

# **ARCHITECTURAL REVIEW COMMITTEE STANDARDS**

01/01/2024

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## I. GUIDING PRINCIPLES

The Architectural Review Committee (ARC) is responsible for facilitating and assisting Owners in improving their properties, while ensuring consistency with the Governing Documents. Improvements complement the natural landscape and retain the aesthetic and ecological integrity of our mountain environment. Genesee's ARC Standards have been adopted by the Genesee community to ensure the following principles are met:

- An efficient and effective review and approval process.
- The preservation and enhancement of outstanding views, landforms, vegetation, and wildlife habitats.
- Visual harmony and compatibility between the built and natural environments and within developed neighborhoods.
- The continuation of Genesee's unique image and reputation for quality.
- The appropriate integrations of emerging architectural styles, methods and materials, providing opportunity for architectural diversity and personal expression within the context of stated design expectations.
- The preservation and enhancement of property values.

## II. DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS; RE- STATED SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

As a condition of Jefferson County's approval of the development of Genesee, the developer was required to preserve the natural appearance of the foothills environment. The Declaration is clear that minimizing the disruption of the existing natural habitat through thoughtful and sensitive design and construction is of primary importance.

These Standards have been developed to help Owners, architects, designers, and builders formulate design concepts that complement and enhance the natural environment and existing Improvements.

As stated in Article IV of the Articles of Incorporation "...the specific purposes for which (Genesee Foundation) is formed are to provide for maintenance, preservation and architectural control of the residence lots and common area ... and to promote the health, safety and welfare of the residents..." (see. Resources: Governing Documents)

Article VI of the Genesee Foundation Declaration of Covenants, Conditions, and Restrictions states:

*"No improvements shall be constructed, erected, placed, altered, maintained or permitted on any Lot or on the General or Special Common Properties, nor shall any construction or excavation whatsoever be commenced or materials, equipment or construction be placed on any Lot, until plans and specifics with respect thereto in manner and form satisfactory to the Architectural Review Committee showing the proposed improvements, plat layout and all exterior elevations, materials and colors, landscaping, grading, easements and utilities, and such other information as may be requested by said Committee have been submitted to and approved in writing by the Architectural Review Committee." (Declaration, VI.1.b.)*

When allowed by the Governing Documents, the ARC may set limitations that are more or less restrictive than otherwise suggested by the "Genesee Planned Development District Development Restrictions", (recorded 11/26/76, Rec.# 76834302) and various Jefferson County building and zoning restrictions. The Development Guides are found on the plat maps recorded with the County; hard copies are located at Oxley Homestead.

As provided in Article VI, Section 1(c) of the Declaration, the ARC bases its decisions on, among other things:

- the "conformity and harmony of exterior design, colors, and materials with neighboring structures;"
- the "relation of the proposed improvements to the natural topography, grade and finished ground elevation of the structure to that of neighboring structures and natural features of " Genesee; and
- the "conformity of the plans and specifications to the purpose and general plan and intent" of the Protective Covenants.

The Architectural Review Committee shall not arbitrarily or unreasonably withhold its approval of such plans and specifications.

The Architectural Review Committee shall have the right to require and approve landscaping plans.



In addition to the items above, others that may be considered, depending upon the Lot and the surrounding Lots, roads and Open Space are:

- the presence of rock outcroppings, wetlands, and other special natural features of the Lot, neighboring Lots and Open Space and, on occasion, animal habitat;
- the privacy of neighboring Lots; and
- the adherence to current recommended or mandated fire mitigation standards established by Jefferson County and/or the Genesee Fire Protection District.

The architectural review authority granted to the ARC in the Declarations applies to improvements to all 'General and Special Common Properties' as well as improvements to any Lot.

As provided in the Revised Supplementary Declarations Section 3:

*(c) "No improvement, excavation or other alteration shall be made so as to alter the General and Special Common Properties from its natural or existing state at the time of conveyance by the Developer to the Genesee Foundation unless approved in advance by the Architectural Review Committee or the Developer."*

*(d) "Areas within the General and Special Common Properties is[sic] to be utilized for recreational facilities may be so developed by either the Developer or the Genesee Foundation, subject only to prior approval of the Architectural Review Committee".*

*(e) "Uses of the undeveloped and unimproved General and Special Common Properties shall be limited to those activities which do not materially injure or scar the General and Special Common Properties or the vegetation thereon, substantially increase the cost of maintenance thereof, or cause unreasonable embarrassment, disturbance or annoyance to Owners in the enjoyment of their Lots or the General and Special Common Properties unless sanctioned or approved by the Architectural Review Committee."*

Any permanent modification to the exterior of a Dwelling or Lot that alters the appearance and/or overall character of the property that is not specifically addressed or identified in these Standards is required to be submitted to the ARC. These submissions will be reviewed and considered based upon the above provisions.

### III. DEFINITIONS

Unless the context otherwise specifies or requires, the words and/or phrases as used in these Standards have the following meanings (which may differ from those found in other Governing Documents):

**Addition** - any structural modification or alteration that changes the exterior envelope of the existing Dwelling.

**Certified Defensible Space Plan** - a fire mitigation plan for tree and other vegetative removals, prepared by a Wildfire Interface Fire Specialist identified by Jefferson County Planning and Zoning, which the Lot Owner intends to execute as drafted.

**Conservation** - planned management of a natural resource to prevent exploitation, destruction or neglect; the act of protecting Earth's natural resources for current and future generations. This includes but is not limited to, water, energy, environment, and wildlife.

**Construction** - all work and site-related activities performed relevant to Improvements within Genesee, including partial Demolition and Demolition (as defined below).

**Construction Site** - any area in Genesee, including but not limited to a Lot, on which authority is given by the ARC to make authorized Improvements and/or temporarily store materials or equipment and access and/or park on the site.

**Dark Sky(ies)** - places where the darkness of the night sky is relatively free of interference from artificial light.

**Declaration** - specifically the "Declaration of Covenants, Conditions, and Restrictions" governing Genesee as recorded by the Developer, and all subsequent Amendments, as well as all Supplementary Declarations.

**Defensible Space** - the area around a structure where fuels and vegetation are treated, cleared or reduced to slow the spread of wildfire towards the structure.

**Designated Agent** (also known as Owner's Agent) - for the purposes herein, an authorized representative who may negotiate for an Owner.

**Demolition** - the removal of a substantial portion of a Dwelling prior to the commencement of Construction that results in the Dwelling becoming practically or legally uninhabitable.

**Driveway** - any paved, unpaved or graded surface that connects a Dwelling, garage or other structure with a roadway and is owned and maintained by the Owner.

**Dwelling** - a building used as a domicile; synonymous with a home, house or residence.

**Easement** - An interest in land owned by another that entitles the easement holder to a specific and limited use. These uses include, but are not limited to, access, rights of way, utility corridors, and water conveyance corridors.

**Firewise** - the ability to live safely in or near a fire-vulnerable natural community using various design principles to protect Dwellings. Those design principles include appropriate landscape design, vegetation management, and the use of relatively noncombustible materials.

**Fire Mitigation** - action(s) required and/or advised to create defensible space; requirements to reduce fire risk based upon relevant standards established by the Colorado State Forest Service and/or the Genesee Fire Protection District.

**Foundation Survey** - a type of survey, such as an ILC (Improvement Location Certificate) or an ISP (Improvement Survey Plat), that focuses on the foundation of a structure. It plots the location, elevations, and dimensions of the foundation relative to property lines, and/or in comparison with previous site plans or plats.

**Garage** - a building or indoor area used primarily for housing motor vehicles.

**General Common Properties** – all land, Improvements and other properties owned or in the possession of the Genesee Foundation.

**Genesee** – Filings in Genesee according to the recorded plat thereof in Jefferson County, Colorado, known as Filings 2, 3, 4, and 6 through 15, Sunrise, Genesee Reservation, Shingle Creek, High Point, Genesee Reservation (Tract O), Bear Creek Highlands, and Genesee Grove.

**Genesee Fire** – The Genesee Fire Protection District and/or Genesee Fire Rescue, its authorized officials, and its members.

**Genesee Foundation** – a non-profit, corporate homeowners' association that has succeeded to the rights of the Developer under its Protective Covenants.

**Governing Documents** – Articles of Incorporation of The Genesee Foundation; the "Declaration of Covenants, Conditions and Restrictions"; all Supplementary Declarations, Bylaws, Recorded Plats, and ARC Standards.

**Hardscape** – the surface treatments used in landscape design, e.g. gravel, brick, wood, pavers, or stone

**Hazardous Waste** – waste that might contaminate or pollute the water or air; might attract insects, rats, mice, etc.; or might reasonably be expected to pose a health risk to the Contractor, subcontractors, construction personnel or residents during Demolition.

**Home Assessment Plan** – fire mitigation recommendations as prepared by the Genesee Fire Protection District Wildland Specialist.

**Home Hardening** – actions that address the most vulnerable components of a Dwelling with building materials and installation techniques that increase resistance to heat, flames and embers that accompany most wildfires. Also includes setting up defensive measures around structures.

**Improvement** – An addition to real property, whether permanent or not; especially one that increases its value or utility or enhances its appearance.

**Improvement Location Certificate (ILC)** – used to estimate property lines; not an official survey and does not provide exact property deed dimensions or locations.

**Improvement Survey Plat (ISP)** – a land survey plat as defined in subsection (12) of Colorado Revised Statute 38-51-102

**Inert Waste** – types of waste unlikely to pollute surface or groundwater or serve as food for insects, rats, mice, etc. that require no immediate remediation.

