). This on-site pre-construction meeting counts as the first inspection (RE: Section D.5.0 - Construction Inspections).

### **D.4.2 COMPLIANCE DEPOSIT**

After an Owner's receives Final Plan approval from the DRB and as a condition of Tech Review Approval, the Owner shall deliver a Compliance Deposit to the DRB as security for the Owner's full and faithful performance of all Construction Activity in accordance with the approved Final Plans, Construction Management Plan, and these Regulations, as described below.

- The Compliance Deposit shall be delivered to the DRB by certified or cashier's check or by wire transfer. Letters of credit or other forms of payment are not accepted.
- The DRB administers each Compliance Deposit as follows:
  - a) The DRB holds the Compliance Deposit as security for the Owner's full and faithful performance of all Construction Activity in accordance with the approved Final Plans and these Regulations.
  - b) The DRB may use, apply, or retain the whole or any part of a Compliance Deposit to the extent required to reimburse the DRB for any cost which the DRB may incur, or may be required to incur, by reason of an Owner's noncompliance in respect to any of the terms and conditions set forth herein. DRB shall be entitled to a fee in an amount equal to fifteen percent (15%) of the amount of any costs incurred by DRB to cure any noncompliance by an Owner, which fee may be paid from the Compliance Deposit.
  - c) If the amount of the Compliance Deposit is not sufficient to cure any such noncompliance by an Owner, the DRB may apply the Compliance Deposit in a manner which best mitigates the effects of such noncompliance while not actually curing the noncompliance. In addition, the DRB may use, apply or retain the whole or any part of a Compliance Deposit to pay to the DRB any fine imposed by the DRB under paragraph D.7.2 below that is not paid as and when the same becomes due and payable.
  - d) One half of the Compliance Deposit may be retained by the DRB, at its discretion, for one year from the date of issuance of the Letter of Compliance, to secure Owner's obligation to make reasonable efforts to maintain the new landscaping improvements. The Compliance Deposit, or such portion as remains with the DRB two years after issuance of the Letter of Compliance, shall be deemed forfeited to the DRB if not requested in writing by the Owner prior to expiration of such two years.

- e) The DRB's decision to use the Compliance Deposit as permitted hereunder shall be at the sole and absolute discretion of the DRB.
- f) If the DRB uses part or all of the Compliance Deposit pursuant to paragraphs b), c) and d) above, then the Owner, within five (5) days after written demand from the DRB to restore the Compliance Deposit to its original amount, shall pay the DRB the amount used. Neither the Owner nor any other party shall have any rights of any kind or nature against the DRB, its officers, agents, employees, directors or attorneys arising out of the DRB's use of the Compliance Deposit, unless the DRB is grossly negligent, or intentionally acts in bad faith.
- g) The DRB shall be under no obligation of any kind or nature to take any action to complete any Construction Activity, or cure any failure of the Owner to comply with all Regulations pertaining to the Construction Activity.
- h) Any part of the Compliance Deposit not used by the DRB as permitted by paragraphs b), c) and d) above, shall be returned to the Owner within thirty (30) days after the issuance of a final Letter of Compliance for the site by the DRB.
- i) The deposit shall be submitted with the signed and dated Compliance Agreement to ensure that all construction is in compliance with the DRB approved set of drawings.
- j) The Compliance Deposit may be increased, at the discretion of the DRB, if the Owner uses a Contractor that has a history of non-compliance with the construction Rules and Regulations.
- k) In no event is the Compliance Deposit a limit of Owner's liability to the DRB or the Property Owners Association for fines or other amounts owing to them under the Declaration, Design Guidelines and/or Construction Rules and Regulations.

## D.4.3 CONSTRUCTION REQUIREMENTS

Each Owner shall ensure that all Construction Activity that is performed on the owner's Construction Site shall be performed in accordance with the following requirements. Failure to comply with any of the following requirements may result in significant fines. See Section D.7.2 - Right to Fine and Appendix H - Schedule of Fines for additional information.

### D.4.3.1 ACCESS AND PARKING

Parking on the streets will be limited to a maximum of ten (10) vehicles. Any type of equipment or trailer will be counted as one (1) vehicle. Parking must be limited to one side of the street. Access to side streets, driveways and/or fire hydrants can not be blocked or restricted in any way. DRB and Public Safety reserve the right to limit parking at any time the parking presents a safety hazard such as blocking the necessary line of sight, or blocking snow plows or emergency equipment. There is no overnight parking on any Cordillera Valley Club street. Vehicles left out overnight are subject to ticketing and towing. Parking is prohibited at all times on Beard Creek Trail, unless permission is granted by DRB or Cordillera Valley Club Public Safety Department. Construction Vehicles shall gain access to Construction Sites only from existing roads adjacent to the Construction Sites.

Prior to commencement of construction, the Owner of a Construction Site shall submit as an element of the Construction Management Plan, a parking plan that indicates how contractor and employee parking needs will be handled. Parking will not be allowed on Beard Creek Trail without prior approval from the DRB. Parking will also not be permitted, at any time, within 15 feet of a fire hydrant or within 100 feet of an intersection. Special safety precautions are necessary for all roads including, but not limited to, safety cones, barriers and flaggers. Special safety functions may be provided by the Cordillera Valley Club Public Safety staff at a cost billed to the Owner. Each parking plan shall describe how and where Construction and Delivery Vehicles will be parked at the Construction Site during the Construction Activity.

The Public Safety Department may require modifications to any proposed Parking Plan submitted by an Owner. Such modifications may include, without limitation, modifications that:

- alter designated Construction Vehicle parking areas
- limit the maximum number of Construction Vehicles that may be parked at or adjacent to a Construction Site at any one time
- mitigate any impediment to emergency response, including but not limited to fire department, ambulance, snow removal operations, road maintenance, or obstruction of vehicular traffic

#### **D.4.3.2 BLASTING**

No blasting shall be performed on any Site without the Director of Public Safety's prior consent. Notification shall be provided to the Director of Public Safety a minimum of 72 hours in advance of any blasting operations, and in all cases blasting shall occur only between the hours of 9:00 AM and 5:00 PM. Blasting may be subject to certain restrictions, which shall be determined by the Director of Public Safety in its sole and absolute discretion and which may vary from Site to Site. A licensed blasting company must be used in any and all blasting operation and a Cordillera Public Safety employee must be available on site at the time of the blast. Failure to comply with these regulations will result in an automatic fine and other possible penalties as determined by the DRB.

#### **D.4.3.3 CONTRACTOR PASS AND STICKERS**

In order to assist Cordillera Valley Club Public Safety to monitor and control access to the Cordillera Valley Club, all general contractors and subcontractors working in the Cordillera Valley Club are required to obtain a Cordillera Valley Club contractor pass. A contractor pass may be obtained from the Cordillera Valley Club Public Safety office. If a general contractor or subcontractor is found in an area other than where their pass indicates or if they cannot produce a valid pass, the Cordillera Valley Club Public Safety Department may revoke the pass and prohibit re-entry onto Cordillera Valley Club property. All Owners and Owner's Representatives shall be responsible for preparing and maintaining a current list of all contractors

and subcontractors working on each project. A copy of the current list shall be submitted to the Design Review Board Administrator by the end of each month in which any change in the list takes place. Failure to provide this list to the DRB will result in an automatic fine. General Contractors shall be limited to a maximum of 20 passes. Lost or misplaced passes WILL NOT be replaced.

#### **D.4.3.4 COMPLETION OF CONSTRUCTION**

Unless otherwise approved by the DRB, each Owner shall ensure that any Construction Activity it performs or causes to be performed shall commence within one year after the DRB's approval of Final Plans. Once construction on a project is initiated, completion of the project shall be pursued with due diligence until completion. Construction must be substantially complete within twelve (12) months of commencement, and fully and finally complete, including all required landscaping, within eighteen (18) months after commencement. All construction and landscape improvements are subject to fines if not completed on time. In such cases where construction of a project is suspended or delayed for more than thirty days, the project proponents shall meet with the DRB to establish a revised schedule for completion. If completion of the project is to be delayed for an unreasonable length of time, the DRB may, at its discretion, require the restoration and revegetation of disturbed areas of the site.

#### **D.4.3.5 COMPLIANCE WITH LAWS AND REGULATIONS**

Each Owner shall, at their expense:

- a) comply with all terms and conditions of these Regulations, the Compliance Agreement and the Declaration and all other Regulations promulgated from time to time by the DRB that are applicable to Owner's Construction Activities
- b) comply with all federal, state, and local laws, ordinances, orders, rules, regulations and other governmental requirements relating to its Construction Activities
- c) ensure that its Owner's Representatives and contractors comply with the foregoing terms and conditions

#### **D.4.3.6 CONSERVATION OF LANDSCAPE MATERIALS**

During the design review process, the DRB shall determine which natural features and vegetation on a Construction Site, not directly impacted by the placement of buildings or other improvements, shall be protected and preserved. The Owner shall then specify in the Construction Management Plan that such areas be protected.

Landscape materials such as trees, native or endangered plants, rock outcroppings and boulders that will be preserved shall be marked and protected by flagging, fencing, or barriers. The DRB shall have the right to flag major terrain features or plants, which are to be fenced off for protection.

No tree or shrub shall be removed without prior approval by the DRB, subject to fines up to the full amount of the compliance deposit.

Any and all terrain or plant material designated for preservation that is/ are damaged or removed during construction shall be promptly replaced or restored by Owner. In the event that the Owner fails to timely replace or restore removed or damaged materials, the cost of replacement or restoration will be valued by the DRB and the value deducted from the Compliance Deposit. A fine will also be issued in an amount deemed appropriate by the DRB.

#### **D.4.3.7 HARRINGTON PENSTEMON PROTECTION [FOR AREAS WHERE APPLICABLE]**

Cordillera Valley Club has taken the initiative to develop its own guidelines for the protection and preservation of Harrington Penstemon. This small plant, which is unique to certain habitats in the Cordillera Valley Club, is listed by the U.S. Fish and Wildlife Service as a Category 2 candidate for designation as a threatened or endangered species.

Harrington Penstemon located outside the building envelope shall remain undisturbed. All improvements within the building envelope on the Site including, but not limited to, buildings, site access, driveways, and utility trenches / lines shall be designed to minimize impacts on any Harrington

Penstemon populations located within the building envelope. When impacts cannot be avoided, Arlington Penstemon shall be transplanted elsewhere on the Site.

#### **D.4.3.8 EROSION CONTROL AND VEGETATION PROTECTION**

The DRB shall not approve any proposed Construction Activity unless and until it has first approved an erosion control and soil stabilization plan as a part of the Construction Management Plan. DRB requires that such plan be first reviewed, approved, and stamped by a Colorado licensed civil engineer.

