



DESIGN REVIEW GUIDELINES

**DURANGO MOUNTAIN MASTER ASSOCIATION
March 2003**

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I. INTRODUCTION

This publication is intended as an information resource for owners of Durango Mountain Resort home sites and multi-family parcels along with their architects, landscape architects, engineers, contractors, and other consultants. It should be used as a guide for the step-by-step interactive process required when planning any single family or multi-family development within Durango Mountain Resort. It is intended to be used with related documents referenced herein as a part of the approval process.

These guidelines focus on the physical and environmental elements of design that are required within Durango Mountain Resort. They address the architecture and landscape elements that will offer contributions to, and support of, the overall vision of the Durango Mountain Resort community. These guidelines should be viewed by individual Owners as their dedication and agreement to preserve the unique environment at Durango Mountain Resort over time.

The requirements included herein, combined with the governing structure for the Durango Mountain Master Association (DMMA), as set forth in the CC&Rs, present a vision for the evolution and development of the Resort. This vision, properly applied to all residential improvements within Durango Mountain Resort, is guided by mechanisms for comprehensive architectural control and governance that extend well beyond the typical development practices of the past. The ultimate success of these guidelines will be a function of the creativity and cooperation of the Owners, their Architects, Landscape Architects, Engineers, Contractors and other consultants along with the interactive nature of the approval process, and the guidance of the Design Review Board (DRB).

The DMMA DRB shall serve as the official Design Review Board for Durango Mountain Resort and all reference to the DRB in this document shall mean the DRB. The purpose of the DRB is to evaluate each proposed design for appropriateness and compliance with the objectives of these Design Guidelines. The DRB may determine that what was found acceptable in one situation may not be acceptable in another. The goal is for the appearance and character of all residences to harmonize and enhance their natural and manmade surroundings.

This document describes the visual and environmental goals and procedures required when designing a home in Durango Mountain Resort. Included in these goals and procedures are the minimum acceptable levels of site planning, architecture, detailing, landscape design and construction beneath which approvals to build may not be granted by the DRB.

It is strongly recommended that each Owner retain a competent, talented and licensed architect for planning and design services. If an Owner elects to do his own design or to obtain non-professional services, and the result in either case is not approved by the DRB, the DRB has the right to require that an Owner thereafter utilize an architect for professional design services.

The DRB is equally concerned with both precluding inappropriate design and development and encouraging the creative input and diversity of ideas from Owners and their consultants in the design and construction of homes within Durango Mountain Resort. Successful implementation of these objectives will help create and maintain the Durango Mountain Resort vision.

II. DURANGO MOUNTAIN RESORT VISION AND ETHICS

Situated on a series of narrow high alpine benches near Purgatory Creek amidst the San Juan Mountain Range, Durango Mountain Resort offers an idyllic alpine environment with rich contrasts in topography and an abundance of vegetation, wildlife and distant vistas.

The planning and design process at Durango Mountain Resort must begin with respect for and consideration of this rugged natural environment. The architecture and landscape of proposed development must work within the context of Durango Mountain Resort's natural palette. Architecture should be subtle, timeless and organic, subordinate to the existing landscape. The buildings created at Durango Mountain Resort must quietly defer to the surrounding native landscape as well as exist harmoniously with neighboring homes. The architecture and landscape will create supportive relationships between individual components and the overall concept. The goal is nothing less than a large-scale work of art.

Rather than being viewed as individual structures, buildings and homes at Durango Mountain Resort should be considered part of a cohesive fabric that weaves together the places where people live with the natural beauty that draws people to this community. Providing living spaces outdoors and incorporating elements of the outdoors in the buildings helps to establish this marriage of environment and domicile and is considered the core element of every structure at Durango Mountain Resort.

While character and variety are encouraged, strong contrasts and differences among form, size, massing, color and materials from one home site to the next are discouraged at Durango Mountain Resort. It is not the purpose of these guidelines to create look-a-like homes/structures or to suggest that they all have identical colors and materials, but rather to create a harmonious architecture and landscape environment that is compatible with, and complementary to, the existing landscape. No particular structure or improvement project should stand apart in its design or construction so as to detract from the overall environment and appearance of Durango Mountain Resort.

The Durango Mountain Resort vision is grounded in the concept of establishing a unique community recalling the historic Colorado alpine mining towns, great western lodges, and camps associated with the outdoor recreation and lifestyle that accompanied them. These rugged buildings borrowed elements from such architectural movements as the Arts and Crafts, Victorian, Bungalow, Mission, Prairie and Shingle style, but incorporated in a way that was uniquely indigenous to the San Juan Mountain region. Vernacular phenomena including mountain retreats National Park Service buildings, mountain ranchsteads, and even pioneer cabins, all have contributed to the architecture that is generally known as indigenous to the area.

Those who created early alpine designs celebrated the limited materials and processing methods available to them in this mountainous region and used the commanding winter climate to shape their architectural expression. In addition to an admirable lifestyle, a tradition of buildings evolved which paid tribute to the great outdoors by deferring to nature with a dignified and rugged simplicity.

When exploring historical precedents, it is important to draw upon a body of work that is appropriate to the individual structure type and to adapt the resulting design to the local climate

and the scenic aspirations of Durango Mountain Resort. As each home grows from these guiding concepts, a timeless and exceptional environment will be created. The ultimate goal is to make Durango Mountain Resort the finest alpine resort community in the southwest.

The Durango Mountain Resort (DMR) community was founded on the premise of efficient and “smart” use of our natural resources. We ask that the planning, design and maintenance of your home reflect the following core “ethics” of our community.

Water Ethic

DMR has sufficient water resources, but our concern for the natural environment encourages the conscientious consideration of water as a precious natural resource at DMR. DMR facilities will employ the latest technologies in economical water usage and DMR is trained and experienced in water management. As a resident of DMR, you also become a steward of our land and its natural resources. Below are just a few of the things you can do in planning your residence to conserve our precious water. Please note that these are recommendations only and should not be considered mandatory.

1. Use low flow plumbing fixtures.
2. Install drought tolerant indigenous landscape.
3. Minimize irrigation and reduce irrigation dependency once new plants have established themselves.
4. If practical, consider the recycling of water for multiple uses within residences and yards.
5. Install re-circulating hot water loops that insure cold water is not wasted while waiting for hot water to arrive.
6. Report any wasteful water practices immediately to the DMMA.

Energy Ethic

As stewards of our land and all its natural resources, DMR encourages the minimum usage of all non-renewable energies and encourages the adoption of appropriate passive energy technologies and the utilization of renewable resources. These technologies include a wide variety of materials, hardware and systems such as insulation, set back thermostats and high efficiency appliances. Most importantly, they involve developing a conscientious life style and adopting habits in daily living that minimize waste.

Good analysis and planning is essential in minimizing energy use and waste. The following are just a few of the factors you should consider when planning your residence:

1. Orient your home so that its patios, courtyards and windows take maximum advantage of the sun’s heat in the winter.
2. Protect all glass areas exposed in the summer with deep recesses, overhangs or other devices to minimize heat gain and enhance shade and shadow.
3. Properly distribute areas of thermal mass and properly locate high resistance insulation to help stabilize the interior’s mean radiant temperature.
4. Consider the advantages and disadvantages of prevailing breezes and solar angles.
5. Design buildings that minimize the need for fossil fuels to run them. Remember that you are designing for Durango Mountain Resort. Study its micro-climate and natural environment. These efforts will pay dividends.
6. Use recycled or re-conditioned materials whenever possible.

Air Ethic

Durango Mountain Resort (DMR) is located near some of the cleanest air in the United States, and DMR has committed to the most stringent air quality management and monitoring programs ever in La Plata and San Juan County. DMR monitors daily for PM10 particulate matter and for visibility towards the Weminuche Wilderness area. DMR consciously limits wood-burning fireplaces or woodstoves to (28) commercial standard fireplaces and a maximum of one (1) E.P.A.-certified fireplace or woodstove per single-family home. All other fire-burning units within the project must be gas-fired. DMR also operates regular bus, shuttle and carpool programs to minimize vehicular traffic to and from the Resort.

As a resident of DMR, you can assist in maintaining the quality of our air by:

1. Use only gas fireplaces in your residence.
2. Minimize private vehicular trips and utilize resort buses/shuttles and/or walk or ride your bicycle whenever possible.
3. Reduce re-entrained road dust by paving all driveway surfaces and keeping driveway surfaces clean at all times.
4. Implement dust control during construction, renovations, sitework, gardening, or any other activities on your lot that may cause dust.
5. Re-vegetate and/or landscape any exposed soil as soon as possible after disturbance and ensure the earliest possible establishment of vegetative cover and root systems.
6. Report any air quality incidents or violations immediately to DMMA.

Land Ethic

Durango Mountain Resort (DMR) has worked hard to create a Master Plan that is sensitive to the land forms and vegetation within the project, and DMR strives to protect the visual quality of scenic view corridors, to preserve valuable wetlands and open space, and to cluster and tuck development into areas of the site that are not readily visible from the highway or adjoining villages. Protecting the beauty of Durango Mountain Resort and its environs requires that all new development be sensitive to existing topography, vegetation, viewsheds and site features.

In designing and constructing your residences, DMR encourages you to help us achieve these goals by designing your residence so as to:

1. Cluster buildings to maximize contiguous open space and minimize disruption to native vegetation. Adjust your development plans to respond to the location of significant existing stands of trees, rock outcroppings, and other site features.
2. Tuck buildings into topographic folds. Ridge-top units shall be sited in saddles or back from ridge lines to prevent "skylining."
3. Offset and stagger buildings to prevent the formation of a uniform wall of building faces.
4. Maintain views to amenities, open space and creek beds from adjoining roadways.
5. Avoid development on steep slopes and soils with poor bearing capacities.
6. Relate building scale and height to topography, lot sizes and setbacks. Homes on slope sensitive lots should use hillside adaptive design techniques such as post and beam construction and daylight basements to minimize streetside and rear yard façade exposure.
7. Blend building materials and color schemes with the materials and colors of the surrounding natural landscape of earth tones, rock outcroppings and alpine meadow vegetation.

8. Add landscaping to provide shade and buffer the view of cars from neighboring properties.
9. Shield lights to preserve the visibility of the night sky.
10. Let the landscape setting dominate the views (i.e. tuck buildings amongst trees, or plant groves of trees to mimic existing landscape.)

Green Building Ethic

In furtherance of DMR's sustainable development ethics, DMR encourages owners, developers and builders to participate in the National Green Building Standards (NGBS) adopted by the National Association of Home Builders (NAHB) and approved by the American National Standards Institute (ANSI). Green building, also known as high performance building or sustainable construction, has been practiced by builders and remodelers for centuries, but the modern era of sustainable construction started in the 1970s as oil prices rose and the need for energy efficiency increased. High performance buildings are designed and constructed to incorporate environmental considerations and resource efficiency into every step of the home building and land development process with the goal to minimize its environmental impact. Green building is a practical response to a variety of issues that affect all of us – like increasing energy prices, waning water resources and changing weather patterns.

Choosing green means making intentional decisions about:

- Energy efficiency improvements such as high-performance building envelope, efficient HVAC systems, high-performance windows and energy-efficient appliances and lighting.
- Water conservation measures such as water efficient appliances and fixtures, filtration systems and drought-resistant or low maintenance landscaping.
- Resource conservation using materials and techniques such as engineered wood and wood alternatives, recycled building materials, sustainably harvested lumber and more durable products.
- Indoor environmental quality considerations such as effective HVAC equipment, formaldehyde-free finishes, low-allergen materials, and products with minimum off-gassing or low volatile organic compounds (VOCs).
- Site design planning such as minimizing disruption and preserving open space.
- Homeowner education through manuals and operating guides.

The NGBS is the most widely-used, voluntary green building standard in the U.S. and it allows owners, builders and developers to benchmark their processes, materials, equipment, and techniques against accountable standards that lower the long-term cost of ownership, maximize efficiency, reduce resource dependency, minimize waste, and reduce DMR's overall carbon footprint. In short, NGBS is the smart way to build and it will make DMR a better community for our owners.

The key steps and standards to achieving NGBS are outlined in Appendix E and members of the DMMA Design Review Board are available to assist you in the process and answer questions. To encourage owners, developers and builders to participate in the NGBS process, the DRB discounts its Design Review Fee by 50% to just \$100.00 for applicants who have committed to the NGBS certification process.

III. ADMINISTRATIVE PROCEDURES AND REVIEW PROCESS

III.1 IMPROVEMENTS AND ALTERATIONS

No improvements, excavation or other work which in any way alters the exterior appearance of any homesite, multi-family parcel or the improvements located thereon, from its natural or improved state existing on the date such homesite or multi-family parcel was first conveyed by Durango Mountain Resort to an Owner, and no sprinkler systems and no grading work which materially alters natural flows or involves the handling of more than ten cubic yards of earth, at once or in stages, shall be made, installed or done without the prior approval of the DRB pursuant to the terms of the Declaration of Covenants, Conditions and Restrictions, unless specifically authorized by other provisions therein or by the DRB. Any change or deviation from approved plans either during or after completion of construction that alters the exterior appearance of a homesite or multi-family parcel or improvements thereon must have the prior approval of the DRB.

III.2 DESIGN REVIEW AND APPROVAL PROCESS

The Design Review Board (DRB) has been created to oversee the overall development of Durango Mountain Resort (DMR) in accordance with these design guidelines and any other design guidelines as may be created for parcels or other guideline conditions.

In order to assist each owner in the planning and designing of his property, and to take full advantage of the unique opportunities of each homesite or multi-family parcel, a comprehensive design review process administered by the DRB has been established. This process provides an opportunity for the Owner to draw upon expertise and knowledge which has been acquired during the planning and development of DMR. The DRB is charged with the responsibility of maintaining the standards set forth in these design guidelines. The DRB has the authority to issue all formal approvals or disapprovals of projects and enforce these design guidelines.

The DRB will review designs only after determining that it has all information necessary. After adequate time for professional review, the DRB will take one of the following actions: a) approval, b) approval with conditions, or c) disapproval. Final action will be taken by the DRB, which will inform the applicant directly of its action.

It is strongly recommended that Owners retain competent, experienced architectural, landscape architectural and civil engineering services for planning and design. A thorough analysis and understanding of a particular homesite or multi-family parcel, the owner's special needs, and the skill to translate this into building form, as well as the ability to convey the concept and design of a proposed residential improvement to the DRB are all elements critical to the design and review process. If an Owner elects to do his own design or to obtain non-professional services, and the result in either case is not approved by the DRB, the DRB has the right to require that the owner thereafter utilize different architectural, landscape architectural or civil engineering design services. If a submittal is rejected, an additional review fee will be charged.

The design review process was developed to provide adequate checkpoints in an effort to minimize time and money spent on designs which do not adhere to these

Design Guidelines or to the overall philosophy of DMR. An attempt has been made to streamline this process and eliminate excessive delays. Nevertheless, each Owner is responsible for complying with these Design Guidelines and all the rules and regulations of all governmental authorities in order to bring the design review process to a speedy and satisfactory conclusion.

The DRB will conduct reviews of projects during their regularly scheduled meetings or at such other time as they deem appropriate. Owners, architects, or builders shall have no rights to attend any meetings unless specifically requested to do so by the DRB. The DRB will respond in writing no later than 15 working days after a submittal review is completed. Results of reviews will not normally be discussed over the telephone. Any responses an Owner may wish to make in reference to issues contained in the DRB's notice following review of submittals should be addressed to the DRB in writing.

Although the DRB will enforce all provisions of these Design Guidelines, the following will be a particular concern:

1. Building envelopes usage with regard to the building siting location and its sensitivity to views, existing vegetation and privacy from other homes or open spaces.
2. Building heights and massing.
3. Exterior elevations of residences in an effort to establish and maintain a high level of aesthetic quality.
4. Exterior paint and material colors, as well as color usage and distribution.
5. Exterior landscape and native revegetation.

The DRB has chosen not to take a prescriptive approach to achieving harmony, but an objective approach where environmental and aesthetic goals are presented for creative interpretation of the designer. Throughout these Design Guidelines, care has been taken to avoid requiring certain elements of style in reference to a specific period of architectural history. While this approach promotes greater diversity and creativity, its inherent subjectivity places greater demands on the design and review processes and relies exclusively on the sensitivity and talent of the Owner's consultants and the judgment of the DRB.

While the DRB has taken several steps to make its objectives clear within these guidelines, experience has proven that compliance with guidelines does not necessarily guarantee good composition or aesthetics. In addition to being proactive in the communication of our goals and review process, experience has prompted us to become positive contributors in design situations where the DRB is dissatisfied with the abstract issues of general composition, or integrity, or the lack of visual strength, durability or permanence. In these cases, sketches may be offered to illustrate specific areas or elements of dissatisfaction, and the DRB may require a personal meeting with the applicant to discuss possible alternatives.

To facilitate the review process, please use the checklists and forms in Appendix D.

111.3 APPEAL PROCESS

Within ten days following notification of the DRB's decision to disapprove a project design or any component of a project design, the Owner may appeal the decision by filing a written notice of appeal with the Secretary of the DMMA Board. The decision shall become final if no notice of appeal is made within 10 days following notification of the DRB's decision. Not more than 30

days following the filing of an appeal by the aggrieved party, the DMMA Board shall review the action of the DRB and shall, in writing, confirm, modify or reverse the decision of the DRB. If the DMMA Board deems insufficient information is available to provide the basis for a sound decision, the DMMA Board may postpone final action for not more than 30 additional days. Failure of the DMMA Board to act within 60 days from the date of the filing of the appeal shall be considered approval by the DMMA Board of the design of the project unless the applicant consents to a time extension.

III.4 DESIGN REVIEW SUBMITTALS AND CONSTRUCTION PROCESS

The Durango Mountain Resort design review and construction process has three general phases of design and construction review. Those phases are: The Pre-Design Meeting/Site Visit; the Preliminary Submittal; and the Final Submittal.

A. Pre-Design Meeting/Site Visit

To initiate the review and approval process prior to preparing any detailed drawings for a proposed improvement, the Owner and/or his architect may meet with representatives of the Design Review Board (DRB) to view the homesite and/or to review and discuss the proposed residence and to explore and resolve any questions regarding interpretation of these Design Guidelines or the design review process. The purpose of this informal review is to offer guidance prior to the Owner's/architect's initiation of Preliminary Design. An appointment for the pre-design meeting should be made at least one week in advance of a regularly scheduled DRB meeting.

B. Preliminary Submittal

Preliminary drawings and information, as outlined below, must be submitted to the DRB after the pre-design meeting. The Preliminary Submittal should be made at least two weeks in advance of a regularly scheduled DRB Meeting. At a minimum, Preliminary Submittals shall include:

1. Design Review Fee

A design review fee of \$200 must accompany each submittal. Checks should be made payable to Durango Mountain Master Association as the designated agent for the DRB. Such fee may be modified from time to time by the DRB.

2. Site Plan

A site plan at a scale no less than 1"=20' on a 24" x 36" sheet showing the locations and areas of the building site area, the residence, and all proposed improvements, distances from proposed structures to nearest structures (if any) on adjacent lots, geological formations, driveway, parking areas, patios, proposed utility service facilities and routes, site grading including existing and proposed contours at one foot intervals and topographic features (such as rock outcroppings and existing trees and major shrubs) to be retained and/or relocated, and elevations of all building floors, patios, and decks shown in relation to site contour elevations.

3. Survey

A survey at the same scale as the site plan prepared by a Colorado registered land surveyor, showing lot boundaries and dimensions, existing surface contours at one foot intervals, major terrain features such as rock outcrops, edge of rock drop offs and existing trees. Each Owner submitting for approval to the DRB shall be responsible for the accuracy of all information contained therein. The sale information survey received upon closing is incomplete and not acceptable for submittal purposes.

4. Roof and Floor Plans

A roof plan and floor plans at no less than 1/8" = 1'. Roof plans should show all skylights, clerestories, and all roof-mounted equipment.

5. Exterior Elevations

Exterior elevations of all sides of the residence, at the same scale as the floor plans, with both existing and proposed grade lines shown, and all exterior materials and general colors indicated. Elevations (heights) of all roof ridgelines shall be shown.

6. Other Drawings as May Be Necessary

Any other drawings, materials, or samples requested by the DRB or deemed necessary by applicant.

7. Staking

The Owners shall stake the locations of the corners of the residence, the centerline of the driveway, and all utility service trenching.

8. Color Samples

Submit color samples, chips, materials of all exterior elements as described herein. If possible, these samples should be clearly marked with the submittal date, Owner's name, lot number, and mounted on 24" x 36" board identified with the manufacturer's name, color and manufacturer number.

C. Preliminary Review

After the submittal of the above drawings and information, the staking of the lot and any additional materials or information requested in writing by the DRB, the preliminary submittal will be deemed complete. The DRB will then review the submittal for conformance to these Design Guidelines and provide a written response to the Owner on or before 30 days after the Preliminary Review meeting. If deficiencies are found in the Preliminary Review, the DRB will ask the applicant to re-submit revised drawings and information as necessary until the Preliminary Submittal is approved by the DRB. The applicant cannot proceed to the Final Submittal without the written approval from the DRB of the Preliminary Submittal.

D. Final Submittal

After preliminary approval is obtained, final drawings and information as outlined below must be submitted to the DRB. The Final Submittal should be made at least two weeks in

advance of a regularly scheduled DRB Meeting. At a minimum, the Final Submittal shall include:

1. Complete Construction Documents

Complete construction documents for the residence including all data required in the Preliminary Review Submittal (above) plus other data or drawing as necessary to illustrate proposed buildings, all utility locations (including the final connection to the existing sewer main, water main, gas main, wired utilities, electric meter and transformer locations), and any adjustments to the building envelope.

2. Site Lighting Plan

A detailed site lighting plan including the locations and manufacturer's catalog cut sheets of all exterior light fixtures.

3. Material and Color Samples

Any revision to the samples of all exterior materials and colors, window and glass specifications, and accent items.

4. Landscape Plan

A complete landscape plan at the same scale as the site plan, showing the entire parcel or homesite indicating: all areas to be irrigated (if any), locations, size and species of all trees and other plants existing and to be added, all exterior walks, drives, patios and other decorative landscape features. A legend using clear symbols, and the nomenclature found in the approved plant list (see appendix for these guidelines) must be provided in the landscape plan.

5. Drainage and Erosion Control

A surface water hydrology report, performed by a registered civil engineer, is required whenever construction or proposed drainage encroaches into an identified drainage easement, historical drainage area, or which may land adjacent to the lot.

6. Changes

Notification of any changes required by County plan review.

7. Construction Schedule

An approximate time schedule indicating approximate dates for starting and completion of construction, utility hook-up, completion of landscaping work, and anticipated occupancy date.

E. Final Approval

After submittal of the above drawings and information and any additional materials or information requested in writing by the DRB, the final submittal shall be deemed complete. The DRB will then review the submittal for conformance to these Design Guidelines and any preliminary approval stipulations and provide a written response to the Owner on or before 30 days after the Final Review meeting. If deficiencies are found in the Final Review, the DRB will ask the applicant to re-submit as necessary. Approval of the plans by the DRB does not relieve the applicant from total responsibility for

compliance with County Code and Ordinances, CC&Rs and the requirements of all other approval agencies. Final approval shall be effective for the duration of La Plata County's approval for the respective construction of such improvements. **Please note that various impact fees and connection charges are due to local/regional agencies prior to pulling a building permit. A copy of the current fee schedule may be requested from the DRB.**

F. Additional Construction and/or Exterior Changes

Any changes to the approved drawings before, during, or after the construction of an improvement must first be submitted for approval by the DRB. If such additions or changes affect the building massing, size siting, elevations, material or colors originally approved, the DRB will require a re-submittal of the project including the design review fee. If such additions or changes do not demand a complete re-submittal, all changes must be clouded or otherwise identified on all affected drawings and all drawings must be accurately drawn and coordinated with each other.

G. Re-Submittal of Drawings

In the event of disapproval by the DRB of either a Preliminary or a Final Submittal, any re-submission of drawings must follow the same procedure as the original submittal and shall require an additional review fee of a minimum of \$100.00 or as may be determined by the DRB.

H. Commencement of Construction

Upon receipt of approval from the DRB, the owner shall satisfy all conditions thereof and commence the construction, reconstruction, refinishing, alternations or other work pursuant to the approved drawings within one year from the date of such approval. If the Owner shall fail to comply with this paragraph, any approval given shall be deemed revoked unless upon the written request of the Owner made to the DRB prior to the expiration of said one-year period, and upon finding by the DRB that there has been no change in circumstances, the time for such commencement is extended in writing by the DRB. The Owner shall in any event complete the construction, reconstruction, refinishing or alteration of the foundation and exterior surfaces (including the roof, exterior walls, windows and doors) of any improvement of his lot within one year after commencing construction thereof, except when, and for so long as, such completion is rendered impossible or would result in great hardship to the Owner due to strikes, fires, national emergencies, or natural calamities. If the Owner fails to comply with this paragraph, the DRB shall notify the Owner of such failure, and the DRB at its option, may either complete the exterior in accordance with the approved drawings, or remove the improvement and return the lot to its natural state prior to construction. The Owner shall reimburse the DRB, for all expenses incurred in connection therewith. Such expenses may be included as a part of a lien assessment under the provisions of the CC&Rs.

I. Work in Progress – Inspection

The DRB or its agent may inspect all work in progress and give notice of any non-compliance, if found. Absence of such inspection and notification during the construction period does not constitute approval by the DRB of work in progress or compliance with the CC&Rs. Inspection of the work shall follow the "site and project

inspection and approval checklist” as found in Appendix D. The inspection checklist shall be a part of the final Certificate of Completion.

J. Final Inspection

1. Notice of Completion

Upon completion of any residence or other improvement for which Final Approval was given by the DRB, the Owner shall give written notice of completion to the DRB.

2. Inspection

Within such reasonable time as the DRB may determine, but in no case exceeding 30 days from receipt of such written notice of completion, it may inspect the residence and/or improvements. If it is found that such work was not done in strict compliance with the approved Final Submittal and these Design Guidelines, it shall notify the Owner in writing of such non-compliance within 30 days of its receipt of the Owner’s notice of completion, specifying in reasonable detail the particulars of non-compliance, and shall require the Owner to remedy the same.

3. Certificate of Completion

After the DRB inspects the new residence and/or improvements, if the DRB finds the residence and/or improvements to be in compliance with the approved Final Submittal and these Design Guidelines, the DRB will issue a Certificate of Completion to the Owner. Thus, the DRB acknowledges the residence and/or improvements comply with these Design Guidelines.

4. Non-Compliance Remediation

If, upon the expiration of 30 days from the date of such notification by the DRB, the Owner fails to remedy such non-compliance, the DRB shall notify the Owner and begin non-compliance actions consistent with the CC&Rs.

K. Variance

The DRB reserves the right to waive or vary any of the procedures or standards set forth in its discretion for good cause shown.

L. Non-Waiver

Any approval by the DRB of any drawing or specifications, of work done or proposed, or in connection with any other matter requiring such approval under these Design Guidelines, including a waiver by the DRB, shall not be deemed to constitute a waiver of any right to withhold approval as to any similar drawing, specification, or matter whenever subsequently or additionally submitted for approval. Furthermore, should the DRB overlook or not be aware of any item on non-compliance at any time during the review process, construction process or during its final inspection, the DRB in no way relieves the Owner from compliance with these Design Guidelines, the CC&Rs and all other applicable codes, ordinances and laws.

M. Other Agencies

Please refer to the Durango Mountain Resort's Builder/Contractor Handbook for guidance on procedures and policies established by other agencies from which you will also need approval.

IV. SITE PLANNING

IV.1 GENERAL CONSIDERATIONS

Site planning prior to specific home or building design is a critical requirement at Durango Mountain Resort. Careful evaluation of existing site features, neighboring structures, views and view sheds contribute to architecture that is subservient to the natural beauty of Durango Mountain Resort. Other considerations including automobile access to the home, landscape design, grading and drainage should significantly shape the design and placement of each home or structure. Advanced consideration of these items is the foundation for a successful marriage between the Owner's programmatic needs and compliance with these Guidelines.

The following site design standards are applicable to all development within Durango Mountain Resort:

- Development shall be clustered to maximize contiguous open space and minimize disruption to native vegetation. Site specific development plans shall indicate the location of significant existing stands of trees, rock outcroppings, and other site features.
- Development shall be tucked into topographic folds. "Skylining" shall not be permitted. Ridge-top units shall be sited in saddles or back from ridge lines to prevent "skylining."
- Building envelopes shall be offset and staggered on single family lots to permit views between units and prevent the formation of a uniform wall of building faces.
- Views to amenities, open space and creek beds shall be maintained from adjoining roadways.
- Development on steep slopes and soils with poor bearing capacities shall be avoided. Roadways, driveways, and utilities are permitted to cross steep slopes to gain access to flatter portions of land.
- Buildings should be sited to capitalize on passive cooling/heating.
- Building scale and height shall relate to topography, lot sizes and setbacks. A mix of one and two story structures will be encouraged in single family neighborhoods. Custom homes on slope sensitive lots shall use hillside adaptive design techniques such as post and beam construction and daylight basements to minimize streetside and rear yard façade exposure.
- Building materials and color schemes shall blend with the materials and colors of the surrounding natural landscape of earth tones, rock outcroppings and alpine meadow vegetation. The use or incorporation of fire resistant or treated wood, stucco and/or stone on exteriors is encouraged. Material changes, fenestration changes and variations of wall and window surface planes are also encouraged. In order to avoid the appearance of a false appliqué, no material changes shall be allowed on corners or where structures abut

common areas. If material changes occur, they must occur at logical changes in building form.