**Lot** – a platted area or building site within Genesee.

**Major Addition** – a Dwelling attachment in excess of 400 sq. ft., including sunrooms, garages, and garage extensions.

**Minor Addition** – a Dwelling attachment of less than 400 sq. ft., including sunrooms, garages, and garage extensions.

**Mirrored /Reflective Glass** – has a reflective, metallic coating on the exterior of the glass. This also refers to a reflective film sandwiched between the panes of glass or applied to the inner face of glass.

**Mountain Design Aesthetic** – materials and colors typical of the muted native grasses, woods, rocks, and soil of the high Colorado foothills and Jefferson County's natural setting that are indigenous to this general area.

**Natural Habitat** – an ecosystem of natural, primarily native or indigenous vegetation, not currently subject to cultivation or artificial landscaping, a primary purpose of which is to provide habitat for wildlife.

**No Build Zone** - specific areas identified on Genesee Development Guides and Plat Maps, which may be requested from the Foundation office. These zones were determined at the inception of the planning/platting process and deemed unacceptable for development due to environmental or topographical limitations, or to preserve view corridors and/or to create spatial buffers.

**Noncombustible** - not flammable

**Open Space** - all land, improvements or other property owned or leased by or from the Genesee Foundation including, but not limited to, the General Common Properties and Special Common Properties defined in the Declaration, Article I.

**Owner** - the titleholder of record of a Lot, whether one or more persons or entities.

**Permit** - required by Jefferson County when constructing, enlarging, altering, repairing, moving, demolishing or changing the occupancy of a Dwelling or other structure.

**Protective Covenants** - the "Declaration of Covenants, Conditions, and Restrictions" and all Supplementary Declarations, as amended.

**Replacement Dwelling** - a residence built on the site of a previously approved and constructed Dwelling.

**Retaining Wall** - any structure that keeps a hill, slope or mound of earth in place.

**Standards** - guidelines and required specifications as cited in the most recent Architectural Review Committee Standards.

**Special Common Properties** - all land, improvements and other properties in the possession of organizations created by the Developer

**Story Pole(s)** - vertical poles erected on site showing the actual height of various elements or locations of the proposed Dwelling or improvements in order to evaluate the height, massing, and impact on views.

**Submittal** - the staff-endorsed and accepted Submittal Form(s) and Checklist(s), including all documentation required for the review and approval of an Improvement.

**Supplementary Declaration** - additional documents amending the "Declaration of Covenants, Conditions and Restrictions" affecting a particular Genesee Filing as recorded by the developer.

**View Corridor** - the line of sight (height, width, and distance) an observer experiences when looking toward a natural or man-made object of significance to the community; the route that directs the viewer's attention, most commonly, to a distant vista.

**Wall Art** - objects intended to be attached, permanently or temporarily, to the exterior of a Dwelling, enclosure, or fence.

**Wildfire Prepared Home Assessment** - managed by the Genesee Fire Protection District, this plan serves to provide an in-depth, individualized, wildfire risk and mitigation assessment for Owners. Implementation of the items in this assessment are strictly voluntary.

**Work** - all activity related to modifications to a Dwelling or Lot.

**Yard Art** - exterior objects placed on a property whether intended to be permanent or temporary that include but are not limited to, sculptures, statues, carvings, stakes, totems, bird baths and chimes, regardless of material (wood, metal, stone, glass).

## IV. ARCHITECTURAL REVIEW COMMITTEE

### A. General Information

#### Purpose and Intent

The following information conforms with the requirements stated in Article VI of the CCR's: ***“There is hereby established an Architectural Review Committee consisting of five (5) members. Four of the members shall be appointed by the Developer; provided, however, that at least two (2) of the aforesaid four (4) members shall be persons licensed or registered in the State of Colorado, all either architects, land planners or building contractors. The aforesaid four members of the Architectural Review Committee shall serve at the pleasure of the Developer. The fifth member of the Architectural Review Committee shall be an Owner of a Single Family Lot, Private Dwelling Unit or Rental Unit within the property and shall be elected by the majority of members excluding the Class B member, at any annual or special meeting of the members of the Foundation. The member of the Architectural Review Committee so elected shall be deemed the “members representative” and shall serve an annual term of one year until the election and qualification of his or her successor”***

1. The ARC is composed of five members.
2. One member must be a resident who is elected annually by a majority of Genesee Foundation members.
3. At least two members must be persons licensed or registered in the State of Colorado as architects, land planners or building contractors, with expertise in landscape architecture, architectural design or construction.
4. The remaining ARC members should be Genesee Foundation members who volunteer their time.
5. The Genesee Foundation Board of Directors appoints all members except for the elected member.
6. Each member is required to agree to and sign the ARC Code of Conduct (See Resources: ARC Code of Conduct Policy)
7. The ARC reviews Submittals during regularly scheduled meetings; times and agendas are posted on the Genesee Foundation website ([www.geneseefoundation.org](http://www.geneseefoundation.org))
8. All ARC meetings noted on the Community Calendar and are open to all residents and/or Designated Agent(s).
9. A quorum, defined as 3, of ARC members must be present at any meeting for a binding decision to be made.
10. Decisions are made by a majority vote of the members present.

## B. Architectural Standards

1. These Architectural Review Standards apply to exterior improvements, site design, landscaping, additions, and expansions, new and replacement dwellings, and construction activities for matters that require ARC review and approval occurring after (date of approval). Any of the foregoing requiring ARC review and approval prior to (date of approval) are governed by the Architectural Review Standards in place at the time of the improvement and, provided that ARC approval was received, remain as permitted improvements.
2. As stated in the Supplementary Declarations, requirements or restrictions stated in the Standards may be “*waived by the ARC at its Discretion upon good cause shown.*” ([See Resources: Governing Documents](#))

## C. Regulatory Compliance, Other HOA Authorizations

1. Approval of Submittals by the ARC does not suggest compliance with the requirements of state or local building, zoning, safety, health, environmental or fire codes
2. Owners should contact Jefferson County Planning and Zoning as early in the development process as possible for specific code and permit information.
3. ARC approval does not waive compliance, nor should it be used as evidence of compliance, with, other mandatory setbacks, height restrictions or design requirements identified elsewhere in these Standards, unless this waiver or variance is specifically requested at the time of submission and the waiver or variance is granted by the ARC or the Foundation.
4. ARC approval does not waive the responsibility of the homeowner, designers or contractors to verify compliance with local codes, regulations, and permitting.
5. Any Owner who belongs to an additional Homeowner’s Association (HOA) must obtain, and confirm, approval for proposed exterior Improvement(s) from that HOA according to its published requirements prior to filing a submittal with The Genesee Foundation ARC.

## D. Immunity from Liability

1. Article VI, Section 1 (e) of the Declaration: states: “*Neither the ARC nor Developer or their respective successors or assigns shall be liable in damages to anyone submitting plans to them for approval, or to any Owner of land affected by this Declaration, by reason of mistake in judgment, negligence or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve any such plans and specifications.*” (See Resources: CCR’s VI.e)
2. Any applicant who submits plans or descriptive documentation to the ARC for approval agrees that, by their Submittal of such documents, they will not bring an action or suit against the ARC, individual ARC members or individual Genesee Foundation Board members.

## E. Summary of the Review and Approval Process

1. All submittals are subject to, and must conform to, current approved standards.
2. Owners may request a Courtesy Review or a pre-Submittal meeting with an ARC member and/or the ARC administrator to review proposed Improvement(s) prior to a formal Submittal.
3. Submittal form(s) and items on the appropriate checklist(s) must be substantially completed to be accepted.
4. Submittals will not be posted, reviewed or placed on an agenda until deemed complete by the ARC administrator. The ARC Administrator or an ARC member will inform the Owner if a Submittal is incomplete and what additional information is required in order to complete the Submittal prior to acceptance, posting, and review.
5. All complete Submittals are reviewed and acted upon during the regularly scheduled monthly ARC meetings.
6. ARC actions on Submittals will be one of the following:
  - Approved as submitted: no changes or clarifications are needed.
  - Approved with conditions: minor changes or clarifications are required and noted in the conditions. Changes should be minimal enough that reposting is not necessary (at the discretion of the ARC).
  - Disapproved: project does not meet ARC guidelines and needs more time and detail to reach compliance. A new posting notice will be required after the additional detail is provided.
  - Deferred: significant additional detail is necessary; action on the Submittal will be deferred to a future meeting. A new posting notice may be required.
7. A Submittal that requires additional information may be deferred to a future meeting and scheduled only when all required and requested information has been provided. The revised Submittal must be received within 30 days of the ARC decision, otherwise a re-submission is required.
8. A Submittal that requires significant changes will be disapproved or deferred and a determination made as to whether a re-submission and reposting of the Lot will be required.
9. Approvals with Conditions may be addressed by the applicant as a Response to Conditions with a request that the ARC review the specific response to conditions or modified documents. This review may be done prior to or during an upcoming meeting.
10. For all re-submissions and responses to conditions, if new or revised Standards have been adopted prior to the request, the project must be designed to meet the requirements of the new Standards.
11. Projects previously approved but not started within the prescribed timeline will need to be re-submitted in conformance with any new Standards.
12. All hard copies of materials relevant to a submittal and subsequent submittals may be retained by the Genesee Foundation.

13. Specific details relevant to this process are available in person at the Foundation office or online at [www.geneseefoundation.org](http://www.geneseefoundation.org) under ARC Forms and Checklists.