The Owner of the Construction Site is responsible for preparing and submitting such plans to the DRB. Refer to the Cordillera Valley Club Design Guidelines for acceptable methods and materials to be used for erosion control and revegetation.

If the DRB rejects any such plan submitted by the Owner, the Owner shall make such changes to the plan as the DRB shall require and resubmit the plan to the DRB. Once the DRB has approved such plans for a Construction Site, the Owner shall ensure that:

- a) trees, plants or other natural features not authorized for removal are not damaged
- b) brush, surplus soil, and other excavated debris are promptly removed from the Construction Site
- c) dust is controlled by a dust abatement method approved by the DRB
- d) during all construction, all driveway, parking and lay-down areas are covered with at least three inches of three-quarter inch screened rock. All roads shall be scraped at the end of the work day in order to remove mud, dirt, gravel, rock, or any other construction debris
- e) the site is fenced with green plastic snow fencing around the limit of disturbance and silt fencing is placed where necessary for erosion control

#### **D.4.3.9 CONSTRUCTION EQUIPMENT AND MATERIAL STORAGE**

Each Owner or Owner's Representative and their contractors shall ensure that all construction material is stored in a designated materials storage area. Such storage area shall be indicated on the Construction Management Plan described above, and shall be located to minimize the visual impact from adjacent properties and roadways.

#### **D.4.3.10 DEBRIS AND TRASH REMOVAL**

Owners, Owner's Representatives, and their contractors shall be responsible for assuring that:

- a) At the end of each day, all trash and debris on the Construction Site is cleaned up and stored in proper covered containers or organized piles and not permitted to be blown about the site or adjacent property
- b) At least once a week, all trash and debris are removed from the Construction Site to a proper dump site located off of the Cordillera Valley Club Property
- c) Due to the abundant wildlife within the Cordillera Valley Club community, the General Contractor must arrange for and must utilize bear-proof trash containers to be available on-site at all times for food trash

All trash and debris shall be kept off the road right of way and adjacent property at all times.

Littering and failure to maintain a clean site are punishable by fines as described in Section D.7.2. Any clean up costs incurred by the DRB in enforcing the requirements will be billed to the Owner or deducted from the Compliance Deposit.

#### **D.4.3.11 CONSTRUCTION HOURS & NOISE**

Construction Activities shall be limited to the following hours of operation:

Monday through Friday: 7:30 AM – 6:00 PM

Saturday: 9:00 AM – 5:00 PM

Entrance to the work site for the purpose of set-up only, is permitted one half hour prior to hours of operation (M-F 7:00 AM , SAT 8:30 AM). During the half-hour set-up, the operation of heavy equipment, compressors, impact tools, or any activity that creates noise as that term is defined in Section D.3.0.k), shall be prohibited. At no time shall contractors, subcontractors or laborers park and wait at the gate houses before 7:00 a.m. All construction related vehicles must be out of the gate by the ending hour of operation.

Work before or after the aforementioned hours and on Sundays and holidays is generally prohibited. Special, specific authorization for early, late, and/or Sunday work must be obtained from the DRB Administrator or Public Safety Department by 3:00 p.m. on the day the request is called in.

At all times each Owner shall use reasonable efforts to minimize external noise resulting from Construction Activity. No loud music shall be permitted.

#### **D.4.3.12 DELIVERIES**

All construction deliveries and pick-ups (including moving vans) shall travel during the hours of:

8:00 AM - 5:00 PM Mon. – Sat.

In addition, the Public Safety Department, in its sole and absolute discretion, may restrict the use of one or more such roads by Construction Vehicles whenever a special event, festival, convention, emergency, or similar activity presents the possibility of significant traffic congestion.

#### **D.4.3.13 FIELD STAKING**

All building footprints, setback lines, and driveways, storage and lay-down areas shall be staked in the field. A licensed Colorado land surveyor shall stake the building footprint and setback lines. Staking must be completed prior to the DRB Pre-Construction Meeting.

#### **D.4.3.14 FIRE PROTECTION**

At all times, at least two fully charged and inspected 10 lb. ABC-rated dry chemical fire extinguishers shall be present and available in a conspicuous place on the Construction Site. A lack of extinguishers located on a job-site will result in an automatic fine (RE: Section D.4.3.15). Fire protection is the Owner's responsibility, but Public Safety recommends that the Owner or Owner's Representative establish additional fire protection, the handling of combustible materials and suppression measures as part of an overall Site safety program (RE: paragraph D.4.3.20 Water Connections and paragraph D.4.3.21 Heater Safety).

#### **D.4.3.15 PROHIBITED GENERAL PRACTICES**

All Owners will be absolutely responsible for the conduct and behavior of their Owner's Representatives in the Cordillera Valley Club. The following practices are prohibited within the Cordillera Valley Club and will result in an automatic fine (RE: Section D.7.2 and Appendix H):

- a) bringing pets, particularly dogs, onto Cordillera Valley Club property
- b) changing oil on any vehicle or equipment on the Construction Site or at a location other than one designated for that purpose by the DRB
- c) allowing concrete suppliers and contractors to clean their equipment on any Cordillera Valley Club lot, roadway, right-of-way, ditch, easement, or other Cordillera Valley Club or metro district property
- d) removing any rocks, plant material, topsoil, or similar items from any property of others within the Cordillera Valley Club
- e) carrying any type of firearms or archery equipment within the Cordillera Valley Club
- f) using disposal methods or units other than those approved by the DRB and not utilizing a bear-proof trash container for food trash
- g) careless disposition of cigarettes and other flammable materials
- h) careless treatment or removal of any native plant materials not previously approved by the DRB
- i) use of or transit over the golf course area
- j) disruptive activity including, but not limited to, public drinking, public nuisances, and disturbing the peace
- k) drinking alcoholic beverages on Cordillera Valley Club property (excluding on-property restaurants)
- l) working before or after the scheduled construction hours without prior permission
- m) driving trucks with uncovered loads onto Cordillera Valley Club property
- n) moving or removing any portion of the site fencing or disturbing any area beyond the limit of disturbance
- o) failure to call in and request that any type of heater (internal or external) be left on overnight, storing propane tanks within 15' of the road edge, and improper disposal of combustible or flammable materials on site
- p) failure to provide an updated subcontractor list to the DRB
- q) failure to call in and request any level of inspection or Pre-Construction meeting from the DRB
- r) failure to cover the job site dumpster or have it serviced regularly when full
- s) failure to submit Construction Management Plan modifications, or other exterior modifications

- t) commencing any type of construction activity on a site prior to the Pre-Construction Meeting with the exception of staking, putting up the limit of disturbance fencing and the construction sign
- u) a lack of fire extinguishers on a job-site at any time (RE: Paragraph D.4.3.14)
- v) violation of any part of the sign policy (RE: Paragraph D.4.3.19)
- w) failing to report any type of hazardous material spills to Public Safety

**D.4.3.16 PROTECTION OF PROPERTY**

Owner’s Construction Activity shall be limited to the Owner’s Construction Site unless the DRB or Public Safety Department provides specific written authorization to the contrary. An Owner shall promptly restore any Common Areas and/or adjacent Sites damaged during its Construction Activity to the DRB’s satisfaction and, in every case, within thirty (30) days after such damage occurs. Failure to comply will result in fines (RE: Appendix H).

**D.4.3.17 ROADWAY MAINTENANCE**

Owners and their contractors and sub-contractors shall keep all Cordillera Valley Club roads and road rights-of-way free and clear of all materials, rubbish, and debris resulting from Owner’s Construction Activity and shall repair and revegetate any damage to roads, road rights-of-way, landscaping and other streetscape improvements within the Cordillera Valley Club caused by Construction Vehicles used in connection with Owner’s Construction Activity. Any damage to Cordillera Valley Club roads is the responsibility of the Owner, and any repairs necessary as a result of construction damage will be paid for by the Owner. No road cuts, deletions, or additions shall be made without prior, written consent of the Cordillera Valley Club Metropolitan District and the submittal of a Compliance Deposit.

Contractors must keep the site, driveway and all adjacent roads clean from dust, dirt, mud, and debris at all times. During all construction, all driveway, parking and lay-down areas are to be covered with at least three

inches of three-quarter inch screened rock. Roads must be clean of dirt, rock and debris at all times. If the DRB or Public Safety Department must arrange for cleaning, the cost of cleaning will be billed to the Owner, care of the contractor, at a rate then set by the Cordillera Valley Club Metropolitan District.

**D.4.3.18 SANITARY FACILITIES**

On-Site, enclosed, chemical toilets must be available at all times when Construction Activity is taking place on a Construction Site. Chemical toilets shall be screened from view and shall be located so as to minimize any adverse impacts on adjacent lots. In no instance shall chemical toilets be placed within any road right-of-way or on the road.

**D.4.3.19 SIGNAGE & TEMPORARY STRUCTURES**

**REQUIRED SITE SIGNAGE**

One temporary construction sign, prepared by a professional sign maker, shall be located within the site boundary and shall be easily visible from the adjacent roadway or entry to the site. The sign must conform to the DRB approved sign specifications (RE: Appendix G - Construction Sign Specifications). The construction sign must be placed on the site prior to the Pre-Construction Meeting and will be approved by a representative of the DRB at this time. The construction sign shall be removed upon request by the DRB, either within one month of occupancy of owner, or within two weeks after owner obtains a Final Letter of Compliance.

**PERMITTED SITE SIGNAGE**

**MODEL HOME SIGNS**

A residence which is one of several similar residences developed by the same Owner as part of an “enclave” or planned development, is complete to the extent that it contains final floor coverings (e.g., carpet), is currently available for public viewing as a “model home”, and is manned by a licensed real estate sales person may display on the site one (1) temporary “model home” sign not larger than six square feet containing only the words “Model

Home” or “Model Open”. The sign may not display any brokerage name, logo, or other identification and must be removed at the end of each day.

#### OPEN HOUSE SIGNS

A residence which is complete to the extent that it contains final floor coverings (e.g., carpet), is currently open for public viewing, and is manned by a qualified real estate sales person, may display on the Site one (1) temporary Cordillera (green with logo) “open house” sign not larger than six square feet and containing only the words “Open House.” The sign may not display any brokerage name, logo, or other identification and must be removed at the end of each day. Directional signs shall be permitted at all road intersections leading to the open house. These directional signs must be obtained from the Cordillera Valley Club Public Safety Office and must be removed and returned to the Public Safety Office at the end of the open house day.