- View corridors are critical along U.S. Highway 550, along trail corridors, and to and from open spaces. The siting of all buildings and structures, including fences, etc., shall comply with all applicable and County-approved viewshed analyses to negate their impact on views and adjacent uses.
- All building envelopes and the placement of buildings and structures shall maximize the use of existing stands of trees to screen structures from U.S. Highway 550, along trail corridors, and to and from open spaces.
- Mechanical equipment on roofs, above ground transformers, satellite dishes, active solar panels, utility equipment and loading, service and storage areas shall be screened from view from the streets, pathways, public areas and adjacent uses. Trash enclosures and maintenance structures shall be designed to be compatible in style, materials and colors with the main building and shall be of masonry type construction.
- In Purgatory Village and Base Camp Village, buildings should align on build-to setback lines to create a defined edge to pedestrian plazas and streetscapes.
- Buildings should be grouped together in clusters to preserve large blocks of open space and to create large meaningful pedestrian-oriented spaces. Outdoor “rooms” should be enclosed (i.e., walls) on at least two sides. These walls can be formed by a building or the combined placement of several buildings, or even by landscaping.
- Landscaping should provide shade and buffer the view of cars from neighboring properties.
- Parking lots should be consolidated and shared.
- Light shall be shielded to preserve the visibility of the night sky.
- Materials that present a sense of permanence (i.e., large log or timbers, rock, large overhangs, etc.) should be used.
- Roof pitches within the 8/12 to 12/12 range found in most mountain communities should be used.
- Colors that blend with the surrounding landscape should be used.
- Building massing that steps back on south sides and allows the sun to reach the ground is encouraged.

IV.2 SITE ANALYSIS

Site planning for specific home or building projects in Durango Mountain Resort should involve significant data collection and site analysis with an emphasis on mitigating constraints and taking advantage of site opportunities. The location and design of proposed structures must relate to existing terrain and preserve the natural features of the site. The design process must take into account grade changes, locations of trees and rock outcroppings and orientation of the proposed improvements to sun, wind and views. Privacy and the impact on adjacent neighbors, nearby rights-of-way, trails, common areas and ski terrain ways should be considered both in site planning and in designing the architectural elements of the structure. Passive cooling and heating strategies should also be carefully considered.

A design that grows from the findings of a thorough site analysis helps to shape a building that is sensitive to its natural surroundings and contributes positively to the built community. The site analysis is used at the Pre-Design Conference to aid in the establishment of the home location on

the site. The analysis should begin with an evaluation of the existing conditions on or near the home site through the use of a topographic survey prepared by a registered Civil Engineer or a licensed Land Surveyor and on-site verification by the Architect. At a minimum, the location and type of the following items must be identified and sketched onto a copy of the survey:

- Topography and landform
- Aspect and orientation [sun and shadow patterns]
- Property Boundaries
- Best access
- Required setbacks from all boundaries
- Impacts on the use of the site due to snow removal
- Location of utilities serving the site
- Adjacent land uses with activity zones
- Views both onto the site and from the site
- Slope and drainage of the land
- Wind patterns
- Passive cooling and heating strategies
- Places attractive to people [unique places] and natural features
- Areas of any pre-existing site disturbance
- Approximate locations of major areas of existing ground covers, shrubs, thickets, trees and other vegetation [Consulting a Landscape Architect is suggested]
- Graphic and quantitative drip lines of all trees near anticipated improvements [distance from trunk edge to outermost canopy]
- Contextual setting neighboring land uses, building footprint locations, style, height, mass and form
- Any “No Access Zones” along street frontage [reference Final Map]

In addition, the corners of the proposed structure(s) should be clearly staked on-site so the DRB can review the proposed siting of structures in the field.

The analysis of each of these elements should be further evaluated in terms of design opportunities and design constraints. Design opportunities are those situations where the element in question will positively contribute to the overall project, while design constraints are situations where a specific element will detract or conflict with the overall vision for Durango Mountain Resort. The opportunities and constraints identified in the Site Analysis should be used to make determinations regarding the design and development stages of the home or structure.

IV. 3 SOIL TESTS, TOPOGRAPHIC SURVEY, AND GEOLOGY REPORT

Every homesite must have a subsurface soil investigation and foundation recommendation prepared by a professional engineer licensed in the State of Colorado prior to foundation design and approval. A topographic survey indicating site contours at not more than one foot intervals, adjacent road elevations, existing improvements, if any, and any special features shall be prepared by the licensed land surveyor for every homesite. These surveys and soil reports must be submitted to the DRB with the Preliminary Submittal. Where applicable, additional

geological studies on steep slopes or specific areas with rock face exposures may be required by the County building department or the DRB.

IV.4 OFF-SITE VIEW CONSIDERATIONS

All site plan solutions should quietly enhance, not detract from, the views from nearby rights-of-way, common areas and skiways. In planning site improvements, it is important to consider not only the views from Highway 550, residential/local roadways, and neighbor's homes, but also to be considerate of the vistas from nearby trails and ski terrain.

Due to topography, landform and the outstanding natural landscape features in the region, views and view sheds take on added importance as design features. The importance of views and view sheds is readily apparent in the relative value of homes and land that have views. View shed analysis is an important tool in the site design process.

When analyzing views and view sheds, the goal should be to identify the location and extent of views from a home or structure's site as well as views from elsewhere in the community back to the home or structure. There is a great diversity of viewscapes within Durango Mountain Resort. It is important to identify and map all the views as part of the Site Analysis.

To minimize the visual impacts of the development, the following standards are applicable to development within the Property:

- A 100' minimum building setback is required for all development adjacent to U.S. Highway 550 right of way (unless the specific criteria for a lesser setback are met in Boyce Lake, Tacoma and/or Engineer Village). Existing landscape and new landscape buffers shall be maximized in these areas.
- Let the landscape setting dominate the views (i.e. tuck buildings into trees, or plant groves of trees to mimic existing landscape).
- Designate parking and service areas to the rear of commercial buildings, or, if not possible, screen parking and service areas with hedges, fences, etc.
- Create new roads and interconnected parking lots behind buildings to reduce traffic exits off the highway.
- Shield light to preserve the visibility of the night sky.
- Limit buildings to 3 stories to create a strong sense of enclosure and add diversity of uses on upper floors.
- Use colors that blend with complement the surrounding landscape.
- Onsite signs shall be small scale. Signs should be compatible with the mountain setting (i.e. wood or stone are appropriate.) Urban signs such as neon shall be avoided.

The visual impact of a residence when viewed from other areas will, in the long run, be critically important to maintaining the scenic quality of and visual access to those resources which contribute to the unique quality that is Durango Mountain Resort.

IV.5 LANDSCAPE PLANNING

The existing landscape at Durango Mountain Resort is one of the community's most compelling

and apparent features. As homes and structures are added, care must be taken to preserve the rugged natural beauty intrinsic to this site. The native vegetation and unique site features are the fabric that weaves together a cohesive and distinct character for the community.

Home placement on the site as well as any outdoor programmatic needs must be sensitive to the preservation and continuation of the existing natural fabric. Trees, natural vegetation and all other site features should be incorporated and utilized to enhance the overall appearance of the home or structure. Since the native plant species for revegetation is limited, every method to preserve the existing landscaping should be employed. Landscape design should be taken into account at the Programming and Site Planning phases. Retrofitting a home with enhanced landscaping after the design has been established will be less likely to result in a solution that meets both these guidelines and the Owner's requirements.

It is strongly suggested that a Landscape Architect be retained at the Site Planning stage to aid in a range of areas including programming, transplanting, and locating any areas of enhanced landscaping as discussed in Chapter V, LANDSCAPE.

IV.6 BUILDING ENVELOPES

Building envelopes shall be designated on all single family and duplex home sites within Durango Mountain Resort. The Building Envelope is the portion of the developable area in which building construction shall occur. The Building Envelope is the minimum area necessary to complete the proposed building, landscape and utility improvements. Building envelope modifications and variances shall follow the process outlined in these Guidelines.

IV.7 LAND COVERAGE

Total building coverage within residential lots or parcels shall be as specified in the Durango Mountain Resort Land Use Regulations.

IV.8 BUILDING HEIGHT

Maximum residential building heights shall be as specified in the Durango Mountain Resort Land Use Regulations.

IV.9 SITE AND STRUCTURE FOOTPRINT

The maximum residential building size and structural footprint shall be as specified in the Durango Mountain Resort Land Use Regulations.

IV.10 SNOW STORAGE AREAS

Accommodating snow removal and storage presents unique challenges to site planning and design. During periods of snow cover, roofs, parking areas, and walkways become areas that need to be cleared of snow for safety and convenience. Snow storage should also be designed to meet surface water discharge standards described as a part of the Resort's Best Management Practices [described herein].

All parking areas should be designed to accommodate snow removal maintenance procedures. Wherever possible, snow storage areas must be located away from public views and visually sensitive areas. Snow storage for individual home sites may not occur within common area snow storage easements if they have been designated on the Preliminary or Final Plat. [This area is reserved for snow removed from neighborhood roads and other common areas]. Infiltration systems in storage areas should be consistent with the Best Management Practices outlined in section IV.18 of this book.

Snow storage areas shall be provided on each site adjacent to paved areas and other areas to be plowed except as provided for herein. The size of these areas shall be equivalent to at least 25% of paved or graveled surfaces on the site and shall be located to provide convenient access for snowplows. Uphill slopes of 5-10% shall count at 75% of their areas toward this requirement. Uphill slopes of 11-20% shall count at 50% of their areas toward this requirement. Steep uphill slopes greater than 20% are not appropriate for snow stacking, and shall not be counted in determining compliance with snow storage requirements. When planning for snow storage, keep in mind that delicate landscape elements such as small trees and railings may be damaged by snow removal activities. It is strongly suggested that you consult with an experienced snow removal contractor to ensure that the snow storage areas you designate are practical and feasible.

IV.11 RECONFIGURATION OF HOMESITES

No home sites at Durango Mountain Resort may be further subdivided unless approved by both the DRB and the BOCC. Two or more home sites may be combined into one by applying for a Lot Line Adjustment according to Durango Mountain Resort Land Use Regulations and respective County requirements.

IV.12 DRIVEWAYS

Each single-family homesite may be accessed by a single driveway only although up to six (6) homesites may utilize the same “shared” driveway. Driveways with two access points to the street are only allowed when two or more home sites have been combined into a single homesite. All homesites located at intersections should favor access from the minor street frontage unless access from the minor street is too steep or otherwise too difficult. Some home sites may have No-Access Zones [as designated by the DRB] along part of their street frontage that prohibits driveway access from that portion of the street. Access drives must be located to preserve and protect important natural features, such as large or significant plant materials, trees, drainage ways and rock outcroppings and must be designed to minimize disruption of the existing landscape.

Parking areas and driveways should be oriented to receive maximum solar exposure in order to speed snow melting and prevent ice buildup. Solutions to slick winter conditions need to be designed into the project by thoughtful orientation and slope minimization. Driveway slopes shall not exceed 12% for driveways serving 1-3 dwelling units and 10% for driveways serving 4-6 dwelling units. For safety reasons, there must be a more-level transition area of at least 16 feet between driveway slopes and garage doors and a near-level transition area of at least 5 feet between driveway slopes and the edge of the pavement at the roadway.

The paved surface of a driveway must be at least 12 feet wide and must not exceed 16 feet in width where it crosses the front setback and intervening street right-of-way. Driveway paving should have flared aprons where it intersects the roadway pavement. Flared sections at the road may not exceed a 10 foot radius. Driveways and parking surfaces may not encroach into any side or rear setback without specific approval of the DRB. Some limited encroachment may be considered where unique terrain, vegetation constraints, a limited building envelope or the home site width may warrant.

On flag lots the minimum constructed driveway must be the entire length of the “pole” portion of the home site. On flag lots and home sites where the subdivision roadway cuts or fills exceed four feet in vertical height [as measured from the finished road grade at the point of access] the driveway may be constructed so that the slope between the street and the building site does not exceed 16 percent.

Proposed driveway surfaces are subject to approval by the DRB. All driveways must have a minimum structural section of 2 ½ inches of hot-mixed asphalt over 4 inches of aggregate base or 4” of concrete over 4” of aggregate base. Where required, the exposed ends of a culvert or drainage pipe must be aesthetically finished with mortared or dry-laid stone headwalls to help reduce the escape of water-borne sediment and pollutants.

Also refer to Chapter VI.16, *ARCHITECTURE, Garages and Driveways*, for more information.

IV.13 GARAGE LOCATION

Driveway access and garage locations lend significant shape to the design and placement of the home. One of the greatest contributors to negative feelings about residential subdivisions is when a row of garage doors are aligned along the street with oversized driveways leading to them. Every effort must be made to keep this view from becoming prevalent at Durango Mountain Resort. In order to minimize the impact on the community, garage doors should face away from the street or be screened from street view wherever possible. Wherever possible, locate the driveway where it requires the least amount of cut or fill. The garage may even be placed in a separate structure with a covered connection to the main house to help minimize its visual impact.

To determine whether the entrance for vehicles faces a potentially acceptable direction, project lines perpendicular to each side of the garage door openings until they cross a built structure, an undeveloped neighboring buildable area, or a street or common area. Attempt to adjust the direction of garage door openings so these lines do not cross these elements in an effort to find the most acceptable direction. An exception to this rule may be made on home sites with insurmountable obstacles and for home sites which can accommodate a garage in the rear portion of the property. In these cases, the intent is to recall a carriage house behind the main house. The front entry or entry for people should appear dominant over the entry for vehicles. Overhangs above the doors and significant architectural detailing also may be used to mitigate the visual impact of the garage doors.

The intent of these requirements is to minimize and direct views from community areas away from vehicular components of the home. Home sites in prominent locations may have additional

requirements imposed on garage door placement. These requirements will be communicated to the Owner/Architect at the Pre-Design Conference.

IV.14 VEHICULAR PARKING

Parking of vehicles without regular movement outside of garages is prohibited. Vehicle maintenance and the storage of vehicle parts or equipment outside of garages is prohibited. Each residential dwelling must be served by a minimum number of vehicle parking spaces as outlined in the Durango Mountain Resort Land Use Regulations. . The uncovered vehicle parking spaces may be achieved by parking cars in tandem along the driveway. Parking of motor homes, trailers, snowmobiles or other recreational vehicles outside of a garage on any home site is prohibited except in the case of loading or unloading, but in no case may they be left for more than 24 hours. On-street parking is not permitted in Durango Mountain Resort after construction of the home site is complete. RV parking may be allowed in designated RV parking spaces in resort parking lots or RV storage yards as designated in the Durango Mountain Resort Land Use Regulations.

IV.15 UTILITIES

Utility services will be stubbed to or near the property lines of each home site or town home parcel. Water, sanitary sewer, propane or natural gas, power, telephone and cable television service locations are generally clustered [usually with those of an adjacent lot] in a utility easement located on one of the front corners of each home site, townhome parcel or hotel/resort condo parcel. Individual or HOA-owned propane tanks are strictly prohibited. Community propane tanks, such as those owned and operated by Durango Mountain Utilities, are permitted subject to the approval of the DRB. Existing HOA and commercial facility propane tanks may remain until Community propane tanks or gas service hook-ups become available. The location of the sanitary sewer point-of-connection may vary.

The extension of services from these stub locations to the residence is the responsibility of each Owner and must be routed to minimize disruption to the natural landscape. These routes must be considered in the site planning phase, and where possible, combined with other disturbance through the front setback, such as alongside the driveway. As a general rule, utility trenches may not encroach into any required setback except where they cross a setback between the service tap and the building envelope.

Please note that Engineer Village Lots 10, 11, 15, 16, 17, 18, and 19 may require installation of private auxiliary pumps for sewer service. Auxiliary pumps shall be maintained by the corresponding lot owner (not by the Purgatory Metro District).

All areas of the site disturbed by utility trenching operations must be restored to their natural condition with allowances for settling, immediately following backfilling activity. It is important to account for the total area of disturbance required for trenching rather than simply the area of the trench itself.

Information regarding current tap and service fees, as well as connection procedures, may be obtained by contacting the serving utility companies.

All utilities extending from the point of connection to a home must be placed underground. Careless placement and design of utility connection details can significantly detract from an otherwise satisfactory design by creating unnecessary soil disturbance and needlessly exposing equipment.

Utility connections, meter boxes, etc. must be located at least 5' from operable windows and be screened from view or located on a side of the building that cannot be easily viewed from offsite, whenever possible. Meters and connections must be integrated into the architectural design of the dwelling by using similar materials and colors.

Meters and connections must be protected from snow build-up and areas where snow slides off the roof. Terminating connection points for gas meters and regulators must end at a height above the anticipated snow pillow. The meters/regulators must be located where they are accessible at all times for meter readings and maintenance. Metal piping to and from the meters/regulators must be painted with rust-proof paint.

Owners have two options for snow and ice protection of meters/regulators: (1) installation of structurally sound protective covering if the meter is located in a non-protected exterior area of the home; and/or; (2) placement under a gable or other significant overhang that will shield the meter/regulator from winter snow loads and ice/ snow shed. Owners must take great care to assess potential snow load impact and select the option that provides the most protection.

IV.16 CONSTRUCTION ACTIVITY ZONE

When planning and designing a residence at Durango Mountain Resort, it is important to keep the building process in mind. Construction activity is tightly monitored so that the majority of Durango Mountain Resort's landscape remains in its natural scenic state. Construction activity outside of the designated building envelope is generally not permitted. Construction techniques may be limited in certain areas. For example, trenching may have to be performed manually in areas with foliage too sensitive to accommodate heavy machinery. Innovative techniques, such as working from the back of the house to the front, help minimize the need to drive machinery around the outside of the footprint of a building. Bridging areas of a foundation can preserve root systems of existing trees. Instructions for these techniques must be clearly noted in the plans.

The purpose of these restrictions and requirements is to preserve the maximum amount of surrounding natural landscape while allowing just enough space to perform construction tasks. Conserving existing native landscaping is vital to the Durango Mountain Resort Vision because many of the species are difficult to replant and take many years to regenerate naturally.

The Construction Activity Zone consists of the Building Envelope and the driveway corridor, and is the only area of the home site where alterations of, or disturbance to, the existing landscape may occur. Construction and materials storage areas, equipment, access and permanent Best Management Practices may only occur within this Zone. All improvements, including structures, porches, patios, terraces, decks, walks, driveways, paving and landscaping must be located within this area. The area must be demarcated by 4 foot high orange vegetation protection fencing throughout the life of the construction project. If previously disturbed areas exist within the buildable portion of the site, they may be considered for inclusion within this

zone. The Architect/Owner and the DRB will mutually determine the specific Construction Activity Zone [total area of disturbance] for each home site during the Pre-Design Conference and/or site visit. The common objective is to protect and preserve the natural landscape features of the home site. The Construction Activity Zone limits must be clearly noted on the plans.

Construction Activity Zones may not encroach upon any required setback, except in the following instances:

- Crossing the front setback via a single access no wider than 16 feet centered on the proposed driveway [finished driveway paving must be between 10 and 12 feet wide through the front setback].
- Where a roof overhang or masonry wall touches a setback [up to 5 feet of construction related activity encroachment into the setback is allowed].
- Up to 2 feet of temporary encroachment outside the building envelope is allowed.

Temporary construction activity may occur in setback areas to accommodate bringing underground utility lines to the home. The boundaries of such disturbance must be minimized so as not to remove important vegetation or site features and must be clearly marked on the plans.

Planning for construction activities during the site planning and design phases is critical to the successful implementation of a project. Areas within the Construction Activity Zone must be allocated for staging, refuse disposal and collection, a sanitary closet, material deliveries and storage and circulation between these areas. All deliveries and access must occur via the future driveway. If a home is to be built near the edge of the Construction Activity Zone or in an area that requires extensive protection of existing landscape, access to that area may be restricted. In order to work within the restricted area, the order of tasks and techniques used to build the home must be carefully considered as part of the project design. For example, stone may need to be delivered by heavy machinery to the rear of the site prior to foundation excavation activities. For additional information on construction requirements and restrictions, please refer to Appendix C-Durango Mountain Resort Construction Policies and Procedures.

IV.17 PRESERVATION OF TREES AND OTHER SITE FEATURES

If the Construction Activity Zone infringes upon site features that are to be preserved, they must be appropriately protected.

During construction, soil around tree root systems must be protected from compaction and erosion at the dripline of each tree. The protection must keep construction traffic off the soil while still allowing for water and air to reach the roots. Where tree trunks are exposed to construction activity, lumber must be strapped to the trunks to protect them from damage. Excavation may occur within the outermost 20 percent of the radius distance from the dripline to the tree trunk. Impervious surfaces may be approved to encroach further into the dripline if no grading occurs. The DRB may require that additional site features be protected by specific means. All protection and mitigation must be graphically indicated on submitted plans.

IV.18 BEST MANAGEMENT PRACTICES

Best Management Practices [BMPs] is a universal term used to describe a variety of non-point source pollution control methods.

BMPs are defined as structural and non-structural practices proven effective in soil erosion control and management of surface runoff. Eroding soils and surface water runoff transport pollutants, particularly plant nutrients and sediments, to the area's rivers and streams. Lawn fertilizers, oil and grease also contribute to the problem. Declines in water quality are directly attributable to the flow of non-point source pollutants into streams, rivers and lakes. The only way we can control this source of pollution within Durango Mountain Resort is to implement BMPs at all development sites. BMPs do not have to be complicated to be effective. The goal is to [1] stabilize the soil, [2] prevent erosion and [3] divert runoff from impervious surfaces into infiltration systems within each home site.

The first two items can usually be satisfied by revegetation areas with plants that existed prior to the disturbance of that area, and in steeper areas, by the use of stone retaining walls. A relatively simple revegetation project can enhance the natural beauty of a Durango Mountain Resort home site and have a significant positive environmental impact. In fact, the most effective BMPs are those which replicate natural conditions. A site that was disturbed and then revegetated properly with native plants can be as effective at protecting water quality as the site was in its original undisturbed condition.

Rain and snowmelt on roofs must drip or be transported into rock-lined infiltration trenches. Surface runoff must be diverted along the down gradient of paving into dry wells. Dry wells must be installed with filter fabric within the top 6 inches for maintenance purposes. These measures must be installed concurrent with the installation of the impervious surface that they support.

Paved driveways and walkways supported by infiltration mechanisms are the most effective way to eliminate erosion and control dust caused by car and foot traffic.

At Durango Mountain Resort, temporary BMPs are required while construction is underway and permanent BMPs are necessary as the residential construction is completed. Both temporary and permanent BMPs must be graphically located on the plans. It is critical to implement these measures to the extent that they satisfy the requirements of local/regional agencies. The development of Durango Mountain Resort hinges on the continued ability to minimize the environmental impact of the community onto the nearby drainages, wetlands and creek. The Owner is responsible for implementing and maintaining the Best Management Practices at all times. If the Owner is unsure whether the residence/project site is in compliance, it is suggested that the Owner hire a qualified consultant.

Existing disturbed areas in the envelope will be encouraged to be used as areas to concentrate structures and other land coverage. Disturbed areas often have been compacted by previous activity. This makes them good sites for driveways, garages, parking areas and walkways. Additionally, disturbed areas that have been compacted are often inhospitable areas for landscaping.

The Owner is responsible for having all previously disturbed areas on their site that are not covered with impervious surfaces, restored. Restoration may include regrading, revegetation or landscaping in approved locations. It is critical that erosion and surface water runoff be controlled at all times, before, during and after the development of a home site. For temporary Best Management Practices during construction, please refer to Appendix A-Construction Policies and Procedures.

The DRB reserves the right of entry onto a property for the purpose of inspecting Best Management Practices that may be utilized at Durango Mountain Resort provided they are installed in a manner that aesthetically compliments the surrounding landscape and color palette:

Slope Stabilization Practices

- Interception trench
- Rock retaining wall
- Rock rip-rap
- Slope shaping with vegetation
- Sub-surface drain
- Surface roughing

Infiltration Systems

- Dry well
- French drain
- Infiltration trench

Permanent Runoff Collection and Conveyance Practices

- Curb and gutter, drop inlets, culverts, storm drains, paved driveways, slotted drains, outlet protection
- Permanent waterways
- Porous pavement where applicable

Vegetation Soil Stabilization Practices

- Brush layering
- Brush matting
- Grass, shrub, tree species
- Irrigation
- Wattling
- Wood chip and bark mulches, and pine straw [needles]

Sediment Control

- Detention basins or ponds
- Filter strips
- Infiltration basins or trenches
- Water quality inlets [or oil/grit separators]
- Water spreading

IV.19 SITEWORK

In order to protect the natural landscape and defer to the scenic environment, the location and design of proposed structures and landscape must relate to existing terrain. The area of soil and vegetation disturbance on each home site must be limited to that required for necessary construction and landscaping purposes. Except where required by access, there must be no disturbance in setbacks and areas to be left in a natural state.

Tree, brush, and rock removal must be limited to that reasonably necessary for the construction of a residence and its protection from fire. No clear cutting of trees within any building envelope will be permitted; however, it is understood that some selective pruning or removal of trees and shrubs will be necessary for the development of any residence or structure. All tree removal must comply with the provisions outlined in the Durango Mountain Resort Land Use Regulations and/or required by the DRB. All slash, trimmings and clippings must be disposed of off-site or ground into chips and used as mulch on-site.

Any cutting of trees or vegetation outside of the residential footprint must first be approved by the DRB.

Trenching must be confined to areas noted on the Site Plan, clear of setbacks except for work related to the driveway. Manual excavation methods and moisture blanketing will generally be necessary to preserve and protect exposed root systems. Back fill material must include loose soil of proper characteristics to promote revegetation of all disturbed areas.

IV.20 GRADING AND DRAINAGE

Site drainage and spring runoff should be carefully considered. Plans for site grading and drainage must be consistent with minimum disruption to the residential site without altering natural drainage patterns as runoff leaves the construction activity zone, and without causing conditions that could lead to soil erosion.

In order to protect water quality, all runoff from impervious surfaces, such as paving and roofs, must be absorbed on each site via storm water swales indentations and infiltration basins. Each site design must incorporate Best Management Practices to mitigate additional surface runoff caused by the addition of impervious surfaces. Mitigation must occur clear of setbacks except for that related to the driveway.

The DRB will work closely with Owners of home sites that contain designated drainage easements to ensure that a reasonable building envelope is achievable.

IV.21 GRADING AND FOUNDATIONS AT SLOPING SITES

Beyond the purely functional and environmental aspects of grading and drainage, the aesthetic goal is to preserve the existing natural land forms. Where these existing land forms must be altered as a part of the construction process, the altered areas should be re-created in a manner that replicates the existing natural conditions found before the construction disturbance.

Where necessary to produce the desired results, and in accordance with respective county requirements, the DRB may approve minimal grading as well as the use of multiple small retaining walls. However, awkward or steep slopes that are neither architectural nor natural in their final appearance will not be approved. Cut and fill slopes may have a maximum ratio of 2:1 horizontal to vertical unless supported by an approved retaining wall or part of a naturally stable sheer cut-rock face.

In addition to basic grading, sloping sites should employ designs that take up the grade changes within the dwelling's footprint. The location and design of the proposed structures must relate to the existing terrain. Topographic transitions from building locations to setbacks must appear natural. All site grading must be limited to construction of driveways that are reasonably necessary for authorized construction. Except for driveway access, erosion control, or utilities, no grading is allowed within the setback areas of any residential site.

No excessive excavation of fill will be permitted on any residential site. On some sensitive sites, grading may not be allowed at all. Every attempt must be made to minimize cut and fill necessary for the construction of a residence. Excess fill may not be placed on a site, it must be legally disposed of either outside of Durango Mountain Resort or in a designated stockpile area with the prior approval of Durango Mountain Resort. Retaining walls and level building pads may be utilized only where necessary. Any grading on sites must comply with the requirements of the Durango Mountain Resort Land Use Regulations and the respective County and Engineering Department. For residential sites located adjacent to any permanent or intermittent stream within Durango Mountain Resort, the finished pad elevation must be a minimum of two feet above [or finished floor three feet above] the 100 year flood plain elevation.

Grading must be limited to that reasonably necessary for the construction of a home. Pad grading for the intention of providing concrete slab foundations is prohibited except for garages, terraces, outbuildings and basements. All foundations for homes built below the elevation of the Cascade aqueduct must have foundation drains sufficient to carry any water from an aqueduct leak around the entire foundation to naturally occurring drainageways below the foundation.

A. Grading at Sloping Sites:

Excavation or fill must be limited to 8 feet vertically outside of structure where exposed to view. However, the DRB reserves the authority to disapprove of any exposed excavation or fill transition that is abrupt, awkward or unnatural in appearance.

All cut and filled areas must be revegetated with approved plant material. Retaining systems are required at vertical cuts. No excavation, fill, or removal of trees and other vegetation will be permitted until the applicant's Final Construction Documents have been approved in writing by the DRB and the Pre-Construction requirements have been fulfilled. Actual wall heights and ground slopes will vary by location. Related considerations for the design and treatment of retaining systems are addressed in Chapter VI.22, *ARCHITECTURE, Sloping Sites and Retaining Walls*. Multiple retaining wall systems with intermediate landscaping must be used wherever a single wall would exceed eight feet or otherwise appear excessively high. When constructing vertical retaining walls or leaving naturally stable sheer cut-rock faces, consider sloping the base about 15 degrees from vertical to soften the impact of an otherwise vertical wall.

Grading near the setbacks may not result in abrupt transitions to adjacent residential sites or streets. No structures may be constructed on portions of a site where the slope exceeds 30 percent unless a registered geotechnical consultant provides documentation that this can be safely accommodated. Refer to the Durango Mountain Resort Land Use Regulations for restrictions on construction where slopes exceed 30 percent.