## **F. Notification of the Interested Parties**

### **Purpose and Intent**

**Neighbors should have an opportunity to state their opinions regarding the impact of proposed Improvements or exterior Dwelling or landscaping changes to the neighborhood in general and to their specific, individual situation(s).**

1. The Genesee Foundation staff will post a notice of a proposed Improvement on the submitting Owner's Lot and/or private drive when complete Submittal documents are received at the Genesee Foundation office. The posting period is five days prior to the upcoming ARC meeting, at least three of which must be business days.
2. In some instances, the ARC administrator may elect to send an email to neighboring Owners indicating that an Improvement has been submitted for a nearby Lot and that the Submittal documents are available for review online at [arc@geneseefoundation.org](mailto:arc@geneseefoundation.org) or in the Genesee Foundation office.
3. Comments regarding a posting may be submitted by any Owner or Designated Agent in writing to the Foundation office or by email to [arc@geneseefoundation.org](mailto:arc@geneseefoundation.org) at any time prior to the ARC meeting immediately following the posting period.
4. Verbal comments may be presented during the ARC meeting at which the specific Submittal is being reviewed.
5. Anonymous and verbal comments made at times other than during an official ARC meeting will not be considered.
6. The submitting party, upon request, has a right to view all written comments

## **G. Commencement of Work**

1. Commencement of Construction or Work on exterior Improvements will be deemed an acceptance of all conditions imposed by the ARC and all provisions of the current Standards.
2. No deviations from the approved plans and conditions may be undertaken without a written request from the Owner and prior ARC approval either through an online vote of the committee or at an official ARC meeting.



## **H. Construction and Work Deadlines**

### **1. New and Replacement Dwellings; All Additions**

- a. Notice of commencement of Construction must be given to the ARC no later than 12 months from the date of final approval.
- b. Work must be completed no later than 18 months from the date of approval.
- c. Upon written request, the ARC may grant an extension of time to commence or complete Construction.
- d. If Construction or Demolition is not begun within the time limitations designated above, including any extensions, plans must be re-submitted and will be reconsidered at an upcoming meeting.
- e. If new Standards have been adopted prior to the re-Submittal, the project must be designed to meet the requirements of the new Standard(s).

### **2. All Other Improvements and Demolition**

- a. Work on all other Improvements and any Demolition associated with such Improvement(s) must be completed no later than nine months from the date of approval.
- b. If the time limitation designated above, including any extensions, cannot be met, plans must be re-submitted and will be reconsidered at an upcoming meeting.
- c. If a new Standard(s) has been adopted prior to the re-Submittal, the project must be designed to meet the requirements of the new Standard(s).

## **I. Extensions**

1. Upon written request, the ARC may grant an extension of time to commence or complete Work.
2. Submittal(s) granted an extension of time may be required to comply with any new Standard(s).

## **J. Completion**

1. Within 30 days of the completion of an approved project, the Owner should submit a signed Owner's Notice of Completion Form to the ARC.
2. If no Notice of Completion is received within 18 months of the Submittal approval or within 1 month of an approved extension, an ARC representative will visit the site. If it is determined that the work was not completed or does not comply with the approved final Submittal, including any conditions imposed by the ARC, the Owner shall be notified in writing of such non-compliance. The notice shall specify, in reasonable detail, the particulars of non-compliance.
3. The Owner shall take the remedial action specified by the ARC within the time period set by the ARC. The Owner may propose alternative remedial actions for ARC approval. The Owner shall submit a Notice of Completion after the remediation has been completed.

## V. REVISIONS TO STANDARDS

### **Purpose and Intent**

**It is intended that, by continuing to update the Standards, the community will remain true to the Developer's original vision while continuing to embrace major trends in design and construction.**

### **A. Limited Revisions**

1. These are defined as revisions to language, formatting, Statutory compliance, and any other changes that do not alter the original intent or scope of a section.
2. Such limited revisions may be made from time to time by the ARC with the approval of the Genesee Foundation Board and do not require community posting and/or comment.
3. The community will be notified via electronic communications of such limited revisions.

### **B. Major Revisions**

1. These are defined as revisions to the original intent or scope of one or more sections.
2. Such revisions should be made every five years, or more often if necessary.
3. Major revisions will be sent by the ARC to the Genesee Foundation Board of Directors for review and approval.
4. After Board review, major revisions will be posted for community comment for 28 days.
5. Notice to the community of this posting will be electronic via community e-mail and on the Genesee Foundation website.
6. Whenever practicable, the posting will show all redline changes.
7. A summary of all changes will accompany the posting.
8. Thereafter the ARC and Genesee Foundation Board may approve the major revisions with or without incorporating changes suggested by the Community.

## VI. IMPROVEMENTS NOT REQUIRING APPROVAL

### Purpose and Intent

**In allowing the following Improvements to be made without a submittal to the ARC, it is intended that residents are able to make these changes in a timely manner, at the same time remaining consistent with current governing Standards as well as current Jefferson County code requirements.**

### A. Decks

No approval is required for decks meeting the following requirements. Note: In all instances below, the current footprint (dimensions/configuration) of the deck must not be altered.

1. Replacement of wood decking with composite decking, provided that the color of fascia matches the base color of the home.
2. Replacement of rotted, deteriorated or generally unsafe deck joists with new pressure-treated joists or with two-hour fire-rated timber, or other fire-resistant material, provided the configuration and color remain unchanged.
3. Replacement of 4" x 4" deck posts with 6" x 6" posts of the same or new fire resistant material, provided the color remains unchanged.
4. Replacement of stair stringers, provided the stair footprint (configuration) and color remain unchanged.

### B. Driveways: Asphalt

Improvements that meet the following restrictions do not require approval.

1. Sealcoating of Asphalt Driveways
  - a. Only when intended to preserve the integrity and the appearance of the existing driveway.
2. Asphalt Overlay and or Replacement
  - a. Only when there will be no change in the material used and footprint of the existing driveway.
  - b. Applies to an overlay of up to 4" thick; more than 4" thick will require formal Submittal for approval.

### C. Driveways: Concrete

Improvements that meet the following requirements do not need approval.

1. Concrete leveling
2. Concrete replacement, provided that there will be no change in material used, color, and/or footprint of the existing Driveway.
3. Concrete resurfacing, provided that no decorative finish, such as stamping or coloring, is added.

## **D. Garage Doors**

1. The visual impact of garage doors should be minimized and de-emphasized to the greatest extent possible.
2. The color and material of garage doors should match or complement the base color of the Dwelling.
3. The design should be consistent with the style of the Dwelling.
4. Non-functional, decorative hardware (including lift handles) is not allowed
5. Damaged trim, siding, stucco, paint or stain must be repaired or replaced to ensure continuity with the remainder of the Dwelling.

## **E. Gutter Covers, Leaf Guards**

No approval is needed.

## **F. Home Hardening, Firewise Landscaping**

No approval is required for the replacement of ground covering materials, vegetation or new landscaping extending up to 5' from Dwellings or other structures , provided the following requirements are met. Refer to Firewise requirements for Zone 1, 0' to 5' from any structure, e.g. Dwelling, decks, and deck supports. (Refer to "Creating Wildfire-Defensible Zones," <https://extension.colostate.edu>, pg. 6)

1. All areas must adhere to current Firewise Landscaping Standards (see SECTION IX.B FIREWISE LANDSCAPING).
2. Hardscape stone materials may not be white, black, or red. If one of those colors is desired, the project must be submitted to the ARC.
3. Hardscape stone materials should be held in place with brown, rolled-top steel edging.
4. Hardscape stone materials should be installed in an undulating, natural pattern and not be aligned to the Dwelling or structure.

## **G. Invisible Dog Fences**

These fences are strongly encouraged as alternatives to fenced dog runs and do not need approval as long as they meet the following requirement.

1. These must be installed at least 10' inside all homeowner property Lot lines.
2. If the lot line requirement above cannot be met, ARC approval is required.

## **H. Landscaping**

No approval is required for the replacement of landscaping, provided the following requirements are met:

1. Portable planter boxes are no larger than 10 sq. ft. and 18 in high; no more than four per Lot are allowed.
2. The replacement of landscape plantings in previously approved areas, provided the plants do not exceed 6' in height at maturity.
3. The addition of landscape plantings in one area per Lot that had not been previously approved. This area must not exceed 300 sq. ft. Plants in this area must not include plantings that serve as a hedge and must not include plants that exceed 6' in height at maturity.

## **I. Play Equipment**

Residents are encouraged to use the community playgrounds in lieu of installing private equipment. However when temporary equipment is installed no approval is required when the following restrictions are met.

1. Rope gyms, obstacle courses, zip lines, slack lines, and swings attached to trees should not present a danger to wildlife.
2. All play equipment attached to trees should be removed during winter months.
3. Every effort should be made to locate play equipment away from Lot lines and from direct view from neighboring Lots, roads, or Open Space.

## **J. Re-Siding, Re-Painting, Re-Staining**

No approval is required when re-siding, re-painting or re-staining a Dwelling, provided the following requirements are met:

1. Must use the same product, materials, and color unless a current Standard no longer allows any one of them.
2. Contrasting trim, even if present on the existing Dwelling, requires ARC approval.

## **K. Roofs: Repair Only**

No approval is required for the repair of roofs, provided the following requirements are met:

1. Repair or replacement of less than 30% of the roof.
2. Must match existing roof material unless current Standards no longer allow that specific roof material.
3. Must match the existing roof color, design, and architectural style.

## **L. Satellite Dishes Not Exceeding 40 inches in Diameter**

No approval is required for installation of satellite dishes of this size, provided the following requirements are met:

1. Must be mounted in such a way as to diminish public visual impact, provided that this does not preclude reception of an acceptable quality or impose unreasonable expense.
2. Where possible, the dish should be painted to match the surface from which it protrudes.