The DRB specifically reserves the right to approve or reject the design of any permitted signage. Stock plastic signs obtained at hardware stores will generally not be approved. Owners, Owner’s Representatives, contractors, and brokers are required to submit sign designs to the DRB for approval before erecting them on site.

#### PROHIBITED SIGNAGE

No other signage shall be permitted within the Cordillera Valley Club at any time. This prohibition specifically includes, but is not limited to the following:

- a) “For Sale” or “For Lease” or “Available” signs
- b) Brokerage identification signs
- c) “Take One” brochure or flyer boxes
- d) Balloons, flags, or other paraphernalia intended to draw attention to a site

#### TEMPORARY STRUCTURES

Temporary office and storage structures may be maintained on a Construction Site. Temporary living quarters are not permitted on any

Construction Site. Permitted temporary structures shall not be used for residential purposes at any time. Temporary structures shall be screened to minimize the visual impact upon neighboring properties and the public. The placement and screening of temporary structures must be drawn on the Construction Management Plan and approved by the DRB prior to their erection or installation. All temporary structures shall be removed within thirty (30) days after completion of the Construction Activity.

#### D.4.3.20 WATER CONNECTIONS

Prior to the installation and turn-on of permanent residential water service to the Site, temporary water connections must be available on-site at all times when Construction Activity is taking place on a Construction Site. At no time shall water be removed from a home on an adjacent property.

#### D.4.3.21 HEATER POLICY

The following procedures and guidelines must be followed when using heaters:

- a) Heater, tank and line shall be inspected prior to each use for leaks, improper fittings or faulty igniters. Faulty heaters shall be turned in to the construction trailer for repair
- b) Heaters shall be placed on a level noncombustible surface. If used on a wood subfloor the heater shall be placed on a minimum 4’ x 4’ piece of fire rated drywall or concrete board
- c) The heater hose shall be extended straight out from the heater to the tank maintaining maximum distance from tank to heater
- d) The heater shall be placed in the center of the room. If you are unable to place the heater in the center of the room with the hose fully extended from heater to tank then the room is too small
- e) Do not use heaters in hallways, closets, bathrooms, under stairs or in crawl spaces
- f) Heaters shall not be left running overnight or unattended without prior

written approval from the Project Builder. Cordillera Public Safety must be notified, by 3:00 p.m., of any heaters that will run overnight. If a heater is not called in, a fine shall be levied and the heater will be shut off if it is not in compliance with these regulations

- g) Subcontractors who need the use of heaters must contact the Project Builder
- h) Propane heaters and tanks shall be stored no closer than 15' to roads or traffic areas

#### **D.4.3.22 LIGHTING**

In an effort to curb light pollution within the Cordillera Valley Club community, all project Superintendents will ensure that all lights are shut off for the evening before the last person leaves the job site.

## **D.5.0 CONSTRUCTION INSPECTIONS**

In addition to any inspections required by the Eagle County Building Department, the Cordillera Valley Club Metropolitan District, and any other governmental or quasi-governmental entity with jurisdiction over the Construction Site, the Owner must schedule the following inspections with the DRB. It is the sole responsibility of the Owner or Owner's Representative to schedule all inspections with the DRB. Failure to schedule any of the required meetings or inspections will result in a fine (see Appendix H). The DRB shall use good faith efforts to conduct the inspections within ten (10) business days after receiving written requests thereof.

Should a Site not pass an inspection, the DRB shall provide notice to the Owner or Owner's Representative of the reasons for the failure. Absence of such inspections or notification during the construction period shall not imply approval of the work in progress or compliance with these Regulations. The Owner or Owner's Representative must schedule inspections on a timely basis. If changes to the stamped plans or approved modifications are discovered, a stop construction order shall be issued and construction shall not continue until the DRB has approved or negotiated the changes with the Owner or Owner's Representative. After providing evidence to the DRB of corrections to the prior failure, the Owner may request a re-inspection. The DRB may enter upon a Site at any reasonable time to inspect the progress of construction and to ensure compliance with approved Final Plans, the Construction Management Plan, and these Regulations.

### **D.5.1 INSPECTION #1 - PRE-CONSTRUCTION MEETING**

Prior to commencing Construction Activity and after the staking of all footprints, setback lines, and all parking, storage and lay-down areas, etc., the Owner shall request an on-site Pre-Construction Meeting. The purpose

of this inspection is for the DRB to review with the Owner or Owner's Representatives the proposed locations of building corners, driveway and parking areas, patios, cut and fill areas, and existing natural features of the Site to be protected during construction as well as the Construction Management Plan and any other construction related issues. This meeting shall be in conjunction with the Eagle County Wildfire Regulations initial inspection.

### **D.5.2 IMPROVEMENT LOCATION CERTIFICATE**

The Owner or Owner's Representative shall provide an Improvement Location Certificate (ILC) to the DRB at two (2) times during the construction process. An ILC will be required after the completion of the foundation prior to the commencement of framing and then again at the completion of framing. If an ILC is not provided or the improvement is not within compliance with the Design Guidelines and the approved stamped plans the improvement can and will be removed or corrected, at the Owner's or Owner's Representative's expense, per approved plans.

### **D.5.3 INSPECTION #2 - FOUNDATION INSPECTION**

Upon completion of all foundation work, and prior to framing, the Owner or Owner's Representative shall provide a written request for a Foundation Inspection by the DRB and, simultaneous therewith, deliver to the DRB three (3) copies of an Improvement Location Certificate (ILC) for the Construction Site improvements which:

- a) is certified by a licensed engineer or registered land surveyor in the State of Colorado;
- b) shows the location of all permanent improvements then located on the Construction Site; and,
- c) sets forth the elevations of all floors of all such permanent improvements.

### **D.5.4 INSPECTION #3 - FRAMING INSPECTION**

Upon completion of core and shell framing, and prior to enclosing exterior walls and roofs, the Owner or Owner's Representative shall provide a written request for a Framing Inspection by the DRB and, simultaneous therewith, deliver to the DRB three (3) copies of an Improvement Location Certificate (ILC). The DRB will inspect the framing to ensure that all improvements are in compliance with the approved Final Plans.

### **D.5.5 INSPECTION #4 - EXTERIOR MATERIAL AND COLOR MOCK-UP INSPECTION**

Before adhering any exterior materials to the home, the Owner or Owner's representative shall provide a written request for an exterior mock-up inspection by the DRB. The DRB will inspect the exterior materials and colors to ensure conformance with the Design Guidelines within fourteen (14) days of receipt of the request. A complete mock up will include samples of all building finish materials including but not limited to; stone, siding, beam work, rafter tails, fascia, roof finish material and at least one window with all applicable window treatments including head and sill and shutters (if applicable). All materials should be stained and finished in the final color and finish as they will appear on the finished home and be applied in the same application technique. Incomplete mock-ups will not be approved by the DRB.

### **D.5.6 INSPECTION #5 - FINAL INSPECTION**

Upon final completion of all portions of the Construction Activity, including all landscaping required in connection therewith, the Owner shall request a Final Inspection from the DRB. Thereafter, the DRB shall inspect the Construction Site to ensure that all portions of the Construction Activity, including all such landscaping and remedial work, are fully complete and have been performed in compliance with the approved Final Plans and these Regulations.

## **D.6.0 LETTER OF COMPLIANCE AND CERTIFICATE OF OCCUPANCY**

A “Letter of Compliance” is issued by the DRB. The Eagle County Building Department issues a “Certificate of Occupancy”. An Owner may not occupy or otherwise use any improvement constructed on a Construction Site until it has received:

- a) A Letter of Compliance from the DRB, and;
- b) A Certificate of Occupancy or Temporary Certificate of Occupancy from the Eagle County Building Department.

A Letter of Compliance will not be issued until all inspections have been completed and all outstanding items have been addressed.

### **D.6.1 LETTER OF COMPLIANCE**

If an Owner has performed its Construction Activity in compliance with its approved Final Plans and these Regulations, the DRB will issue a Letter of Compliance to the Owner following a Final inspection. If the Owner has failed to perform its Construction Activity in compliance with its approved Final Plans and these Regulations, the Owner shall promptly perform such remedial work, as the DRB shall require.

### **D.6.2 MODIFICATIONS**

All exterior and landscape and site modifications to the DRB approved plans shall be submitted to the DRB office for review and approval prior to installation.

## **D.7.0 ENFORCEMENT**

If an Owner or Owner’s Representative violates any terms or conditions set forth herein, the DRB shall have the following rights and remedies:

### **D.7.1 RIGHT TO SELF HELP**

After notifying the Owner or Owner’s Representative of a violation of the Design Guidelines, these Regulations, or any covenants, conditions, restrictions, rules or regulations established or permitted by the Declaration and providing the Owner a reasonable opportunity to cure, the DRB may, but is not obligated to, enter upon the Site and cure such violation at the Owner’s cost and expense. If the DRB cures any such violation, the Owner shall pay to the DRB the amount of all costs incurred by the DRB in connection therewith, plus an administrative fee equal to fifteen percent (15%) of all such costs, within five (5) days after the Owner receives a written invoice thereof from the DRB.

### **D.7.2 RIGHT TO FINE**

The DRB may impose a fine of One Hundred Dollars (\$100.00) against the Owner for the first violation of any term or condition of these Regulations. For each subsequent violation, the DRB may impose a fine in an amount equal to twice the amount of the fine imposed against the Owner for the Owner’s last violation up to a maximum fine of Three Thousand Two Hundred Dollars (\$3,200.00) for any single violation. Other fines, up to or in addition to the full amount of the Compliance Deposit, may be issued by the DRB for more extreme violations. The Owner shall pay any fine imposed and all costs and damages incurred under this paragraph within thirty (30) days after the Owner receives written notice thereof. If an Owner fails to pay such fine(s) when due, the fine will double and ultimately the DRB may deduct the amount of the fine from the Owner’s Compliance Deposit and/or take such other action as permitted under the Declaration, the Design Guidelines, and these Regulations. Until the fine has been paid and the infraction is corrected, no approvals shall be granted by the DRB (RE: Appendix H).

### **D.7.3 RIGHT TO SUE FOR INJUNCTIVE RELIEF**

The DRB may sue the Owner to enjoin violation of the Design Guidelines and these Regulations.

### **D.7.4 RIGHT TO SUE FOR DAMAGES**

The DRB may sue the Owner for all damages, losses, costs and expenses, including, without limitation, reasonable attorney's fees and disbursements incurred by the DRB as a result of any violation of any term or condition of these Regulations.