B. Garage Finish Floor Elevation:

All plans must show proposed finish floor elevation for the garage floor on the site and floor plans. The DRB may require inspection of garage elevation staking in field before foundation excavation is initiated to ensure elevations comply with plan. The La Plata County Building Department will require actual finish floor elevation on building permit submittal (as a double-check).

C. Waterproofing in Snow Storage or Drainage Zones:

Waterproofing should be increased (height above finish grade and horizontal extent) on vertical surfaces where abundant snow storage/stacking or drainage from snow areas could impact walls. An additional 6'-8' extension of waterproofing beyond normal tolerances is strongly recommended in these areas.

IV.22 WILDLIFE

To minimize potential impacts from residential development on Durango Mountain Resort area wildlife and Threatened and Endangered Species (TES), Owners shall implement the following mitigation and conservation measures:

- For cavity nesting species, minimize the removal of large snags by identifying wildlife trees in project areas prior to final design/final platting and modifying construction to facilitate the protection of these important trees as much as practicable.
- Incorporate existing native vegetation including large trees and snags into landscaping plans.
- Minimize filling and/or dredging of wetlands. If wetlands must be filled or dredged, provide mitigation at a ratio agreed to by the U.S. Army Corps of Engineers (USACE). Mitigated wetlands will be designed at comparable elevations and habitat types within the same ecoregion.
- Where wetlands are impacted by USACE approved dredge or fill, capture and transplant amphibians (that are not ESA listed) to suitable sites within the same watershed.
- Create shallows in mitigated/created lentic wetlands on the north or sunny-side of the ponds
- Maintain migration corridors between breeding (lentic) wetlands and adjacent wetland/upland areas.
- Maintain ground vegetative cover in the riparian areas and migration corridors to provide shelter for amphibians.
- Maintain woody debris in the riparian areas, including slash.
- Design culverted crossings, bridges and/or boardwalks for roads and trails that cross wetlands.
- Install bridges or culverts for roadways that bisect wetlands to maintain amphibian migration corridors.

- Require that cats, dogs, or any other predatory pets within the project area be leashed or enclosed in structures, dog runs or fencing from the spring through the fall, when slow moving amphibians are susceptible to predation.
- Restrict grazing animals from the riparian area.
- Seasonally prohibit the use of heavy equipment in the riparian areas in the spring when good water quality for breeding is essential when practicable.
- Create central trash collection facilities that are sealed from wildlife, including birds. Build these facilities away from wetlands, to keep toxins out of riparian areas and to prevent trash from drawing in predatory scavengers (especially birds, i.e. ravens, magpies etc.).
- Restrict the outdoor use of chemicals that could be toxic to amphibians and other riparian obligate species (e.g., pesticides, herbicides, fertilizers, antifungals and fish toxins).
- Only introduce fish into sites that already have fish in them. Avoid creating channels or corridors that allow fish to reach wetland habitats they couldn't reach prior to Durango Mountain Resort development (predation).
- Encourage landscaping with natural materials and native species plants.
- Require building contractors to utilize Best Management Practices in the development of residential and commercial sites including, but not limited to, phased development, building envelopes, grading techniques, dust control.
- Restrict vehicle use to designated roadways and limit off-road travel.
- Require bear-proof trash containers or storage within enclosed buildings or structures, regular removal of trash from premises, periodic cleaning of trash receptacles to reduce odors, centralized trash collection areas instead of individual dumpsters.
- Discourage outdoor residential pet food storage and pet feeding.
- Encourage residential barbecue grills to be cleaned of grease regularly or stored inside when not in use.
- Encourage bird feeders, suet and hummingbird feeders to be strung on wires between trees instead of on decks and porches. Feeders should be brought in at night.
- Encourage covered composting only and discourage inclusion of fruit, melon rinds, and other food items in compost piles.

V. LANDSCAPE

V.1 GENERAL OVERVIEW

The San Juan Mountains and their high-alpine landscape create the setting that makes Durango Mountain Resort the most ruggedly beautiful community in this region. Every effort must be made to protect the unparalleled beauty found in this unique mountain environment. The goal of each project shall be to appear as if the land had never been disturbed.

It is the intent of the DRB through these guidelines to ensure the highest standard of preservation and landscape design excellence for each Durango Mountain Resort neighborhood. All site development must respect, rather than dominate, the natural environment. The transition between individual residential sites must be left natural. All residential sites, improved open

space, and natural open space should be woven into a unified natural landscape palette based upon the existing vegetation.

Success will be measured by our ability to maintain, over time, as much of the existing landscape as possible. To accomplish this, preservation techniques must be combined with a thoughtful approach to revegetation and the recreated landscape. A palette native to the specific site must be utilized in all but a few areas that adjoin the home or residential structure. Leakage of non-native species into the natural landscape, which forms the fabric and community between residences, must be avoided.

Every effort must be made to minimize the negative effects of construction on the environment. Disturbed areas are not only unsightly but also susceptible to erosion. In this climate these wounds heal slowly. Damaged or disrupted habitats [shrubs, trees, rocks, ground cover, etc.] should be restored to their original conditions with approved materials. To needlessly destroy and not repair the very elements that attract us to Durango Mountain Resort violates the interests of all property owners. Everyone involved in Durango Mountain Resort whether a homeowner, developer, architect, contractor or subcontractor – is charged with the responsibility to care for and keep this pristine environment in its natural state.

Landscape construction plans should show how the design has considered existing vegetation and site features and what steps will be taken during construction to protect them. Incorporating natural landscape features into the site design can produce some of the most interesting and unusual designs possible. Integrating these features on a site-specific basis can result in harmony between the built and natural environments. The following are examples of incorporating natural features into the site design.

- Step a building around mature trees and large boulders rather than remove them.
- Locate structures or impervious surfaces away from areas of significant vegetation, wetlands and stream zones.
- Build a terrace around rock outcroppings and incorporate them into the space.
- Bend a driveway around trees and large boulders rather than removing them or other features in order to create a straight driveway.

The Preliminary Design Submittal must include a Schematic Landscape Plan that identifies the larger existing specimens that are to remain or be transplanted. The Final Design Submittal must include a detailed executable Landscape Plan and instructions for repairing and re-vegetating disturbed areas. Revegetation in areas outside the Construction Activity Zone and all transplantation should be completed between May 1st and November 1st of the first year of construction so that it will be established by the completion of the project. It is important to plan all Landscape installation so that it complies with seasonal grading restrictions. Soil may generally only be moved between May 1 and November 1 each year.

Landscaping will help to subdue the visual impact of new construction and, in time, provide a measure of privacy for the homeowner. Native plants should be used wherever possible; they have the best chance of long-term survival and are the least disruptive to the local ecology. Plant species should be selected to match conditions specific to a particular site. For example, firs should be placed in shady, wetter areas, while pines should be planted in sunny, drier locations.

V.2 GUIDELINES

- Reinforce the Region's Natural Character: In addition to adding aesthetic charm and interest to Durango Mountain Resort, the primary goal for landscape improvements should be to preserve and enhance the landscape character of the residential site and its vicinity. The existing landscape found at Durango Mountain Resort is not overly complex; landscape designs should be simple and avoid looking overworked. Planting compositions and densities should be based upon existing nearby patterns.
- Establish a Design Concept: Landscape plans should exhibit a design concept that provides more than a haphazard arrangement of plants. Plant materials should be utilized in a sensitive organic ordering which defines the site's spatial organization and function, relates to the buildings and structures, and incorporates the various site elements. Landscape design should complement the interplay of light and shadow through appropriate form, texture, density and color as described in Chapter VI, *ARCHITECTURE*.

V.3 LANDSCAPE CHARACTER

Landscape character refers to the visual quality of the finished landscape composition. The desired image or character of the planned landscape fits into one of two classifications: Natural or Enhanced.

While the palette of plants utilized largely determines the landscape character, other factors also influence character. These factors include the arrangement of plants in informal versus formal patterns, plant densities, hardscape material selections, maintenance levels, and treatment of the ground surface. Care should be taken to ensure that the character of landscape in both the Enhanced and Natural zones blend with the existing landscape found on the home site.

V.4 LANDSCAPE ZONES

Within a home site's boundaries, two landscape zones may be observed and must be indicated on the Landscape Plan. Each zone is intended to fulfill a particular function. Certain plant species are only acceptable for use in particular zones. The Plant Palette in Appendix B, , is keyed to indicate the zone[s] where each plant may be utilized. The two landscape zones are Natural Landscape and Enhanced Landscape. Re-vegetation and restoration of the existing Natural Landscape is required on every home site that is disturbed during construction. The DRB encourages home site Owners to use re-vegetation and restoration of species native to the home site as the predominant landscape around the home.

Natural Landscape [required]

Natural Landscapes will generally simulate landscape conditions that occur in adjacent undisturbed landscape areas. The primary emphasis for this area will be to salvage plants prior to beginning construction and replant them at the completion of disturbance to the site. Planting arrangements must be random to replicate the natural patterns of this region's valley meadows and forested mountainsides. Plant densities should be similar to the adjacent natural area. Salvaged plants and plant species indigenous to the immediate area are appropriate for these landscapes.

Natural Landscapes are suitable for use within all residential areas and especially in areas where revegetation is necessary due to the disturbance of the existing plant materials during construction. The Natural Zone is part of the fabric that provides continuity between residential sites. These areas increase the feasibility of preserving significant tracts of pristine vegetation through the use of building envelopes. The design of natural-appearing landscapes will minimize long-term maintenance. Treatment of the ground surface must replicate natural conditions.

Temporary drip or spray irrigation of re-vegetated areas or for transplanted specimens is required in order to take the plant materials through the establishment period. In order to avoid conspicuously verdant and lush growth in the Natural Landscape, permanent and spray irrigation is not permitted.

The Natural Landscape Zone includes a limited palette of plant types, restricted not only by the list in Appendix B, but also by plant species on or near the residential site that existed prior to construction. Natural Landscape Zone species may also be used within the Enhanced Landscape zone. If a desired species appears on or near the residential site, but not in Appendix B, it must be photographed, documented, and submitted for approval to the DRB as part of the Final Design Submittal. All landscaping in the front, rear and side yard setbacks must be consistent with the Natural Landscape goals.

Enhanced Landscape [optional]

Enhanced Landscape Zones are those areas adjacent to residential structures which allow for more high intensity use areas near entries, porches, terraces, and decks. The Enhanced Landscape Zone shall not exceed 500 square feet, unless otherwise approved by the DRB. Landscaping in the Enhanced Landscape Zone must have a direct relationship with the built environment and must never appear isolated from the home. Enhanced Landscapes are not intended to replace the Natural Landscape, but rather they should be viewed as an opportunity to judiciously add a hint of human presence to the outdoors. Enhanced Landscape designs require the facilitation of a Landscape Architect or other licensed landscape professional.

The Enhanced Landscape Zone includes materials, which while still indigenous, provide a more finished appearance and usually require more maintenance and irrigation. Although expanded choices of species are allowed in the Enhanced Landscape, designs should remain simple and conservative. Plants that stand out from the native Natural Landscape must be used sparingly as thoughtfully placed accents. Moreover, the Enhanced Landscape must, like the architecture of the residence, remain subservient to the dominant San Juan Mountain landscape. It may be useful to reference Chapter VI, *ARCHITECTURE*, since landscape designs will also be evaluated as part of the building design. Height, massing, asymmetry, seasonal color, subtlety and topography are some of the issues that will be considered. No species from the enhanced list may occupy the setbacks.

The purpose of the Enhanced Zone is to allow for the Owner who wishes to provide personalized landscaping to do so as long as it is next to the structure[s] and not isolated from them. Care must be taken not to separate the Enhanced plants from the home by the use of a large horizontal plane such as a patio or turf. Vegetation height should be carefully considered. The intent is that the Enhanced Landscapes be clearly contained near the house and that it be used as an extension of the living area. It can also be used as an opportunity to bring some of the outdoors into the

home. The Enhanced Landscape Zone is by no means a requirement and Owners who wish to omit this zone are encouraged to do so.

V.5 TURF

Limited areas of turf are permitted within the Enhanced Landscape Zone, provided that it does not exceed the 500 square foot Enhanced Landscape Zone maximum and provided that the applicant can demonstrate that it does not create the potential for a discontinuous landscape when viewed from the rights-of-way or common areas. Turf areas must physically adjoin outdoor living spaces to enhance accessibility and to avoid creating small isolated areas of lawn not connected to the overall landscape concept.

Turf planting may not be used to define parcel boundaries and is usually discouraged in front yards. When visible from surrounding roads, turf within front yards must not dominate the visual image of the area and is limited to a maximum distance from the house of 20 feet, measured from the roof overhangs. Where turf is not visible from surrounding roads, or other common areas, turf may extend up to 50 feet from the house, measured from the roof overhangs. Turf is limited to areas within the setbacks and cannot extend into common areas or public rights-of-way. Large areas of turf will not be approved. Fescue turf types are recommended over bluegrass.

It is not recommended that turf is planted directly next to the exterior walls of a home; but turf may border a patio or terrace.

Turf must be bordered by a landscape element that is connected to the structure of the home. Turf edges should not be visible. The turf must be visually and physically contained to prevent the potential of leakage over time of non-native grasses into the Natural Landscape. Please refer to section V.6 below for more information on containment devices.

V.6 ENHANCED LANDSCAPE CONTAINMENT DEVICES

It is of utmost importance to the identity of this community that the species currently native to the site [not the region] remain the dominant image. Leaking of non-native species into the Natural Landscape must be prevented. If an Enhanced Landscape Zone is proposed, it must be clearly bounded by a physical containment device that will remain in place over time. The purpose of containment is fourfold.

- First, it prevents the spread of species not native to the site.
- Secondly, the containment device allows the boundaries of the Enhanced Landscape to remain clearly visible over time so that no future owner will mistake the intended location and boundaries of this landscape.
- Third, it visually claims the Enhanced Landscape as part of the occupied area of a home.
- Lastly, a containment device aids in minimizing the view of non-native plants from the home site.

In order to contain the Enhanced Landscape as described above, containment devices should stand the test of time: weather, normal foot traffic, and recreational activities, especially those of children at play. The materials, workmanship, and location must be consistent with and appear

to belong to the home. The containment element must be complete from end to end without holes or breaks. These site walls should be concentrated around areas of the home that contain Enhanced Landscape rather than encircling the entire home.

Enhanced landscape Specimens Listed In Appendix B:

- Minimum height from finished grade on the Natural side of the device: 24”
- Minimum height from finished grade on the Enhanced side of the device: 12”
- Minimum width: 12”
- Minimum width for a driveway, patio or turf to qualify as a containment device: 96”
- Steel edge not less than 6” depth.

Elements that Do Not Qualify as Containment Devices:

- Stepping stone, paver, asphalt, concrete, decomposed granite or other path less than 96 inches on the ground plane.
- Any wooden element, including railroad ties, fences, and bender board.
- Row of rocks placed on top of the soil.
- Metal fences.

When home sites are viewed from rights-of-way or common areas, the Natural Landscape Zone should remain the predominant image.

V.7 LANDSCAPE PALETTE

The introduction of species not normally occurring in an area alters the aesthetic and historic quality of that area, and may change ecological relationships among species. For those reasons, and for the long-term ability to maintain landscape standards, plants other than those listed in Appendix B will not be allowed without the specific approval of the DRB.

The continued existence of native species, and especially of those endemic to special areas, may be threatened by the introduction of non-native species, which sometimes prove highly invasive.

Within Durango Mountain Resort there are a number of microclimates that support some, but not necessarily all, of the plants listed in Appendix B. The existing native plants found in the adjacent undisturbed areas will serve as the basis for landscape development in Durango Mountain Resort. Therefore, not every species in the Appendix will be approved for use on every home site. The use of native plants is appropriate because of their ability to withstand heat, their tolerance to winter and the continuity they provide between the planned areas and the natural background of the San Juan Mountains.

Plant lists that conform to the approved Landscape Palette must be submitted for review as a part of the Final Design Submittal process. The DRB reserves the right to refuse any plant material that, in their discretion, will not be compatible with the existing natural landscape or is not beneficial to the environment, and to add to the Appendix species of plants made newly available on the commercial market.

V.8 PLANTING COMPOSITION

The applicant must create a landscape that will remain healthy in this climate over time. Care must be taken to select planting methods that best assure the growth and fulfillment of the concept portrayed by the approved Landscape Plans. A local nursery may provide advice on the various species and whether these species are best propagated by the use of seed, seedlings, potted specimen, or transplantation. If potted specimens are to be used, special attention should be given to the size of the specimen. The largest specimen that has a decent survival rate should be used. With the climactic and soil conditions at Durango Mountain Resort, large potted and transplanted specimens do not always have survival rates that are as high as smaller specimens.

For the Natural Landscape, care must be taken to select plants that are not only a species listed in Appendix B, but also that the actual plant specimens appear similar to those already on site. For example, trees grown in a nursery may appear manicured in shape and blue in color whereas trees transplanted from land nearby tend to be more rugged, irregular and green. Whenever possible, the plant material cleared from the building footprint should be used. Trees less than or equal to 4 inches d.b.h. may not be cut down, but rather they must be transplanted using a tree spade or replaced elsewhere on-site with a tree of similar species and size.

Informal landscape arrangements are most appropriate within Durango Mountain Resort as they fit within the context of the natural environment. Landscape design should be sensitive to the natural environment as evidenced in the open space, streetscapes and common properties. The designed landscape should be especially sensitive to existing undisturbed landscapes, approved landscaping on adjacent properties, and to the landscape character of the immediate area. The landscape plan must provide for a smooth transition of both finish grade and landscape materials with adjacent properties.

Landscape plans must complement the architectural character of the house, while being sensitive to the immediate adjacent landscape. They must also provide continuity along the street and with adjacent home sites and common area in the immediate neighborhood. Plans should incorporate existing landscape materials or those materials already approved on adjacent properties.

Plant composition should include sizes and quantities that would naturally occur on the specific home site were it not disturbed. The goal is to save or recreate a landscape that appears native and flows seamlessly from one home site to the next.

In addition to consideration for community-wide design, it is important to compose a landscape that complements and supports the design of the home. Selection and location of plants should not block views from windows or entries, nor should it result in overcrowding or the need for excessive pruning to maintain appropriate plant sizes.

V.9 DEFENSIBLE SPACE

The creation of effective defensive space involves developing a series of management zones in which different defensive measures and techniques are used to reduce to fire threat. The design of defensible space will be based on the types of structures to be protected, the topography of the area, and the sizes and types of vegetation present in the area.

Generally, defensible space will be composed of two distinct zones. Zone 1 is the area nearest to the structure, and will require the maximum amount of modifications. Zone 1 will consist of an area that measures 15 feet (ft) around the perimeter of the structure in which all flammable vegetation will be removed and only low growing shrubs shall be planted. Planting will not occur directly below windows, and no areas of continuous grass will be planted adjacent to plantings in this zone. Plants, especially shrubs and trees, will be well spaced and not placed in large masses. Plants will be frequently pruned to maintain a vigorous low growth habit and dead branches, stems, and leaves will be removed. When present, flammable shrubs will be replaced with less flammable species such as flower beds. Firewood and other combustible materials will not be stored here, and gravel will be placed below decks to suppress vegetative growth. The distance of 15 ft will be measured from the outside edge of the structure's eaves and any attached structures such as decks. Trees in this zone will be treated as structures, and the perimeter of Zone 1 will be extended from them also.

Zone 2 is an area of fuel reduction that is designed to reduce the intensity of approaching fire. In gently sloping areas (0 to 20 percent slopes), the density of trees and large shrubs will be thinned to allow for at least 10 ft between the crowns of trees. Moderately steep slopes (21 to 40 percent) shall be thinned to allow for 20 ft between tree crowns, and very steep slopes (greater than 40 percent) will allow for 30 ft between tree crowns. Crown distance will be measured as the distance from the outermost branches of one tree to the outermost branches of adjacent trees. Occasional clumps of 2 or more trees will be allowed in this area, given that additional buffer space is provided. The inner portions of Zone 2 will be thinned to a greater degree to allow for a gradual aesthetic transition between zones. Shrubs located beneath tree crowns will be removed, and remaining shrubs will be pruned regularly to promote vigorous growth. Dead stems from trees and shrubs will be removed annually. Grass height will be maintained to less than 6 to 8 inches.

The following checklist should be adhered to by Owners and inspected on an annual basis to determine if additional work or maintenance is necessary.

Defensible Space Annual Checklist

- Trees and shrubs are properly thinned and pruned within the defensible space. Slash produced from thinning operations is disposed of offsite.
- Roof and gutters are clear of debris.
- Branches overhanging roofs and chimneys are removed.
- Chimney screens are in place and in good condition.
- Chimneys are cleaned annually.
- Vegetation removed from within 15 ft of chimneys.
- Grass and weeds are mowed to a low height.
- Fire extinguishers are checked and in good working condition.
- Driveways and access points are cleared sufficiently to allow for emergency agency equipment.
- Escape routes are posted.
- Trash and debris accumulations are removed from the defensible space.

All sitework must be approved by the DRB prior to commencement. Erosion control measures, such as the re-planting of less flammable plant species or the addition of small stones, may need to be implemented to meet water quality requirements.

Fuel management and fire protection techniques shall be consistent with the Durango Mountain Resort Land Use Regulations and the requirements of the Hermosa Cliff Fire Protection District.

V.10 SITE GRADING

Site grading is the reshaping of the ground forms for the purpose of accommodating structures and for maintaining drainage patterns. Site grading is often overlooked or overdone. When complete, the site should reflect pleasing, natural forms that take shape gradually, lending the landscape a more naturalized appearance. Abrupt mounds or sharp forms do not appear natural.

A conceptual grading and drainage plan must be prepared and included in the Site and Landscape plans for all home sites to ensure every consideration is given to producing a design that is well integrated into the adjacent landscape as a single composition. The completed composition of landforms should appear natural within their setting. Creating large, level building pads is not allowed in Durango Mountain Resort. Terracing of home sites must not be apparent in the finished appearance of the landscape. All grading must take place within the setbacks for the purpose of creating a natural-appearing transition between home sites and other adjoining parcels. Where retaining systems are required, they should follow the height requirements and special considerations addressed in Chapter VI.24, *ARCHITECTURE, Sloping Sites and Retaining Walls*.

Caution must be observed when altering the existing grades around trees. Two common disturbances which will likely kill trees is compaction of the roots from heavy equipment driving over them and the cutting or filling of an unnatural grade within the dripline. Should the proposed grade level change near existing trees, the level of the ground inside the tree's dripline should not be disturbed. If necessary, grading may encroach within the outermost 20 percent of the radius dripline as measured from the edge of the tree trunk. If excavating occurs in this area, it must be done by hand. If a major root is encountered, it must be wrapped in a material that keeps it moist and dark until the soil can be replaced. When roots must be removed, they should be cut cleanly and not left ragged.

All site grading must be kept to the absolute minimum necessary to accommodate the construction of the residence. Additional grading of home sites is not permitted other than is necessary structurally for buildings and other site elements. Slopes may not create abrupt transitions between the undisturbed natural ground and the graded area. Contoured areas must incorporate a variety of slope gradients to provide a natural appearance to the landscape. All graded slopes must be re-vegetated. Temporarily stored topsoil and other fill materials must be covered to control dust and prevent contamination until placed and vegetated.

Ultimately, all site grading must provide for transitions into grades on all sides of the home sites to create a flowing, continuous landscape.

V.11 REVEGETATION AND SEED MIXES

Re-vegetation of disturbed areas must occur at the earliest possible time during construction. In order to facilitate the establishment of revegetated plants and seed during construction, potted nursery specimens should be installed with temporary drip irrigation and native seed mixes should be installed with temporary spray irrigation as soon as possible during the construction process to ensure adequate growth.

Specific Durango Mountain Resort native seed mixes may be formulated for use at Durango Mountain Resort. It is best to apply native seed mixes in the fall and to abandon irrigation once the seeds are established to avoid vigorous, unnatural-appearing growth.

V.12 SITE WALLS IN THE LANDSCAPE

There may be instances where site walls are required in the Landscape, as opposed to being associated with the home. These walls should be used only where necessary and must not protrude above grade. Site walls should look native, belonging to the site as much as possible in material, form, color and composition.

The preferred rock for use in site walls is rock that is indigenous in color and texture or rocks found on the home site of substantial size. While site walls can be dry stacked, they should be constituted of stones sufficiently large enough to discourage disassembly.

V.13 SITE DRAINAGE

On-site drainage must be designed to reintroduce as much water back into the groundwater system as possible and to keep the adjacent lands in their natural state. Existing natural drainage corridors must not be altered to create any condition that could lead to on or off-site soil erosion.

Rock lined swales should be designed to appear as a mountain stream with large boulders randomly placed at edges going to more gravel type rock in center. This will also slow the flow of water where necessary. In addition, swales should not travel in a straight line. A meandering course will slow flow and allow better infiltration and less erosion. All drainage channels installed by single-family or duplex home site owners shall be maintained by the Owner.

For more information on drainage as it relates to Best Management Practices, please refer to Chapter IV.18, *SITE PLANNING, Best Management Practices*.

V.14 WATER FEATURES

Because of their attraction to bears and other wildlife, ornamental water features, fountains, waterfalls and are strongly discouraged at Durango Mountain Resort. Water features may be allowed on a case-by-case basis by the DRB provided the issues of wildlife interface have been thoroughly addressed.

V.15 HARDSCAPE

The configuration of hardscape areas should be dictated by circulation patterns, the landscape design concept, and in some cases the shape or configuration of the chosen paving material. Hardscape must not encroach into setbacks. Natural building materials like stone, clay bricks or concrete pavers are a logical selection for exterior ground surfaces. Where possible, colors should blend into the existing natural ground plane. All hardscape selections must be presented to and approved by the DRB as part of the regular submittal process. The weathering capability of all exterior ground surfaces and proposed materials should be considered. Direct solar exposure at this elevation can be extremely destructive, with ultraviolet rays not only fading colors, but also causing rapid deterioration of certain materials and construction systems.

Some snow removal activities can scrape, crack, or even remove pavers. If snow removal is required from hardscape areas, it may need to be blown as opposed to plowed or shoveled.

V.16 IRRIGATION

The use of underground drip irrigation systems rather than traditional spray type systems is encouraged for most landscape situations. Permanent spray irrigation should be limited to a maximum of 500 SF in the Enhanced Landscape Zone (including turf areas.) Only temporary drip or spray irrigation may be used in the Natural Landscape Zone. In order to establish vegetation, Natural Landscapes may be temporarily irrigated. A specific date for irrigation abandonment must be provided on the landscape plan for these areas. Automatic irrigation systems are required for all designed landscapes.

Restored natural areas with native plantings or seed mixes must be temporarily irrigated. Native plants need regular water during the establishment period. Upon establishment of the plant materials, the irrigation system can be gradually reduced until the system can be disconnected and removed

A qualified landscape designer will be able to recommend a watering schedule for both the establishment period and beyond. Consider watering schedules as a guide and adjust as necessary to compensate for climatic changes, soil characteristics, location and exposure and season. Watch plants for signs of stress and adjust water accordingly. Just as many plants die from over watering than from under watering. A regular fertilizing and mulching regimen is also critical for nutrient supply, water retention and soil conditioning

V.17 LANDSCAPE PLAN DOCUMENTATION

The applicant must submit, as part of the Preliminary Design Submittal, a Conceptual Landscape Zoning Plan that distinguishes which areas are to remain protected, which areas will be disturbed and restored and which areas are designated to receive Enhanced Landscape. Plants to be salvaged must also be indicated. The plan must illustrate the building footprint, paving, terraces, courtyards, patios, decks, the construction Activity Zone, setbacks, easements, property boundaries, the proposed grading limits and drainage concepts.

In addition to the information required for the Preliminary Submittal, the Final Landscape Plan must include specific information about the locations, types, quantities and sizes of proposed

plants. If there are any plants existing on the site that are desired for the design, photographs of them must be labeled and submitted to the DRB with the Final Design Submittal. Irrigation systems must be indicated as well as locations and details [elevations or sections] of features such as address markers, landscape lighting and sitewalls.

If after one year of Final Release, the DRB determines that the progress of the planted landscape is not on track with what was indicated on the approved plans, it may notify the Owner and require a timely replanting effort by that Owner. If, after sixty days, the owner fails to replant to the satisfaction of the DRB, the DRB may enter the property and re-landscape the home site at the Owner's expense. Furthermore, the DRB may conduct inspections from time to time to ensure that additional plant materials have not been added without prior approval.

It is critical that Durango Mountain Resort maintains the pristine imagery of the natural, undisturbed landscape. Areas that remain disturbed and without adequate planting for significant lengths of time detract from the overall quality of the community and from the ecological integrity of the environment. The owner is responsible for maintaining the landscape on the home site per the approved plans. Any changes must be approved by the DRB prior to installation.

V.18 PINE NEEDLES

It is recommended that in most cases fallen pine needles, aspen leaves and other native forest floor material be left on the ground rather than removed. The needles and leaves are a benefit to the natural landscape by serving many important functions including: erosion control, dust control, decomposition into fertilizer, retention of soil moisture [this is especially important in the establishment of new vegetation] and protection for plants, especially perennials. Care must be taken immediately around structures [up to 30 feet] in terms of not allowing large quantities of duff to build up, thereby minimizing fire hazards and creating a defensible space.

V.19 LANDSCAPE LIGHTING

Landscape lighting is only allowed when approved in advance by the DRB and when the submittal indicates the lighting scheme is limited in area and in intensity. The purpose of landscape lighting is to provide for safety only and not for decoration. Lighting may not pollute the night sky nor trespass onto neighboring properties or rights of way. Full cut-off luminaries are required consistent with Dark Star Society guidelines and no up-lighting of any kind shall be permitted. Moreover, lighting must be limited to circulation and to those areas that are occupied by people. It must be held as close to the home as possible. Landscape lighting must emanate from an appropriately placed traditional fixture. No fixtures are allowed outside the building envelope. Light fixtures, finishes and lamp size intentions must be submitted along with proposed fixture locations as part of the Final Design Submittal. Refer to the Durango Mountain Resort Land Use Regulations for further lighting restrictions.