## **M. Security Cameras, Smart Doorbells, Smart Cameras, Video Doorbells**

No approval is required for the installation of security cameras, smart doorbells, doorbell cameras, and video doorbells, provided the following requirements are met:

1. Cameras and video doorbells should be positioned so that they detect only areas of your Lot where intruders or visitors may be identified.
2. Cameras and video doorbells must not be aimed so that a neighbor's Lot may be observed.
3. Cameras and video doorbells must not be located so close to the border of your Lot that audio from a neighboring Lot is detected.
4. Surveillance devices must not be pointed at a public road, private drive, or Open Space.
5. Lighting associated with security systems must be fully shielded; i.e. no portion of the light source is visible through openings on the side or top, and the light source ( bulb or LED) does not extend below the fixture.
6. Lighting associated with security systems must be directed downward.
7. Lighting associated with security systems should be directed only onto the Lot being served.
8. Lighting fixtures associated with security systems must closely match the color of the surface to which they are attached.
9. Lighting associated with security systems must use controls that limit light intensity and duration.

## **N. Snow Guards**

The installation of snow guards does not require approval when the following conditions are met.

1. The material must be non-reflective.
2. The color must closely match that of the roof to which these are attached.

## **O. Solar Panels: Roof Mounted Only**

No approval is required for roof-mounted solar panels provided the following conditions are met.

1. Non-glare glazing or non-reflective coatings should be utilized on the exterior face of all panels.
2. All solar panel gridlines, frames and accessories must be black.

3. Solar panels should be organized to consolidate groupings and to minimize disruption of the roof plane.
4. All exposed components must match as closely as possible the color of the surface to which they are attached.
5. Non-roof-mounted applications will be considered on a case-by-case basis and must be submitted to the ARC

## **P. Temporary Trash Receptacles, Sanitary Facilities, Storage Facilities**

Trash receptacles meeting the following requirements do not need approval.

1. The above items are expected to be removed within two weeks of completion of the Work.
2. The above items must be located to ensure that they do not interfere with private road access.
3. All temporary trash receptacles (e.g., dumpsters) should be covered. The Owner is responsible for immediately and consistently collecting all scattered debris.

## **Q. Tree Removal**

1. Juniper and other coniferous and evergreen shrubs and bushes within 5' of a Dwelling may be removed, provided they are replaced with approved fire resistant hardscaping.
2. No wood mulch is allowed; check the list of approved hardscaping materials and design in IX.B. – FIREWISE LANDSCAPING.
3. All other tree removal requests must follow the Genesee Foundation tree removal policies (see [geneseefoundation.org](http://geneseefoundation.org)), including submission to the Open Space manager as required.

## **R. Windows, Doors**

Window, door, and garage door improvements do not need approval when the following requirements are met.

1. Replacement windows and doors should match the existing style, location, frame color, and grid patterns.
2. Damaged trim, siding, stucco, paint or stain must be repaired or replaced to ensure continuity with the remainder of the Dwelling.

## **S. Yard Art, Wall Art**

1. Installations of yard and wall art as defined in Section III do not need submittal as long as they meet the following requirements.
  - a. Yard art may not exceed 48" in total height, width or length.
  - b. There may be up to two (2) pieces of wall art, each not to exceed 24" in height x 24" in width, regardless of location.
  - c. There may be no more than four (4) yard ornaments on a property, regardless of location.

- d. All items must be reflective of the character of the surrounding landscape and the Dwelling architecture.
- e. Yard objects must be placed at least ten feet (10') from homeowner's property line, private drive, or county roads.
- f. No yard objects or wall art will incorporate sound or lighting of any type



## VII. SITE DESIGN

### **Purpose and Intent**

**The provisions of this section are intended to ensure that exterior Improvements, Additions, and New Dwellings are sited to take advantage of the natural environment and to create as little impact as possible to neighboring properties and Open Space.**

### **A. Overall Stipulations**

1. This Committee's approval powers extend to compliance with Genesee Foundation Governing Documents only and do not serve as a substitute for requirements imposed by other HOAs, local building codes, or Jefferson County ordinances.
2. The Owner or Designated Agent is responsible for complying with Jefferson County's requirements for documentation, studies, surveys, inspections, and permits required at the time of submission.
3. Whenever any state or local law or regulation imposes higher standards or codes than are required by these Standards, the higher requirements of that law or regulation will govern.
4. All building and structure construction must meet the requirements of Jefferson County Wildfire Zone 1 2018IRC County Code Supplement - Appendix Z: Sections Z103.1 through Z104.11: <https://www.jeffco.us/DocumentCenter/View/27895/2018-Jefferson-County-Residential-Code-Supplement-July-2021PDF>

### **B. Site Development**

#### **Purpose and Intent**

**The provisions of this section ensure that development and Improvements are safe and appropriate for the neighborhood and adjacent Lots.**

#### **1. Location of Improvements**

All Improvements must be placed such that they integrate with, and take advantage of, their natural surroundings while minimizing their visual impact on the surrounding neighborhood.

##### **a. County Requirements**

Prior to commencement of Construction of any Improvements to a Lot, the Owner is responsible for obtaining all permits, licenses, certificates, consents, and any other approvals necessary or required pursuant to any law, ordinance, resolution, order, rule, or regulation of any governmental authority having jurisdiction in order for an applicant to construct, operate, and maintain the Improvement

##### **b. Easements**

Development within easements is subject to restrictions and additional approvals and should be assumed to be limited.

##### **c. No Build Zones**

As stated in the Definitions, these areas are non-negotiable with respect to modifying their boundaries or allowing encroachment.

d. Setbacks

If no building envelope is specified, then all structures must be set back a minimum of 20' from all public and private road rights-of-way. In some instances, and with good cause shown, the ARC and/or Jefferson County Planning and Zoning may change this requirement.

**2. Conservation and Protection of Existing Natural Features, Topography, and Vegetation**

- a. Every effort must be made to conserve, protect, and minimize disruption of the natural environment including, but not limited to, trees, topsoil, rock formations, unique landscape features, and view corridors.
- b. Improvements must respect the existing topography and aesthetically integrate with the site and context.

**3. Defensible Space Plan Permit or Home Assessment for Purposes of Fire Mitigation**

- a. The ARC does not generate or approve these plans. Please refer to Jefferson County and Genesee Fire Protection District for requirements and comply with the latest local and state revisions of guidelines, codes, and requirements.

**4. Grading and Drainage**

- a. Grading work must be done with minimum disruption of the Lot.
- b. Grading and alteration of drainage patterns resulting from Work or Construction must not create a condition that could lead to soil erosion, accumulation of debris, water collection, or the diversion of water onto an adjacent Lot or Open Space.
- c. Newly graded slopes must transition to meet existing slopes in a natural manner.
- d. Existing drainage patterns must be preserved and retained. New drainage flows will require effective methods of erosion control.
- e. When grading on a Lot is proposed to extend beyond the Lot line, including onto Open Space, prior approval must be obtained in writing from the ARC and the Genesee Foundation Board of Directors.
- f. The Owner must promptly restore the disturbed areas at the Owner's expense as directed by the ARC and as set forth in SECTION VII. B. 7. – SITE RESTORATION AND REVEGETATION

**5. Retaining Walls**

- a. Retaining walls should be as low as possible, preferably 3' in height or less, and integrated into the overall site development plan.
- b. Terracing should be used to minimize a wall's height, where appropriate.
- c. Walls 36" or higher may require structural engineering and a Jefferson County permit.
- d. Walls should be consistent with the materials, colors, and textures of the Dwelling and the surrounding natural landscape.
- e. Any masonry material or veneer should match or integrate with that of the Dwelling.
- f. The use of boulders, large rocks or stacked natural stone is encouraged. Other wall materials to consider are modular block and veneered concrete.
- g. Effective waterproofing and subsurface drainage should be integrated into the design of all retaining walls to prevent erosion and degradation of adjacent surfaces.

## **6. Utilities**

- a. New site utilities must be installed with minimum disturbance to existing site conditions and the natural landscape.
- b. The Owner should work with utility companies to appropriately locate above-ground utility boxes to minimize visibility.
- c. Existing utilities may have easements that contain restrictions that will limit planting and construction, even on private property.

## **7. Site Restoration and Revegetation**

Prompt revegetation after work is completed is very important both for erosion control and to provide a finished appearance. The minimum required restoration should:

- a. correct any soil compaction.
- b. fine-grade the land to blend with the original contours.
- c. re-seed all areas disturbed by Construction activities using the seed mix specifically formulated for Genesee (available through the Genesee Foundation office), a native perennial grass mix, and/or native wildflowers. Hay mulch (except within 5' of a structure) hydro mulch or an erosion control blanket may be used on top of newly seeded areas.
- d. include the completion of all other landscaping Improvements set forth on the approved landscaping plan, along with the implementation of all other restoration measures specified by the ARC.

## **8. Building Height Restrictions**

Height restrictions are set forth in the Supplemental Declarations for each Filing. It is the Owner's responsibility to verify specific height requirements for their Lot.

- a. To preserve openness and views, building to the maximum height may not be allowed on any specific Lot. The ARC reserves the right to impose lower height restrictions when the proposed Construction of a Dwelling or other Improvement would obstruct views or appear excessive in height when viewed from neighboring Lots, roads or Open Space.
- b. In some instances, the ARC may request that the homeowner install story poles to indicate building height. When requested, the height of the story poles must be certified by a surveyor licensed in the State of Colorado. Specific requirements of the surveyor will be determined on a case by case basis.
- c. A height in excess of 25', as measured from the highest point of the natural grade adjacent to the foundation of the Dwelling, is discouraged and is rarely approved.
- d. For Lots having an allowable height of 35', the height will be determined by the average between the highest and lowest elevation points where the existing grade meets the foundation.

## **9. Relationship to Existing Dwellings**

- a. Height and configuration of an Improvement must respect established views from adjacent Lots.
- b. All Improvements must be designed with consideration for the relative size, architectural style, privacy, and views to and from nearby Dwellings.