### **D.7.5 LIEN**

As provided in the Declaration, the Association shall have, and by its commencement of Construction Activities upon the Site the Owner further acknowledges the existence of, a lien against the Site and all of the Owner's other properties within the Cordillera Valley Club to secure payment of:

- a) any fee, charge, fine or other amount due from the Owner to the DRB under the Declaration, the Design Guidelines, and these Regulations;
- b) interest on any unpaid amounts at the rate of eighteen percent (18%) per annum (or such lesser percent, if eighteen percent exceeds the maximum rate permitted by any applicable usury statute in effect at the time) from the date due until paid; and,
- c) all costs, damages, and expenses of collecting any unpaid amounts, including, without limitation, reasonable attorney's fees and disbursements.

Any such lien may be foreclosed as a mortgage under the laws of the State of Colorado. This lien may be evidenced by a lien statement executed by the Association and recorded against the Owner's Site.

### **D.7.6 OTHER RIGHTS AND REMEDIES**

The DRB shall have all other rights and remedies available to it by law or in equity. All rights and remedies of the DRB shall be cumulative and the exercise of one right or remedy shall not preclude the exercise of any other right or remedy, including loss of privilege of use of homeowner common area facilities.

The Association and the DRB hereby empower and direct the Public Safety Department, as its agent, to enforce and carry out any and all of the foregoing DRB remedies (except the rights of a lien holder) including the right to fine.

## **D.8.0 APPEALS OF FINES**

An Owner, or Owner's Representative, may appeal any fine imposed against the Owner by the DRB to the Cordillera Valley Club Property Owners Association Executive Board, in accordance with the following terms and conditions. Within ten (10) days after receiving written notice from the DRB or the Public Safety Department imposing a fine against the Owner, the Owner, or Owner's Representative, may file a written appeal with the Board. If the Owner, or Owner's Representative, fails to file a written appeal with the Board within such ten (10) day period, the Owner, or Owner's Representative, shall have no further right to appeal the fine under this section. If the Owner, or Owner's representative, files a written appeal within such ten (10) day period, the Board shall review such appeal and deliver a written decision with respect thereto to the Owner, or Owner's Representative, and to the DRB as the case may be, within thirty days after its receipt of such appeal.

If the Board decides in favor of the Owner, or Owner's Representative, the DRB or the Public Safety Department shall revoke its notice imposing the fine. If the Board decides in favor of the Association or DRB, the Owner, or Owner's Representative, shall pay such fine, as originally imposed by the DRB within five (5) days after its receipt of the Board's written decision.

# APPENDIX E - SOURCES OF INFORMATION

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1. **CORDILLERA VALLEY CLUB PROPERTY OWNERS ASSOCIATION**  
C/O Robinson and Marchetti, P.C.  
Post Office Box 933  
Edwards, Colorado 81632  
[970] 926-6060
  
2. **CORDILLERA VALLEY CLUB  
DESIGN REVIEW BOARD**  
C/O VAg, Inc. Architects and Planners  
Post Office Box 1734  
Vail, CO 81658- 1734
  - a. General: [970] 949-7034
  - b. Design Review: [970] 949-7034
  - c. Contractor Pass: [970] 926-5795
  - d. Safety Department [970] 926-5795
  - e. Inspection [970] 949-7034
  
3. **EAGLE COUNTY COMMUNITY DEVELOPMENT**  
[Construction Permits and Wildfire Regulations]  
Post Office Box 179  
Eagle, Colorado 81631-0179  
[970] 328-8730  
www.eaglecounty.us
  
4. **COMCAST CABLE SERVICE [CABLE TELEVISION SERVICE]**  
800 E. Iliff Avenue  
Denver, CO 80231-5317  
[888] 824-4010  
www.comcast.com
  
5. **HOLY CROSS ENERGY [ELECTRICAL SERVICE]**  
Post Office Box 972  
Avon, Colorado 81620  
[970] 949-5892  
www.holycross.com
  
6. **SOURCE GAS INC. [NATURAL GAS SERVICE]**  
PO Box 5327  
Denver, CO 80217  
[800] 563-0012  
www.sourcegas.com
  
7. **EAGLE RIVER WATER AND SANITATION DISTRICT  
[WATER AND SANITATION TAPS]**  
846 Forest Road  
Vail, Colorado 81657  
[970] 476-7480  
www.erwsd.org
  
8. **CENTURY TEL [TELEPHONE]**  
PO Box 4300  
Carol Stream, IL 60197-4300  
[800] 201-4099  
[800] 922-1987 [Line locates]  
www.centurytel.com

# APPENDIX F - CONSTRUCTION VEHICLE PASSES AND STICKERS

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## Registered Contractor Stickers

Contractors who work in the Cordillera Valley Club on a frequent basis must register their business and their vehicles with the Cordillera Valley Club Public Safety Office annually. All registered contractors must be familiar with the Cordillera Valley Club Construction Rules and Regulations (“Regulations”) and must agree to abide by these Regulations. Contractor stickers allow access only during construction hours. These stickers are not job-site specific. All parties must go to the Cordillera Valley Club Safety Office, located at the Gate house at the East Entrance of the Cordillera Valley Club on Beard Creek Trail to register for contractor stickers.

## Contractor Passes

Construction vehicles on a job-site temporarily, but more than two days, must use dash board passes from the General Contractor. The General Contractor and/or the Owner Representative will receive twenty (20) dashboard passes at the beginning of a new construction project or remodel. There is no charge for these passes. Please note, the issuance of 20 passes does not authorize anyone to exceed the maximum of 10 vehicles or equipment per site. After all pre-construction issues have been addressed, the Design Review Board Administrator will authorize the issuance of the passes. These passes are job-site specific. It is the General Contractor’s responsibility to monitor their usage. Passes found at the wrong job-site will be revoked and the pass holder will be asked to leave the property. Lost passes will not be replaced.

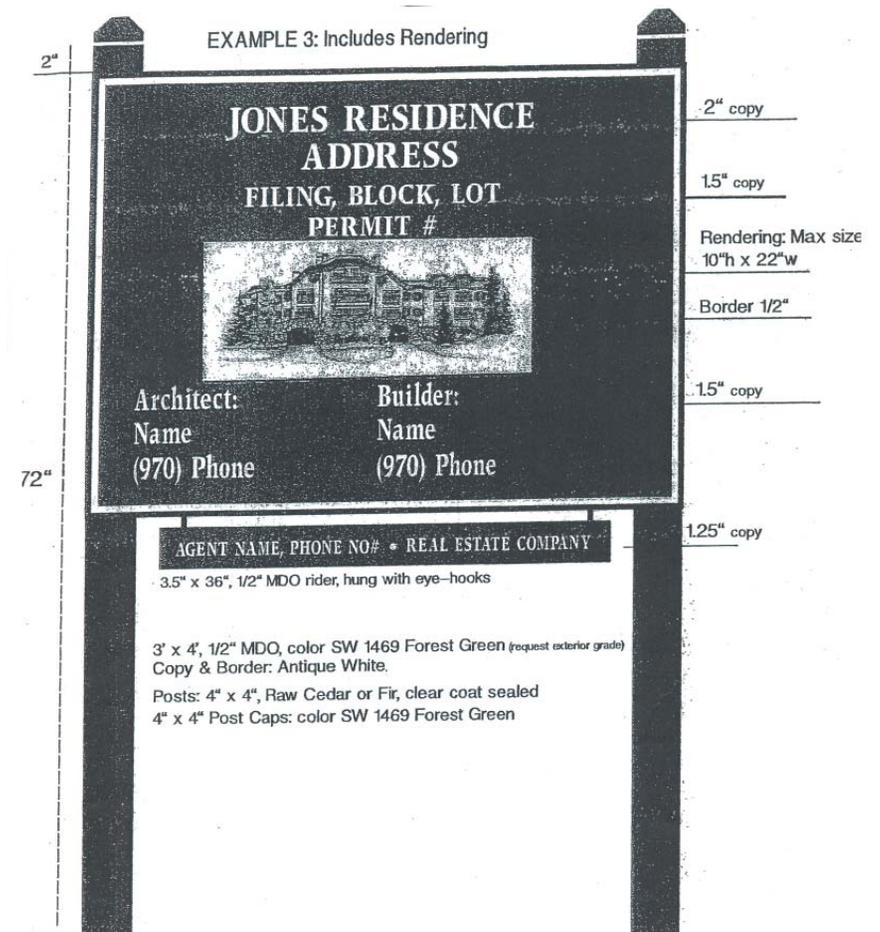
## Daily Passes

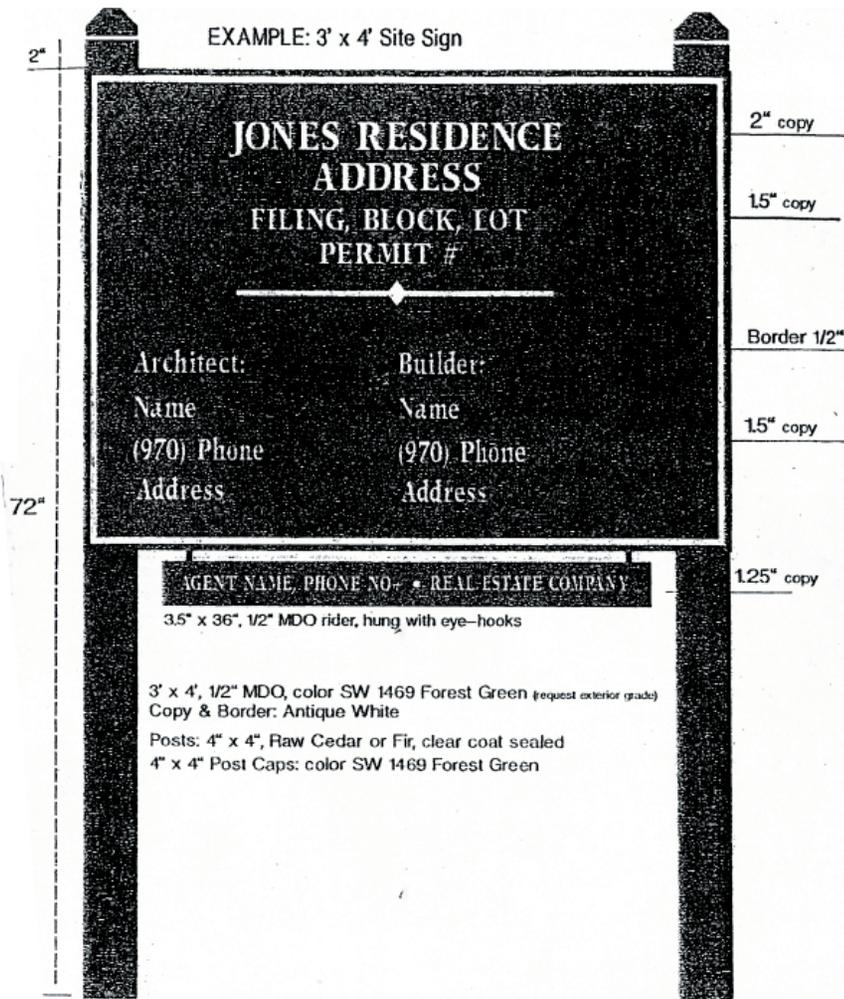
Construction workers requiring access to the Cordillera Valley Club who do not have a sticker or dash board pass must stop at the gate and get a daily pass. Daily passes are valid for up to two days and are job-site specific. Daily passes found at the wrong job-site will be revoked and the pass holder will be asked to leave the property.