V.20 EXISTING TREES

No trees 4 inches d.b.h. or larger may be removed without specific approval from the DRB. In general, trees of any size outside of the footprint of the building will not be approved for removal unless required to create appropriate defensible space. Limbing of live branches may be allowed

up to ten feet above ground level subject to the approval of the DRB. Trees 12 inches in diameter and greater may be limbed up to 12 feet off the ground. Trees 4 inches d.b.h. and smaller should not be limbed. Limbing above these levels requires specific DRB approval prior to performing the work. Limbing of dead branches is required for the prevention of wildfires and does not require prior approval.

Trees 4 inches in diameter and smaller that will be removed as part of the home construction must be transplanted rather than cut down. To increase the survival rate, a tree spade must be used whenever soil conditions and location allow. The best time to transplant trees is when they are dormant in the spring or fall.

V.21 WEEDS

Each Owner shall be responsible for the removal of any weeds that appear on their property. Weeds shall be cut, and certified appropriate weed control chemicals applied to further discourage weed growth. If the Owner does not take the necessary steps to stop the growth of weeds on its property, DMMA has the right to intervene and remove the weeds and charge the Owner all costs associated with the weed removal.

The control, or if possible eradication, of small populations of weed species is integral in the successful management of noxious weeds. Many noxious weed species are very difficult to control once populations become well established and begin to expand. Generally, noxious weed species are capable of higher rates of reproduction and dispersal than those of the native species that are present in a given area.

Yellow toadflax, Canada thistle, and ox-eye daisy are considered the priority species for control and management. La Plata County requires the control and management of yellow toadflax. Canada thistle and ox-eye daisy are state-listed noxious weeds that are widespread throughout the property and appropriate measures must be taken to limit their dispersal, both within the property boundaries and onto adjacent lands.

Integrated Weed Management (IWM) is a multiple approach process that utilizes and applies a combination of management techniques, including biological, chemical, mechanical, and cultural controls that control target weed species with minimal impact to non-target native species. IWM involves the application of two or more techniques that will interact to provide better control than any one single action. The following section outlines the initial control actions that are recommended for the control of the invasive species found onsite.

Canada thistle (*Cirsium arvense*)

- Mow patches periodically (at about 1 month intervals) throughout the growing season, and prior to flower production to prevent the production and dispersion of seeds. Begin mowing when plants are 12 to 15 inches tall.
- Apply a glyphosate herbicide to the stems of previously moved plants at the end of the growing season (i.e. late summer/early fall). An appropriate amount of time (about 1 month) will be provided after the last mowing to allow for the development of stems in order to facilitate the effectiveness of the herbicide application. Backpack sprayers or wick application will be used at this time to minimize or eliminate damage to non-target plants. Clopyralid + 2,4-D (Curtail®) applied at a rate of 2-3 quarts/ac will be used for

the control of Canada thistle (Carpenter et al. 2000). Patches of Canada thistle that are growing near water will not be sprayed with herbicides due to the ability of flowing water to transport the herbicide to non-target organisms.

Control actions will be conducted in high-quality natural areas (i.e., areas that contain a majority of native species) first. Weather conditions will determine adjustments in control actions. Drought stress reduces the effectiveness of herbicides, but increases the effectiveness of mechanical controls such as mowing (Carpenter et al. 2000).

Houndstongue (*Cynoglossum officinale*)

- Mow second year plants prior to seed maturation to reduce seed production and possibly kill the plant.
- Apply picloram at 0.25-0.5 lb, 2,4-D or dicamba at 1.0 lb, or metsulfuron at 0.6 oz. ai/ac in spring (Carpenter et al. 2000). Application of chlorsulfuron at 0.5 lb ai/ac during the period from when the rosette stage to when plants reach 10 in is also effective (Butterfield et al. 1996).
- Maintain a healthy population of perennial native species. This is the most effective control action in controlling houndstongue (Carpenter et al. 2000).

The inability of houndstongue to compete with native perennial species limits the distribution of the species to disturbed or bare areas; however, once the species becomes established it quickly forms dense monotypic (i.e., single species) patches (Carpenter et al. 2000). First year plants will be treated with herbicides, and developing plants will be mowed to prevent seed productions (Carpenter et al. 2000). The establishment of native perennials is imperative in suppressing the presence of houndstongue and other noxious weeds.

Ox-eye daisy (*Leucanthemum vulgare*)

- Hand pulling of plants to a level well below ground prior to seed production will be done for smaller populations.
- Apply herbicides to control larger populations of ox-eye daisy. Picloram 0.25 lb., dicamba or 2, 4-D at 1 lb ai/ac, or glyphosate at 1.5 lb ai/ac. Additional herbicides that have proven to be effective in controlling ox-eye daisy include imazapyr and sulfometuron (Rutledge and McLendon 1998).
- Maintain a significant grass canopy with the application of nitrogen fertilizer. A more robust grass population will out compete ox-eye daisy individuals.

Picloram can be used to control ox-eye daisy; however, its use will be limited due to its ability to adversely affect desirable native forb species. The amount of bare soil that is created as a result of disturbance will be limited. Control small populations by pulling the entire plant (including as much roots as possible) prior to seed production and dispersal. Healthy grass cover will be fostered in order to reduce the ability of ox-eye daisy to compete other plants.

Yellow toadflax (*Linaria vulgaris*)

- *Brachyterolus pulicarius*, *Calophasia lunula*, *Eteobalea intermediella*, *Gymnetron antirrhini*, *Gymnetron linariae*, and *Mecinus janthinus* are six organisms that could potentially be used as bio-control organisms for yellow toadflax.
- Hand pulling of yellow toadflax prior to seed production each year will be done, particularly in course or friable soil in which large portions of the root mass can be

removed. Seed production and dispersal can be reduced by mowing; however, this will not kill the plant (Carpenter et al. 2000).

- The use of herbicides is often ineffective. However, picloram or dicamba at 1 lb ai/ac will kill yellow toadflax plants in some situations (Carpenter et al. 2000).

Biological control agents are available for yellow toadflax; however, the county weed supervisor and other experts will be consulted prior to their release and introduction to the property. The most effective way to control yellow toad infestation is to limit the vegetative spreading of patches by cutting or pulling plants, and by using biological control organisms. Once current seed production is controlled, seedlings that arise from the seed bank must be destroyed so that the seed bank can be depleted (Carpenter et al. 2000).

Blue flax (*Linium perenne*)

- Apply a phenoxy herbicide as needed to adult plants and seedlings.
- Remove individuals and as much of the root mass as possible through shoveling.

Chilean tarweed (*Madia sativa*)

- A regularly scheduled program of pulling will be done for the control of Chilean tarweed. Plants can be cut or pulled prior to seed production and dispersal.
- Herbicides are effective when applied to seedlings.
- The establishment of new populations can be accomplished through minimizing disturbance to natural areas, preventing seed dispersal, and maintaining a healthy cover of native communities (Carpenter et al. 2000).

Control populations by preventing the production and dispersal of seeds, allowing the seed bank to be depleted. Plants may be cut, pulled, or treated with herbicides. Pulling of plants should be favored in order to limit the application of herbicides on the property. The species is not yet widely distributed in Colorado. Therefore, it is essential to control or eradicate any populations in order to prevent its establishment.

Curly dock (*Rumex crispus*)

- Mow patches periodically (at about 1 month intervals) throughout the growing season, and prior to flower production to prevent the production and dispersion of seeds. Begin mowing when plants are 12 to 15 inches tall.
- Apply appropriate herbicides.

Common mullein (*Verbascum Thapsus*)

- Common mullein can usually be controlled by mechanical methods, and given the relatively limited occurrence of the species on site this method is most appropriate. Individuals will be pulled as soon as they are large enough to grasp and prior to seed production (Carpenter et al. 2000). Care will be given to ensure that as much of the root mass is removed as possible.

Common mullein reproduces by seeds only. Therefore, as in the case of other species that reproduce in this way, control of the species is based on limiting the production and dispersal of seeds and depleting the seed bank. Land management practices that promote the health of native plant species will also contribute to the control of this and other invasive species through increased competition for resources (e.g., nutrients, light, water).

V.22 XERISCAPE

A Xeriscape landscape program is encouraged by the DRB because it provides a positive approach for changing today's norms about landscaping and water used to sustain landscaping. Some of the best examples of Xeriscape are plantings that have been arranged to take advantage of exposure and drainage, while creating beautiful and function spaces. Xeriscape incorporates every element of good landscape design and maintenance while conserving available water supplies.

The following seven steps outline the basic principles of Xeriscape and serve as a basic introduction to the development of complete and successful landscape.

1. Design
2. Reduced turf areas
3. Use of low water demand plants
4. Zoned irrigation systems
5. Greater use of mulch
6. Soil improvement
7. Sound maintenance

Owners are encouraged to incorporate these Xeriscaping principles in the design of Natural or Enhanced Landscape within the Durango Mountain Resort community to maintain a natural, low water use ethic.

VI. ARCHITECTURE

VI.1 GENERAL OVERVIEW

The first aesthetic objective of every home at Durango Mountain Resort is to allow the natural setting to remain the dominant image. Buildings within this setting must fit quietly into the existing landscape. The goal is to create appealing and interesting structures which are subtle and complementary to the dominant beauty of the mountain setting.

The second aesthetic objective is to design all structures so that they relate to human scale. Keeping in mind that outdoor recreation is one of the tenets of this community, homes must be designed to appeal and not to overwhelm individuals on foot, ski, bike or horse.

While there is no one Durango Mountain Resort style, there is a unifying philosophy of design. The thematic character seeks to combine two ingredients: the richness of the historic western cabin or lodge with an innovative but understated freshness. Homes should reflect regional traditions and respond to the unique character of the mountain climate. Rather than prescribing a specific formula, the guidelines and requirements are intended to foster a thoughtful and comprehensive approach to creating an uncommonly well-designed community.

The following text has been developed to inspire a spirit of sensitivity and subservience to the existing landscape, a simple honesty in expression and an enduring timeless appeal evident in the substantial and permanent quality of the architecture.

Historical Character

Classic old structures utilized strong sheltering roof forms with deep overhangs, large covered porches, gable and shed dormers, divided-light windows, substantial exposed beam rafter tails and native materials. Often times, material availability and ability to process materials in remote mountain locations were limited. The building season was short; builders chose simple volumes to complete in a single season. Additive elements often appeared in subsequent seasons, resulting in a rich patina of forms. Quality, functionality, comfort and ability to withstand the harsh climatic conditions prevailed over superfluous ornamentation and the size and quantity of interior spaces. The genuine rustic quality of these buildings and the rugged natural environment has appealed to generations of families seeking refuge and comfort from the complications and refinement of urban life.

While structures should be well developed, expression is to be honest and uncomplicated. All materials and effects at Durango Mountain Resort are to be genuine. Avant garde or highly contemporary styles and materials are strongly discouraged. Development of spaces for the enjoyment of outdoor living is encouraged. Porches, overhangs, trellises and the softness of shade and shadow as a result of articulated massing and details are all desirable features. Anything too massive, or without well-designed proportions and appropriate functional detailing, will not be approved.

In addition to the general approval of plans and elevations, the DRB may require special features and massing on the most visible homesites or multi-family parcels along US Highway 550. When such requirements are requested, the objective is to minimize visual impact from this scenic highway .

The desire is for as much subtle expression as imagination, topography and continuity will allow. At the same time, the play of light and shadow should be used to enrich the built environment.

VI.2 DIVERSITY AND CONTINUITY

The principal objective of these requirements is to add elements of architectural richness and variety to individual dwellings without allowing exceedingly flashy, ostentatious or attention-grabbing designs.

A community's most admired neighborhoods enjoy the unique character created by a patina of time that has been lacking within the dynamic growth patterns of the suburban west. Where houses have been built individually or changed over the years by their respective owners, the resulting diversity moves beyond that normally achieved with standard plans and elevations. To recreate this richness, the DRB anticipates a complex harmony in the design and construction of houses to be built within each area of the Durango Mountain Resort community. In order to build a community with a distinct and legible identity, architectural continuity with other homes in Durango Mountain Resort must be considered by the architect and will be examined by the DRB when reviewing applications. Homes that have well-developed outdoor spaces and use neutral [existing landscape originated] colors for all materials will be considered as the basis from which to provide continuity. Design continuity can be achieved through form, height, massing, materials, colors and other design patterns.

Architects and Landscape Professionals must also strive to create appealing and interesting designs that are continuous with the existing fabric of natural landscape. The goal is to create subtle homes that complement their surroundings, allowing the mountain setting to remain the dominant image.

VI.3 BUILDING SIZE

The intent of building size restrictions is that the natural landscape currently dominant at Durango Mountain Resort remains the dominant visual image. The existing quiet repose and harmony can only be maintained if homes and structures remain subservient to the natural landforms and existing landscape. One of the first goals of all Owners and their Architects should be to create the highest quality home within the smallest possible volume consistent with the satisfaction of the Owner's need for space.

Applicants submitting plans for large residences may be required to reduce the massing of their project by separating the area into two or more separate structures. For example, a separate garage structure might incorporate some living area above it.

When two or more contiguous houses are owned by the same person or persons, a Lot Line Adjustment may be applied for and granted by the DRB and the respective County. If granted, the maximum living area may be increased to no more than 1.5 times the maximum structure allowed on a single lot of that type if it can be shown that the apparent size of the house is compatible in scale with adjacent homes. Owners of more than two contiguous home sites which have been legally combined, may construct homes which exceed 1.5 times with the DRB approval prior to closing on the home site.

VI.4 BUILDING ELEVATIONS

In addition to the other provisions of this section, it is the three-dimensional elevations of each dwelling that will contribute greatly to the creation of pleasing neighborhoods with visually satisfying streetscapes. When all elements are well proportioned and designed to take advantage of the interplay of light and shadow, the atmosphere becomes more human and appealing. The designs of homes within Durango Mountain Resort are expected to capture those qualities of richness that are often associated with an earlier handcrafted time. Every element of the elevations depicted in home site improvement plans must convey a thoroughly considered sense of pattern. Whether or not a home is intended to be modest or large, the skillful handling of proportion and of light and shade must be clearly evident in the submittal of an application. It must be assumed that every home will be seen from all directions and so the architectural quality of all elevations must be of consistent quality materials and articulation.. Thus, all roofs, walls, window, and detailing will be considered in terms of front elevation quality.

Grading, berming and landscapes are inseparable elements of the elevations. Structures that compliment the natural terrain, as well as those having interesting and varied heights in the vertical massing will be required as a starting point.

VI.5 HIERARCHY AND VISUAL ORDER

It is important to provide visual order and harmony in the overall house design. Approval of plans is likely to be denied or conditions of approval imposed when plans include visually confusing, loud or disordered facades [including roof forms, massing, window and door shapes and sizes]. It is important that the general proportions of the home, including the windows, doors and other exterior architectural elements result in a quietly dignified composition and complement the remainder of home designs in the community.

Hierarchy in exterior expression can aid visual order. One element of the home should appear dominant. Ideally, that element would correspond to the most important interior space, perhaps a Living Room. Lesser spaces may be rendered with proportionally smaller exterior volumes. In general, patterns with varying volumes [A-B-C] will be more likely to be approved than patterns with repetitive volumes [B-B-B]. Under no circumstances may the garage be expressed as the most important space.

Cohesively integrated additive forms are encouraged at Durango Mountain Resort. Once a central organizing mass has been established, care should be taken so that additive forms do not overwhelm it. The quantity and size of these additive forms must be carefully studied so that the home design results in a pleasing, rather than discordant, composition.

VI.6 MAXIMUM HEIGHTS

While the building height restrictions may help protect views, that is not their primary purpose. Height limits contribute to a rural character and help to develop a community with human scale. At the same time, height can be desirable where used to add sculptural form. Small vertical elements can be desirable and add interest and diversity to a community dominated by low, horizontally designed homes. All architects designing homes at Durango Mountain Resort should include in their design considerations of the intended appearance of the entire community at build-out ... and design individual structures accordingly.

First, no portion of a home [except for chimney elements] may exceed the maximum true vertical height from any location above the original [natural] grade below. Maximum building heights shall be measured vertically above the existing natural terrain, prior to grading and are irrespective of any averaging of the future grade across the building's footprint. Refer to the Durango Mountain Resort Land Use Regulations for maximum building heights by land use type and location.

In addition, the home must not appear overly tall. Skillful massing of a home, as discussed below, may project a lower, more residentially scaled building height that emphasizes a relationship with the ground plane.

Because control over building height is critical to the successful implementation of the Durango Mountain Resort Vision and the topography varies, each home site will be considered individually as part of the orientation, review and approval process. If necessary, supplemental rules and guidelines may be issued with respect to individual home sites.

Chimney masses exclusive of well-proportioned caps, may extend a maximum of 4 feet higher than the highest allowable roof elevation within the immediate area of each mass unless building code dictates a higher termination.

VI.7 STEPPED MASSING

It is the intent of the height limitations that roof forms for homes on sloping home sites step up or down with the grade to integrate the massing of the structure with the natural setting.

Building masses are required to step down to lower heights at the perimeter of the structure. If used at all, two-story wall massing should be minimized.

Architects who propose structures with more than one level should be certain that there is a difference in the areas contained on each level. Homes with similar floor area on two levels will usually be disapproved by the DRB due to their usually boxy, massive appearance. Although small cantilevered elements may be considered, significant volumes over negative space must be avoided. Homes that favor the lower floor area will be more successful in meeting the requirement that lower masses occur toward the outside edges of the home.

Ultimately, the DRB's judgments will take into account the more specific character of both the site and the proposed architectural response.

VI.8 ASYMMETRY AND ORGANIC COMPOSITION

Although pattern and rhythm are encouraged, large areas of symmetrical massing are not allowed. Gable ends are an example of a portion of a building that might tolerate symmetry, however the masses about either side of that gable need to be substantially differentiated from each other. A smaller gable end centered on a larger gable will generally not be approved. Larger homes are particularly discouraged from the use of symmetry as an organizing principle of design because this symmetry can lead to the creation of a home that appears formal, institutional or palatial rather than residential.

Although historical precedent provides some symmetrical examples, it is important to keep in mind that the home sites at Durango Mountain Resort are not to be developed independently of their neighbors, and therefore may not be designed as stand-alone monuments. For this reason, a more organic composition is preferred, one that can coexist within view of other conscientiously designed residences.

VI.9 SCALE, PROPORTION AND PLANAR OFFSETS

The purpose of the height criteria is to avoid construction of houses that are too tall. Beyond the height criteria the DRB will render individual judgments with respect to the overall scale of the proposed design in relation to its location and all surrounding uses. The process does not seek to impose generalized criteria where more specific insights can be demonstrated to result in a better solution.

Offsets or indentations in wall planes create visual interest and add depth via shadow lines. Building walls should not extend a maximum of two stories in height without an offset in the

vertical plane. No single story wall [as defined by an eavewall with a maximum 10 foot plate height] may extend more than 40 feet in length without an offset. Two story walls and gable ends may extend a maximum of 24 feet in length without an offset. An offset must be more substantial than simply changing the texture of an exterior material; it must be structural. For the purposes of achieving hierarchical order, the DRB may wave these requirements for a single volume within a composition, but by no means is bound to make this allowance.

In addition to scale and proportion of the overall home design, details must also display a sense of proportion relative to the rest of the building. For example, the minimum structural width of a post that supports the roof over a porch is not substantial, and most likely would appear spindly in relation to the mass of the home. Increasing the size and visual strength of the member could be achieved by combining two members or giving it a stone base.

Because of the rugged climatic conditions at Durango Mountain Resort, a sturdy image should be projected by substantial structural members, railings, fascias, eaves, window trim, and other related elements. Delicate, intricately detailed designs are not practical or desirable at Durango Mountain Resort.

VI.10 ROOF DESIGN

In many cases, the roof is the largest and most important visual element of a structure and therefore should be designed with as much thought as any other element of the home. It is the element of the building that both symbolizes and functions as shelter.

The roofline of each house must create its own pleasing relationship to the street, the mountain, other common areas and to its adjacent structures when viewed from all directions. The overall profile and articulation of the roof should be sufficiently irregular to break up anything that would otherwise appear too boxy or discordant with the landscape or neighboring structures. Expansive roof surfaces shall be articulated by way of gable or shed dormers. Substantial eave details and/or overhangs shall be provided at all roof edges. Asymmetrical roofs are preferable to those that are obviously symmetrical. Covered terraces or porches must be fully integrated into the design of the house.

It is equally important that the roof be designed to help mitigate ice accumulation, icicle formation and snow shedding. These are common occurrences in residential areas that receive heavy snowfall and should be considered during the roof design phase to minimize their potential hazard.

All homes at Durango Mountain Resort shall have pitched roofs with a minimum pitch of four feet in twelve [4:12], however, up to one third of the horizontal roof area of any residence may appear flat [1/4:12]. Additionally small shed dormers may be provided on roofs if their area is less than one third of the total roof surface. On sloping sites, the roof shapes should convey a comfortable stepping with the land.

The roofs of all two-story homes should include single-story elements. For both one and two-story residences, the roof profile should be richly varied, including individual masses of sufficient size, in plan and elevation to convey the desired result. The higher masses should

generally occur toward the center with the lower profiles occurring toward the outer portions of the house.

Roof slopes shall be pitched so as to avoid the shedding of snow onto uncovered steps, entrances, decks or terraces, garage entrances and paved areas. Composition roofs minimize snow shedding while metal roofs will shed snow more frequently. Steeply pitched metal roofs and roofs with southern exposures shed snow most easily. Building entrances shall be covered with a roof. Eave lines should be high enough to avoid accumulation of snow to the eave edge where it would prevent snow from sliding off the roof.

Flat roofs without parapets may be allowed but only when the design of the fascia presents an edge of sufficient dimension and character. Low-slope roofs should slope to a centrally located drain that runs down through heated space. Chimneys and other objects protruding above the roof surface should be located out of the path of or be engineered and constructed to accommodate sliding snow.

It is important to work toward the prevention of ice dams. Ice dams can form at an eave edge when water from melting snow runs down the roof and refreezes on the cooler eave surface. Ice dams can keep snow from sliding off the roof and retain water that can seep through the roof membrane and damage the building. This can be prevented by providing adequate air circulation under the roof membrane and by not compromising the insulation values at the place where eaves transition from above an unheated area to above a heated area. Other methods may be used to reduce the buildup of ice dams. This can be accomplished by either heating the roof overhang or cooling the roof surface with the placement of substantial insulation or unheated spaces under the roof. During the initial roof design, it is recommended that special consideration be given to the prevention of ice dams and icicle formation as these can create safety hazards and cause building damage.

Snow presents special design problems that traditional [non-climate-specific] building and site design solutions typically do not address. Roofs at Durango Mountain Resort must be designed to cope with eccentric loading resulting from varying snow accumulations. Low-slope roofs must be able to drain the melting snow with drains that will not become blocked with ice. Snow sliding off a roof may damage chimneys, gutters, decks and landscaping. Consideration must be given to the impacts of snow shedding from one property owner's structure onto another adjacent home site. Site design must address problems of ice hazard and snow removal.

VI.11 ROOFING MATERIALS

Wood shake and wood shingle roofs are not allowed in Durango Mountain Resort. High-quality architectural-grade composition shingle roofs will be considered on individual merit with particular consideration given to the quality of materials, color, edge detailing, pattern and warranty. Visually busy shingles in an overly regular pattern and false shadow lines are not allowed. The unit size of each shingle should be considered relative to the mass of the roof. Small shingles over large areas are not desirable.

Designs that propose predominantly composition shingle roofs must be detailed in the same spirit that walls are detailed. Metal valley, eave and rake flashing are encouraged, as are metal

ridge caps. Breaking up the areas of composition roofing as if they were panelized achieves the desired effect of avoiding a mass of shingles without detail.

Another method that can be employed to relieve roofs of the appearance of too many shingles is to use an alternate material, such as metal, on individual roof elements. Changes in pitch, shed forms, dormers and eave overhangs can be used as an opportunity to switch roofing materials.

Metal roofs may include patinaed copper; steel having a factory applied fluorocarbon resin coating in an approved color range warranted by the manufacturer of not less than twenty years in a flat or matte finish; and rusting [Corten or approved equal] steel. Should metal roofs be proposed, manufacturer's data and samples of the material with the proposed color and finish are required at the time of Final Design Submittal. Coated metal must have a reflectivity rating of less than 0.45 unless otherwise approved by the DRB.

Naturally weathering finishes may be required to be installed when they are partially weathered. Architects should exercise caution when specifying pre-patina treatments. For example, in this region copper weathers to a darker, more bronze color, not the light green character of copper in some cities and coastal areas. Metal roofs must have their finishes maintained throughout the lifetime of the product.

The DRB has determined that, for the sake of interest and variety, the use of other materials will only be considered on a case-by-case basis.

VI.12 WINDOWS AND SKYLIGHTS

In keeping with historical tradition, wood windows are strongly preferred as the window of choice for all homes at Durango Mountain Resort. The exterior may be clad in metal/aluminum provided that the cladding has a matte finish to minimize maintenance. Vinyl, fiberglass or composite windows may be permitted in non-custom home neighborhoods but only in select circumstances and if permitted, must be premium quality (thickness, fusion corners and appearance) equivalent to metal-clad wood window appearance as viewed from the exterior of the residence. No single-hung, double-hung or slider-style vinyl windows are allowed.

Windows should not appear as openings cut into the side of a box, but rather as architectural features with their glass recessed or bordered by projections that provide a shadow pattern and reduce reflectivity.

While the elevations will differ on various sides of the house, windows on all sides of the residence must have a consistent pattern, spacing and must be treated with the same attention to detail given to the front or street elevation. All facades shall contain some degree of doors, windows or other openings in the walls. Traditional forms appropriately positioned in relation to the overall façade are desired.

True-divided-light windows in the historical tradition are strongly preferred; modern divided lights, properly applied to the exterior, with a stop or gasket between the glass, may be permitted in select circumstances. Large areas of undivided glazing are prohibited except for feature windows focused on the primary view. Snap-on grids or imitation mullions [applied only between the panes of glass mimicking true-divided-light windows] are not allowed.

Vertical and square windows should be the predominant window form and shape typical at Durango Mountain Resort. Large horizontal picture windows are not allowed. Octagons, hexagons, circles and insensitively placed triangles are not allowed. Window heads shaped to match rooflines shall be treated as openings attached to the façade edges and not punched openings.

Attention to window placement and their relationship to one another can enhance an elevation. Windows in combination are generally more appealing than a number of individual single units, and repetition of consistent sizes and types are better than an unrelated assortment of window units. Except for stacked window arrangements, head heights should be consistent at each story and vertical alignment of window units or their edges is preferred in a two-story wall. Finally, windows can be used to add to the detail of the home through the use of divided light units or through the creative composition of units.

Matte window finish frames in a mid-range of colors are preferred. Since windows and doors are the exterior elements most people relate to, it is here that the building should express the most individuality. As they are small and difficult to distinguish from a distance, window mullions may display somewhat brighter [but not white or base metal] colors. Overly dark and shiny frames and mullions tend to blend too much with the dark, reflective appearance of the glass counteracting the intended effect of minimizing the panes of glass. Vinyl, fiberglass or composite window colors, when permitted, shall be earth tone (no white or almond) and darker in tone/color.

Reflective coatings on glazing material and applied sun screening films are prohibited for use in windows, glazed doors, skylights or other exterior applications. All metal-clad wood windows and doors, metal skylight forms, etc., must be color anodized or pre-finished with baked enamel. Raw metal components, especially aluminum or galvanized steel and clear anodized finishes are prohibited.

Skylights may be approved in inconspicuous locations. Skylights must have a low profile, rising from the roof plane a maximum of 4 inches, and glazing must be flat rather than bowed. Glazing material may be clear, bronze or gray depending on other adjacent colors. The glass of skylights and their frames may not be overly reflective. Skylight frames must be finished to complement the remainder of the roof. White translucent polycarbonate glazing is not allowed.

Low-E or Energy Star-rated windows are strongly preferred. All windows and window installation shall meet industry standards (AAMA, AWDI) for quality.

VI.13 ENTRANCES

Entrances proportioned to convey a sense of human scale are more appropriate than those with exaggerated dimensions. Any grandeur should be experienced upon entering the house, not worn on its exterior façade. The clean lines of restrained and understated entries are more appropriate.

Entries that are too ornate, monumental or imposing will not be approved. Entrances that are a part of a covered front terrace or porch are preferred. Although the entry for pedestrians must be

scaled in relation to the size of a person, from the street it should appear more dominant than the garage doors.

Typically, as only one driveway entrance is allowed per home site, porte cocheres will only be approved on home sites large enough to permit the required turning movements without encroaching into the front setback more than once and with no encroachment into the side setbacks.

VI.14 PORCHES, TERRACES AND PATIOS

A core element of the Durango Mountain Resort Vision is the utilization of the covered front porch or front-facing terrace. Properly designed, this can augment the traditional more private use of the backyard. The historic front porch or landscaped terrace assists this effort in four ways:

- The focal point of the house becomes the people-oriented entrance rather than the more typical garage-door dominated streetscape.
- An enhanced sense of entry is achieved without monumentality.
- There are often excellent views from the front of the house facilitates being able to take advantage of views.
- The living area of the house is made to feel larger by opening up to the front yard and street with an outdoor space.
- A sense of continuity is developed between the outdoor landscape and the home.