- c. The ARC may request drawings indicating site sections and sight lines to understand how the proposed Improvement will affect nearby Dwellings.
- d. To evaluate the visual impact of an Improvement, *“the ARC may require the use of Story Poles to accurately depict the height and profile of the improvement regardless of whether the proposed improvement is within the maximum height limitation for that Lot.”*
- e. As stated in the Supplementary Declarations for each filing, *“The ARC has the right to prohibit the construction of a dwelling, or any portion thereof or attachments thereto, or other improvement which exceeds the elevation listed for the respective Lot.”*
- f. See also SECTION IX. F. PROTECTION OF VIEWS.

## **10. Architectural Style, Floor Space, Scale and Massing**

- a. Structures should be similar to the character of the surrounding landscape and neighboring architecture.
- b. Proposed designs should improve upon existing community character.
- c. Floor space (total square footage) must be a minimum of 1,500 sq. ft. of fully-enclosed living space (exclusive of roofed or unroofed porches, terraces, garages, unfinished basements, and other structures), except for Dwellings in Filing 11, which require a minimum of 1,200 sq. ft. of fully-enclosed living space.
- d. The proposed mass and relative size of a Dwelling or Improvement including height, footprint, and impervious coverage, will take into consideration as stated in Article VI.c, of the CCR’s the *“conformity and harmony of exterior design, colors and materials with neighboring structures, relation of the proposed improvements to the natural topography, grade and finished ground elevation of the structure to that of neighboring structures and natural features of the Property.”*

## VIII. EXTERIOR IMPROVEMENTS REQUIRING ARC APPROVAL

### Purpose and Intent

**The provisions of this section ensure that materials and colors used on all exterior improvements are consistent with the founding principles. They should complement and enhance the natural environment and existing Improvements while adhering to current Firewise recommendations. Exterior improvements should not create negative visual or auditory impacts on neighboring Lots, their Owners, roads or Open Space.**

### A. Address Signs

See Section IV. A. IMPROVEMENTS NOT REQUIRING ARC APPROVAL

For all other address signs:

1. Signs, posts, and supports must be made of non-combustible materials.
2. Letters and numbers on posts must be 4" high, reflective, and on a contrasting background color.
3. Such signs shall not exceed a total face area of two square feet.
4. No sign shall exceed a height of four (4) feet from grade.
5. Letters and numbers on boulders, walls, posts, must be 4" high. If possible, numbers should be reflective.
6. Address sign lighting should be focused on the address numbers only and must be submitted.
7. All other signs must meet the Genesee Foundation Sign and Flag Policy (See Resources: Policies)

### B. Air Conditioning Units, Heat Pumps, Mini-Splits, Compressors

All air conditioning units, heat pumps, mini-splits, and compressors are subject to the conditions stated in SECTION VIII. H. EXTERIOR EQUIPMENT: ALL MECHANICAL AND UTILITY SYSTEMS.

### C. Antennas

1. All exterior wiring must be buried, concealed within the Dwelling or surface-routed in an unobtrusive manner.
2. All exterior conduit and wiring must be painted to match the color of the surface upon which it is mounted.

### D. Awnings, Shade Structures

1. The design should complement the Dwelling or deck to which it is attached.
2. Fabric, as well as steel, materials will be considered,
3. Fabric colors must be neutral and harmonize with the Dwelling and surroundings.
4. The structure should be compatible with the architectural character and style of the Dwelling.

5. The frame color should match the surface to which it is mounted.
6. The structure/system must not diminish or obstruct the View Corridors of adjacent Lots.
7. Hard surface awnings, such as those primarily made from aluminum sheets or molded plastics, are prohibited.
8. Per the provisions above, awnings made of solar panels will be considered.
9. All structures must be constructed from rust-proof steel or other Firewise materials.

## **E. Decks, Railings, Stairways**

1. New decks or existing decks to be changed in size or footprint are subject to current Jefferson County code requirements as found in Appendix Z: Sections Z103.1 through Z102.11 <https://www.jeffco.us/DocumentCenter/View/27895/2018-Jefferson-County-Residential-Code-Supplement-July-2021PDF>
2. Because wood decking is considered a fire hazard, composite and/or other types of noncombustible decking materials are preferred. These must comply with current Jefferson County codes.
3. In all cases, wood decks must include Firewise landscaping extending a minimum of 5' out from the deck structure, stairway(s), and all support columns.
4. The color of the decking (flooring) must blend with or complement the base color of the Dwelling.
5. Visible, deck systems (beams, joists, columns, and posts), including metal, must be painted or stained to match the base color of the Dwelling. Powder-coated metal framing in a color that accents or closely matches the base color of the Dwelling will be considered.
6. Deck fascia should match the base color or an existing contrast color of the Dwelling; or be a natural wood stain that is complementary to the base color of the Dwelling.
7. Structural support systems (piers, footings) are limited to 6" of visual height above finish grade. If higher, the ARC may require an aesthetic treatment such as stone, stucco, or masonry veneer or wrap.
8. Deck support posts/columns must comply with current Jefferson County Code requirement. Where possible, such support posts or columns should be 6" x 6" or greater, depending upon the height of the deck above grade, to ensure that they are visually proportional to the overall deck height.
9. Deck railings should be consistent with the character of the Dwelling. In general, the ARC encourages a continuous top rail uninterrupted by the railing posts.

## **F. Doors**

Refer to SECTION VIII. AA. WINDOWS, DOORS

## **G. Enclosures other than Fences (Such as Under Deck Storage)**

### **Purpose and Intent**

To ensure that the character and style of the Dwelling are preserved, enclosures must visually integrate and blend with the Dwelling.

1. Solid or opaque enclosure
  - a. Should be designed such that it is a natural extension of the Dwelling.
  - b. Must match the material, color, and details of the exterior finish of the Dwelling.
  - c. Should not extend farther than 15' from the exterior walls of the Dwelling.
  - d. All framing substructures must be concealed from exterior view.
2. Open or transparent enclosure.
  - a. Wood and plastic lattice will not be approved, nor will window screens.
  - b. Perforated metal mesh screens will be considered.,
  - c. Open or metal fencing must match the aesthetics and design type of the Dwelling.
  - d. Metal fencing should be simple in design with detailing that does not draw attention.

## **H. Exterior Equipment: All Mechanical and Utility Systems**

This section applies to equipment, fixtures, and fittings for ventilation, heating, cooling, air conditioning, and refrigeration systems, solar and other energy-related systems, and for radon mitigation systems.

1. All utility and mechanical systems equipment permanently attached to exterior walls must be incorporated into the overall design of the Dwelling or, depending upon visibility from neighboring properties, roadways, and Open Spaces, be permanently enclosed, painted to match the base color of the Dwelling or screened by a material approved by the ARC.
2. All pipes or conduit attached to the exterior of the home must be installed to follow the lines of the Dwelling aesthetically and must match the color of the surface to which they are attached.
3. All other exposed components must also match the color of the surface to which they are attached.
4. Meters should be located where they are the least visible from adjacent Lots, roads, and Open Space. Where possible, meters should be recessed into an exterior wall and painted to match the base color of the Dwelling.
5. Free-standing and other mechanical equipment, such as air conditioning units and compressors, hot tubs and pumps, and backup electric generators should be appropriately muffled and located where they are the least visible from adjacent Lots, roads, and Open Space. Where possible, such equipment should be muted in color.
6. Screening may be required to conceal the equipment from view from adjacent Lots, roads, and Open Space.
7. Adequate screening must be fire resistant landscaping and/or enclosure wall(s).

8. When adjoining or close to a Dwelling, the required screening must match the exterior finish and color of the Dwelling.
9. The total maximum decibel level (dBA) for all exterior mechanical equipment should not exceed 50 dBA at a distance 25' from property line. Compliance will be determined by review and approval of manufacturer's specifications to be included with the submission.

## **I. Exterior Finishes: Paint, Siding, Stain, Stucco**

### **Purpose and Intent**

**The following restrictions are in place to ensure that exterior Improvements give consideration to the muted colors of native grasses, woods, rocks, and soil of the high Colorado foothills and Jefferson County's natural setting. In addition, such Improvements should strive to be secondary to the natural surroundings, rather than be a the dominant feature of the Lot.**

1. The colors in the Submittal should harmonize with the colors of the Dwelling's existing roof, the surrounding environment, and other Dwellings.
2. Monochromatic palettes, and earthy organic shades that mimic the colors of the surrounding environment such as soft browns, ambers, muted greens and, gold, buffs, terra cotta, and taupes are best suited to our mountain aesthetic.
3. Bright and primary colors are not permitted
4. White is strictly prohibited on all structure components including but not limited to window frames.
5. Exterior paints, stains, siding, stucco, and factory-finished materials must have either a matte or flat finish. Glossy or reflective finishes will not be approved.
6. Paint color chip samples, manufacturer's color codes, or links to the paint manufacturer's website for each color must be included in the submission. In some instances, the Owner may be required to provide a sample or paint an area on the Dwelling, showing the color and sheen of the proposed paint, stain or factory-finished materials.
7. Exterior base/body colors must be equal to or less than 60% LRV (light reflectance value).
8. Exterior trim or accent colors on fascia and soffits and around windows and doors must have the same undertones (warm, cool, neutral) and must have an LRV equal to or less than 60%.
9. All corner trim colors must match the body/base color of the Dwelling.

## **J. Exterior Finishes: Stone Veneer**

1. Stone veneer may be used on the exterior of a Dwelling at the base of walls, on deck post bases, or on full-height walls.
2. The use of natural stone rather than manufactured stone veneers is encouraged.
3. Artificial stone that replicates the appearance of natural stone is acceptable. .
4. A stone wainscot should create the sense of a solid stone wall and, as such, should terminate on



inside corners or wrap around an outside corner by a minimum of 2'.