# APPENDIX G - CONSTRUCTION SIGN SPECIFICATIONS

## SITE SIGN SPECIFICATIONS

1. Sign Size: 3' h x 4' w, 1/2" finished MDO, Medex or Omega Board
2. Sign Colors: Border & Copy Antique White Background Color Match to Sherwin Williams 1469 exterior grade, Forest Green Dbl-side paint.
3. Font: Poniflex Medium Condensed
4. Posts: 4" x 4", Raw Cedar of Fir (not wolmanized), Clear Coated, posts must have painted post caps (SW 1469)
5. Sign Height: 72" from ground to top of sign
6. Sign Location: 15' off road pavement; 10' off driveway pavement
7. Text: First 4 Lines are mandatory, 2 or 4 lines max for builder & architect. Realtor Rider optional. Any additional copy must be approved by the DRB. No logos are permitted
8. Text Size: See Example





# APPENDIX H - SCHEDULE OF FINES

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VIOLATION OF ANY OF THE FOLLOWING REGULATIONS IS SUBJECT TO THE FINES BELOW:

	SECTION
Vehicles and Parking Areas	D.4.3.1
Contractor Pass and Stickers	D.4.3.3
Erosion Control and Vegetation Protection	D.4.3.8
Construction Equipment, Material Storage	D.4.3.9
Debris and Trash Removal	D.4.3.10
Construction Hours and Noise	D.4.3.11
Field Staking	D.4.3.13
Construction Violation	D.4.3.15
Roadway Violation	D.4.3.17
Sanitary facilities	D.4.3.18
Signage	D.4.3.19
Lighting Violations	D.4.3.22

Other: The DRB reserves the right to impose a fine for any item or action that does not follow the intent of the Cordillera Valley Club Design Guidelines.

## CONSTRUCTION FINES:

ABOVE VIOLATIONS WILL FOLLOW THE ESCALATING FEE SCHEDULE:

\$100 – 1st Violation
\$200 – 2nd Violation
\$400 – 3rd Violation
\$800 – 4th Violation
\$1,600 – 5th Violation
\$3,200 – 6th Violation

OTHER VIOLATIONS WILL FOLLOW THE FOLLOWING FEE SCHEDULE:

### **\$1,000.00**

Site Fencing (D.4.3.8), Heater (D.4.3.15), Fire Protection (D.4.3.13), Failure to Submit Minor Modifications (D.6.2)

### **\$2,500.00**

Disturbing any Area Beyond Limits of Disturbance (D.4.3.16), Failure to Schedule any Inspections (D.5.0-5.5)

### **\$5,000.00**

Blasting Violation (D.4.3.2)

### **Up to the full amount of the compliance deposit**

Completion of Construction (D.4.3.4), Conservation of Landscape Materials (D.4.3.6), Protection of Property (D.4.3.16)

# APPENDIX I - PROCEDURES FOR MINOR ENCROACHMENTS OUTSIDE BUILDING ENVELOPES

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Minor encroachments of improvements outside of the building envelope may be approved by the DRB subject to the procedures outlined below.

Prior to acting on a proposal for a minor encroachment, the applicant for the encroachment shall notify via registered mail, return receipt requested, all adjoining property owners at least 30 days prior to the scheduled meeting with DRB review (RE: Appendix K, Form K.3). For additional information on notification to adjacent property owner's see Appendix J. Comments and concerns of adjoining property owners will be directed to the DRB. These comments will be considered by the DRB when making their decision to approve or disapprove the proposed encroachment. Adjoining property owners are defined as any owners of property abutting, directly across the street from or within 75 feet of the property for which the building envelope encroachment is requested, or other properties as determined by the DRB.

Encroachment of habitable space not to exceed twelve inches (12") may be approved by the DRB under the current County Zoning Regulations.

Minor encroachments include non-habitable space such as roof overhangs, balconies, service areas, porches, patios, carports and garages. The DRB may approve such encroachments provided the owner clearly demonstrates that:

1. The proposed encroachment does not affect views from surrounding homesites;
2. The proposed encroachment does not substantially reduce the distance between homesites on lots;
3. The proposed encroachment allows for a more sensitive design solution by minimizing site grading, the loss of mature vegetation, and/or other considerations, and
4. The proposed encroachment will allow for a design that is consistent with the overall design philosophy and design style for the Cordillera Valley Club.

# APPENDIX J- PROCEDURES FOR AMENDMENT TO BUILDING ENVELOPE LOCATIONS AND LOT LINES

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## J.1.0 DESIGN REVIEW PROCEDURES

Prior to acting on a proposal for an amendment to a building envelope location or lot line, the applicant shall notify via registered mail, return receipt requested, all adjacent property owners at least 30 days prior to the scheduled meeting with DRB review (RE: Appendix K, Form K.3 for additional information on notification to adjacent neighbors). Comments and concerns of adjacent property owners will be directed to the DRB. These comments will be considered by the DRB when making their decision to approve or disapprove the proposed amendment. Adjacent owners are defined as any owners of property abutting, directly across the street from or within 75 feet of the property for which the building envelope or lot line adjustment is requested, or other properties as determined by the DRB.

All proposed building envelope location changes and lot line adjustments shall conform with the following design review procedures and all other local, county, state and federal governing codes, regulations and restrictions.

The Design Review Board procedures are:

- Step One: Pre-Design Meeting
- Step Two: Application Review for Completeness
- Step Three: Cordillera Valley Club Design Review Board Approval Hearing
- Step Four: County Hearing

A Design Review fee shall be submitted to the Cordillera Valley Club DRB in order to defray the cost of reviewing submittals. The fee shall be paid in a single installment and submitted with the Step Two application. All fees shall be made payable to the Cordillera Valley Club Property Owners Association. See Appendix C for Fee and Deposit Schedule.

## J.1.1 STEP ONE: PRE-DESIGN MEETING

Step One in the Review Process is for the Owner/ Applicant and design team to request a pre-design meeting with the DRB. The purpose of the meeting is to discuss the Owner/ Applicant's proposal for a building envelope change or lot line adjustment. It is required that the Owner/ Applicant's design team attend the meeting, and that this meeting be held prior to initiating any formal design work on the project or preparing the application to the County.

The pre-design meeting will address the following issues:

- Property boundaries and building envelope
- Utilities and easements
- Architectural design theme, site planning and landscape design regulations
- Site specific characteristics and design opportunities; review of the Individual Lot Diagrams
- Preliminary design concepts
- Design review and approval process
- Other relevant design considerations and regulations

Three full size sets and seven 11" x 17" sets of the following information are to be submitted to the Design Review Board:

1. Building Envelope Site Plan showing both the existing and the proposed building envelope, prepared by a Registered Land Surveyor; or a Lot Line Adjustment Site plan showing both the existing and proposed lot lines, prepared by a Registered Land Surveyor;
2. Written purpose statement for the proposed change; and,
3. Copies (number to be determined by the DRB) of a drawing to scale showing:
  - a. Existing property lines for the site;
  - b. Existing building envelope locations;

- c. All adjacent properties, their lot lines and building envelope locations;
- d. All proposed changes to lot lines and/or building envelope locations; and,
- e. A minimum 7 days prior to the pre-design meeting, the Owner/ Applicant shall have the site staked to indicate the proposed change. Staking must show the existing lot corners and building envelope corners and the proposed lot corners or building envelope corners.

Upon receipt of the information required for the pre-design meeting, the DRB shall notify the Owner/ Applicant within seven days of the date, location and time of the meeting.

As part of the pre-design review, the DRB shall visit the proposed site and review the site staking. Staking must show the existing lot corners and building envelope corners and the proposed lot corners or building envelope corners.

The Owner/ Applicant and/or Owner’s representative shall attend the meeting to present the proposed change to the DRB and to address any questions regarding the proposed change.

Once the Pre-Design Meeting has taken place, the DRB will notify the Owner/ Applicant in writing of its findings. Owners/ Applicants who receive DRB approval to proceed to Step Two may prepare and submit an “Amended Final Plat” application for a Completeness Review by the DRB. Additionally, the applicant is required to provide proof of notification to all adjacent property owner’s to the DRB at least 30 days prior to any DRB approval. Refer to Appendix K, Form K.3 for additional information on notification requirements.

In the event the DRB rejects the Owner/ Applicant’s proposed change in the pre-design meeting, the Owner/ Applicant may revise its plans and resubmit to the DRB. If, after a second review by the DRB, the proposed change is denied, the Owner/ Applicant may appeal the decision of the DRB to the Cordillera Valley Club Property Owners Association’s Executive Board. Said appeal must be filed within 30 days of the DRB decision.

## **J.1.2 STEP TWO: APPLICATION REVIEW FOR COMPLETENESS**

Step Two in the Building Envelope Location Change or Lot Line Adjustment Review Process is to prepare an “Amended Final Plat” application for submittal to the DRB and Eagle County. The application must include:

- A cover letter signed by the property Owner/ Applicant at the time of submittal with a purpose statement describing the reason for the proposed change;
- A copy of the completed application form to Eagle County;
- Application fee payment to the DRB, see Appendix C for Fee and Deposit Schedule;
- Application fee payment to Eagle County;
- Copies (number to be determined by the DRB) of the “Amended Final Plat” drawing prepared by a Registered Land Surveyor (NOTE: The “Amended Final Plat” drawing must display the purpose statement); and,
- A completed “Amended Final Plat” on Mylar ready for signature and submission to Eagle County.

Upon receipt of the information required for the Review for Completeness meeting, the DRB shall notify the Owner/ Applicant within seven days of the date, location and time of the meeting. Once the application has been reviewed for completeness and deemed complete, and the proposed adjustment has been approved by the board as outlined in Step Three, the Owner/ Applicant shall be responsible for submitting the application and any documents required by the county to the Eagle County Community Development Office.

### **J.1.3 STEP THREE: CORDILLERA VALLEY CLUB DESIGN REVIEW BOARD APPROVAL HEARING**

Once all the items in Step Two have been addressed and once return receipts verifying that adjacent property owners and purchasers of affected lots have been notified via registered mail, return receipt requested, of the proposed change, the DRB shall schedule the Approval Hearing to review the application for the proposed change.