Elevated, uncovered, wood-framed decks must blend with the mass and form of the structure and not look like added appendages. All decks with structure more than two feet off finish grade must be skirted. Courtyards, terraces, porches, patios and, if outdoor space is required upstairs, small cantilevered balconies, are preferable. The spaces can be further enhanced by the use of planters that are integral with the built structure. Outdoor living spaces that are close to the ground increase the home's relationship to the surrounding terrain.

VI.15 FIREPLACES AND CHIMNEYS

Only gas fireplaces are permitted in all multi-family and townhome residential units. Gas fireplaces are strongly encouraged in all single-family and duplex residential units.

Well-proportioned fireplace masses and their chimneys can be used as sculptural features complementing the overall qualities of the house. Fireplace masses should be integrated with and blend well with the materials and character of the structure in which they are located. Exposed metal flues will not be approved.

The area [measured in plan view at the finish floor elevation] of any one chimney should be no less than 12 square feet and no more than 48 square feet. Chimneys lend themselves to a variety of angular and rounded forms which can enliven the three-dimensional quality and profile of the overall design.

U.L. or I.C.B.O. approved spark arresters are required and must be architecturally acceptable to the overall form of the chimney. All chimney outlets or vents shall be covered with a vertical spark arrester of ½ “ mesh screen.

A maximum of one E.P.A. certified wood burning fireplace is allowed in each single family or duplex home in Durango Mountain Resort per the DMR Land Use Regulations provided that the EPA fireplace is approved by the DRB and a fee of \$3,500 per fireplace is paid to offset Air Quality monitoring and mitigation expenses.

VI.16 GARAGES AND DRIVEWAYS

One of the greatest contributors to negative feelings about residential subdivisions is the often-present row of garage doors aligned along the street with oversized driveways leading to them. Every effort must be made to keep this view from being prevalent at Durango Mountain Resort. Effective measures that minimize the dominance of garage doors include side entries out of direct view from the street and overhangs or piers that add the softness of shade and shadow by way of recessing the doors. Plans submitted with the garage entrance as the primary focal point from the street will not be approved. Garage doors shall not dominate the residence when viewed from the street.

Garage doors must relate to the remainder of the house’s design elements. Garages must not present closed or unarticulated facades. Glazing in garage doors should be provided to reduce the impact of the doors on the rest of the community. Large or unbroken masses above garage doors cannot be approved. This is where detailing and a change in the plane of the surface can be beneficial.

The garage doors should either be the same color as the body or trim of the house, or stained wood. They should be neither too light nor too dark to call attention to themselves. Other design features which shall be provided include the use of single-bay doors in lieu of double-width doors. Single-bay doors will usually be required by the DRB so as to present a smaller-scale appearance relative to the rest of the structure. Care must be taken in the selection of garage doors.

Where more than two garage bays are planned, the preferred solution is to designate a separate structure for the additional enclosed parking spaces. If a separate structure is not possible, care must be taken in the design of the garage door plane. More than two doors are not allowed in the same plane. The third door must occur in a secondary building plane, offset by a minimum of 4 feet from the primary front wall of the garage, to avoid a continuous uninterrupted wall of 3 or more garage doors. No more than 3 car width openings are allowed in an elevation. If a fourth garage door is designed, it must be at a minimum distance of at least 40 feet from at least two of the other garage doors. Each home site may have a maximum of four car-width openings. Where additional garage stalls are desired, tandem configurations should be considered to minimize the width and number of openings required for the garage.

Architects should consider what is visible through windows in garages and storage areas. Windows in these areas must have a minimum sill height of 4 feet so that the view of stored

objects is minimized. The use of fluorescent or other highly visible lighting may be precluded in areas where the expense of an open garage door might cause excessive glare, particularly when visible from neighboring residences and public rights-of-way.

Driveways should utilize hot-mixed asphalt paving, integrally-colored concrete or exposed aggregate concrete but never just plain concrete. Patterns which combine the use of more than one pattern, color or material will be considered. Driveways specified as asphalt shall have a minimum of 2 ½ inches hot-mixed asphalt over 4 inches of aggregate base. Paving materials must subtly complement or blend with the surrounding natural ground plane. In order to avoid an outline effect, the base material must not contrast with nearby paving. Gravel-filled infiltration trenches shall be provided where surface water runoff leaves a paved driveway surface. The gravel color may not contrast with the paving.

Driveway paving shall be minimized, especially in areas visible from adjoining streets, common areas and adjacent home sites. The maximum width of a two-car garage apron that is visible from the street, or any other common area is 20 feet. In these instances, providing paving wider than 20 feet may be allowed but only if divided by some manner of patterned pavement or landscaping or both. Please reference Chapter IV.12, *SITE PLANNING, Driveways*, for information as to the gradient of driveways.

Driveways are limited to one per home site. Driveways that have two access points at the road are not allowed on single home sites but may be allowed on home sites that are created from two or more contiguous parcels that have been legally combined.

VI.17 EXTERIOR MATERIALS

The architecture within Durango Mountain Resort encompasses many traditions of regional vernacular design. These architectural elements are encouraged by the DRB. Exterior materials should generally be natural materials that blend and are compatible with the native landscape of the specific home site. Materials should be chosen for their functional honesty and their ability to age gracefully.

Blatantly imitation materials, overly refined finishes and other architecturally incompatible materials and finishes will not be approved for structures in Durango Mountain Resort. Varnished siding, slump block, imitation log siding, non-indigenous stone patterns, vinyl or metal siding imitating board siding, grooved plywood siding attempting to look like vertical board siding, etc., will not be approved.

Architects should consider the appearance of an exterior material selection relative to the other materials on the home and also relative to those on nearby structures. The aesthetic merits of any combination of exterior materials are subject to review and approval by the DRB in order to maintain the architectural integrity and consistent visual experience of Durango Mountain Resort. The DRB shall have the authority to withhold approval of proposed projects which, in the sole opinion of the DRB, do not meet with these standards.

VI.18 WALL CLADDING

The predominant exterior materials shall consist of stone, wood and stucco. The allowable wood materials include shingles, beveled or tongue-in-groove board siding, logs, board-on-board or board and batten siding. Plywood siding is prohibited.

Stone, whether real or simulated, should appear weathered and native to the site or region. Stonework must be installed by an experienced mason and must appear structural rather than applied. A stacked stone aesthetic is encouraged by fitting the units tightly and minimizing mortar joints.

When a second exterior wall material is used as an accent, all such uses must be three-dimensional. For example, stone piers or a band of stone provided on the front elevation must wrap around the side elevations until a point of intersection at an inside corner. This is also true for any form of protruding bands as illustrated. No material, detailing, or color change may occur at an outside corner.

As a rule, cement plaster or stucco should be used more as an accent material than a predominant base material. Cement plaster or stucco shall not exceed 40% of a structures total exterior surface. The use of these products as the predominant exterior finish material on any single family structure will only be considered in combination with other allowed materials.

The use of brick and board-formed concrete as an exterior finish material will be considered on a case-by-case basis and should be limited to accent segments of the building façade.

All single family structures shall have some type of wood siding material [vertical or horizontal board siding, shingles, etc.] on its exterior wall surface [exclusive of window and door areas].

Other approved materials may make up the remaining areas. For example, a stone wainscot may make up 30 percent of the siding area with board siding and wood shingles making up the other 70 percent of the wall area. One exception to the above would be a proposal for an all-stone house.

If a home is proposed using 100 percent wood or composite siding for the exterior walls, there must be a significant pattern or texture change that is noticeable. For example, wide board siding capped with a copper band may be used at the base of a home with wood shingles above.

Siding materials and other exterior features may not be applied in a visually busy pattern. For example, board siding may not be installed in diagonal patterns. The scale of the siding must complement the area that it covers; small scale shingles may be used to clad small elements, whereas large wall areas require siding of a more substantial scale. Window and door openings shall be composed to form a part of the overall architectural composition and not placed without consideration of the exterior composition.

VI.19 METALS

Exterior metals such as aluminum or steel doors, windows, screens, rooftop and sidewall appurtenances and other miscellaneous metal shall be anodized in a color [other than clear] or provided with a factory finish in an approved color. Foundation vents [when proposed with a painted finish], flashings and other exposed miscellaneous metal that cannot be provided with a

factory finish shall be painted in an approved color. The goal is to provide as dull a matte finish as possible; shiny and reflective metal must be avoided and all metals used on the exterior of the residence must have a reflectivity rating below 0.45.

Copper and Corten steel are materials which can be provided without a factory finish; however they must be thoroughly pre-weathered/pre-rusted and approved by the DRB prior to installation. Blued steel may be acceptable; however, steel that rusts to a bright orange color is not. It is suggested that materials that need to be weathered prior to installation be purchased in advance and stored outside. In the absence of specific expertise, materials which are chemically treated may not become the same color as if that same material were to age naturally in this climate. Genuine wrought iron may be used unfinished and without aging.

VI.20 FOUNDATION WALLS

Foundation walls, where exposed, must complement rather than visually compete with adjacent materials. Indigenous stone veneer, board-formed or stained concrete, exposed aggregate concrete, cement plaster or textured concrete block with an approved integral or applied stain color and pre-rusted corrugated metal cladding are acceptable materials for exposed foundations. Foundations may not be painted.

Foundation walls must step down with the grade change of sloping sites so that their exposed surfaces do not exceed a vertical height of eight feet above finished grade at its greatest exposure.

Where the vertical distance from the underside of a ground floor deck structure [along its perimeter edge] exceeds two feet above finished grade below, the deck edge must be skirted with a material complementary to the foundation wall and/or remainder of the house to screen the cavity beneath the deck. Foundation walls that occur under a skirted deck such that they are no longer visible are exempt from the exposure requirements stated above.

VI.21 COLOR PALETTE

It is the intent of the Durango Mountain Resort Vision to preserve the appearance of the natural landscape and preclude the use of colors that would appear out of place. A building may never appear predominantly brighter than its natural surroundings. The color of all exterior building materials shall be in quiet harmony and shall replicate the hues of the existing natural environment. Shiny finishes are not allowed. The resulting palette is darker and less vibrant than most exterior materials typical to this region.

The colors of the existing natural environment found at Durango Mountain Resort are rich and varied and are highlighted by different light conditions based on weather conditions, the time of year, and the time of day. Consider the non-snow season [no snow on the ground] when selecting colors for the exterior of a home. For major materials and all trim, tones complementary to the site are required.

The exterior finishes listed in Appendix A-Durango Mountain Resort Color Palette are those which have been generally approved by the DRB. It is important to understand that although use of approved colors is generally acceptable, they may not be approved for use on all home sites

due to previous nearby improvements, the surrounding natural landscape type of the location of the home site within the development. Moreover, colors in combination with each other will be considered. Proposals that are jarring in nature or simply not complementary will not be allowed.

In addressing the issue of color, the DRB will consider the entire neighborhood, as well as the individual submittal of the proposed home. For this reason, every color listed in the Durango Mountain Resort Color Palette may not be appropriate for every site. The palette is based on the colors and hues of the region's environment. The Color Palette is only a starting point in the approval process.

In general, there cannot be any inharmonious combinations of color within a single home site or between neighboring houses. The requirements will apply to all exterior surfaces of the home. Small areas of accent color, metal and other exterior trim [window metal, light fixtures, etc.] will be reviewed on an individual basis. Accents that emphasize the human elements of a building, such as doors and windows, are more likely to be approved than ones which call attention to vents, roof top appurtenances and other mechanical equipment.

Color can be described in terms of three attributes, including hue [its basic color], value [lightness and darkness] and chroma [intensity]. Commercial paint companies commonly reference a light reflectance value or LRV. The lower the number, the less light reflectance and thus the darker the color. The LRV proposed for the primary exterior surfaces will be considered by the DRB when reviewing applications. The other issues of hue and chroma will be addressed by way of viewing actual samples, if necessary, in the field.

When proposing colors for the exterior materials for a home, keep in mind the following:

- Color is affected by architectural design. Planar surfaces will read lighter than those which involve a great deal of articulated shade and shadow.
- Color is affected by relationships. The first structures to be built in any one area may be judged differently than those which follow. The later structures will have to relate not only to the natural landscape but to the other earlier structures as well.
- Portions of buildings usually suggest special treatment including the use of more than one color on a single structure. The combinations of these colors must be addressed in a skillful way to ensure that quiet and complementary combinations are the result.
- As a general guideline, light reflectance values for field and trim colors shall not exceed a reflectivity rating of 0.45.
- Where more than one color is approved on a single structure, all color changes must be made at an inside corner.
- Finally, all colors must be approved by the DRB including alternative choices represented by sample[s] each of which must be at least 4 square inches. A range of colors can be considered from manufacturers' paint chips at the time of the design submittal of materials, to actual color material samples viewed next to each other in the field. It is strongly suggested that this process take place prior to the ordering of exterior finish materials.

The basic LRV, together with the related considerations will all be addressed in the DRB review. This does not preclude the use of other colors where they are judged to be appropriate, but they

must be used with great care. The DRB judgments regarding all attributes associated with color will take into account a range of considerations far broader than what can be spelled out in any prescribed list of rules.

The DRB must review all proposals to renew or refinish the exterior materials of homes in Durango Mountain Resort. Approval is necessary even if the product is exactly the same as originally approved and applied due to the probability of color build-up over time.

VI.22 SLOPING SITES AND RETAINING WALLS

Avoiding awkward looking cuts and potential erosion problems involves minimizing the use of retaining walls. The design objective is to take up grade changes as often as possible and in the smallest increments. House designs must be designed to fit their sloping sites rather than the site made to fit and inappropriate design.

Retaining surfaces greater than 6 feet high, where allowed, must occur by way of multiple walls or system, separated by a minimum planting width of 2 feet. Retaining surface materials and colors must be approved by the DRB.

The maximum earth slope [without a retaining system] within the building envelope or between a wall and the adjacent driveway edge is generally 1:2 unless specifically approved by the DRB to the contrary.

Stepped native stone retaining walls and landscaping should be used on newly created slopes to provide more rapid re-vegetation of any earth cuts. The stonework should appear organic in nature using a variety of stone sizes and not displaying much mortar. Railroad ties will not be allowed in The Durango Mountain Resort.

It is generally best to minimize cut and fill. The DRB focuses as much on the degree of reshaping as on the resultant character upon completion. Even minor grading will be disapproved if the end result appears awkward. A major cut can be approved only if the proposed design can be demonstrated to result in a well-proportioned treatment of walls, berms and landscaping.

VI.23 SOLAR DESIGN

When considered in site planning, solar conscious design can help reduce the amount of snow removal necessary to access a site in winter. Areas of pavement that receive sunlight in winter often clear themselves after several cloudless days whereas north-facing and shadowed areas may retain snow for the entire season.

The architectural design of structures should utilize passive solar design features when possible. The goal is to allow radiation from winter sun to come into contact with the thermal mass in the interior of the building. South facing glazing in combination with thermally massive materials

contribute to the ability to heat and light a home without using as much power from the local utility providers.

Passive solar design provides a long lasting and comfortable, non-dry form of heat and it allows for a sunny, naturally lit interior. Active solar design installations may be approved when integrated into the structure to be as unobtrusive as possible.

VI.24 CARETAKER UNITS

Caretaker units are permitted as an accessory use within single-family neighborhoods within Durango Mountain Resort as designated on the subdivision plat. Each caretaker unit shall meet the following requirements:

1. It shall be deed restricted as follows: (1) it is used by family members of the single-family dwelling; or (2) it is rented or provided in exchange for services to employees who will use it as their primary residence and whose primary workplace is located within the boundaries of Durango Mountain Resort.
2. It shall be at least 400 sq. ft. and no larger than 800 sq. ft. If an accessory structure, the caretaker unit must be smaller than the maximum sizes contained in the DMR Land Use Regulations.
3. No more than one caretaker unit shall be allowed per lot.
4. The caretaker unit must be included within either the principal structure or a detached garage.
5. Rental of caretaker units for any period less than thirty days or to persons not employed in or by the resort shall be strictly prohibited.

Caretaker units shall be designed as integral elements of and be complementary to the main structure.

VII. DETAILS

VII.1 GENERAL OVERVIEW

The assumption that governs the DRB's review of improvement plans is that nothing takes care of itself and even the smallest details are important to the texture and appearance of Durango Mountain Resort. This chapter addresses a variety of related elements, but is not intended to be a full list of the "details" that will be subject to the DRB's review. Design Review Committees historically have experienced difficulty with these more detailed issues because homeowners often instruct their architects and contractors to undertake the work prior to seeking approval. Consulting with the DRB prior to commencing with detail-related activities will reduce conflict and will establish and maintain the quality of Durango Mountain Resort.

Significant architectural detailing on the exterior of a home creates added appeal and must be conceived as an expression of functionality. Strength and quality of details must be emphasized over quantity. To withstand the climate at Durango Mountain Resort, details should be rugged and substantial in scale relative to the structure. The use of exposed beams, outriggers and

substantial trim widths and thicknesses can give a dwelling its own unique visual appeal. Decorative and delicate elements will not be approved.

It is not the intent of this publication to address constraints that are a matter of personal responsibility. The DRB reserves the right, however, to disapprove or to mandate remedial action whenever the overall neighborhood standards of Durango Mountain Resort may be compromised. The desire is that these standards will be viewed in light of the intended relationships of the overall neighborhood design. The desire for individuality of ornament and landscapes should be tempered by recognizing the need for visual harmony and quiet repose.

VII.2 EXTERIOR LIGHTING

Durango Mountain Resort shall provide a safe nighttime environment while preserving the Dark Sky environment of the area and the view of the stars. Fixture style should be consistent with the rural mountain character of the area and of a scale consistent with their function:

- Light fixture style, type and color should be consistent and compatible throughout the project.
- In all cases, lighting should not extend beyond its tasks. Full cut-off fixtures are required. Motion detectors and timers are encouraged wherever appropriate.
- Spillover lighting shall not be permitted. Lighting shall reflect away from adjoining properties.
- Use of low wattage, high-life lighting products is encouraged; use of photo voltaic or other renewable energy sources is encouraged.

The principal objective of these standards is to be certain that Durango Mountain Resort does not contribute to regional light pollution and furthermore, to be certain that light trespass is not allowed to emanate from any home site at Durango Mountain Resort. Light pollution is the casting of ambient light into the night sky resulting in reflections from house elements, trees and low clouds. Light trespass is the casting of light across property lines. If a shadow is cast onto a neighboring property from a home site the light is originating from, then light trespass is occurring.

The second objective of these lighting requirements is to recreate a traditional low-light ambiance. Simple traditional fixtures that throw a soft glow must be selected over strong bright lights.

As many areas as possible should be treated in a rural, unlit fashion. Where lighting is required for purposes of safety or other justified reasons, every effort must be made to mask and screen unwanted spill from impacting neighboring properties. One overly bright front porch light can change the feel of an entire neighborhood. Lighting a home site or the exterior of a building as an accent or for any other reason is prohibited. Consistent with considerations for safety and security, the desire is to maintain a rural feeling by keeping the night landscape as dark as possible.

Security lighting [area floodlighting] is only allowed if it is on a motion sensor and a timer set for no more than 5 minutes from activation. A maximum of one recessed can fixture may be

proposed for each garage bay, however, they must be on a motion sensor and a timer set for no more than 5 minutes. Bulb wattage may not exceed 100 watts per fixture.

Regardless of the function, the light sources (maps or bulbs) of all exterior lighting must be completely shielded from view (i.e. full cut-off) to eliminate glare from any normal standing, sitting or driving view angles from any neighboring property or common area. Particular care must be taken when lighting homes that are visible from land at lower elevations.

No maximum number of downward directed lights has been determined. However, they must be mounted in an approved fashion and must be aimed within 10 degrees of vertical and must be shielded to allow for no light above 4 degrees and no visible light source. The DRB reserves the right to reject a downward directed light if, in its sole discretion, it appears excessive, inappropriate, or not in conformance with the lighting philosophy of Durango Mountain Resort. Exterior wall and building mounted light fixtures must be integrated into the architectural composition of the house. Light fixture enclosures must be constructed to conceal or substantially diffuse the light source. All lamps [light bulbs] must be completely concealed when the light is turned off, with the exception of a lamp visible from directly below the fixture. Uplighting of any kind is prohibited. Spotlights on the home or in the landscape and lighting fixtures in setbacks are not allowed.

Vapor lights of any kind, including but not necessarily limited to sodium or mercury vapor will not be allowed. Landscape lighting is allowed only in small quantities, when limited in area and intensity and when it is connected to a human element. Please refer to Chapter V.19, *LANDSCAPE, Landscape Lighting*, for more information on landscape lighting.

Catalog sheets or photographs, lamp size intentions, finishes, and fixture locations in plan and elevation must be submitted as part of the Final Design Submittal.

VII.3 INTERIOR LIGHTING

Typically, the interior design of any home is not a matter of concern to the look and feel of the neighborhood. An exception is any instance where the type and placement of lighting may cause excessive exterior glare. An example would be windows exposed to unshielded lighting in garage or utility areas, or lighting that is directed upwards through a skylight. Another would be porch or deck lighting that creates levels of exterior illumination that is inconsistent with the rural nature of Durango Mountain Resort.

Special care and attention should be given to the aiming and brightness of display lighting and other intense accent lighting as it may be reflected to the exterior, particularly through high windows, clerestories or skylights. No light sources pointing up or out or visible through high windows, clerestories or skylights are allowed. Darkly tinted glazing must be used on all skylights and clerestories, and dark tinting of glass areas or the use of window coverings at other doors and windows may be required to reduce light spill from interior spaces that may need exceptionally high light levels.

The potential problem areas are far too specific to address by way of general restrictions. Complying with the intent of this concern is thus a matter for each individual submittal. The DRB reserves the right to mandate revisions that may be necessary in order to screen any

unwanted lighting that stands out from the general ambient character of the surrounding residences. In some cases the need for remedial treatment may not be evident until after the house is occupied.

VII.4 **HARDWARE AND ACCESSORIES**

Unless specifically approved to the contrary, whether for functional or aesthetic purposes, materials such as chimney flues, vents through roofs or exterior walls, louvers, flashing, chimney caps, railings, utility boxes, exterior mounted mechanical equipment and metal work of any kind must be finished to match one of the other colors in the building's color palette. The color selected for these elements must result in an inconspicuous blending of the element into the surrounding materials and finishes. Genuine wrought iron is encouraged at Durango Mountain Resort.

In keeping with the concept of minimal visual impact to the neighborhood, bright brass, polished copper, mill finished aluminum, galvanized metal, and other moderate-to-highly reflective materials will not be approved on the exterior of any residence.

Electrical service meters, gas meters, and any other utility or mechanical equipment must be screened from the street, common areas and neighboring parcels and protected from the impacts of heavy snow. Screening devices shall be of similar material and color to the surrounding house. Please refer to Chapter IV.15, *SITE PLANNING, Utilities* for more utilities requirements.

Window air conditioners are prohibited.

VII.5 **AWNINGS, SHUTTERS AND INTERIOR WINDOW COVERINGS**

Canvas awnings are not permitted at Durango Mountain Resort. Shutters are a traditional building element used to close houses during non-occupied periods. They may be employed at Durango Mountain Resort provided that they genuinely open and close. Wooden shutters must be stained or painted.

The DRB reserves the right to mandate revisions that may be necessary to reduce the visibility of any noticeably inappropriate interior window coverings. In some cases, the need for remedial treatment may not be evident until after the house is occupied.

VII.6 **ANTENNAE, SATELLITE DISHES AND ROOFTOP APPURTENANCES**

The Durango Mountain Resort experience revolves around outdoor activities and enjoyment of the natural beauty which abounds in the community. The visual appearance of technological apparatus must be minimized to maintain the vision of rural lifestyle and traditional architectural expression.

Antennas and satellite dishes are generally discouraged. Television reception is available via a central cable system. Owners desiring a supplemental dish or receiving device may have a dish up to 1 meter in diameter provided that its location is approved by the DRB in the Final Design Submittal. The dish must be positioned in a location such that it appears unobtrusive when visible from nearby home sites, rights-of-way and common areas. The placement of such a dish

must be designed into the home. It must not appear as an afterthought. Catalog cut sheets of such devices and their locations on the Roof Plan and Elevations must be provided in the Final Design Submittal. Where appropriate, the dish may need to be painted to blend with adjacent building materials. The clearing of trees to create a site line to the satellite dish is prohibited.

All forms of rooftop appurtenances and accessories must be designed to complement the roofscape. Large items will not be approved unless they are fully screened from view or so convincingly integrated as to make it an acceptable feature of the design.

VII.7 ACCESSORY STRUCTURES AND STORAGE BUILDINGS

Properly designed guesthouses, freestanding garages, gazebos, playhouses, tree houses, storage buildings, or other accessory structures can add interest, but care is necessary to avoid a miscellaneous or cluttered look. They must be designed as integral elements of and be complementary to the main structure. Materials, colors and finishes must be similar on all such structures, and visually related by way of connecting walls, pergolas, terraces, or other landscape treatments. Accessory structures shall be located within the designated building envelope and shall not encroach into designated buffer or front yard setback areas.

Small storage buildings that are designed specifically for the home site and are built on site may be allowed if they are complementary to the main structure and are approved in advance by the DRB. Prefabricated storage buildings will not be approved.

VII.8 FLAGPOLES AND EXTERIOR SCULPTURE

Flags of a modest size may be displayed if specific approval is received from the DRB. Flagpoles must be in proportion to the modest size of the flag and may not extend above the nearest roof ridge. Flagpoles must be finished in a color that blends with the surroundings when viewed from neighbors' homes, rights-of-way and common areas.

Exterior sculpture will be permitted only if submitted for review and approved in terms of materials, color, size and placement. Materials and colors of any sculpture must be in accordance with the general intent of these guidelines and may not be visually intrusive when viewed from neighboring home sites, common areas, rights-of-way or other parcels. Flag poles and exterior sculpture must be placed near the house, in the Enhanced Landscape Zone.

VII.9 ADDRESS IDENTIFICATION

Simple and well-designed small-scale numerals must be affixed to each home or related site elements for identification purposes. House numbers must be of a contrasting color. Family, home names or other additional identification may be approved if submitted in advance to the DRB for review. Such additional identification must be consistent with the residence's materials, finishes and color palette. The font must be consistent throughout. Letters and numerals may be no larger than 4 inches in width and 6 inches in height and no smaller than 4 inches in height.

VII.10 SITE FURNISHINGS

Few restrictions are necessary for site furnishings that are concealed from the view of adjoining areas by way of the house and its walls. Any site furnishings [including umbrellas, awning-type structures or related accessories of any kind] that become visible from adjoining home sites, common areas or rights-of-way, must be submitted for review prior to their installation.

All items submitted for approval must be consistent with the residence's materials, finishes and color palette. They must be designed for outdoor use. Items which are highly reflective or very light or contrasting in color from their background will not be approved for installation. Upholstered sofas and white plastic chairs are examples of furniture that would not be approved for exterior use at The Durango Mountain Resort.

VII.11 BASKETBALL HOOPS AND PLAY EQUIPMENT

Any fixed basketball hoops may only be placed above garage doors only on residential lots or properties at Durango Mountain Resort and may be subject to DRB review.

Play structures, trampolines, swing sets, slides or other such devices may only be allowed when application is made in advance to the DRB. These devices may not be allowed on home sites visible from common areas such as the ski-ways and roads.

Approval for such equipment may be granted when it is proposed to be placed within screened, rear yard areas, is constructed and finished with materials that are complementary to the structure, is limited in height to 8 feet or less and for which the colors of the equipment are in keeping with the intent of these guidelines. Generally, timber and dark-colored, powder coated steel structural components are allowed; plastic [especially bright colored plastic] is not.

VII.12 OUTSIDE SPEAKERS

Sound cannot be amplified in any way on the exterior of any residence, if in the judgment of the DRB, it can be heard by neighboring residents, or anyone on adjoining roadways ski-ways, or common areas. Speakers must be designed into the home so that they cannot be seen.

VII.13 YARD ORNAMENTS

Components such as posts or fences delineating home site boundaries, wagons, wagon wheels, representations of animals, or any other miscellaneous items are prohibited.

VII.14 SWIMMING POOLS AND SPAS

Exterior spas or laps pools shall not exceed 700 gallons and, if provided, must be designed as a visual extension of the residence through use of similar material, colors of walls, roofs or courtyards.

Exterior spas and lap pools must be screened from adjacent properties by landscaping, lattice, wall or other permanent structure of an approved design. Chain link and other pre-fabricated fences may not be utilized. In addition to meeting all respective County code requirements they

must be positioned with consideration for noise and views with respect to surrounding properties, including all neighbors, ski-ways, trails or other open space. The same care applies to the location of all pool equipment areas which must be screened from view from all surrounding properties. If visible from adjacent properties, the color of the spa or lap pool and its cover will be considered as part of the approval process.

VII.15 REFUSE

All refuse/garbage must be disposed of by the resident(s) at designated collection sites contained within the structure of the home or garage and must be taken by residents to central community collection dumpsters or serviced by a waste control company.

The doors must be designed to resist the attempts of bears and other animals trying to infiltrate the trash area. Special attention to door thicknesses and construction, hinges, latches, and knobs will be required to prevent sabotage by scavenging animals. Trash must not be left out overnight for early morning pickup. Any clean-up of refuse will be the owner's responsibility and must be completed within 12 hours of notification.

In addition to building a sturdy enclosure, the issue of smell [which attracts scavengers] must be addressed. Weather stripping and an interior finish, such as drywall with paint, are required. Separate structures for refuse enclosures are prohibited.