5. Stone veneer applied to a chimney should match the stone used elsewhere on the Dwelling.
6. A stone veneer should complement any stonework used in landscaping.

## K. Exterior Lighting

### Purpose and Intent

**The provisions in this section align with our commitment to protect our area's natural surroundings, our wildlife, and our night skies for present and future generations. Any lighting project should strive to prevent the creation of light pollution, defined as the excessive, misdirected, or invasive use of artificial outdoor lighting. Light pollution detrimentally affects your neighbors, the community as a whole, and the feeding, sleeping, mating, and migration cycles of the wildlife that share our community.**

As stated in the Supplementary Filings: *"No permanent exterior lighting of any sort shall be installed or maintained on any dwelling or other improvement on the Lot, the light source of which is visible from a neighboring Lot or Lots, from the General or Special Common Properties, or from roads"* (See Resources: Lighting Resource Guide)

Approval will be based on the visual impact of the proposed lights on the Lot, neighboring Lots, Dwellings, roads, and Open Space.

1. Exterior permanent lighting will be considered for walkways, driveways, steps, entry doors, and security and must meet the principles of dark sky lighting stated below:
  - a. Site lighting must be capable of full cutoff or use controls that limit light intensity and duration.
  - b. Low-level lighting, such as for pathways, must not exceed 1,000 lumens in brightness and 3000 Kelvin of color temperature.
  - c. All exterior lights, including security lights, must be fully shielded and the bulb or LED must not be visible to neighboring Lots, Dwellings, roads, and Open Space.
  - d. Lighting associated with canopies, pergolas, and other similar structures must only emit light whose spread is confined within the perimeter of the structure. This can be accomplished with the use of shades or covers for these lights. Colored lights are highly discouraged.
  - e. All lights, including security lights, should be directed only onto the Lot being served.
  - f. Lighting at entries and decks should be placed below an eave or shielded so that emitted light is downcast with no direct light radiated upwards or to adjacent Lots.
  - g. Lighting at driveways should be limited to fixture types that are mounted low to the ground.
  - h. Lighting of address signs should focus on the address numbers only.
  - i. Acceptable fixture types include fully recessed downlights, downcast low-voltage lighting, step lighting, pathway lighting, and wall sconces with a completely and opaque shielded light source. The upper portion of all fixtures must be shielded to prevent excess light from escaping upwards. (For examples see Resources: Lighting Resource Guide)
  - j. Exterior permanent decorative accent lighting is not allowed.
  - k. Architectural downlighting or the "washing" of the outside walls of a Dwelling is not allowed.

2. Landscape lighting
  - a. Lighting of landscape features, such as rock outcroppings or boulders, is not permitted.
  - b. Uplighting of trees or structures is not permitted.
3. Deck railing lights
  - a. Lights integrated into the top of railing supports must be designed such as to illuminate only three sides, with the exterior side not being illuminated.
  - b. Railing lights must use controls as stated in SECTION VII. K. 1. a. Exterior lighting.
4. Step lighting at entries and decks
  - a. In most instances, it is only necessary to light every other step.
  - b. A maximum of one light per lighted step will be allowed.
  - c. Lighting should be mounted on the riser below the tread overhang.
5. Spotlights and flood lights are prohibited except where specifically allowed for flag and address number lighting. See: Resources/Guidelines and Policies/Sign and Flag Policy.
6. Arc lights, high intensity lights, and gas lights are not allowed.
7. Flag lighting
  - a. Lighting of flags is not permitted, except that the U.S. flag may be illuminated when displayed during hours of darkness.
  - b. Lighting must be focused entirely on the flag using an uplighting or downlighting type of fixture which must be entirely shielded.

## L. Fenced Areas: Boundaries, Dog Runs, Fences, Hedges, Temporary Landscape Fencing and Wildlife Barriers

### Purpose and Intent

**The following restrictions are in support of this statement from Supplemental Filings: “In order to preserve the natural quality and aesthetic appearance of the existing geographic areas within the Property, all property lines shall be kept free and open one to another and no fences or plantings simulating fencing shall be permitted on any Lot or Lot lines, except where, in the opinion of the Architectural Review Committee, a fence or other enclosure, as a structure or aesthetic feature of a design concept, will contribute to and be in keeping with the character of the area.”**

1. No fences, enclosures, structures, plantings, hedges, barriers or objects that simulate fences (including woodpiles) are allowed along Lot lines.
2. Fences must be designed as an extension of the Dwelling and must not create the appearance of a backyard.
3. Fences must not be detached (i.e. ‘floating’). Preferably, fences should start at an exterior wall or corner of the Dwelling and should not extend from the Dwelling farther than 15’.
4. Fences must be located in an area that provides minimum visual impact on other Lots, roads, and Open Space.
5. Fencing must be simple in design and detailing and must aesthetically and visually integrate or blend with the character and style of the Dwelling.
6. Fencing must not impede established migration paths of wildlife nor pose a threat of physical injury to wildlife.
7. Fencing may be no taller than 5’6” with support posts no taller than 6’; no chain link, chicken wire, plastic or vinyl fencing will be approved; framing substructure must be concealed from view from neighboring Lots, roads and Open Space.
8. Fenced areas must be kept to a maximum of 600 sq. ft., depending upon proximity to neighbors and the size of the Lot. Under deck and patio square footage will not be included in fenced area square footage limits.
9. The fence must integrate within the existing topography. The top of the fence must be horizontal and stepped vertically at transition points to follow the grade instead of being sloped.
10. Only one enclosed area is allowed per Lot, excluding under deck enclosures.
11. Dog Runs:
  - a. Fenced areas to be used for the purpose of a dog run must be located where there will be minimal visual, olfactory, and auditory impact on adjacent Lots, roads, and Open Space.
  - b. These areas must also comply with the stipulations in SECTION VIII. L. 1 through 10 stated above.
12. Temporary fencing for landscape protection does not require ARC approval, provided that it adheres to the Genesee Temporary Fencing Guidelines. See: Resources/Guidelines and Policies/Temporary Fencing Guidelines.

## M. Firepits, Fireplaces, Kitchens, Grills

1. Outdoor firepits, fireplaces, kitchens, and grills must be integrated into a deck or landscape plan.
2. All firepits, fireplaces, grills, smokers, and all other appliances that generate heat must be capable of immediate and complete shutoff. Most gas, electric or pellet appliances are acceptable.
3. Firepits must have an on/off switch and a timer.

## N. Flagpoles

### **Purpose and Intent**

**The following provisions allow residents to properly display the U.S. or other flag while maintaining awareness of the need to mitigate the visual impact on surrounding Lots, roads, and Open Space.**

1. Flagpoles must be located to respect and minimize the impact on the views from nearby Dwellings.
2. Flagpoles may have a maximum height of 10'; the overall size and proportions should be appropriate with respect to the location, size, and architectural style of the Dwelling and the views from nearby Dwellings.
3. Flagpole colors must have a subdued anodized, matte, or bronze, non-reflective finish and blend with the colors and materials of existing Dwellings and the natural environment.
4. The sound impact of flagpoles must be minimized by mounting the halyard internally within the flagpole.
5. See also the GENESEE FOUNDATION SIGN AND FLAG POLICY on the Genesee Foundation website: [www.geneseefoundation.org](http://www.geneseefoundation.org).

## O. Foundation Walls

1. The exposed portion of foundation walls and footings should not extend higher than 6" above the finished grade.
2. Wall finish materials must cover stepped foundations to 6" above the finished grade.
3. All exposed foundation walls must be finished to blend with the general design and color of the Dwelling.

## P. Garage Doors

1. The visual impact of garage doors should be minimized and de-emphasized to the greatest extent possible.
2. The color and material of garage doors should match or complement the base color of the Dwelling.
3. The design should be consistent with the style of the Dwelling.
4. Non-functional, decorative hardware (including lift handles) is not allowed.

## Q. Gutters, Downspouts

1. Per Jefferson County Code (Section Z104), new gutters must be provided with a means to prevent the accumulation of leaves and debris in the gutter. These “leaf guards” must be non-reflective and closely match the color of the gutter.
2. Gutters and downspouts must be constructed of noncombustible material and be non-reflective.
3. Gutters and downspouts must match the color of the surface to which they are attached.
4. If located on stone veneer or masonry, the downspout must blend with the predominant veneer color.
5. Pre-finished gutters and downspouts are not exempt from these requirements.

## R. Hard Surfaces

### Purpose and Intent

**The following provisions are intended to limit solid or hard surfaces around Dwellings and to limit the overall size and length of driveways.**

1. Driveways
  - a. Acceptable materials are asphalt, brick, concrete, colored concrete, stamped concrete, exposed aggregate concrete, stone, stone pavers, and faux stone pavers.
  - b. Only one driveway is allowed per residence.
  - c. Circular drives connecting to an access road will be considered on a case-by-case basis.
  - d. Exposed cut-and-fill slopes are discouraged.
  - e. Stone retaining walls, if needed, should be constructed with materials that blend with the environment and the design of the Dwelling.
  - f. To reduce erosion, driveway culverts with stone riprap at both ends may be required.
  - g. All colors and patterns must be approved by the ARC.
2. Walkways, Patios
  - a. Acceptable materials are asphalt, brick, concrete, colored concrete, stamped concrete, stone (including gravel and crusher fines), stone pavers, faux pavers, and composite decking.
  - b. All colors and patterns must be approved by the ARC.
  - c. Colors should be muted, neutral, and complement the natural environment.
3. Guest Parking Areas, Vehicle Turnarounds
  - a. Guest parking areas and vehicle turnarounds are site specific. The location and extent of the impervious area, along with other possible considerations, will be reviewed a case-by-case basis.
  - b. The surface material must match that of the driveway.
  - c. Surface must be contiguous to the garage and may not abut on a public road or private drive, nor encroach upon access and utility easements.