The proposed adjustment may be approved by the DRB, if the DRB finds the amendment does not substantially impact in an adverse manner the view corridor of any property owner to whom notice of the proposed building envelope amendment or lot line adjustment has been sent, or is required by geologic or other hazard considerations.

NOTE: The DRB must execute the signature block on the “Amended Final Plat” as a condition for approval by Eagle County. It is the responsibility of the Owner/Applicant to submit any documents required by the county to the Eagle County Community Development Office.

### **J.1.4 STEP FOUR: COUNTY HEARING**

Eagle County review and approval is required in addition to DRB approval, and is subject to the Cordillera Valley Club Planned Unit Development Guide and Eagle County Regulations in effect at the time of application.

Once approved, the Amended Final Plat shall be recorded and become a matter of record.

# APPENDIX K: FORMS

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K.1	SINGLE FAMILY RESIDENTIAL APPLICATION FORM	K-2
K.2	EXTERIOR IMPROVEMENTS APPLICATION FORM	K-9
K.3	NOTIFICATION TO ADJACENT NEIGHBORS	K-11
K.4	COMPLIANCE AGREEMENT	K-13



**CORDILLERA VALLEY CLUB FORM K.1**

# SINGLE FAMILY RESIDENTIAL APPLICATION FORM

Name of Project: \_\_\_\_\_

Location      Filing: \_\_\_\_\_

Lot: \_\_\_\_\_

---

## SECTION II - PROJECT DATA

1. A pre-design meeting with the DRB staff is required for all single family residential projects within the Cordillera Valley Club for the Applicant to obtain information which will establish the overall regulations for the particular lot.
2. Fees are to be submitted with application. Refer to Appendix C for Fee and Deposit Schedule.
3. The DRB may require an owner to provide notice to adjacent property owners. This will be determined at the pre-design meeting.

- 
1. **SKETCH PLAN REVIEW** - For Sketch Plan requirements refer to Chapter 6 - "Design Review Process" and Appendix C - Fee & Deposit Schedule.

- A. Submit two copies of survey (minimum scale 1"=20'-0") and three full size sets and seven sets of 11"x17" reductions of proposed Site Plan, Floor Plans, and Landscape Plans and one copy of the Building Height Calculations.
- B. Submit completed Application Form, Sections I, III, IV, and V.
- C. Submit check for review fee at time of submittal.
- D. Submit Eagle County Wildfire Rating
- E. Submit Color 8" x 10" photos of the existing site and natural landscape conditions
- F. Submit proof of notification of adjacent neighbors.

- 
2. **FINAL PLAN REVIEW** - For Final Plan requirements refer to Chapter 6 - "Design Review Process" and Appendix E - Fee & deposit Schedule.

- A. Submit three full size sets and seven sets of 11" x 17" reductions of proposed Final Site Plan, Floor Plans, Elevations, Building Sections, Perspective Sketches, Roof Plan, Lighting Plan and Landscape Plan. Submit one copy each of the Building Height Calculations, Details, Specifications and Model.
- B. Submit completed Application Form, Sections I, III, IV, and V.
- C. Proof of notification to adjacent property owners.

- 
3. **MODIFICATIONSTO SKETCH PLAN/FINAL PLAN APPROVAL**

- A. Describe any item(s) to be modified:

- 
- B. Plan requirements:

1. Submit 8" x 10" photos or previously approved plans.
2. Submit modified Elevations, Floor Plans and/or Site Plan as appropriate.
- C. Submit completed Application, Sections I, III, IV, and V.

- 
4. **MISCELLANEOUS PROJECT REVIEW PROCESS**

- A. Submit three full size sets and seven sets of 11" x 17" reductions of drawings as appropriate
- B. Submit completed Application Form, Sections I, III, IV, and/or V as appropriate.
- C. Submit check for review fee at time of submittal.

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*CORDILLERA VALLEY CLUB DESIGN REVIEW BOARD*  
(USPS) PO Box 1734, Vail CO 81658 (FEDEx/UPS) 90 BENCHMARK ROAD, SUITE 202, AVON CO 81620  
(P) 970-949-7034 (F) 970-949-8124  
(E) [stephanielj@vagarchitects.com](mailto:stephanielj@vagarchitects.com)

# SINGLE FAMILY RESIDENTIAL APPLICATION FORM

Name of Project: \_\_\_\_\_  
Location Filing: \_\_\_\_\_ Lot: \_\_\_\_\_

## SECTION III - PROJECT DATA

Check one:  Single Family  Modification to  
(one dwelling unit) Existing Improvements

- A. Number of Bedrooms, All units: \_\_\_\_\_
- B. Minimum Square Footage: \_\_\_\_\_
- C. Number of Covered Parking Spaces: \_\_\_\_\_  
Number of Uncovered Parking Spaces: \_\_\_\_\_  
Total Parking Spaces: \_\_\_\_\_
- D. Maximum Slope of Driveway \_\_\_\_\_ %  
First 20' of driveway is \_\_\_\_\_ % slope  
Last 20' of driveway is \_\_\_\_\_ % slope
- E. Building Height Calculation: \_\_\_\_\_  
(Submit drawing of building height calculations drawn over building elevations.)
- F. Stone Veneer Calculations
- G. Caretaker Unit (circle one)    yes    no
- H. Exterior Improvements
  - i. Basketball hoops
  - ii. Playstructures
  - iii. Trampolines
  - iv. Hot tubs
  - v. Fire pits
  - vi. Outdoor kitchens
  - vii. Trellis
  - viii. Fencing
  - ix. Other \_\_\_\_\_

I. List any proposed improvements outside the building envelope: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

CORDILLERA VALLEY CLUB DESIGN REVIEW BOARD  
(USPS) PO Box 1734, Vail CO 81658 (FedEx/UPS) 90 BENCHMARK ROAD, SUITE 202, AVON CO 81620  
(P) 970-949-7034 (F) 970-949-8124  
(E) stephanielj@vavagarchitects.com

CORDILLERA VALLEY CLUB FORM K.1

SINGLE FAMILY RESIDENTIAL APPLICATION FORM

Name of Project: \_\_\_\_\_

Location \_\_\_\_\_ Filing: \_\_\_\_\_ Lot: \_\_\_\_\_

SECTION IV - LIST OF MATERIALS

The following information must be submitted by the Applicant to the DRB prior to attending the Final Plan Review meeting. Color chips, siding samples, etc. should be presented at the DRB meeting.

Building Materials	Type of Material	Specifications, Product Color, Material, etc.
Primary Wall Material	_____	_____
Other Wall Material	_____	_____
Fascia	_____	_____
Soffits	_____	_____
Windows	_____	_____
Window Trim	_____	_____
Exterior Doors	_____	_____
Garage Doors	_____	_____
Door Trim	_____	_____
Hand or Deck Rails	_____	_____
Flues, Cap	_____	_____
Flashings	_____	_____
Chimney Enclosures	_____	_____
Snow Fence/Gutters	_____	_____

\* Please indicate location of utility meters and exterior light fixtures on plans. Attach cut sheets for exterior light fixtures indicating type and material.

\*\* Please note that a full scale on-site mock up of all exterior materials with proposed colors is required during the construction phase prior to installation for final DRB approval. Please refer to Appendix D - Cordillera Valley Club Construction Rules and Regulations.

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CORDILLERA VALLEY CLUB DESIGN REVIEW BOARD  
 (USPS) PO Box 1734, Vail, CO 81658 (FEDEx/UPS) 90 BENCHMARK ROAD, SUITE 202, AVON CO 81620  
 (P) 970-949-7034 (F) 970-949-8124  
 (E) stephanielj@vagarchitects.com



CORDILLERA VALLEY CLUB FORM K.1

SINGLE FAMILY RESIDENTIAL APPLICATION FORM

Name of Project: \_\_\_\_\_

Location \_\_\_\_\_ Filing: \_\_\_\_\_

Lot: \_\_\_\_\_

SECTION V - LANDSCAPE PLAN (continued)

PLANT MATERIALS: Botanical Name Common Name Quantity Size

D. GROUND COVER

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

E. SOD

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

F. SEED

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

G. TYPES OF EDGING

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

H. TYPE OF IRRIGATION

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I. TYPE OR METHOD OF EROSION CONTROL

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Submit Erosion Control and Revegetation Plan with Final Plans)

CORDILLERA VALLEY CLUB DESIGN REVIEW BOARD  
(USPS) PO Box 1734, VAIL CO 81658 (FEDEx/UPS) 90 BENCHMARK ROAD, SUITE 202, AVON CO 81620  
(P) 970-949-7034 (F) 970-949-8124  
(E) stephanielj@vagarchitects.com

# SINGLE FAMILY RESIDENTIAL APPLICATION FORM

Name of Project: \_\_\_\_\_

Location \_\_\_\_\_

Filing: \_\_\_\_\_ Lot: \_\_\_\_\_

SECTION V - LANDSCAPE PLAN (continued)

J. OTHER LANDSCAPE FEATURES (retaining walls, fences, swimming pools, etc.)  
Please specify height, materials, and colors if applicable.

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K. PAVING MATERIALS (driveway, walkways, patios, etc.)

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L. EXTERIOR SIGNAGE (description, submit details and/or cut sheets if applicable)

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M. SITE LIGHTING (description; note lighting locations on plan and submit cut sheets)

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N. RETAINING WALLS

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N. MISCELLANEOUS

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**CORDILLERA VALLEY CLUB FORM K.2**

**RECREATIONAL EQUIPMENT APPLICATION FORM**

1. Application will be accepted after all information requested is provided to the DRB.
2. Recreational Equipment Application fee (\$50.00) must be submitted at time of application.
3. Please attach three 11"x17" reductions of Site Plan indicating the proposed location for any improvements.
4. Please contact the DRB staff regarding application questions.