VII.16 OUTDOOR STORAGE

Outdoor areas may not be used to store snow blowers, yard maintenance equipment, sports equipment, refuse containers, etc. Firewood may be stored in an unscreened area provided it is neatly stacked in an inconspicuous location away from the structure of the home to follow defensible space guidelines. Tarps may be used to cover firewood if black, dark brown or dark green in color.

VII.17 SEASONAL DECORATION

In keeping with the desire to maintain a low ambient light level so as to be sensitive to the darkness of the mountain backdrop, the use of exterior lighting as decoration is limited to holidays. The DRB may distribute a more detailed guideline for seasonal decoration based on whatever need for constraints may emerge within the Durango Mountain Resort. In general, seasonal lighting will be limited to placing a few lights on a tree and will preclude the use of any kind of flood lighting, lights with pulsating intensity or plastic ornaments.

VII.18 WALLS, SCREENS AND FENCES

Site walls, screens or fences may be approved when they are proposed as a visual extension of the residence, attached at one end, limited in length and height and use similar materials and finishes. These elements must be designed by the Architect and may not be purchased as

prefabricated stock units. In no case will site walls, screens or fences be permitted to delineate the building envelope or property lines or to be ornamental in nature. Such walls or fences may define pet runs, courtyard or terraces in close proximity to the residence for the purpose of privacy. Chain link fencing is prohibited. Wooden or stone fences may be considered if they are low and a direct extension of the architecture.

VII.19 PETS AND DOG RUNS

Pets must be restrained such that they cannot leave the parcel when left unattended. All pets must be on a leash when taken from the home site. Dog runs may be provided on home sites when approved in advance by the DRB. Dog runs must be integrated to the fullest extent possible with the home and may not be freestanding. Fencing for dog runs must be as unobtrusive as possible. Locator flags for buried electrical pet enclosure devices must be removed within 12 months after installation.

VII.20 SNOW STAKES

Snow stakes must be placed along driveways and temporary access routes between October 15 and May 1 of each year. Black steel stakes or gray schedule 80 PVC stakes without caps [they may be internally plugged] are allowed. If reflective tape is to be used, it must be white. A maximum of two horizontal bands of reflective tape may be used on each stake.

VII.21 RADON GAS PROTECTION

Although there has been no indication that significant amounts of radon gas are present in the soils within Durango Mountain Resort, the DRB recommends that each individual structure be tested by a competent professional for the presence of radon gas. If a determination is made that a radon gas ventilation system is needed, the architect should be made aware of this and include it in the design of the residence.

VII.22 STORAGE TANKS

All fuel tanks, water tanks or similar storage facilities shall either be shielded from view by walls or structures or shall be located underground with all visible projections screened from view. Use and/or construction shall comply with all applicable codes and ordinances.

VIII. CONSTRUCTION REGULATIONS

VIII.1 GENERAL OVERVIEW

Durango Mountain Resort is situated in a magnificent natural place. Respect and consideration of this serene and idyllic environment form the basis of our community. In order to ensure that the natural landscape of each home site is preserved and the nuisances inherent to any construction process are kept to a minimum, Durango Mountain Resort's Construction Policies and Procedures (see attached Exhibit C) will be enforced during the construction period of all residential improvements at Durango Mountain Resort. These policies and procedures are

designed to protect the current residents, their recreation experience and the overall integrity of the natural landscape.

Durango Mountain Resort's Construction Policies and Procedures are more stringent than those typical of developments in this region. The intent of these rules is to limit as much negative and destructive activity as possible while allowing for the reasonable construction and completion of residential improvements. Compliance with all of the procedures requires a sincere effort to familiarize oneself with the rules and continued diligence to abide by them.

VIII.2 CONSTRUCTION ACCESS

The approved driveway will be the only construction access to any home site. The access shall be defined by securely installed orange vegetation protection fencing centered on the future driveway at a maximum width of 16 feet through the front setback. Construction activity may not occur anywhere in the front setback except at the 16 foot wide access regardless of whether these areas have been previously disturbed.

VIII.3 CONSTRUCTION ACTIVITY ZONE

The Construction Activity Zone is the area in which all activities related to building a home must occur. No construction activity may take place outside of this area at any time. It is established during the design phase of the project and then reviewed at the pre-construction meeting. Four-foot high orange vegetation protection fencing must delineate the boundaries of this zone at all times. This boundary must be present and complete prior to beginning construction and must remain intact, unmoved and complete until outdoor construction activity has ceased. Failure to maintain vegetation protection fencing will result in fines and possibly corrective action. For more information on the Construction Activity Zone and Fines, please refer to Chapter IV.16 *SITE PLANNING, Construction Activity Zone*.

Generally, vegetation protection fencing must stay clear of setbacks, except in the following instances:

- Two feet outside of paving (4 feet if grading is required)
- Five feet outside of roof drip lines
- Five feet outside of masonry walls
- Up to 5 feet on each side of a utility trench

Temporary vegetation protection fencing must mark the perimeter of any disturbance related to utility trenching. Immediately following backfilling of these trenches the fencing in setback areas must be removed and the disturbed areas revegetated. Once protective fencing has been removed, construction activity must cease [except for minor activities like staining and landscape maintenance]. It is the responsibility of the Contractor to maintain this fencing at all times.

VIII.4 PRESERVATION OF PROPERTY

Because of the delicate nature of the soils and the vegetation that it sustains, the use of, or transit over, any other home site or common area is prohibited. Similarly, in the interest of preserving as much of the natural landscape as possible, the use of, or transit over, the natural area or

setbacks outside the limits of construction on any home site is also prohibited. Construction personnel must refrain from parking, eating and depositing rubbish or scrap materials [including concrete washout] on any neighboring home site, common area, tract, right-of-way, ski run, trail or anywhere outside of the building or paving footprint.

Moreover, all construction activity must remain within the bounds of the Construction Activity Zone as agreed in the Pre-Construction Conference and as depicted in the Final approved Site Plan. Please refer to section VIII.11, *Refuse Receptacles and Debris Removal*, for more information on concrete washout and debris removal.

VIII.5 CONSERVATION OF NATIVE LANDSCAPING

Prior to the commencement of construction, all plants and trees to be salvaged must be transplanted to new locations on the home site or to a holding area for safe keeping during construction. All trees 6 inches d.b.h. and smaller that are located in the future building footprint must not be destroyed. Rather they must be removed with a tree spade and either transferred to an agreed upon temporary holding area or immediately replanted on site.

Trees or plants within the Construction Activity Zone that are to be preserved must be marked and protected by flagging and fencing or other approved barriers at all times. Removal of this protection may result in fines. Trees with drip lines that fall within the Construction Activity Zone must have the soil and roots protected from erosion and compaction. The DRB has the right to flag major terrain features or plants which are to be fenced for protection. Any trees or branches removed during construction must be promptly cleaned up and removed from the construction site. Please refer to the following section for more information on Durango Mountain Resort Best Management Practices.

Trees and other significant natural features within the Construction Activity Zone must be protected at all times by four foot high orange vegetation protection fencing placed along the drip lines of each tree. Protection of trees too close to the building will require fencing on as many sides of the dripline as possible and dimensional lumber strapped [not nailed] to the trunk. All areas of soil exposed to construction activity must be protected from foot traffic by the use of a bridging system that allows air and water to reach the soil.

In order to avoid compaction and erosion, tree root bridging is required where the Construction Activity Zone infringes upon the dripline of a tree. All construction site traffic must be elevated above the soil by means that allows both water and air to reach the soil. If tree roots are encountered during excavation they should either be covered immediately with burlap and kept moist until the soil can be replaced, or the smaller roots should be trimmed and the ends coated with a substance that reduces the uptake of pathogens through the roots. Please refer to Chapter IV.17 *SITE PLANNING, Preservation of Trees and Other Site Features*, for more information on excavating near trees.

VIII.6 BEST MANAGEMENT PRACTICES

Some areas of Durango Mountain Resort drain into ecologically sensitive wetlands that are strictly protected by various governmental agencies and the DMR Land Use Regulations. Protection of these sensitive lands is critical to the Durango Mountain Resort Vision. The

delicate ecological balance can be disturbed by a minimal amount of sediment, such as topsoil, water-borne pollutants and a few drops of oil from a piece of machinery. In short, there are a strict set of requirements that are designed to keep fertile soil from eroding and pollutants carried by surface water runoff into ecologically sensitive areas.

With modification and mitigation of construction methods most of the impacts can be significantly reduced. The mitigation measures are called Best Management Practices or BMPs. Although not complicated, the proper installation and associated regular maintenance can be expensive and labor intensive.

Durango Mountain Resort BMPs include:

Temporary Soil Stabilization Practices

- Pine needle mulch [preferred method]
- Hydro mulch
- Jute netting
- Wood excelsior blanket
- Erosion control blankets or geotextiles
- Approved chemical mulches or tackifiers
- Filter strips
- Approved straw mix

Temporary Runoff Control [diversions] and Slopes

- Diversion dikes and swales
- Perimeter dikes and swales
- Interceptor dikes and swales

Temporary Grade Stabilization Structures

- Flexible down drain
- Pipe slope drain
- Section down drain
- Chutes, flumes, spillways

Dirt compacted by the single pass of a vehicle or by repeated foot traffic, makes inhospitable soil for planting. Foot and vehicle traffic often kills existing shrubs and can disable root systems from being able to deliver oxygen and water, eventually killing trees. Ground covers, shrubs and tree roots help stabilize soil, which when disturbed can be carried off the home site and deposited into sensitive areas. Even a minimal amount of sediment such as topsoil and water-borne pollutants such as oil drips from a piece of machinery, must be avoided.

Rainwater and snowmelt must be allowed to percolate where practical into the ground rather than running along the top, where it can carry pollutants. The percolation can help to clean the water. Soil exposed by construction activity must be stabilized so that it cannot be eroded off the site by rainwater and snowmelt.

It is the responsibility of the Owner and Contractor to effectively implement Durango Mountain Resort Best Management Practices. If there are any questions about compliance, it is

recommended that a private consultant be hired. Failure to implement and maintain these measures will result in fines and possible corrective action by the DRB. If a representative of the DRB must enter the site to remedy the situation, the Owner will be charged for expenses related to that action.

VIII.7 CONTINUITY OF CONSTRUCTION

Actual construction time is not to exceed 365 days from the date building permit is issued unless otherwise approved by the DRB. After 365 days, the DRB approval expires and the Owner must resubmit plans for approval.

VIII.8 WINTERIZATION

Residential building is encouraged to be a year-round endeavor, however, the Durango Mountain Resort construction season is generally between May 1 and October 15 of every year. The site must be completely winterized and no soil may be moved or disturbed until May 1 or when the snow has melted and the ground has dried [as determined by the DRB], whichever comes later.

Winterization requires that all soil be completely stabilized. Sites must be winterized whether or not construction activity will continue through the winter.

VIII.9 VEHICLES AND PARKING AREAS

Construction crews may not park on or otherwise use undeveloped portions of home sites or open space. All vehicles should be parked within the building envelope or in designated off site parking areas. During busy construction periods involving multiple trades such that all construction vehicles cannot be confined to the Construction Activity Zone, the overflow vehicles may be temporarily parked along the edge of the roadway or in designated remote parking areas. Vehicles may park along one side only to allow continual unconstrained access by normal traffic, snow removal equipment and emergency vehicles such as fire trucks. Vehicles may not park on neighboring home sites, in nearby driveways, open space, common areas, greenbelts, trailheads or along any street frontage bordering occupied residential properties.

Changing oil or other vehicle maintenance is not allowed. The discharge of any petrochemical substance is strictly forbidden. Vehicles that leak oil must not be brought onto Durango Mountain Resort property.

Transit across common areas or other homesites or multi-family parcels is prohibited. All construction personnel must obey posted speed limits and use extreme caution when traveling through residential neighborhoods.

VIII.10 MATERIAL DELIVERIES

All building materials, equipment and machinery required to construct a residence on any home site at Durango Mountain Resort must be delivered to and remain within the Construction Activity Zone of each home site, clear of all setbacks. This includes all building materials, earth-moving equipment, generators, mixers, cranes and any other equipment or machinery that will remain at Durango Mountain Resort overnight. Material delivery vehicles may not drive across

adjacent home sites or common areas to access a construction site or drop deliveries in a roadway or right-of-way.

VIII.11 REFUSE RECEPTACLES AND DEBRIS REMOVAL

Owners and Contractors shall clean up all refuse and debris at the end of each day. A commercial dumpster must remain on the site at all times during active construction for the purpose of containing all waste materials or packaging. The receptacle must be positioned on the site in the location agreed upon at the Pre-Construction Conference. It should be clear of setbacks, rights-of-ways and neighboring properties. If it is shown that a construction site cannot accommodate a dumpster and its emptying, alternative arrangements may be made at the Pre-Construction meeting with an approved Construction Variance.

Refuse receptacles must be emptied on a timely basis to avoid overflow of refuse. Disposal must be at a suitable off-site facility. Owners and Contractors are prohibited from dumping, burning refuse anywhere on the home site or in Durango Mountain Resort. Heavy debris, such as broken stone, wood scrap or the like must be removed from the site and legally disposed of upon completion of the work or each trade that has generated the debris.

All concrete washout from both trucks and mixers must occur within the building envelope of the home site in a location where it will ultimately be concealed by structure or covered by paving. Washout in road rights-of-way, setbacks, natural areas or on adjacent properties is strictly prohibited.

During the construction period, each construction site must be kept neat and be properly policed to prevent it from becoming a public eyesore or detriment to other home sites or open space. Any clean up costs incurred by the DRB in enforcing these requirements shall be payable by the Owner. Dirt, mud or debris resulting from activity on each construction site must be removed daily from public or private roads, open spaces and driveways or other portions of Durango Mountain Resort.

VIII.12 EXCAVATING, EXCESS MATERIALS AND BLASTING

Trenching must be confined to those areas indicated on the Site Plan. Manual excavation methods and moisture blanketing will generally be necessary to preserve root systems. Backfill materials must include loose soil of proper characteristics to promote revegetation of all disturbed areas. For more information on excavation and grading please refer to Chapter IV.20, *SITE PLANNING, Grading and Foundations at Sloping Sites* and Chapter V.10 *LANDSCAPE, Site Grading*.

All excess materials resulting from blasting as well as all other excess excavation materials must be removed and legally disposed of. Temporary storage of these materials must occur within the Construction Activity Zone.

For the safety of the community, if any blasting is to occur a minimum of forty-eight hours [two working days] notice must be given in advance and appropriate approvals must be obtained from the DRB, the respective County, adjoining lot owners, DMR's Director of Construction, DMR's Mountain Manager, and the Purgatory Metropolitan District.

Blasting may only be performed by licensed demolition personnel with all requisite insurance coverage as mandated by governmental statutes, specific to their blasting activity at Durango Mountain Resort. The DRB has the authority to require a pre-blast survey and written documentation of anticipated seismic effects on improvements on all adjoining properties with confirmation that such effects will not be injurious to other persons or properties, public or private, and that all appropriate protection measures have been utilized.

VIII.13 ARCHAEOLOGICAL AND PALEONTOLOGICAL RESOURCES

If any paleontological resources, archeological artifacts, exotic, non-native rock or unusual amounts of shell or bone are uncovered during any construction activity, all work in the area must stop immediately and a qualified paleontologist or archeologist [as appropriate] must be retained by the Owner to evaluate the finding. An appropriate time extension to DRB completion dates shall be granted if there is a work stoppage. Should either occur, the Owner must contact the DRB and the respective County for additional instructions prior to proceeding with any additional work.

VIII.14 DUST AND NOISE CONTROL

The Contractor is responsible for controlling dust and noise from the construction site including the removal of dirt and mud from rights-of-way daily that is the result of construction activity on the home site. Contractors must cover materials or provide sufficient irrigation to eliminate any fugitive dust. A water truck shall be provided for residential projects greater than 10 dwelling units, for all projects during periods of high fire danger or if requested by the DRB.

The use of radios or of other audio equipment must not be audible beyond the property perimeter of any home site in Durango Mountain Resort especially adjacent to recreational amenities or other common parcels. Repeated violations of this provision will result in the total prohibition of any on-site use of radios or audio equipment during construction.

VIII.15 TEMPORARY POWER

Utilize existing power supply sources when available and temporary power generators only when necessary.

VIII.16 DAILY OPERATION

Construction activity at Durango Mountain Resort is allowed only between the hours of 7:00 am and 7:00 pm, Monday through Friday and 7:00 am and 5:00 pm on Saturday. No construction activity shall be allowed beyond these hours without prior approval of the DRB. There may be several days each year when construction is not allowed due to special community or resort events. Contractors will be notified in advance of these occasions.

VIII.17 OSHA

All applicable Colorado and national Occupational Safety and Health Act [OSHA] regulations and guidelines must be observed at all times.

VIII.18 SANITARY FACILITIES

Contractors are responsible for providing adequate sanitary facilities for their construction workers on each home site at all times. Portable toilets must be located within the Construction Activity Zone, clear of all setbacks. For a construction site to be considered active a sanitary closet must be on site and in the location approved at the Pre-Construction Conference.

VIII.19 ALCOHOL AND CONTROLLED SUBSTANCES

The consumption of alcohol or the use of a controlled substance by any construction personnel anywhere on Durango Mountain Resort property is prohibited.

VIII.20 FIREARMS

The possession or discharge of any type of firearm by construction personnel anywhere on the Durango Mountain Resort Valley property is prohibited.

VIII.21 SITE VISITATIONS

Due to the inherent danger associated with an active construction site, visitors to any home site are limited to those persons with official business relating to the construction activity such as construction workers and tradesmen, building officials, security staff, construction administrators, Durango Mountain Resort staff, DRB personnel, sales personnel and the Owner. Construction personnel may not invite or bring family members or friends, especially children to the project site.

VIII.22 PETS

No pets, including dogs, may be brought onto the property by anyone other than the Owner. If the Owner brings a pet to the site, that animal must be properly contained within the home site.

VIII.23 SIGNS

A. Multi-Family or Model Home/Unit Signage

During the initial presales and sales periods for newly built multi-family units and/or model homes/units, the builder/developer may install a single marketing sign for the project.

1. The Builder/Developer or their agent must submit the sign design to the DRB for approval prior to installation. Signs must be professionally designed and manufactured (hand-made signs, glue-on letters and inappropriate designs or materials will not be allowed). The sign panel must be sturdy wood or metal and cannot be larger than the following: 4'x8' for projects with more than 4 DU and 4'x5' for projects with 4 or less DU. The sign panel shall include the project name, builder/developer name, a high quality image of the project/product and no

more than four (4) lines of marketing text and contact information. The sign must be free-standing and mounted on posts with fittings installed that are sturdy and resist wind and rust damage. Builders and developers may also install one clear Plexiglas flyer box with lid for 8½” x 11” flyers on the post. If the sign panel or flyers become a litter problem due to improper assembly, fasteners or maintenance, the signage will be removed from the lot and prohibited from re-installation.

2. The builder/developer or their agent must get approval of the sign’s location and installation methodology from a DRB representative at a location on the lot or parcel that is visible, but minimizes impact to the environment.
3. The sign may not be erected on a site earlier than two weeks prior to the onset of continuing construction activity. Furthermore, all signs must be removed within thirty (30) calendar days after the issuance of a certificate of occupancy by the respective County or immediately upon the passage of thirty (30) calendar days without significant construction activity. The builder/developer of a newly completed but unoccupied project or model home/unit may apply to the DRB for a continuation of the signage for advertising and sales purposes after construction has been completed until such time that the last newly constructed unit has been sold.

B. Single-Family or Individual Unit Resale Signage

1. The owner/owner’s agent must submit the sign design to the DRB for approval prior to installation. Signs must be professionally designed and manufactured (hand-made signs, glue-on letters and inappropriate designs or materials will not be allowed). The sign panel must be metal and cannot be larger than 18”H x 36”W. The sign panel can have a single “Realtor Name” panel hung below the main panel, not to exceed 6”H x 36” W. All fittings used to install the sign panel shall be heavy gauge stainless steel to resist wind and rust damage. Realtors may also install one clear Plexiglas flyer box with lid for 8½” x 11” flyers on the post. If the sign panel or flyers become a litter problem due to improper assembly, fasteners or maintenance, the signage will be removed from the lot and prohibited from re-installation.
2. The owner/owner’s agent must install the For Sale sign on a sturdy post and arm assembly or affix it properly to a rail or post on the listed unit itself. .
3. The owner/owner’s agent must get approval of the installation location from the Durango Mountain Master Association (DMMA) representative prior to installation.
4. The owner/owner’s agent must remove all such signs within one week of closing, or sooner, if requested by the DMMA representative.

C. Temporary Construction Signs

Temporary construction sign designs must be submitted to the DRB for approval prior to installation. Temporary construction signs are limited to one sign per home or development phase and shall not exceed 20 square feet of total surface area. This sign is intended primarily for project site and design/construction team identification, therefore, it must be located on the subject home site or development parcel outside of the building envelope and avoid any snow storage areas or sight triangles along the street. The sign may identify the Architect and contractor by

name with address, license number and telephone number[s], the subcontractors' of record and it may identify the project site by home site number or Owner's name.

The sign must be free standing and may not exceed seven (7) feet in height above natural grade. The sign's design, color, style, text, duration of display and location upon the home site must be approved in advance by the DRB. The sign may not be erected on a site earlier than two weeks prior to the onset of continuing construction activity. Furthermore, all signs must be removed within thirty (30) calendar days after the issuance of a certificate of occupancy by the respective County or immediately upon the passage of thirty (30) calendar days without significant construction activity. The Architect or Contractor of a newly completed but unoccupied market unit may apply to the DRB for a continuation of the signage for advertising and sales purposes after construction has been completed until such time that a contract for sale has been executed.

Individual signs or construction sign attachments identifying individual subcontractors, trades people or suppliers are prohibited. Placement of any sign facing a ski run, trail or any non-street common area is not allowed.

VIII.24 CONSTRUCTION TRAILERS, JOB OFFICES AND MATERIALS STORAGE

Construction trailers, portable job offices and commercial storage containers are not encouraged at Durango Mountain Resort. The preferred method to accommodate job office and material storage needs is to build the garage first and use it for shelter and storage. Trailers are not permitted overnight on residential construction sites. Temporary site built storage or shelter facilities that blend in with the construction site may be proposed to Durango Mountain Resort DRB at the Pre-Construction Conference.

VIII.25 RESTORATION OF PROPERTY

Upon completion of construction, each Owner and Contractor shall clean the construction site and repair all property that has been damaged. This includes but is not limited to restoring grades, planting shrubs and trees as approved or required by the DRB, streets, driveways, pathways, drains, culverts, ditches, sign, lighting and fencing.

In addition, the Owner and Contractor will be held financially responsible for the cost of site restoration/revegetation and refuse removal necessitated on any and all adjacent properties as a result of trespass or negligence by their employees or sub-contracted agents.

The Owner and Contractor are responsible for making sure that all disturbed areas, regardless of who disturbed them, are revegetated in a way that satisfies the DRB. For revegetation, please refer to Chapter V.11 *LANDSCAPE, Revegetation and Seed Mixes*, and for other permanent Best Management Practices, refer to Chapter IV.18, *SITE PLANNING, Best Management Practices*.

VIII.26 FIRE PROTECTION

Careless disposition of cigarette and other flammable material are strictly prohibited. At least one 13 lb. ABC rated dry chemical fire extinguisher shall be present and available in a

conspicuous place on construction sites at all times. Contractors shall comply with any high fire danger restrictions requested or imposed by the Fire District.

IX. DOUBLE DIAMOND ESTATES SUPPLEMENTAL DESIGN GUIDELINES

IX.1 CLIFF EDGE LANDSCAPE BUFFER

Cliff edge vegetation east of DDE Lots 1-7 shall be maintained with required wildfire mitigation trimming as defined in Exhibit A. Any vegetation outside the building envelope and along the cliff face that is not specifically called out on Exhibit A shall be maintained to provide visual buffering from the highway. Supplemental aspen trees shall be added (after construction of the adjoining residence) as shown on Exhibit A. Unless otherwise approved by the Design Review Board, all supplemental aspen trees shall be 4'-10' in staggered heights and planted in native looking clumps on staggered spacing. Pockets or mounds of planting soil and irrigation from the residence's water supply shall be provided to ensure these supplemental aspens will become well established. The precise placement of these aspen may be adjusted from what is shown on Exhibit A, provided that the quantity and general buffering amount shown on Exhibit A is provided.

IX.2 BUILDING HEIGHT

Building height shall not exceed 35', measured as the vertical distance of the building measured at any point along a line created by using the natural grade within four feet outside of the foundation of the structure to the highest point of the structure (DMR Land Use Regulations, Definitions).

IX.3 BUILDING MASSING AND PLANAR OFFSETS ALONG CLIFF EDGE

The massing of residential structures along the cliff edge shall be "stepped" as defined in Section V1.7 of the Design Guidelines with special emphasis on creating a multi-planed, elevation as viewed from the highway. Planar offsets shall be utilized as described in Section V1.9 of the Guidelines to create ample shadow lines and "tuck" the cliff edge elevation around existing or proposed trees.

IX.4 MAXIMUM SIZE OF RESIDENCE AND ACCESSORY STRUCTURES

The maximum size of a residence shall not exceed 6000 sf and accessory structures are prohibited unless specifically approved by the DRB.

IX.5 STREET RELATIONSHIP

Because of the unique topography and rock formations in the Double Diamond Estates neighborhood, residences will be nestled closer to the street than other neighborhoods at DMR. Consequently, the architectural design of street side elevations will be required to contain features that are more welcoming to the street scene such as front porches and ample fenestration. Garage doors that face the street shall receive special design treatment so they are aesthetically pleasing and have detailing equal to the front doors and window detailing of the residence. The stepped massing and planar offset rules in Section V1.7 and V1.9 of the guidelines will be rigorously applied. Supplemental landscape (aspens and fir) will be required to be added street-side of the home (after construction of the residence) to maintain the wooded feel of the neighborhood. Any driveway retaining walls or foundation walls that are visible from the street shall be clad in stone matching the stone on the main residence.

IX.6 BUILDING COLORS AND MATERIALS

The base, trim and accent building colors and materials in the DDE neighborhood shall be the darker and more earth toned shades and colors from the approved palette in Exhibit A of the guidelines. Applicants may be required to mount a color sample board on their lot for review if the DRB requests this.

APPENDIX A- EXTERIOR MATERIALS AND COLORS

The purpose of Appendix A is to facilitate the Durango Mountain Resort Vision of harmony and continuity between homes and the natural landscape. Consider this list as a place to begin material and color selections. The following exterior material finishes may be used on homes in Durango Mountain Resort. However, no exterior finish, even if listed here, is pre-approved. The colors in the mid-range of this list are most likely to be approved. If the colors at the extreme dark and light ends of the color range are used, they must be carefully considered and demonstrated to be appropriate. Additional colors may be approved on a case-by-case basis. Color and material choice depend on the individual home site and the siting, surrounding landscape, exposure and architecture of the home. The colors and materials of nearby structures will also influence exterior color and material selections. Colors for individual applications will be considered as part of the Final Design Submittal. Final approval of all exterior materials and their finishes will be granted solely by the DRB after the examination of the color and material samples.

1. ROOFING

A. Preferred Roofing

- High quality architectural grade composite shingles.
- Dark shades of color such as gray, black, dark brown will be allowed.
- Non-reflective standing seam metal. No bright colors allowed.
- Slate tiles can be used in darker colors only.
- All other shingle styles of a non-composite grade will be reviewed by the DRB. Example: plastic, recycled material or cement styled shingles will have to be approved by the DRB.

B. Prohibited Roofing

- Wood shakes are not allowed.
- No reflective or shiny materials can be used.
- No propanel or standing seam colors that do not blend with the natural surroundings.
- No galvanized or rustic metal roofing treated copper roofs must be approved by the DRB.

C. Composition Shingle

All roofing must be Class A. Roof materials must be subtle, no large variations in color, false shadow lines or high contrast roofing material will be allowed at Durango Mountain Resort. Consider the size of the shingle unit relative to the roof area.

1. Elk Premium Roofing Premium Choice Prestique II [25 Year] Weatherwood
 - Hickory
 - Barkwood
 - Sablewood
2. GAF Timberline Series [3 year]
 - Burnt Sienna Blend
 - Charcoal Blend
 - Heather Blend
 - Weathered Wood Blend
 -
3. GS Roofing Products Company Firescreen Plus 2000 [30 year]
 - Driftwood
 - Highland Brown
 - Moire Black
 - Stonewood
 -
4. Malarky Roofing The Alaskan [25 year]
 - Antique Brown
 - Driftwood
 - Sable Brown
 - Sequoia
5. Malarky Roofing – Legacy 30 [30 year]
 - Antique Brown
 - Charcoal
 - Weathered Wood

D. Metal Roofing

Only matte finishes will be allowed. Painted metal must have a reflectance of less than 20 units of gloss reflection at an 85 degree slope. Standing seam, corrugated, shingle and flat stock profiles will be considered.

1. Astrazinc - Pre-weathered Zinc
2. Pacific Metal Sales - Low-Gloss Kynar-500 Standing Seam
 - Forest Green
 - Thunderhead Grey
 - Midnight Bronze

- Weathered Copper
- 3. Genuine Copper [no coating] - Standing Seam or Flat Stock
- 4. Revere - Copper treated with approved solution
- 5. Vail Metal Systems - Copper Shingle
 - Aged Bronze [treated copper]
 - Copper Treated with approved solution
- 6. Coated Steel Shingle
 - Forest Green
 - Slate Gray
 - Midnight Bronze
- 7. Unaclad - Copper treated with approved solution
- 8. Zappone - Copper Treated with approved solution
- 9. Corten Steel or Steel with Natural Rusted Finish - It must be proven to rust to a deep, dull bronze-colored finish. Bright orange will not be allowed.