- d. Coloring, stain or a specific finish treatment may be required.

## **S. Hot Tubs, Saunas (See VIII. H. Exterior Equipment: All Mechanical and Utility Systems)**

1. Hot tubs and saunas may be installed on decks, under decks or on patios adjacent to the Dwelling.
2. The color and material of hot tub skirting and cover must be muted and complement the deck or Dwelling aesthetics.
3. Screening may be required and may include landscaping and/or enclosure walls to maintain visual privacy from roads, neighboring Lots, and Open Space and to conceal equipment from view.

## **T. Invisible Dog Fences**

1. Invisible dog fences are strongly encouraged as an alternative to fenced dog runs and do not require ARC approval, provided they are buried at least 10' inside all homeowner Property Lot lines.
2. On a case-by-case basis, the ARC will consider a reduction of the 10' minimum setback when the Lot line is adjacent to utility easements or Open Space.

## **U. Play Equipment**

### **Purpose and Intent**

**Residents are encouraged to use the community playgrounds in lieu of installing private equipment.**

Play equipment includes, but is not limited to, swing sets, swings, slides and ramps, climbing structures, forts and playhouses, basketball hoops and backboards, trampolines, soccer goals, and skateboard railings and ramps.

1. Every effort should be made to locate play equipment away from Lot lines and the direct view from neighboring Lots, roads, or Open Space.
2. Play equipment should be located within 10' of an existing structure and sited to provide minimal visual and audible impact to neighboring Lots, roads or Open Space.
3. Play equipment must blend with the natural features of the Lot and complement the existing adjacent structures.
4. Muted, dark, earth-tone or forest-tone colors are strongly encouraged for all play equipment, including fabric canopies, slides, and accessories. Primary colors are not allowed.
5. Basketball backboards
  - a. Any Dwelling-mounted basketball backboard must be either transparent or colored to match the surface to which it is attached.
  - b. Free-standing backboards must be transparent and mounted on a pole painted flat black or another approved, muted, dark color.

6. Highly visible playground equipment may be required to have landscape screening.

## **V. Pools**

Outdoor swimming pools are highly discouraged and will be reviewed on a case-by-case basis.

1. Where allowed, pools must be incorporated into a full landscape plan that should include screening, fencing, plantings, walls, lighting, and other elements.
2. All materials and aesthetics must be complementary to the design of the Dwelling and integrated into the environment.
3. All pool projects must adhere to local building and Jefferson County codes.

## **W. Radon Mitigation Systems**

(See VIII.H. Exterior Equipment: All Mechanical and Utility Systems)

## **X. Roofs**

1. Roof coverings
  - a. The ARC will only consider the use of high-definition asphalt shingles, concrete, tile, metal, stone, solar tiles, composition shingles, and other appropriate flat roof materials that are Class A fire-rated.
  - b. The color of roofing materials should be muted and blend with the base color of the Dwelling.
  - c. Roofing material must be consistent with the design of the Dwelling.
2. Roof projections
  - a. All flashing, drain caps, roof jacks, and vents must closely match or blend with the roof color.
  - b. Roof vents should be consolidated (grouped together) wherever possible.
  - c. Solar panels should be consolidated (grouped together) as much as possible to minimize disruption of the roof plane.
3. Roof installations of air conditioning equipment are specifically prohibited.

## **Y. Satellite Dishes Exceeding 40” in Diameter**

1. Dishes should be located as low and as unobtrusively as possible when viewed from adjacent Lots, roads, and Open Space.
2. Additional screening may be required.

## Z. Solar Installations

### Purpose and Intent

**The following requirements will ensure design solutions and installations that are consistent with community aesthetics and that afford effective use of current alternative energy technologies within the parameters set forth by Colorado State Statute. (see Resources: C.R.S. § 38-30-168 and C.R.S. 38-33.3-106.5 (1.5)).**

1. Solar Panels
  - a. To the extent possible, panels should aesthetically integrate with the Dwelling.
  - b. Installations should be respectful of adjacent Dwellings by minimizing glare or potential sun reflection.
  - c. No Owner may erect an object or install an Improvement that will obstruct access to sunlight for existing solar panels on another Lot without written permission from the Owner of that Lot.
  - d. Non-glare glazing or non-reflective coatings should be used on the exterior face of all panels.
  - e. All solar panel gridlines, frames, and accessories should be black.
  - f. Solar panels should be consolidated groupings to minimize disruption of the roof plane.
  - g. To the extent possible, panels should be placed on predominantly southern-oriented roof planes.
2. Supplemental solar equipment
  - a. All exposed components must match as closely as possible the color of the surface to which they are attached.
3. Solar ground arrays
  - a. Ground arrays are discouraged and will be considered on a case-by-case basis.
  - b. May be required to be screened from view
  - c. Must be located entirely within the Lot boundaries.
  - d. Should be located where they are not visible from public view and do not impede the migratory path(s) of wildlife.
  - e. Must comply with the stipulations in SECTION VIII. H. EXTERIOR EQUIPMENT: ALL MECHANICAL AND UTILITY SYSTEMS
4. Solar roofing tiles (See: SECTION VIII. X. 1. ROOF COVERINGS).

## AA. Windows, Doors

### Purpose and Intent

**It is intended that window and door replacements will match and coordinate with the general aesthetics, design symmetry, and overall curb appeal of the Dwelling.**

1. Replacement windows, and doors
  - a. Replacement windows, and doors must be consistent with the material, color and design of existing windows. Replacements that are not the same as the existing color, material, and grid pattern will be considered with regard to the current Dwelling color palette and design aesthetic.



## 2. New windows, and doors

- a. New windows, and doors must be consistent with the scale, spacing, and proportions typical of the existing Dwelling and adjacent Lots.
- b. Design accent and special purpose windows (e.g., round/fan windows, bay windows, greenhouse windows, etc.) will be considered with regard to their relationship to the overall design of the Dwelling.
- c. When changing the color, design, or materials of one or more windows as part of a multi-phased project, all windows on a single side of a structure must be similar or complementary.
- d. Mirrored glass is prohibited. Where Low-E glass is used, such glass must be gray, bronze, or other similar neutral shade. The use of silver, gold, blue, green, or highly mirrored surface glass is prohibited.
- e. Exterior window frames must be compatible with the exterior color of the house.
- f. Window frames other than wood must be anodized, electrostatically-painted, fiberglass, or vinyl clad.
- g. Unpainted aluminum window frames are prohibited. White window frames are prohibited. Wood frames must be painted, sealed or stained. Also see SECTION I. 3 and 8: EXTERIOR FINISHES

## BB. Yard Art, Wall Art

### Purpose and Intent

**The intent of these standards is to allow Owners to display yard and wall art that allow for individuality but do not detract from the overall aesthetic of the Genesee Foundation's natural environment, Open Space and developed residences.**

1. Yard sculptures and other exterior art larger than 48" in height, width or length.
  - a. Should be consistent with a mountain design aesthetic.
  - b. Colors should be subdued and the object should complement the Dwelling.
  - c. Must be placed at least ten feet (10') inside the homeowner's property line, and at least 10' from private drives, or county roads .
  - d. Approval will be based on size, color, scale, location, overall integration with the Dwelling and Lot, and visual impact on adjoining Lots, roads and Open Space.
2. Wall art larger than 24" x 24" is discouraged.
3. All yard art and wall art should be an extension of the natural landscaping or surroundings.
4. All yard art, sculptures, and wall art must not incorporate sound or lighting of any type.

## IX. LANDSCAPING: DESIGN AND IMPROVEMENTS

### Purpose and Intent

**The goal of any landscaping project should be to preserve the natural foothills environment by minimizing disruption through thoughtful, sensitive, water-wise, and context-considerate design and installation. As a general rule, the ARC will exercise more stringent controls on areas visible from Lots, roads, and Open Space. (see Resources: State Statute 38-33.3 106.5**

### A. General Requirements

1. All landscaping materials must be selected, sited, and planted to produce a hardy and drought-resistant landscaped area.
2. All landscaping must be appropriate to the terrain, elevation, and character of the area.
3. All landscaping designs must incorporate water-conserving materials and techniques through the application of xeriscape landscape principles found in CSU Extension Xeriscaping: Creative Landscaping 7.228.
4. All landscaping designs must adhere to current principles underlying the fire mitigation and defensible space guidelines recommended for our region. (see Resource: Landscaping Resources Guide).
5. Information regarding acceptable firewise plant material that is appropriate to the Genesee environment is published by the CSU Extension: Firewise Plant Materials Fact Sheet 6.305.
6. Evergreen and other coniferous plants are considered highly flammable, should be used sparingly, and will not be approved within 30' of a Dwelling, deck or other structure.
7. All plant material must be compatible with our foothills environment and suitable for the climate and region.
8. In addition to the use of xeric and fire-resistant plants as identified above, the use of native plants is highly encouraged.
9. The ARC shall have the right to require and approve landscaping plans.

### B. Firewise Landscaping (Landscaping for Fire Mitigation)

1. All landscaping must adhere to current principles and requirements for fire mitigation and defensible space, as detailed on the Jefferson County website and other websites noted in the Resources:Landscaping/Home Hardening Through Firewise Landscaping.
2. Organic mulch, such as shredded bark, straw, wood chips, gorilla hair, sawdust, pine needles, and paper are not permitted within 5' of Dwellings or other structures.
3. Inorganic mulches, such as decomposed granite, gravel or rocks offer superior fire resistance and must be used when mulch is needed within 5' of Dwellings or decks. Note: due to its highly hazardous combustion characteristics, shredded rubber mulch will not be approved in these areas.
4. Brown rolled top steel edging should be used to contain hardscaping materials.