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**SECTION I - PROJECT INFORMATION**

- A. NAME OF PROJECT: \_\_\_\_\_  
Project Description: \_\_\_\_\_
- B. LOCATION OF PROJECT: \_\_\_\_\_  
Legal Description: Filing: \_\_\_\_\_ Lot: \_\_\_\_\_  
Other: \_\_\_\_\_  
Street Address: \_\_\_\_\_
- C. NAME OF APPLICANT: \_\_\_\_\_ Firm: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_
- D. NAME OF OWNER(S): \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_
- E. NAME OF ARCHITECT: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_
- F. NAME OF BUILDER: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

**I have read and will comply with the Cordillera Valley Club Construction Regulations concerning construction activities and compliance deposit regulations of the Cordillera Valley Club.**

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Signature and Printed Name of Signatory

Date

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(E) stephaniel@vagarchitects.com

# RECREATIONAL EQUIPMENT APPLICATION FORM

Name of Project: \_\_\_\_\_ Filing: \_\_\_\_\_ Lot: \_\_\_\_\_  
Location \_\_\_\_\_

## RECREATIONAL EQUIPMENT- DESIGN REVIEW BOARD POLICY

A. Recreational Equipment is defined as any equipment, not part of the mechanical, electrical or plumbing systems for a home, not capable of being stored within the building on the lot, that is sited within the building envelope in a permanent or semi-permanent manner. This includes, but is not limited to:

1. Satellite dishes
2. Basketball hoops
3. Playstructures
4. Trampolines
5. Hot tubs
6. Fire pits
7. Outdoor kitchens or BBQ areas
8. Trellis
9. Fencing
10. Volleyball or Hockey nets

## B. GENERAL POLICIES

1. An application fee and proposed location for all recreational equipment must be received by the DRB prior to approval.
2. All equipment must be substantially screened from view from adjacent properties, golf course areas and from adjacent road right-of-ways without impairing its use. Screening may utilize a portion of an existing building; however, a fence for the sole purpose of screening may not be used.
3. Equipment must be located and screened within the designated building envelope for the lot.
4. For the purpose of assuring equal access to all Owners within a Community Association an application must be made in the name of or through the Association.
5. All equipment shall be located in such a manner with consideration for safety.
6. One satellite dish will be allowed per building, such as a single family or a primary /secondary home, Satellite dishes may be wire mesh or solid. Satellite dishes must be a solid color, with no logos, painted to match surrounding equipment or environs.

## C. SPECIFIC POLICIES FOR RESIDENTIAL SITES

1. The maximum diameter of satellite dishes shall be 24” .

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(E) stephaniej@vagarchitects.com

**CORDILLERA VALLEY CLUB FORM K.3**  
**NOTICE TO PROPERTY OWNERS OF**  
**DESIGN REVIEW BOARD APPLICATION**

**NOTIFICATION PROCEDURES:**

Owner/Applicant is responsible for providing notification to all properties abutting, adjacent to, across the street from, and within 75 feet of the property. The notice shall be sent via first class registered mail, return receipt requested and proof of notification must be provided to the DRB during the following phases of the Design Review Process:

1. Pre-Design - Upon submittal of an application for pre-design of a new house, or a modification to an existing structure or improvement, the Design Review Board Administrator may require Owner to provide notice to adjacent property owners.
2. Sketch Plan Review - Required
3. Final Plan Review - Required
4. Building Modification Outside the Building Envelope - Minimum 30-Day waiting period for approval after receipt of notification.
5. Landscape Modification Outside the Building Envelope - Minimum 30-Day waiting period for approval after receipt of notification.

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*CORDILLERA VALLEY CLUB DESIGN REVIEW BOARD*  
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(P) 970-949-7034 (F) 970-949-8124  
(E) [stephaniej@vagarchitects.com](mailto:stephaniej@vagarchitects.com)

**CORDILLERA VALLEY CLUB FORM K.3**  
**NOTICE TO PROPERTY OWNERS OF**  
**DESIGN REVIEW BOARD APPLICATION**

The Cordillera Valley Club (CVC) Design Review Board has been asked to consider an application submitted by:

OWNER/APPLICANT:

LOT NUMBER and FILING:

ADDRESS:

TYPE OF APPLICATION:

DESCRIPTION OF APPLICATION:

A public meeting to review and consider the above proposal will be held by the Cordillera Valley Club Design Review Board at \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_. Please contact Stephanie Lord-Johnson, CVC DRB Administrator for further information or if you have any comments in support or opposition of the proposed request (970) 949-7034.

Send written comments to: CVC DRB, c/o VAg, Inc., PO BOX 1734, Vail, CO 81658

The meeting on this proposal is not limited to those receiving copies of this notice and this public hearing is open to any interested party.

Sincerely,

\_\_\_\_\_  
Signature of Owner/Applicant

\_\_\_\_\_  
Date

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# FORM K.4 - COMPLIANCE AGREEMENT

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BY AND BETWEEN

\_\_\_\_\_ (OWNER)

AND

**THE CORDILLERA VALLEY CLUB PROPERTY OWNERS ASSOCIATION**

This Compliance Agreement (“Agreement”) is made by and between the Cordillera Valley Club Property Owners Association, a Colorado nonprofit corporation, acting through its designated agent, the Cordillera Valley Club Design Review Board (“DRB”) and \_\_\_\_\_ (“Owner”).

## RECITALS

WHEREAS, Owner is the record owner of real property located in Eagle County, Colorado described as Lot \_\_\_\_\_, Filing \_\_\_\_\_, Cordillera Valley Club, also known by street address as \_\_\_\_\_ (“Property”); and,

WHEREAS, Owner acknowledges that such Property is subject to certain protective covenants, conditions and restrictions and easements (“CCR&E’s”) administered by the Cordillera Valley Club Property Owners Association (“Association”), as set forth in that certain Amended and Restated Declaration of Protective Covenants, Conditions, Restrictions and Easements for Cordillera Valley Club, recorded on August 29, 1995, in the records of the Clerk and Recorder for Eagle County, Colorado in Book 674 at Page 809 et. seq., as Reception No. 570824, and as such CCR&E’s may be amended and/or supplemented from time to time; and,

WHEREAS, Owner acknowledges that such CCR&E’s authorize the promulgation of certain Design Guidelines, Construction Rules and Regulations, heretofore adopted by the DRB and approved by the Executive Board of the Association, and that all further references in this Agreement to “CCR&E’s” shall be deemed to include all such Design Guidelines, Construction Rules and Regulations; and

WHEREAS, the DRB is a committee duly authorized by such resolution of the Executive Board of the Association to implement certain areas of the Board’s administration and enforcement authority for the CCR&E’s, including but not limited to CCR&E’s specifically applicable to the planning, design, construction and completion of improvements (and alterations thereof) and landscaping on real property subject to the Association’s jurisdiction, and issues incidental thereto; and,

WHEREAS, the DRB requires of all Owners, as a condition prior to commencing construction activity on any property (including landscaping) within the Association’s jurisdiction, both an executed Construction Management Plan with Proposed Construction Schedule (“Construction Management Plan”) and an executed Construction and Landscape Improvements Agreement by which the Owner agrees to comply with the CCR&E’s and to furnish a monetary deposit to secure Owner’s compliance with same.

## AGREEMENT

NOW THEREFORE, in consideration of the following mutual promises and agreements and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Association (through its authorized agent, the DRB) and Owner agree as follows:

1. Proposed Construction Activity and Construction Management Plan.
  - (a) The term “Construction Activity” as used in this Agreement shall have the same meaning as defined in the CCR&E’s (specifically, the Construction Rules and Regulations), and shall include all phases and aspects of the construction of improvements, alterations and landscaping proposed by the Owner and its Construction Management Plan and all materials submitted therewith to the DRB (see subparagraph 1b). Owner’s signature below on this Agreement and provision of the compliance deposit described below in paragraph 5 are preconditions of DRB approval for Owner’s commencement of Construction Activity on the Property.

(b) The term “Construction Management Plan” as used in this Agreement shall include all materials required to be submitted to the DRB under the five-step design review process described in the CCR&E’s (specifically, in the Design Guidelines and Construction Rules and Regulations), including but not limited to a topographic survey of the Property, site plans, floor plans, roof plans, landscape plans, drawings of exterior elevations, drawings of building sections, building height calculations, exterior finish details, scale models, erosion control and revegetation plan, perspective sketches, blueprints, the construction schedule and any other documents or materials required by the DRB.

## 2. Compliance by Owner.

- (a) Owner acknowledges and agrees its Property is subject to the jurisdiction of the DRB as described in the CCR&E’s and the Board’s resolutions delegating authority to the DRB. Owner agrees to fully and timely comply with the CCR&E’s, its Construction Management Plan approved by the DRB, and all terms and conditions of this Agreement.
- (b) Owner has retained or intends to retain \_\_\_\_\_ as its general contractor for the Construction Activity proposed. Owners shall provide a copy of this Agreement to such general contractor and Owner agrees that the terms and conditions of this Agreement shall be incorporated by specific reference into Owner’s contract(s) with its general contractor.
- (c) Owner acknowledges and agrees that upon the DRB’s approval of Owner’s Construction Management Plan and receipt from Owner of the Compliance Deposit described in paragraph 5, the DRB may record in the records of the Clerk and Recorder for Eagle County, Colorado, with reference to the Property, a “Notice of Construction in Progress” in substantially the same form as hereto. Additionally, Owner authorizes the DRB to: (i) provide to Association members who own real property contiguous with the Property, written notification that the DRB has approved commencement of construction on the Property; and (ii) upon request of such an Association member, permit such member to inspect plans, drawings, sketches, blueprints, maps or similar materials to be submitted to the DRB by Owner in connection with obtaining approval to commence construction.

## 3. Enforcement of Compliance by the DRB.

- (a) Authority to enforce compliance. Owner acknowledges that the DRB, including its employees and agents (such as, but not limited to, the Public Safety Officers of the Cordillera Valley Club), is the authorized agent of the Executive Board of the Association to administer and enforce the CCR&E’s, all Construction Management Plans, this Agreement and any and all other agreements in connection with Owner’s Construction Activity.
- (b) Determination of noncompliance. The DRB, on its own initiative or in response to complaint or report filed by any person, is authorized to determine whether Owner’s Construction Activity is in violation of, or not compliant with, the CCR&E’s, the Construction Management Plan or this Agreement.
- (c) Remedies and Fines for noncompliance. The DRB is authorized to enforce Owner’s compliance with the CCR&E’s, the Construction Management Plan or this Agreement by imposing one or more monetary fines upon Owner for violations of noncompliance (including deduction of unpaid fine, as well as associated DRB administrative and legal costs, from Owner’s Compliance Deposit), by exercising a reserved right of entry on the Property to remove nonconforming improvements, by excluding Owner’s agents from entry to the Cordillera Valley Club community under the Association’s jurisdiction, or by pursuing all other available legal and/or equitable remedies. Such remedies are cumulative, not exclusive. The DRB may, in its discretion and after notice to Owner, declare each day after a violation or noncompliance continues as a separate violation or event of noncompliance.
- (d) Notice of noncompliance. If the DRB determines that a violation of, or noncompliance with, the CCR&E’s and/or the Construction Management Plan and/or this Agreement has occurred in connection with Owner’s Construction Activity, the DRB (or its authorized employee or agent) shall provide Owner with written notice of the violation (delivered to Owner as provided in this Agreement for “Notices”), identifying the sanction to be imposed or remedy to be pursued by the DRB, providing a period of not less than ten (10) days within which Owner may request in writing a hearing before the DRB Administrator, and including a statement that the proposed sanction shall be imposed or remedy pursued if a written request for hearing with the

DRB Administrator is not timely made. Appeals of sanctions imposed may be pursued as provided in the CCR&E's.