E. Slate Roofing

Even the highest grades of slate are naturally brittle. Because of heavy snow and wind loads, slate roofs in mountain climates require the highest quality materials, expert design and installation as well as annual maintenance.

1. American Slate Company
 - Copper Gray
 - Standard Green
 - Strata Gray
2. Greenstone Slate
 - Royal Purple
 - Semi-Weathering Gray
 - Semi-Weathering Vermont Black
 - Variegated Purple
 - Unfading Green
 - Vermont Strata Gray and Vermont Semi-Weathering Gray-Black
3. Evergreen Slate Company
 - Vermont Black
 - Semi-Weathering Grey
 - Unfading Mottled Green and Purple
 - Semi-Weathering Gray-Black
 - Clear Black

2. SIDING/STUCCO

All buildings shall be constructed with exteriors of wood, stone, masonry, and/or composite materials and shall be finished in natural colors so as to blend with natural surroundings.

A. Preferred Siding

Various grades of wood are allowed with variations of applications. Shiplap, channel rustic, log, and board bat can be stained or painted to blend with the natural environment.

Composite materials, such as hardiplank or similar manufactured siding are allowed when painted to blend with natural surroundings. All composite siding must be approved by the DRB.

No structures will be totally surfaced with drivit, stucco, -adobe, or similar product. The materials can be used if they do not cover more than 40% of the exterior visual surface. The remainder will be made up of wood or stone.

Various types of stone can be used with the exception of river rock as found at much lower valley elevations. All material must be native and natural to the general area. All stone exteriors will have to be trimmed with at least 20% wood products. Synthetic stone (manufactured) is allowed in certain applications and will need DRB approval.

Preferred

- Natural Stone (TBD)
- Preferred Manufactured Stone

El Dorado Stone

Lucera Hillstone	Smokey Mountain Lodge
Veneto Fieldlodge	China Mountain Lodge
Meseta Fieldlodge	Oakridge Mountain Lodge
Ponderosa Cliffstone	Copper Mountain Lodge
Mesquite Cliffstone	Sycamore Mountain Lodge
Jackson Valley Quarry Stone	Buckskin Mountain Lodge
Manzanita Cliffstone	Warm Springs Mountain Lodge
Teton Shadow Rock	Desert Shadow Stacked Stone
Mountain Blend Shadow Rock	Slate Gary Stacked Stone
Bronze Shadow Rock	Mountain Blend Stacked Stone
Sequoia Rustic Lodge	Oakwood Stacked Stone
Prairie Rustic Lodge	Castaway Stacked Stone
Saddleback Rustic Lodge	Silvercreek Sandstone
Pinetop Rustic Lodge	Bouquet Flintstone
Cascade Rustic Lodge	

Cultured Stone

Limestone- Cedar	Southern Ledgestone –
Weathered Edge Ledgestone-	Chardonnay
Silverado	Southern Ledgestone – White
Country Ledgestone – Honey	Oak
Country Ledgestone – Chardonnay	Southern Ledgestone – Fog
Country Ledgestone – Caramel	Southern Ledgestone – Fawn
Country Ledgestone – Aspen	Southern Ledgestone – Rustic
Country Ledgestone – Fawn	Southern Ledgestone – Bucks
Country Ledgestone – Platinum	County
Country Ledgestone – Eucalyptus	Carolina Ledgestone – Silver
Country Ledgestone – White Oak	Sand
Country Ledgestone – Walnut	Carolina Ledgestone – Onyx
Country Ledgestone – Mojave	Brown

Country LedgeStone – Shale
 Drystack LedgeStone – Suede
 Drystack LedgeStone – Caramé
 Drystack LedgeStone – Chardonnay
 Drystack LedgeStone – Mist
 Drystack LedgeStone – Cedar
 Southern LedgeStone – Walnut

Carolina LedgeStone – Pewter
 Gray
 Carolina LedgeStone – Vintage
 Sand
 Pro-Fit LedgeStone – Mojave
 Pro-Fit LedgeStone – Platinum
 Pro-Fit LedgeStone – Autumn
 Pro-Fit LedgeStone – Gray
 Pro-Fit LedgeStone – Shale

B. Prohibited Sidings

No or plastic (vinyl) or sheet metal siding will be allowed. Pre-rusted corrugated metal siding is permitted pursuant to Section VI.19

T-111 siding or similar plywood sheeting products are not allowed unless reviewed by DRB.

All exposed shiny metals such as flashings, chimney caps, gutters, etc. shall be painted or coated to blend with the structure and natural surroundings.

C. Acceptable Colors

1. Glidden Exterior Colors

Kennett Square	Western Trail	Miller's Cove
Rustic Adobe	Westchester Gold	Grey Nuance
Afternoon Tea	Turkish Brown	Sea Level
Century Brown	Golden Needles	Greenhouse
Old Redwood	Sisal	English Pinewood
Gingerbread House	Rough Hewn	Souvenir
Stratford Brown	Ashton Grey	Summer Porch
Corinthian Column	Wall Street	Bicentennial
Tomorrow's Taupe	Caisson Green	Pine Grove
Light Chocolat	Moss Agate	Olde Hunter
Bark	Green Pinon	Metropolis
Greyrock Inn	Chemayo Sage	Dover Grey
Beachcomber	Eucalyptus Tree	
Historic Tan	Gateway	

2. Kwal-Exterior Colors

Western Beige	Casita	Cilantro
Travatan	Citadel	Baja Beige
Oxford Brown	Mesa Tan	Riverbed
Padre Brown	Tuscany	Country Estate
Flagstone	Bordeaux	Alfresco
Market Basket	Presidio At Sunset	Woodrose
Cypress Point	Tanglewood	Balsam

3. Kwal-Historic Colors Of America

Cogswell Cedar	Parsnip	Palomino
Asian Jute	Langdon Dove	Portobello
English Bartlett	Jackson Antique	Tankard Gray
Danish Pine	Phelps Putty	Hitching Post
Canyon Gold	Bayberry Wax	Cummings Oak
Blonde Lace	Sandy Bluff	Brownstone
Historic Morning Dew	Flaxen Field	Otis Madeira
Wainscott Green	Rain Barrel	Liberty
Brookside	Pettingill Sage	Burnt Umber
Boardman	Wooly Thyme	Hickory Nut
Warren Tavern	Burnished Pewter	Tyson Taupe
Hazelwood	Milkweed	Wooden Nutmeg
Newbury Moss	Pitch Pine	Bargeboard Brown
Picholine	Sturgis Gray	Rawhide
Amish Green	Nankeen	Chocolate
Baize	Winter Meadow	Quincy Granite
Gedney Green	Coastal Sand	Vinal Haven
Pointed Fir	Britches	Monument Gray
Winter Balsam	Toffee	Fieldstone
Moss Glen	Ginger Root	Gropius Gray
Plymouth Beige	Maple	Polished Pewter
Yarmouth Oyster	Bean Pot	

4. Kwal-Premium Wood Kraft Exterior Wood Finish

Monteray Gray	Sandalwood	Cedar
Chamois	Driftwood Gray	Russet
Cedar	Willow Mist	New Redwood
Georgetown Gray	Butternut	Sierra Redwood
Silverberry	Beachwood Gray	Tahoe Brown
Beachwood Gray	Blueridge Gray	Natural Cedarwood
Pebble	Canyon Gray	Sequoia Redwood
Manchester Tan	Cinder	Cordoba
Rio Grande	Smoke Blue	

5. Behr-Deck Plus Deck, Fence And Siding Stain

Woodbridge	California Rustic	Mesa Gray
Cappuccino	Cedar Naturaltone	Avocado
Chestnut	Redwood Naturaltone	Forest
Sable	Adobe Brown	Gray Cloud
Chocolate	Dusky Brown	Light Lead
Valise	Dark Gray	Drift Gray
Redwood	Fawn	Mountain Spruce
Terra Cotta	Butternut	Ponderosa Green
Russet	Chatham Fog	Sunset Gray
Bordeaux	Boot Hill Grey	Feather
Golden Beige	Gray Seas	Sandal
Cedar	Pewter	Taupe

Red Cedar
Curry
Antique Brass
Wrangler Brown
Bayberry
Sage
Green Glenn

Desert Sand
Tucson White
Willow Mist
Sand Beige
Woodland Green
Blue Moss
Sagebrush Green

Castle Gray
Tugboat
Wood Chip
Padre Brown
Oxford Brown
Coffee
Cordovan Brown

6. Behr-Masonry Stucco Brick Paint

Hacienda
Sequoia
Dune
Aspen
Sandstone Beige
Cortez
Navajo White
Spanish Tan
Canyon Tan
Ash
Indian Cloth
Nomad

Oatmeal Porridge
Saddleback
Adobe Beige
Eggshell White
Fawn
Pearl Gray
Sahara
Baked Clay
Sandstone
San Simeon
Rock Canyon
Agate

Antique Gold
Pacific Sand
Misty
French Gray
Silverado Spur
Silver Gray Pebble
Stone Beige
Granite
Manzanita
Meadowbrook

7. Behr-Premium Plus Exterior Collection

Graygate
Williamstown
Suede
Flaxen
Smoke Signal
Burlap
Blade

Market Tavern
Ranch Road
Winning
Night
Country Squire
Safari Sand
Seagreen

Dusk
Garden Topiary
Wagon Trail
Mustard Sauce
Canterbury Woods
Ashley
Woodcreek

8. Behr-House & Fence Stain

Royal Haden
California Rustic
Terra Cotta
Russet
Redwood Naturaltone
Cappuccino
Sable
Chocolate
Wood Chip
Valise
Cedar Naturaltone
Red Cedar
Woodbridge
Chestnut
Rose Beige
Golden Beige

Chamois
Chatham Fog
Dusky Brown
Castle Gray
Curry
Antique Brass
Tugboat
Moon Tan
Feather
Sandal
Taupe
Fawn
Butternut
Wrangler Brown
Sunset Gray
Desert Sand

Dark Gray
Tucson White
Sand Beige
Sage
Gray Seas
Bayberry
Avocado
Willow Mist
Harbor Gray
Drift Gray
Mesa Gray
Sagebrush Green
Pewter
Blue Moss
Ponderosa Green
Forest

Cedar
Adobe Brown

Green Glenn
Boot Hill Gray

Mountain Spruce

9. Sherwin Williams Woodscapes-Transparent

Redwood
Mission Wall
Cider Mill
Yankee Barn
Riverwood
Covered Bridge
Cedar Bark
Spice Chest

Baja Beige
Woodridge
Hawthorne
Chestnut
Banyan Brown
Crossroads
Ficus
Moss Olive

Foliage
Hill Country
Leeward
Blue Shadow
Mountain Ash
Harbor Mist
Charwood

10. Sherwin Williams Exterior Schemes-Classic Colors

Rare Gray
Perfect Greige
Favorite Tan

Basket Beige
Sawdust
Down Home

Dried Thyme
Link Gray

11. Sherwin Williams-Victorian

Rookwood Dark Red
Rookwood Dark Brown
Rookwood Shutter Green
Rookwood Dark Green
Renwick Golden Oak
Rookwood Red
Rookwood Medium Brown

Rookwood Sash Green
Renwick Olive
Rookwood Clay
Rookwood Brown
Rookwood Blue Green
Rookwood Antique Gold
Downing Sand

Renwick Rose Beige
Downing Straw
Downing Stone
Downing Earth
Rookwood Terra Cotta

12. Messmer's Natural Wood Finishes

Charcoal
Cape Cod Gray
Driftwood Gray
Oak Brown

Dark Walnut
Oxford Brown
Navajo Red
Natural Sequoia Red

Natural Redwood
Natural Cedar
Natural Pine/Fir
Natural UV Plus

13. Penofin Transparent Wood Finishes

Transparent Redwood
Cedar/Marine
Western Red Cedar

Chestnut
Sable
Sierra

Mendocino Mist

14. Sherwin Williams Woodscapes-Solid

Cheyenne Red
Sequoia
Rock Rose
Ranchero Red
Russet Brown
Salem Red
Pepperidge
Belvedere Tan
Smoke Tree

Cedar
Almond Tree
Yosemite Gold
Woodbriar
Buckthorn
Tobacco
Monteray Tan
Summerhouse Beige
Cottonwood

Palmetto
Orchard
Greenbrier
Shade Tree
Pine needle
Caribou
River Birch
King's Canyon
Flagstone

Spicewood
Shagbark

Cypress Moss
Woodland

Woodsmoke Gray
Acadia Blue

15. Glidden Evermore House & Trim Color Combinations

Eldorado Tan
Wright Stone
Historic Tan

Toasty Grey
Deacon's Bench
Ashton Grey

Bicentennial
Evening Shadow
Winter Evening

3. WINDOWS AND DOORS

A. Preferred Windows:

1. Aluminum-Clad Wood Preferred
2. Anderson (select colors)
3. Caradco (Hartford Green , Sandstone, Chestnut Bronze)
4. Eagle (Cinnamon Toast, Forest Green, Pebble Tan, Sierra Bronze, Mallard Green, Chocolate Chip, Clay Canyon, Classic Bronze, Slate)
5. Hurd (Sand, Bronze, Green)
6. Lincoln(select colors)
7. Lowen (Colonial Red, Brown, Mist Blue, Charcoal Gray, Forest Green)
8. Pella (select colors)
9. Pozzi (Bronze, Champagne, Yorktown, Hudson Blue, Wedgewood Blue Slate, Ivy, Interstate Green, Redwood, Charcoal Grey, Sage Brown, Spartan Bronze, Garnet)
10. Marvin (Bahama Brown, Pebble Gray, Medium Bronze, Evergreen, Spruce)
11. Sierra Pacific Windows (Clay, Cranberry, Green)

B. Prohibited Windows – Vinyl

C. Preferred Doors

Southwest Door Sante Fe
Early American
Arts & Crafts
Classic Mission

Plank & Tambour
Rocky Mountain
San Carlos
Pioneer

Simpson Craftsman
Shaker

D. Prohibited Doors (TBD)

E. Preferred Garage Doors

Wood (TBD)

Vinyl - Raynor Showcase Classic painted to match field or trim
Raynor Showcase Charleston painted to match field or trim. Window Styles are Stockton Colonial, Stockton Ranch or Plain

F. Prohibited Garage Doors (TBD)

4. CONCRETE SURFACES

Concrete surfaces must be textured to some degree. Smooth or polished concrete surfaces are likely to be disapproved.

1. Board formed.

2. Sandblasted.
3. Stains or admixtures presented to and accepted by the DRB.

5. TRIM

Acceptable Colors – See acceptable siding colors.

6. DECKING

A. Preferred Decking

Trex or other brands of composite decking in Natural, Winchester Grey, Madiera, Saddle (specification and colors to be approved by the DRB) Stained Redwood or Cedar wood
Concrete Pavers (same color as driveway) Exposed Aggregate Concrete (same color as driveway)

B. Prohibited Decking (TBD)

7. MISCELLANEOUS ACCENT MATERIALS

Chimney Caps, Flashing, Vents and Flues, Etc.

Blue Steel

Copper

Corten Steel

Matte Black

Natural Pre-Rusted Steel (material must be rusted to a deep and dull finish prior to installation, bright orange rusting steel is not allowed.)

Wrought Iron

Zinc [must be pre-weathered]

APPENDIX B – PLANTS

The following list should be used as a starting point for selecting plants at Durango Mountain Resort. Requirements for specific homesites may be more or less restrictive depending on landscape indigenous to the immediate site and the location of the site within the community.

NATURAL LANDSCAPE ZONE

The plants listed in this category are appropriate for use on all parts of the home site provided that they have been identified as previously occurring on the home site in question.

Native Varieties

- Evergreen Trees
 - Colorado Blue Spruce *Picea pungens glauca*
 - Engelmann Spruce *Picea engelmanni*
 - Ponderosa Pine *Pinus ponderosa*
 - White Fir *Abies concolor*
 - Douglas Fir *Pseudotsuga menziesii*
 - Sub alpine Fir *Abies Lasiocarpo*
 - Bristlecone Pine *Pinus aristata*
 - Limber Pine *Pinus flexilis*
 - Southwest White Pine *Pinus strobiformis*

- Deciduous Trees
 - Rocky Mountain Birch *Betula fontinalis*
 - Quaking Aspen *Populus tremuloides*
 - Gambel's Oak *Quercus gambelli*
 - Alder *Alnus tenuifolia*
 - Aspen *Populus tremuloides*

- Shrubs
 - Sumac Species *Rhus. sp.*
 - Serviceberry *Amelanchier alnifolia*
 - Potentilla Species *Potentilla sp.*
 - Chokecherry *Prunus melanocarpus*
 - Red Twig Dogwood *Cornus stolonifera*
 - Snowberry *Symphoricarpos albus*
 - Mountain Privet *Foresteria neomexicana*
 - Yellow Current *Ribes aureum*
 - Elderberry *Sambucus sp.*
 - Wasatch Maple *Acer grandidentatum*
 - Candana Red Chokecherry *Prunus virginiana*
 - Western Cottonwood *Populus fremontii*
 - Lanceleaf Cottonwood *Populus aluminata*
 - Rocky Mtn. Smooth Sumac *Rhus, sp.*
 - Globosa Spruce *Picea pungens 'Globosa'*

- Groundcovers

Kinnikinnick	<i>Arctostaphylos uva-uri</i>
Creeping Mahonia	<i>Mahonia repens</i>
Wild Strawberry	<i>Fragaria sp.</i>
Creeping Thyme	<i>Thymus praecox 'Coccineus'</i>

- Perennials

Primose	<i>Oenothera sp.</i>
Aster	<i>Aster hybrids</i>
Rocky Mtn. Columbine	<i>Aquilegia sp.</i>
Coralbells	<i>Heuchera sanguinea</i>
Shasta Daisy	<i>Chrysanthemum maximum</i>
Flax	<i>Linum sp.</i>
Lupine	<i>Lupinus sp.</i>
Sage	<i>Artemesia sp.</i>
Penstemon	<i>Penstemon sp.</i>
Phlox	<i>Phlox sp.</i>
Yarrow	<i>Achillea sp.</i>
Rocky Mtn. Iris	<i>Iris missouriensis</i>

- Ornamental Grasses

Morning star sedge	<i>Carex grayi</i>
Idaho Fescue	<i>Festuca Idahoensis</i>

- Native Grass

Native Eco High Elevation Reclamation Grass Mix

All non-landscaped disturbed areas shall receive the following native seed mix to restore vegetative cover and reduce erosion:

30% Slender Wheatgrass	30% Mountain Brome
10% Bluebunch Wheatgrass	10% Canada Wild Rye
10% Chewings Fescue	10% Lewis Flax

If a species which is not listed above occurs naturally on or near a given home site, permission to plant it on any portion of that home site may be requested from the Durango Mountain Master Association DRB. The DRB will require evidence of the natural occurrence of the plant on or near the given site in the form of an annotated photograph submitted with the Final Landscape Plan.

Seeding rate is 15 lbs per acre of 1 lb per 1,000 SF.

Note: Grass/wildflower mix may add: 5% Gallardia, 4% Coreopsis; 4% Rocky Mountain Penstemon and 7% Shasta Daisy to the seed mix.

ENHANCED LANDSCAPE ZONE [OPTIONAL]

The following selection of plants is appropriate for use only in landscaped areas that have a direct relationship with the home. Species in this list were selected for the following reasons. Some species may not currently occur at Durango Mountain Resort, but are found in areas of similar

habitat within 60 miles of Durango Mountain Resort. Some species mimic native species and have been included because they are more easily propagated than some native species. Some plants are conspicuously alien but tolerate the climatic conditions and may be found planted around other high sierra estates and mountain lodges. When designing the Enhanced Landscape, one of the primary considerations must be to minimize the impact of foreign species on the native landscape where it can be viewed from rights of way, ski runs and other common areas. For this reason, special care must be exercised in the selection and placement of the taller species on this list. The Enhanced landscape must be contained within clear boundaries, beyond which no non-native species are allowed. Please reference Chapter V.6 *LANDSCAPE, Enhanced Landscape Containment Devices*, for more information on Landscape Containment Devices. Care must be taken to see that this boundary is easily maintained over time.

Enhanced Varieties

Evergreen Trees

Austrian Pine	<i>Pinus negra</i>
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Deciduous Trees

Dolga Crab	<i>Malus 'dolga'</i>
Radiant Crab	<i>Malus 'radiant'</i>
Hackberry	<i>Celtic occidentalis</i>
Hawthorne Cockspur	<i>Crataegus crusgalli</i>
Sunburst Honeylocust	<i>Gledistia triacanthos</i>
Ginnala Maple	<i>Acer ginnala</i>
Russian Hawthorn	<i>Crataegus ambigua</i>
Amur chokecherry	<i>Prunus Maackii</i>
Patmore Ash	<i>Fraxinus penn patmore</i>
Burr Oak	<i>Quercus macrocarra</i>
Hackberry	<i>Celtic occidentalis</i>

Evergreen Shrubs

Juniper Species	<i>Juniperus sp.</i>
Mugho Pine	<i>Pinus mugo mugo</i>
Birdnest Spruce	<i>Picea avies nidiformis</i>
Oregon Grape	<i>Mahia aquifolium</i>

Shrubs

Spirea Species	<i>Sprea sp.</i>
Zabel Honeysuckle	<i>Lonicera korolkowi 'zabel'</i>
Austrian Copper Rose	<i>Rosa foetida bicolor</i>
Alpine Current	<i>Ribes alpinum</i>
Rugosa Rose	<i>Rosa Rugosa</i>
Burning Bush	<i>Euonymus alatus</i>
Butterfly Bush	<i>Buddleja davidii</i>
Peking Cottoneaster	<i>Cotoneaster acutifolia</i>
Spreading Cottoneaster	<i>Cotoneaster divaricatus</i>
Russian Sage	<i>Pervoskia atriplicifolia</i>
Sand Cherry	<i>Prunus besseyi</i>
Nanking Cherry	<i>Prunus tomentosa</i>

	Red Leafed Rose Viburnum	<i>Rosa Rubrifolia</i> <i>Viburnam sp.</i>
Groundcovers	Snow In Summer Pussytoes Hosta Sedum Species Creeping Potentilla Wolly Thyme Wintercreeper	<i>Cerassium tomentosum</i> <i>Antennaria sp.</i> <i>Funkia sp.</i> <i>Sedum sp.</i> <i>Potentilla verna</i> <i>Thymus</i> <i>Euonymus fortunei</i>
Vines	Clematis Grape Honeysuckle Ivy Trumpetvine Silver Lace Vine	<i>Clematis hybrids</i> <i>Vitis sp.</i> <i>Lonicera sp.</i> <i>Parthencissus</i> <i>Campsis radicans</i> <i>Polygonum auberti</i>
Perennials	Astilbe Basket of Gold Blanket Flower Candytuft Purple Coneflower Delphinium Daylilies Iris Lythrum Poppy Dianthus Geranium Lavender Bee Balm Salvia Stonecrop Spiderwort Speedwell Harebell Strawberry	<i>Astilbe hybrids</i> <i>Alyssum saxatile</i> <i>Gaillardia var.</i> <i>Iberis sempervirens</i> <i>Rudbeckia occidentalis</i> <i>Delphinium elatum</i> <i>Hermerocallus hybrids</i> <i>Iris sp.</i> <i>Lythrum sp.</i> <i>Papaver sp.</i> <i>Dianthus sp.</i> <i>Geranium sp.</i> <i>Lavandula sp.</i> <i>Monarda sp.</i> <i>Salvia nemerosa</i> <i>Sedum sp.</i> <i>Tradescantia sp.</i> <i>Veronica sp.</i> <i>Campanula sp.</i> <i>Fragaria sp.</i>
Annuals	Sweet Alyssum Begonia Dusty Miller California Poppy Edging Lobelia	<i>Lobularia maritima</i> <i>Begonia sp.</i> <i>Artemisia stellerana</i> <i>Escoltmia californica</i> <i>Lobelia erinus</i>

Geranium
Marigold
Petunia
Pansy
Zinnia

Pelargonium xhortorum
Tagetes sp.
Petunia hybrids
Viola sp.
Zinnia sp.

APPENDIX C

DURANGO MOUNTAIN RESORT CONSTRUCTION ACTIVITIES AGREEMENT

Owner's Name: _____

Contractor's Name: _____

Street Address: _____

Subdivision: _____ Lot #: _____

Manner of Construction: Owner, at its sole cost and expense, shall cause to be performed or constructed all of the Project Work. Owner shall cause the Project Work to be performed or constructed by a duly licensed, bonded and insured general contractor and duly licensed, bonded and insured subcontractors in a good and workmanlike manner in accordance with:

- (a) The plans and specifications for each improvement as approved by the DRB. DRB's review shall be strictly limited to compliance with aesthetic issues and elements mandated in the applicable CC&Rs and specific Design Guidelines related to the project. DRB's review shall not consider or evaluate any matters related to structural or engineering components of the Project, safety or the safety methods employed in construction related thereto;
- (b) All applicable laws, regulations, codes and ordinances;
- (c) All requirements of governmental authorities and other duly qualified bodies having jurisdiction with respect to each work of improvement; and
- (d) Generally accepted engineering standards concerning geotechnical and soils conditions. Owner or Contractor shall supervise and direct the Project Work using its best skill and attention. Contractor shall be solely responsible for all means, methods, techniques, sequences and procedures used in the performance of construction of the Project Plan Work and shall diligently pursue the same to completion. Owner or Contractor shall be responsible for obtaining all permits and approvals from governmental authorities required for the Project Work.
- (e) DMMA and DRB shall have neither control over or charge of, nor be responsible for, the construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the work, since these are solely the Contractor's rights and responsibilities under the contract documents over which DMMA and DRB have no influence. DMMA and DRB shall not be responsible for the Contractor's failure to perform the work of the Project in accordance with the requirements of the Contract Documents or applicable building codes.

Permits: Construction shall not commence until the DRB and DRB and other jurisdictional agencies have granted project approval, and the County Building Department or the appropriate agency of the applicable County has issued a building permit. Once commenced, construction should proceed in an expeditious and continuous manner, until the work is complete, except when extraordinary weather conditions preclude work from progressing. Snowfall and rain which is typical to the region shall not be considered "extraordinary." Contractor shall use all reasonable means to continue work despite adverse weather conditions.

Deposit: A deposit made payable to Durango Mountain Master Association is required for each multi-family and/or mixed-use project and/or single family residence equal to \$1.00 for every square foot of residential areas. This deposit will be refunded when the DRB has inspected the completed project and the lot has been revegetated and clean up completed. Further, this deposit will be used and/or forfeited to make corrections if the Owner fails to comply with its obligations with respect to the Durango Mountain Resort Land Use Regulations , the Design Guidelines, or these Policies and Procedures.

Commencement and Completion of Project Plan Work: Upon the commencement of each discrete item of the Project Work, Owner and Contractor shall cause such item of the Project Work to be diligently and continuously prosecuted to its completion. Each discrete item of the Project Work shall be deemed to be completed upon the acceptance of the same by a DRB representative and the appropriate governmental authorities.

Correction of Defects: In the event of rejection by DRB or the appropriate governmental authority of any item of the Project Work as being defective or as failing to conform to the Durango Mountain Resort Land Use Regulations Design Guidelines, or the approved Preliminary and Final Submittals. Owner and Contractor shall promptly commence to correct such defect and diligently prosecute such correction to its completion.

RULES AND REGULATIONS

- A. No equipment maintenance or construction work of any type shall be performed or conducted on the Subject Property before 7 am or after 7 pm Monday through Friday, nor before 7 am or after 5 pm on Saturday, and no equipment maintenance or construction work of any type shall occur on Sunday. Owner, Contractor or their agents shall take necessary precautions and notify adjacent property owners, businesses, local traffic, pedestrians, etc. at least 48 hours (two working days) prior to any blasting activities if necessary.
- B. No temporary structures, including construction trailers or other temporary office or sales facilities, shall be placed or maintained on the Subject Property until the appearance and location of such facilities have received the approval of the DRB , which approval shall not be unreasonably withheld. All construction staging, including but not limited to, material storage, equipment storage, construction trailers, etc., must take place within the designated area within the perimeter of the Subject Property unless an alternate staging area is approved in writing by the DRB, adjacent property owners and/or the appropriate County Agency (as applicable). The Owner or Contractor shall present to the reviewing entity and DRB a layout of the staging area which will include, but is not limited to the following: the location of temporary or permanent utilities to trailers, offices, or equipment; material and equipment storage area, job office location, access to and from site during construction, restrictions to radios; etc. The staging area shall be fenced, screened and appropriately identified and maintained by the Owner or Contractor for as long as the area is under construction.
- C. Portions of the Subject Property which are visible from surrounding property shall be kept free of weeds and debris and all scrap materials generated by the construction activities shall be removed as soon as is reasonably possible. Normal job site clean-up shall take place on a daily basis.
- D. Owner and Contractor shall maintain a concrete washout site on the Subject Property and shall not wash trucks or equipment on any other property within Durango Mountain Resort

- without the prior written consent of the owner thereof. Owner and Contractor shall prevent any ground water contamination by run off, and shall further prevent any erosion.
- E. Owner and Contractor shall not leave any debris, material or vehicles on any other public, private or common property within Durango Mountain Resort without the prior written consent of DRB and the owner thereof. Trash and construction debris shall be kept in containers of a type that has been approved by the Durango Mountain Resort DRB and/or County with jurisdiction. Containers shall be emptied on a regular basis to insure sufficient room to store trash at the end of each working day. It shall be the responsibility of the Owner and Contractor to remove and dispose of, at an authorized County landfill, any excess trash and construction debris. Storage of trash and construction debris outside of an approved container shall not be permitted under any circumstances.
 - F. Owner and Contractor shall provide adequate covered trash enclosures for each and every Project Unit under construction. The location, size and design of trash enclosures shall be reasonably acceptable to the DRB . All debris will be placed in one of these enclosures at the end of each day.
 - G. Owner and Contractor shall, at their sole cost, comply with all applicable Regional Air Quality Control Division regulations, rules and orders, and take such action as may be prudent, and use their best efforts to employ all commercially reasonable methods, equipment, techniques and activities to control ambient dust and the accumulation of dust on the Subject Property or dispersion of dust from the Subject Property. During construction season, the application of dust suppressants to areas where earth-moving activities are being conducted is mandatory . Contractors shall provide water trucks or other dust suppressing methods to ensure that the Subject Property and other affected areas remain as dust free as possible. The dust created by construction shall be considered unreasonable in the event it is so offensive to neighbors and guests of Durango Mountain Resort as to precipitate verbal or written complaints to DMMA or DMR.
 - H. Owner and Contractor shall take such action as may be prudent and use their best efforts to employ all commercially reasonable methods, equipment, techniques and activities to abate noise, and to mitigate and abate noise pollution. Owner and Contractor warrant that they will not use any equipment or undertake any activity in connection with the construction and development of the Project, which will generate unreasonable noise. “Unreasonable noise” shall be defined as noise that is offensive to neighbors and guests of Durango Mountain Resort such that it results in verbal or written complaints to DMMA or DMR.
 - I. Owner and Contractor shall, at their sole expense, comply with all applicable Colorado Water Quality Board regulations, rules and orders relating to storm water discharges or other water discharges from the Subject Property.
 - J. Owner and Contractor are aware that jurisdictional wetlands occur on, or in the general vicinity of Durango Mountain Resort. Owner and Contractor shall not conduct nor permit an activity to occur on the Subject Property which will have or may have an adverse impact on these wetlands, or violate any laws or regulations related thereto. Owner and Contractor shall be strictly liable for all costs and damages arising out of adverse impacts on such wetlands, including, but not limited to, remediation costs, fines and penalties, attorneys’ fees and all other related costs.
 - K. All building sites will require a “physical address” sign, not to exceed sixteen (16) square feet, in order for deliveries to be made to the proper address. This sign should contain street address, general contractor’s name and subcontractors of record. When a building permit is obtained from the County with jurisdiction, a street address is given to each building in Durango Mountain Resort. Please ensure that your materials are delivered to the

appropriate place with proper site signage. Signs shall be of professional quality and mounted in a safe location. The DRB shall require prompt replacement of inadequate or unsightly signs.

- L. Construction practices must include extreme care during grading and excavation to avoid damage to existing trees, shrubs and their root structures. Trees to be removed for excavation of the driveway, building pad, etc., shall be identified with surveyor's ribbon and the remaining trees are to be protected by fencing maintained throughout the construction period. All trees to be removed shall also be identified on the site plan. Excavation shall not commence until this process has been completed. Owner and Contractor shall fully acquaint themselves with the rules and regulations of local governmental and administrative bodies regarding what type and sizes of trees may not be removed or altered. All construction equipment and activity, including stockpiling of materials and topsoil, must be kept within the perimeter of the Subject Property unless other arrangements are made with and approved by DRB and adjacent property owners in writing, in advance. Any adjacent property, including roads or common grounds damaged during construction shall be promptly restored and/or revegetated.
- M. All disturbed areas of the Subject Property shall be protected from erosion during and after the construction period. An Erosion Control Plan shall be presented as part of the site plan for written approval by the DRB. Erosion control improvements must be installed and maintained during the entire construction period to ensure soil stabilization, sediment control and timely revegetation prior to the onset of winter and final construction completion. The Owner shall require the Contractor to implement all erosion control techniques based on the approved erosion control site plan.

Parking and Traffic Plan: The Owner or Contractor of a proposed project shall submit to the DRB, as part of the Preliminary and Final Submittal, a Parking Plan indicating the locations of: (1) all points of ingress and egress to the Project; (2) parking sites on the Subject Property for the Owner, Contractor, their construction workers, subcontractors, laborers, suppliers, and visitors; (3) the location(s) where any and all heavy equipment, commercial vehicles, tractors, lifts, etc. shall be stored or parked when not in use; and (4) the location for deliveries and off-loading of materials. Owner, Contractor and any of their agents, employees, subcontractors, suppliers or laborers may access the Subject Property only by means of existing roads, alleys and driveways or other points of ingress/egress which shall be specifically identified in the Parking and Traffic Plan. Any deviation from the specified, approved parking plan or traffic plan shall be deemed a violation of this Agreement. Construction shall not commence until DRB has approved the Parking Plan and Traffic Plan in writing.

Any personal vehicles, commercial vehicles or heavy equipment which is parked in violation of the Parking Plan may be towed without warning, aside from this notice, at the expense of the vehicle's owner. In addition, DMMA and the DRB shall recover the following: (1) \$100.00 per vehicle, per violation for personal vehicles improperly parked. This figure shall be doubled to \$200.00 per vehicle, per violation during ski season at DMR; (2) \$300.00 per vehicle, per violation for commercial vehicles and heavy equipment improperly parked.

Snow Removal and Storage Plan: The Owner or Contractor of a proposed Project shall submit to the DRB, as part of the Preliminary and Final Submittal, a Snow Removal and Storage Plan indicating the locations on the Subject Property where snow shall be stored. Snow may not be removed from, or stored anywhere off site without prior written approval from DMMA and the

DRB and any and all other affected property owners. Any deviation from the specified, approved Snow Removal and Storage Plan shall be deemed a violation of this Agreement. Construction shall not commence until the DRB has approved the Snow Removal and Storage Plan in writing. In the event Owner or Contractor causes, or allows snow from the Subject Property to accumulate or be moved off the Subject Property without prior written approval, DMMA and the DRB may immediately, and without notice, remove the snow and charge Owner/Contractor \$150 per hour for each hour of time expended in removing the snow.

Concrete & Asphalt Cutting: Contractors and Subcontractors shall, at a minimum, utilize the following methods when cutting, removing and/or attaching surfaces to existing asphalt or concrete surfaces.

- (a) No excavation in asphalt or concrete paved areas will be done without first saw cutting the edges of the excavation.
- (b) No excavation shall be initiated without first locating any underground or buried utility lines, pipes or other facilities.
- (c) Exceptional efforts must be made to keep lines straight, clean, parallel or at right angles to existing roadways or driveways.
- (d) Appropriate traffic controls will be used to isolate excavation from non-construction traffic. Acceptable methods are barricades, cones, and use of vehicles as barricades.
- (e) Excavations shall not be left open after dark or when unattended. If the excavation is of a type which cannot be covered and relevant laws and regulations do not mandate a covering when unguarded, the excavation shall be adequately barricaded when unguarded in order to prevent access by pedestrians, animals or vehicles.
- (f) When filling excavations in paved areas, all backfill shall be compacted with vibratory compactors or other suitable mechanical compaction device to acceptable industry standards to avoid settlement after paving. Replacement paving shall be mechanically compacted to the original grade and finished to avoid noticeable elevation difference between new and old paving material. The "cold patch" method of asphalt repair shall not be acceptable.
- (g) The Owner and/or Contractor shall diligently and expeditiously perform and complete all work related to, or affecting asphalt and concrete, particularly where such work affects roads, parking lots, or other areas outside of, or beyond the boundaries of Subject Property. If the DRB believes that Owner or Contractor is unreasonably delaying the completion of such work, DMMA shall provide reasonable notice and time for completion. If the Owner or Contractor does not complete the work and/or repairs within the specific time, DMMA may complete the work at Owner's/Contractor's cost.
- (h) All concrete and asphalt work that affects roads, parking lots, of other areas outside of, or beyond the boundaries of the Subject Property, must also comply with industry standards, the CC&Rs, Design Guidelines; and these Policies and Procedures. In the event such work falls below these standards, upon written demand by the DRB, Owner and/or Contractor shall promptly demolish and reinstall such work, or the DRB may, at its option, demolish and reinstall the work at Owner's/Contractor's expense.
- (i) Disturbed areas shall comply with the section concerning debris and erosion control.

Non-Liability of DMMA,/Indemnification : Neither the DMMA, Durango Mountain Resort, the DRB, its partners, its subsidiaries and affiliates, its respective agents, officers, directors, shareholders, servants, employees and owners, successors, and assigns, nor any person acting on their behalf shall be liable to Owner of Contractor for any claims, liens, demands, actions and causes of action arising out of or in any way connected with the exercise of it rights under these

provisions, unless due to the willful misconduct or bad faith of the DMMA, DMR, or the DRB. The DRB shall not be responsible for reviewing, nor shall its approval of any plan or design be deemed an approval of such plan or design from the standpoint of structural safety or conformance with building codes or other governmental regulations. The DRB shall not be liable for any claim, demand, action or cause of action arising out of or connection with its failure to enforce the provisions of this Agreement, or for its failure to enforce compliance with “these Policies and Procedures; the applicable CC&Rs if any, or any specific Design Guidelines related to the Project and/or the vicinity in which it is located, and any other guidelines, or restrictions as may be adopted by DMMA or the DRB from time to time.

Notwithstanding any other provision or limitation herein, Owner and Contractor agree to fully indemnify, defend and hold harmless the DMMA, DMR, the DRB and its partners, its subsidiaries and affiliates, its respective agents, officers, directors, shareholders, servants, employees and owners, successors, and assigns of and from any and all liability, claims, liens, demands, actions and causes of action whatsoever arising from or in any way related to the Construction Activities Agreement, or any of the work of the Project. Said indemnification shall extend to any loss, cost, damage or injury including death to any person, or damage to real and personal property, reasonable attorneys’ fees, expert witness fees, and any other costs incurred by the DMMA, DMR, or the DRB arising out of or in any way related to such claims. Owner and Contractor shall also indemnify the DMMA, DMR, and the DRB for any and all liability, claims, liens, demands, actions and causes of action caused in whole or in part by the misconduct, negligent or intentional acts, errors or omissions of Owner’s or Contractor’s architects, designers, engineers, subcontractors, laborers, material providers or any other persons directly or indirectly employed or retained by them, or any of them related to any activity associated with the design, construction, manufacture or fabrication of the Project or any other related activities taking place on the Subject Property during the course of the Project or anytime thereafter, or any activity related thereto, or associated therewith regardless of whether such act or omission is active or passive, unless caused by the sole negligence or willful misconduct of the DMMA, DMR, the DRB, its officers, directors or employees who are directly responsible to the Owner or Contractor.

The DMMA, DMR, and the DRB agrees to fully indemnify, defend and hold harmless Owner and Contractor and their partners, subsidiaries and affiliates, respective agents, officers, directors, shareholders, servants, employees and owners, successors, and assigns of and from any and all liability, claims, liens, demands, actions and causes of action to the extent that they result from the DMMA’s, DMR’s, or the DRB’s sole negligence or intentional misconduct.

Easement for Inspection: Owner and Contractor hereby expressly grants and conveys to DMMA , its successors and assigns, together with the right to grant and transfer the same, a temporary non-exclusive right-of-way, easement in gross, and interest in and across the Subject Property as is necessary for DMMA , or persons designated by DMMA, to inspect improvements thereon.

Project Name and Logo: Owner and Contractor shall submit to the DRB and DMR , for their review and approval, the name it intends to use in connection with the development or Project and marketing of the Project (the “Project Name”) and any logo or mark to be used in connection therewith (the “Project Logo”). Owner and Contractor shall not use in advertising (as defined below) or place on any sign, billboard or entry monument, any Project Name or Project Logo

without first obtaining the written consent thereof of the DRB and DMR , which consent shall not be unreasonably withheld. In the event the DRB and DMR fails to respond to a written request for approval of a Project Name or Project Logo within thirty (30) days of receipt of such request, such Project Name or Project Logo shall be deemed approved. DMMA may, in its discretion, provide Owner and Contractor with a list of approved names from which Owner and Contractor will select.

Street Names: Owner shall submit to the DRB, for the DRB's review and approval, the proposed name of any public or private street within the Subject Property. The DRB may, in its discretion, provide Owner with a list of approved names from which Owner will select. Owner shall not propose any street name to the County without DRB's prior written consent.

Governmental Approvals: Owner's or Contractor's Duty: Except for any matters which are the express obligation of the DRB or DMMA hereunder, Owner or Contractor shall obtain, at its sole expense, all governmental approvals and permits which may from time to time be required with respect to the construction or sale of any improvements upon the Subject Property, including, as applicable and without limitation, FHA/VA and other similar governmental or quasi-governmental financing and appropriate building permits, as well as mandated licenses, if any, for the business(es) to be conducted on the Subject Property.

Trademarks: Owner and Contractor acknowledge that Durango Mountain Resort has the sole right to the "Purgatory" and "Durango Mountain Resort", trade names, trademarks, service marks and logos ("Trademarks") as well as such other trademarks as may be appropriately filed with the State and Federal agencies. Owner and Contractor warrant that it shall not use, nor permit others to use, in any manner whatsoever, the Trademarks without the prior written consent of Durango Mountain Resort.

Signs and Advertising Devices: Owner and Contractor shall not place any promotional or advertising signs outside of the Subject Property without DRB's and DMR's prior written approval.

Notice in Transfer Documents: Owner shall include in each and every document or instrument transferring an interest in the Subject Property or the Project and, if applicable, each Project Unit, including, without limitation, each deed to a purchaser of a Project Unit (the "Transfer document"), a specific provision indicating that the Transfer Document and the interest conveyed therein is subject to the Master Declaration or any Supplemental Declaration.

Permitted Uses: No improvement upon the Subject Property shall be used for any purpose other than the uses allowed in the Project Plan or reasonably incident thereto, including, but not limited to, the use of such improvements for parking, delivery, mail and utility or storage area.

Nuisances: No rubbish or debris of any kind shall be placed or permitted to accumulate anywhere upon the Subject Property, and no odor shall be permitted to arise therefrom so as to render the Subject Property or any portion thereof unsanitary, unsightly, offensive, or detrimental to any other property in the vicinity thereof or to its occupants. No noise or other nuisance shall be permitted to exist or operate upon any portion of the Subject Property so as to be offensive or detrimental to any other property in the vicinity thereof or to its occupants.

Exterior Maintenance and Repair: No improvement owned by Owner anywhere within the Subject Property shall be permitted to fall into disrepair and each improvement shall at all times be kept in good condition and repair.

Drainage: Owner's or Contractor's draining of water, grading activity, and the construction improvements upon the Subject Property shall not interfere with the established drainage pattern within Durango Mountain Resort. Owner and Contractor shall not drain or discharge any water, including, without limitation, rain water onto any property adjacent to or in the vicinity of the Subject Property, except for drainage into an established drainage facility approved for such purpose.

No Hazardous Activities: No activities shall be conducted on any portion of the Subject Property and no improvements shall be constructed on any portion of the Subject Property which are or might be unsafe or hazardous to any person or property. Without limiting the generality of the foregoing, no firearms shall be discharged on the Subject Property and no open fires shall be lit or permitted on the Subject Property, except in a contained barbecue unit while attended and in use for cooking purposes or within an interior or exterior fireplace designed to prevent the dispersal of burning embers. The DRB and DMMA acknowledge that the construction of homes and customary activities related thereto shall not be deemed inherently unsafe or hazardous for purposes of this section.

No Mining or Drilling: No portion of the Subject Property shall be used for the purpose of mining, quarrying, drilling, boring, or exploring for or removing water, oil, gas, or other hydrocarbons, minerals, rocks, stones, gravel or earth.

Landscaping: The Subject Property shall at all times be landscaped in a neat and attractive condition. No landscaping upon the Subject Property shall be allowed to deteriorate to a dangerous, unsafe, unsightly or unattractive condition. Owner shall have placed all front yard landscaping on each project unit in conformance with the project plan within one hundred twenty (120) days after the day on which the certificate of occupancy is issued for each respective project unit.

Flags and Banners: No flags, flag pole balloons, beacons or banners shall be constructed, placed or maintained upon the Subject Property without the written consent of the DRB, which consent shall not be unreasonably withheld. All signs must conform to the Durango Mountain Resort's sign ordinance.

Marketing, Sales and Construction Trailers: No trailers or other temporary structures shall be placed or maintained upon the Subject Property for the purpose of marketing, sales or construction activities without the prior written consent of the DRB, which consent shall not be unreasonably withheld.

Restoration of Damaged or Destroyed Project Unit: If at any time commencing after Owner's construction of any Project Unit(s) and prior to the sale of such Project Unit(s) to a member of the home-buying public, such improvements or Project Unit(s) are destroyed by fire or other casualty, Owner shall, not later than one hundred twenty (120) days after occurrence of damage or destruction, commence to repair or restore the same in accordance with the construction documents for such improvements or Project Unit(s) and diligently complete the repair or

restoration thereof no later than one (1) year from the date of the occurrence of such damage or destruction.

Insurance: Prior to commencement of construction on the Subject Property, Owner shall obtain and, at all times prior to completion of the Project Plan Work, maintain in effect the following policies of insurance: (a) comprehensive general public liability insurance with a single per occurrence limit of not less than Two Million Dollars (\$2,000,000.00) with respect to the Subject Property and Project (b) workers compensation insurance covering liability arising from claims of workers in respect of and during the period of the performance of the Project Plan Work, and (c) a standard “all risk” Builder’s Risk Policy. All policies of insurance shall be issued by admitted carriers who are authorized to do business in Colorado and with a financial rating of at least “A-IX” status as rated in the most recent edition of Best’s Insurance reports, or such other insurers to which the DRB or DMMA may consent in writing. All such policies shall provide coverage against claims which may arise out of or result from Owner’s or Contractor’s performance of the Project Plan Work or which may arise in connection with the activities of Owner or Contractor, any contractor or subcontractor affiliated with the Project, or anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable. Owner or Contractor shall furnish DMMA with certificates of insurance as required under this Section before commencing the Project Plan Work. Each policy shall provide that it may not be canceled or reduced in coverage until thirty (30) days after written notice shall have been given to DMMA of such cancellation or reduction in coverage. All insurance required hereunder (except worker’s compensation) shall name DMMA and such of its affiliates as DMMA may designate as additional insureds as to claims by third parties.

Damage to Surrounding Improvements: Should Owner’s or Contractor’s construction activities in connection with the Project Plan Work cause any damage to any public or private right-of-way or to any improvement within the right-of-way, parks, lakes meadows, fields, grasslands, or within the landscaping parcels adjacent to or surrounding the Subject Property, whether completed or under construction Durango Mountain Resort or others, Owner or Contractor shall, upon demand from the DRB, DMMA, promptly repair and restore such right-of-way, improvement or unimproved area. If Owner or Contractor fails to commence such repair work within five (5) business days after receipt of such notice and diligently prosecute the same to its completion, then the DRB or DMMA shall have the right to make such repairs, subject to any warranty obligation of the construction contractor, which constructed the improvement, the DRB or DMMA may require that the work of repair be performed by such contractor. Owner, contractor and any of their agents, employees, subcontractors, suppliers or laborers may access and exit the Subject Property only by means of the points of ingress/egress identified in the Parking and Traffic Plan mandated above. Owner or Contractor shall promptly remediate any damage resulting from a deviation of the points of ingress/egress, or the DRB or DMMA may do so at Owner’s/Contractor’s cost.

Additional Obligations: A County or any other governmental authority that imposes any conditions, fees or other obligations (in the broadest sense of that word) in connection with Owner’s Project, including, without limitation, construction of infrastructure, driveways, curb cuts, sidewalks, perimeter or sound walls, retaining walls, irrigation and drainage systems, landscaping, monuments, and directional signs (“Additional Obligations”), in addition to those described herein, the performance and satisfaction of such Additional Obligations shall be the

sole and exclusive responsibility of Owner, and the DRB, DMMA and DMR shall have no responsibility with respect thereto.

Non-stoppage of Work: In the event Owner or Contractor or both have/has a dispute or claim arising out of, or related to this Agreement, Owner and Contractor agree not to suspend or terminate construction, but shall vigorously proceed toward completion of the Project.

Arbitration of Disputes: In order to expeditiously and economically resolve the differences or disputes which may arise from the performance of the parties to this Agreement, the parties agree to submit any and all disputes and/or claims which may arise to the American Arbitration Association and such disputes and/or claims shall be subject to the rules and procedures of the American Arbitration Association, prevailing part to recover his costs and attorneys' fees. The parties hereto expressly waive their right to litigate any disputes and/or claims in any court of the State of Colorado or in any Federal Court and agree to be fully and finally bound by the decision rendered by the Arbitrator subsequent to a ruling rendered pursuant the rules and regulations of the American Arbitration Association.

In the event of an action or proceeding arising to enforce this Agreement to Arbitrate, or the enforcement of an award and/or judgment based thereon, the prevailing party shall be awarded reasonable attorney's fees, expert witness fees and costs.

I understand and agree to be bound by the provisions of this Construction Activities Agreement.

Owner's Signature: _____ Date: _____

Contractor's Signature: _____ Date: _____

DMMA Representative: _____ Date: _____

APPENDIX D

SUBMITTAL/REVIEW FORMS

The following are forms to be used in the submittal process for any project at Durango Mountain Resort that must to be reviewed by the DRB.



Design Review Board Preliminary Submittal Checklist

Two (2) copies of all necessary materials for the Preliminary Review must be submitted to the DRB at least two weeks prior to a regularly scheduled DRB meeting. The DRB will only agenda a Preliminary Submittal when each of the items listed below has been submitted.

Not all of the requirements of the Design Guidelines can be listed. It is the responsibility of the owner or his authorized agent(s) to insure that the design and construction of any project within DMR conforms with requirements of the applicable Design Guidelines. Any variance from the Design Guidelines must be specifically requested by the applicant and specifically noted on the plan.

Please attach a copy of any variance request to this application.

<u>Yes</u>	<u>No</u>	<u>N/A</u>	
_____	_____	_____	DRB review fee (\$200.00)
_____	_____	_____	Contact info for owner, architect, landscape architect, and civil engineer
_____	_____	_____	Number of dwelling units and building size of each
_____	_____	_____	Statement of building height and building height calculations
_____	_____	_____	Topographical survey and soil test information
_____	_____	_____	Site analysis diagram
_____	_____	_____	Preliminary site plan (scale: 1" = 20' or larger) to include:
_____	_____	_____	• property boundaries
_____	_____	_____	• building envelope, easements, construction activity zone
_____	_____	_____	• driveway, walkway, deck, patio/terrace locations
_____	_____	_____	• existing and proposed contours at 1 foot contours
_____	_____	_____	• proposed utility routing(s)
_____	_____	_____	• all other proposed on-site improvements
_____	_____	_____	• demonstration of adequate parking spaces provided
_____	_____	_____	Preliminary building elevations (scale: 1/8" = 1' or larger)
_____	_____	_____	Preliminary description of materials
_____	_____	_____	Preliminary landscape zone plan (scale: 1" = 20' or larger) to include:
_____	_____	_____	• natural landscape zone with square footage
_____	_____	_____	• enhanced landscape zone with square footage
_____	_____	_____	• turf area with square footage
_____	_____	_____	Preliminary description of compliance with Best Management Practices (BMPs)
_____	_____	_____	Other (specify): _____



Design Review Board Final Submittal Checklist

Two (2) copies of all necessary materials for the Final Plan Review must be submitted to the DRB at least two weeks prior to a regularly scheduled DRB meeting. The DRB will only agenda a Final Submittal when each of the items listed below has been submitted.

<u>Yes</u>	<u>No</u>	<u>N/A</u>	
_____	_____	_____	Signed Construction Activities Agreement
_____	_____	_____	Cash deposit or bond
_____	_____	_____	Number of dwelling units and size of each plus site coverage and related site data
_____	_____	_____	Statement of building height and building height calculations
_____	_____	_____	Construction schedule
_____	_____	_____	Final Site Plan (scale: 1" = 20' or larger)
_____	_____	_____	Property boundaries
_____	_____	_____	Building envelope, easements, construction activity zone
_____	_____	_____	Building footprint and footprint size
_____	_____	_____	Existing and proposed contours at 1 foot contours
_____	_____	_____	Transformer(s), junction box, meter locations
_____	_____	_____	Service lines for water, sewer, gas, telephone, cable TV, electric
_____	_____	_____	Proposed walkways, driveways, decks, patios/terrace layout
_____	_____	_____	Surface drainage and hydrology report
_____	_____	_____	Finished floor elevations
_____	_____	_____	Final building elevations (scale: 1/8" = 1' or larger)
_____	_____	_____	Final materials, colors, samples, specifications
_____	_____	_____	Final landscape plan (scale: 1" = 20' or larger)
_____	_____	_____	Detailed location of all plant materials, turf, landscape features
_____	_____	_____	Irrigation source, extent, zones, above-ground equipment
_____	_____	_____	Final natural landscape zone with square footage
_____	_____	_____	Final enhanced landscape zone with square footage
_____	_____	_____	Final turf area with square footage
_____	_____	_____	Final description of compliance with Best Management Practices (BMPs)
_____	_____	_____	Other (specify):

**DURANGO MOUNTAIN RESORT
DESIGN REVIEW BOARD
SCHEMATIC DESIGN APPROVAL FORM**

Project Description: _____

Owner(s) Name: _____

Address: _____

Telephone: _____

Email: _____

Agent(s) Name: _____

Address: _____

Telephone: _____

Email: _____

Date of Final Plan Approval: _____

Date of Completion Inspection: _____

After final inspection, it has been found that the completed building(s), sitework and landscaping conform with the Design Guidelines and the plans approved by the DMMA Design Review Board.

Durango Mountain Master Association
Design Review Board

Approval of Submittal

Disapproval of Submittal

Explanation: _____

By: _____ Date _____

DRB Representative's Printed Name: _____

**DURANGO MOUNTAIN RESORT
DESIGN REVIEW BOARD
APPROVAL FORM
(Authorizing Building Permit)**

Project Description: _____

Owner(s) Name: _____

Address: _____

Telephone: _____

Email: _____

Agent(s) Name: _____

Address: _____

Telephone: _____

Email: _____

Submittal Date: _____

Submittal Description: _____

The final plans submitted to the DMMA Design Review Board have been found to conform to the Design Guidelines.

Durango Mountain Master Association
Design Review Board

Approval of Submittal

Disapproval of Submittal

Explanation: _____

By: _____

Date

DRB Representative's Printed Name: _____



**Design Review Board
Project Inspection and Approval Checklist**

Date of Inspection: ____ / ____ / ____ Lot Owner: _____

This inspection approval and checklist shall be used to schedule inspections and acquire necessary approvals for each phase of construction.

SITE INSPECTION:

Date of Inspection: _____

<u>OK</u>	<u>Violation</u>	<u>N/A</u>	<u>Approved</u>		<u>Comments</u>
_____	_____	_____	_____	Driveway layout	_____
_____	_____	_____	_____	Building layout	_____
_____	_____	_____	_____	Building envelope	_____
_____	_____	_____	_____	Lot boundaries	_____
_____	_____	_____	_____	Utility routing	_____
_____	_____	_____	_____	Tree removal	_____
_____	_____	_____	_____	Tree protection	_____
_____	_____	_____	_____	Material staging	_____
_____	_____	_____	_____	Parking area	_____
_____	_____	_____	_____	Construction access	_____
_____	_____	_____	_____	Grading/drainage	_____
_____	_____	_____	_____	Retaining walls	_____
_____	_____	_____	_____	Erosion control devices/implementation	_____
_____	_____	_____	_____	Trash containment/ clean-up construction	_____

EXTERIOR MATERIALS INSPECTION:

Date of Inspection: _____

<u>OK</u>	<u>Violation</u>	<u>N/A</u>	<u>Approved</u>		<u>Comments</u>
_____	_____	_____	_____	Roof - type/color	_____
_____	_____	_____	_____	Rock - type/installation	_____
_____	_____	_____	_____	Chimney/vent/flue enclosures	_____
_____	_____	_____	_____	Exterior siding - quality, type, color, application, trim color	_____

				Exterior light fixtures	
				Garage/entry doors/color	
				Windows type/material/color	

GRADING AND LANDSCAPE INSPECTION:

Date of Inspection: _____

<u>OK</u>	<u>Violation</u>	<u>N/A</u>	<u>Approved</u>		<u>Comments</u>
				Drivings, decks, patios, walkways	
				Topsoil installation	
				Trees - types/sizes	
				Shrubs - types/sizes	
				Perennials - types/sizes	
				Seeding - type/preparation/installation	
				Mulch - type/installation	
				Revegetate all disturbed areas	
				Paving - types	
				Utility/trash enclosures	

OTHER IMPROVEMENTS INSPECTION:

Date of Inspection: _____

<u>OK</u>	<u>Violation</u>	<u>N/A</u>	<u>Approved</u>		<u>Comments</u>

COMMENTS / GENERAL:

Approved Date: ____ / ____ / ____ Signed: _____

**DURANGO MOUNTAIN RESORT
DESIGN REVIEW BOARD
APPROVAL FORM
(Authorizing Certificate of Occupancy)**

Project Description: _____

Owner(s) Name: _____

Address: _____

Telephone: _____

Email: _____

Agent(s) Name: _____

Address: _____

Telephone: _____

Email: _____

Date of Final Plan Approval: _____

Date of Completion Inspection: _____

After final inspection, it has been found that the completed building(s), sitework and landscaping conform with the Design Guidelines and the plans approved by the DMMA Design Review Board.

Durango Mountain Master Association
Design Review Board

Approval of Submittal

Disapproval of Submittal

Explanation: _____

By: _____

Date

DRB Representative's Printed Name: _____

APPENDIX E

NGBS SCORING FOR NEW CONSTRUCTION

The on-line scoring spreadsheet (workbook) can be downloaded by going to www.homeinnovation.com/greenscoring. At the bottom of the page, after providing information, you will be able to download the score sheet.