- (e) Recorded Notice of Noncompliance. Owner acknowledges and agrees that if the DRB imposes a fine or other sanction against the Owner as described above in subparagraph (d) of this paragraph 3, and such fine remains unpaid and/or the violation or noncompliance giving rise to such fine and/or sanction remains unresolved by Owner, then after the Owner's right to a hearing has expired or no further appeal is available, whichever comes first, the DRB may record in the records of the Clerk and Recorder for Eagle County, Colorado, with reference to the Property, a public notice of such violation or noncompliance.

4. Timely Completion of Improvements. Owner shall timely complete all Construction Activity approved by the DRB, including landscaping. All improvements, alterations and landscaping shall be constructed and performed in a workmanlike manner in accordance with

- (a) the CCR&E's;
- (b) The Construction Management Plan, Construction Schedule and this Agreement;
- (c) All applicable local, county, state and federal ordinances, codes, regulations, statutes, etc. "Completion" for the purpose of this Agreement, shall mean all improvements and alterations, including landscaping, are fully ready for final inspection by the DRB in preparation for issuance of a Letter of Compliance (as defined in the Construction Rules and Regulations). Any extension of the completion date specified above must be approved in writing by the DRB.

Each day that Construction Activity remains incomplete after the completion date specified above (or an authorized extension thereof) shall constitute a separate violation of the CCR&E's, Construction Management Plan, Construction Schedule and this Agreement, and subject the Owner to fines therefore.

## 5. Compliance Deposit

- (a) Payment. Owner agrees to deposit with the DRB, concurrently with the Owner's signature below, a Compliance Deposit in the amount of twenty thousand and no/ 100 dollars U.S. (\$20,000.00) ("Compliance Deposit"). The purpose of the Compliance Deposit is to secure and assure Owner's compliance with the CCR&E's, the Construction Management Plan and this Agreement throughout the duration of the Owner's Construction Activity until completion, including completion of landscaping. The Compliance Deposit shall be made payable to the CVC POA in the form of a personal or cashier's check, and shall be maintained by the DRB or the Association in an account at an insured depository institution.
- (b) Use of deposit. Owner agrees that if Owner (and/or its employees, agents, or other representatives, including contractors and subcontractors) fail to cure any violation of, or noncompliance with, the CCR&E's or the Construction Management Plan or this Agreement after notice and the opportunity to be heard as provided herein and in the CCR&E's), or to pay any fine levied by the DRB in connection violation or noncompliance, the DRB may, without further notice to Owner, deduct from the Compliance Deposit all unpaid fines and all costs and expenses, including but not limited to administrative costs, court costs and attorneys' fees, incurred by the DRB in connection with the enforcement of compliance, or, if Owner fails to timely correct any violation or noncompliance, the DRB may draw upon the Compliance Deposit to pay the costs incurred by the Association to remedy the circumstances creating the violation or noncompliance. Owner is not entitled to reimbursement for any costs incurred by the DRB in enforcing compliance with this Agreement. To the extent the Owner's Compliance Deposit is insufficient to reimburse the DRB for such expenses, Owner agrees to timely replenish the deposit in the amount reasonably required by the DRB after written demand therefore.
- (c) Return of deposit. Upon the DRB's issuance of a Letter of Compliance to the Owner (as defined in the Construction Rules and Regulations), one-half of the Compliance Deposit (or such unused portion of the Compliance Deposit, if any, as remains upon the issuance of such Certificate) shall be returned to Owner upon Owner's written request. The remaining half of the Compliance Deposit may be retained by the DRB, in its discretion, for one year from the date of issuance of the

Letter of Compliance, to secure Owner's obligation to make reasonable efforts to maintain the new landscaping improvements. The Compliance Deposit, or such portion as remains on deposit with the DRB two years after issuance of the Letter of Compliance, shall be deemed forfeited to the DRB if not requested in writing by the Owner prior to expiration of such two years.

(d) Dispute over deposit. In the event of a controversy or dispute regarding the Compliance Deposit, or any portion thereof, unless the parties mutually agree in writing as to the disposition of the disputed funds, the DRB shall not be required to take specific action with respect to the funds on deposit without an order of a court of competent jurisdiction, or the DRB may, in its sole discretion, interplead all affected parties and deposit any funds held by it into a court of competent jurisdiction.

6. Duration of Agreement. This Agreement shall remain in effect until all improvements, alterations, and landscaping proposed by Owner for the Property and approved by the DRB are completed and the DRB has issued a Letter of Compliance together with a written accounting for disposition of the Compliance Deposit. Time is of the essence in the performance of this Contract. If the DRB, in its discretion, retains one-half of the Compliance Deposit to secure the first year's proper maintenance of landscaping improvements, then this Agreement shall terminate only after expiration of the one (1) year waiting period for the maintenance of new landscaping and final accounting of the remainder of the Compliance Deposit.

7. Indemnification. Owner hereby indemnifies and holds harmless the Association, the DRB, and all officers, employees and agents thereof, from all liability for any and all losses, claims and demands whatsoever, made by any person or entity, for damage or injury to person or property, arising from the connected Owner's Construction Activity on the Property and/or the DRB's approval thereof and/or enforcement of compliance with this Agreement. Owner shall reimburse the Association for all costs and expenses incurred by the Association, the DRB and any officer, agent and employee thereof, in defending against any such claim or demand alleged to arise out of Owner's Construction Activity. Such indemnification and reimbursement shall include reasonable attorneys' fees and court costs, regardless of whether court proceedings are commenced or concluded.

8. Insurance. Owner shall at all times carry all liability and hazard insurance necessary to fully insure the Property and all Construction Activity conducted thereon. Owner shall name the Association as an additional insured on all such policies of insurance and shall submit proof thereof to the DRB in the form of one or more certificates of issuance at the time the Compliance Deposit is made.

9. Waiver of statutes of limitations. Owner, individually and on behalf of its employees, assigns, agents, descendants and other representatives, expressly agrees that for the duration of this Agreement, any and all statutes of limitation or similar bar(s) against legal or equitable relief that may become available to the Owner in connection with any efforts by the DRB to enforce compliance with this Agreement and/or the CCR&E's and/or the Construction Management Plan, as a partial or complete defense or bar of any kind (including an affirmative defense) against any cause of action or claim for relief available or that may become available to the Association and/or the DRB regarding subject matter in this Agreement, are hereby waived. Any and all such statutes of limitation or similar bar(s) against relief, including but not limited to those under Colorado Revised Statutes, and including but not limited to all provisions of the Association's CCR&E'S, shall not be invoked, raised, asserted or otherwise relied upon by Owner as a defense or bar against any relief, legal or equitable, the DRB and/or the Association acknowledges it has had the opportunity to review this Agreement and the CCR&E's with legal counsel of its choice.

10. DRB Right of entry. Owner hereby grants to the DRB and its employees, agents and other representatives the right to enter upon the Property at such reasonable times and upon such reasonable notice to Owner or Owner's authorized agent for the purpose of inspecting Construction Activity to confirm compliance with the CCR&E's, the Construction Management Plan and this Agreement. In the event of an emergency, the DRB and its authorized agents are authorized to take such measures as they may deem necessary to prevent an unreasonable risk of harm to person and/or property that arises out of the Construction Activity or condition of the Property.

11. Joint and Several Liability. If Owner consists of more than one Person or entity, each such person and/or entity shall be fully responsible for all obligations imposed by this Agreement. All references herein to "Owner" in the singular shall include the plural, and shall apply to all owners regardless of gender and regardless of whether an owner is a natural person or entity.

12. Notices. All communications and notices required or permitted by this Agreement shall be in writing and deemed effective when received by either Owner or the DRB (as applicable) via personal delivery, facsimile transmission, United States mail, in all cases addressed to the address and/or facsimile number(s) set forth below or to such other address as a party shall have designated by notice in writing to the other party:

If to Owner:

If to the DRB: DRB Administrator,  
Cordillera Valley Club Design Review Board  
C/O VAg, Inc. Architects and Planners  
PO Box 1734  
Vail, CO 81658-1734  
Fax No. (970) 949-8134

13. Modification/ Amendment. This Agreement may be modified or amended only in writing signed by Owner and authorized Agent of the DRB.

14. Counterparts and Facsimile Signatures. This Agreement may be signed in counterparts, in which case all counterparts together shall constitute one and the same instrument binding upon all of the parts hereto, notwithstanding that all of the parties are not signatory to the original or the same counterpart. Facsimile signatures shall be treated as original signatures hereon and on any notices given hereunder.

15. Severability. If any provision of this Agreement shall be held invalid, illegal or unenforceable by a court of competent jurisdiction, it shall not affect or impair the validity, legality or enforceability of this Agreement itself or of any other provision hereof, and there shall be substituted for the

affected provision, a valid and enforceable provision as similar as possible to the affected provision.

16. Choice of Law. Any and all disputes arising out of or in connection with this Agreement shall be governed by the laws of the state of Colorado. Both parties agree venue shall be in Eagle County, Colorado.

17. Attorneys' Fees and Costs. In the event of litigation arising out of this Agreement, the Court shall award to the prevailing party reasonable costs and expenses, including attorneys' fees.

18. Binding on Agents, etc. This Agreement is binding upon Owner, its agents, employees, contractors, subcontractors, assigns, descendants and other representatives. All consents given under this Agreement by Owner are deemed given also by Owner's agents, employees, contractors, subcontractors, assigns, descendants and other representatives.

19. Incorporation by reference. The CCR&E's (as may be amended and/or supplemented from time to time), are hereby incorporated by reference in to this Agreement and made a part hereof, and together with the Construction Management Plan shall be interpreted as a whole to further the objectives of the community governed by the Association.

20. Authorization to Bind & Guaranty. If Owner is an entity and not a natural person, the undersigned signatory on Owner's behalf warrants that he/ she is authorized to sign on behalf of Owner and furthermore personally and unconditionally guarantees Owner's performance under this Agreement.

OWNER

DESIGN REVIEW BOARD  
Administrator

\_\_\_\_\_  
Print Name: (Date)

\_\_\_\_\_  
Print Name: (Date)

\_\_\_\_\_  
Signature: (Date)

\_\_\_\_\_  
Signature: (Date)