5. For acceptable sizes and colors of hardscaping materials, see Resources/Landscaping/Home Hardening Through Firewise Landscaping.

### **C. Groundcovers, Perennials, Shrubs, Trees**

1. All tree removal requests must be reviewed by the Open Space manager, who will consult with the ARC as necessary.
2. All tree removals must meet the detailed requirements of the tree removal policies found on the Genesee Foundation website.
3. New evergreen and coniferous trees and shrubs will not be allowed within 30' of a Dwelling, deck or other structure, based upon current fire mitigation recommendations for our area.
4. New plant material will not be allowed within Zone 1 (0-5') of a Dwelling, deck or other structure, or under trees, if it is possible that the plants may become ladder fuels based on current fire mitigation recommendations for our area.
5. Removal of existing plant material within Zone 1 or under trees where it may become ladder fuel based on current fire mitigation recommendations is highly encouraged as part of a landscaping plan.

### **D. Irrigation**

All landscape Submittals must include information about the proposed irrigation system and methods. A well-designed, water-wise (xeric) landscape can thrive with little or no irrigation once it has been established.

1. Xeric plants require "establishment irrigation," defined as regular watering for the first two to three years after planting.
2. After the plants have been established, irrigation should be reduced or eliminated.
3. Irrigation water lines, whether temporary or permanent, must be buried and avoid encroachment into utility or road rights-of-way or Open Space.
4. Sprinkler systems that make use of smart irrigation controllers, rain shutoff devices or soil moisture sensors are preferred and should be considered whenever possible.
5. Drip systems are the most water conservative and are encouraged wherever appropriate.

### **E. Lawns, Native and Dryland Grasses, Synthetic Turf**

1. Lawns
  - a. Lawns require substantial amounts of water and are not consistent with the Genesee environment. The installation of irrigated and mowed lawns will be limited to no more than 600 contiguous sq. ft. per Lot.
  - b. A lawn must be part of a landscape design and located where it is minimally visible from adjoining Lots, roads or Open Space.
  - c. Approved lawns must incorporate an organic/curvilinear form.

- d. Screening may be required to break up the view of the lawn from adjacent Lots or Open Space
- e. Acceptable lawn grasses include bluegrass, fescue, and new varieties of buffalo grass (such as Legacy, Prestige, and Turffalo). For more information on acceptable lawn grasses, refer to <https://Gilpin.extension.colostate.edu.programs/native-grasses>

## 2. Native and Dryland Grasses

These grasses are the most compatible with our mountain environment.

- a. Grass mixes with multiple types of grasses allow for varied seasonal interest and growth.
- b. These grasses should be planted in the most visible areas of a property.
- c. Acceptable native and dryland grasses include: the Genesee grass mix (available at the Foundation office) or a high altitude grass mix. More information may be found at: <https://Gilpin.extension.colostate.edu.programs/native-grasses>

## 3. Synthetic Turf

- a. Although highly discouraged, synthetic turf will be considered for limited areas only. (see Resources: State Statute 38-30-168)
- b. Must be part of a landscape design and located where it is minimally visible from adjoining Lots, roads, and Open Space.
- c. Installations will be limited to no more than 500 contiguous sq. ft. and must incorporate an organic/curvilinear form.
- d. Screening may be required to break up the view of the synthetic turf from adjacent Lots and Open Space.
- e. Must be in a muted, forest green color only.

## 4. Artificial Plants

- a. Artificial plants will be considered only if they replicate the natural flora of Genesee.

# F. Protection of Views

All landscaping must be sited with respect for adjacent Dwellings and the views from those Dwellings, while considering the anticipated mature height of trees and shrubs.

# G. Water Features

Water features such as ponds, streams, and waterfalls are highly discouraged. They are not responsible uses of water resources in our semi-arid climate. In addition, such features encourage wildlife to remain near Dwellings.

- 1. Water features must be integrated into the natural landscape.
- 2. Such features must recycle the water used and employ limited water usage.
- 3. Water features are not allowed to be fenced. However, in some cases screening may be required.
- 4. Pumps and mechanical equipment must be submersible.

## **.X. ADDITIONS AND EXPANSIONS, INCLUDING GARAGE EXPANSIONS**

### **Purpose and Intent**

**The following provisions will ensure a final Submittal that is acceptable to all parties involved in the Construction process. All additions and expansions, regardless of size, must maintain a similar style and design of architectural theme including, but not limited to, building materials, colors, forms, roof style and detailing.**

### **A. Basic Requirements**

An addition is defined as a project that changes the exterior envelope of the existing Dwelling.

1. To ensure that additions blend seamlessly with the existing Dwelling, the use of a licensed architect is strongly encouraged.
2. All Dwelling and other Construction must meet the requirements of Jefferson County Zone 1 Wildfire Codes in effect at the time of submission.
3. All Dwellings and garages must be within the building Lot envelope specified in the Supplementary or Restated Supplementary Declarations for that Lot/Filing (see Resources: Governing Documents) If no building envelope is specified, then all Dwellings and garages must be set back a minimum of 20' from all public road and private drive rights-of-way.
4. Additions and expansions should respect the privacy of adjacent residences and open spaces and should strive to preserve existing view corridors and landscape features.
5. All main and accessory buildings and structures must maintain a similar style and design of architectural theme including, but not limited to, building materials, colors, forms, roof style and detailing.
6. The ARC reserves the right to request applicants to erect story poles which accurately represent the height and profile of the addition or expansion.
  - a. The story poles must depict the maximum ridge-line of the roof and exterior walls.
  - b. The story pole placement and height must be certified by a licensed surveyor and must include both top of existing grade and top of ridge line.
  - c. If height or massing are required to be reduced, new story poles will be erected accordingly.
  - d. Final approval of height and massing must include a certification letter from a licensed surveyor which will be re-verified once rough framing is completed
7. Garage expansions and additions may require specific siting to ensure an unobtrusive location and orientation. The configuration of the garage floor plan, the recessing of the garage doors from the front wall of the garage, and the utilization of protective overhangs, wall projections, and special exterior door finish materials must be reviewed and approved by the ARC.
8. The Owner should work with utility companies to appropriately locate above-ground utility boxes to minimize their visibility.
9. Additions and expansions must conform to the requirements stated in SECTIONS VII. A. and B. of these Standards.

## **B. Submittal Process**

### **1. Additions and expansions of less than 400 sq. ft.**

- e. Owners are encouraged to request a courtesy review with the ARC prior to the start of such projects.
- f. The courtesy review provides an opportunity for all parties to discuss the project and to understand Owner objectives and ARC compliance guidelines.
- g. Owners are encouraged to use the services of a licensed architect.

### **2. Additions and expansions of more than 400 sq. ft.**

- a. A licensed architect must be retained to design all additions and expansions
- b. A pre-design meeting is mandatory and must be scheduled prior to any formal ARC Submittal(s).

## **C. Pre-Design Meeting**

- 1. The purpose of this meeting is to acquaint the Owner and the architect with the ARC design review process, and to review general and unique features of the Owner's Lot that may influence the location and the design of the proposed expansion or addition.
- 2. An appointment should be made for a pre-design meeting at least one week in advance of an ARC meeting.
- 3. In most cases, this meeting will be held at the site of the proposed project.
- 4. This meeting should be attended by at least a quorum of ARC members (including at least one of the professional members), the Owner or Designated Agent, the Owner's architect, and the Genesee Foundation Open Space manager or assistant manager.
- 5. The applicant and the architect should review the Development Guidelines found in SECTION VII and also on the plat for that Lot to determine if there are any covenant restrictions that apply to the Lot, such as height, View Corridors or No Build Zones. Plats may be viewed by contacting the Genesee Foundation ARC administrator.
- 6. If a topographical map of the Lot is available, it should be presented to the ARC at this meeting. If the Owner has a rough conceptual design sketch, it should also be introduced at this meeting.
- 7. The ARC, the Owner, and the Genesee Foundation are not bound by any representations made at the pre-design meeting.

## **D. Pre-Construction Meeting**

- 1. The purpose of this meeting is to review obligations of the Owner, Architect, and Contractor relative trash, noise, protection of construction, from wildlife, hours of operation, site management, use of roads and private drives, site restoration, and other items addressed in these Standards.

## **E. Reclassification of Submittals**

1. The ARC reserves the right to recommend the reclassification of any addition or expansion submittal, including garage expansions, if the original classification does not meet the intent of the guidelines.
2. The Owner will be required to follow all Submittal requirements stated in these Standards, depending upon the reclassified type of Submittal.

## **XI. NEW OR REPLACEMENT DWELLINGS**

### **A. Submittal Process**

#### **1. Pre-Design Meeting**

- a. The purpose of this meeting is to acquaint the Owner and architect with the ARC design review process and to review general and unique features of the Owner's Lot that may influence the location and design of the new Dwelling.
- b. An appointment must be made for a pre-design conference at least one week in advance of an ARC Working Session.
- c. In most cases, this meeting will be held at the site of the proposed project.
- d. This meeting must be attended by a quorum of ARC members (including at least one of the professional members), the Owner or Designated Agent, the Owner's architect, and the Genesee Foundation Open Space manager or assistant manager.
- e. The applicant and the architect should review the Development Guidelines and the plat for that Lot to determine if there are any covenant restrictions that apply to the Lot, such as height, View Corridors or No Build Zones. Plats may be viewed by contacting the Genesee Foundation ARC administrator.
- f. If a topographical map of the Lot is available, it should be presented to the ARC at this meeting. If the Owner has a rough conceptual design sketch, it should be introduced at this meeting.
- g. The ARC, the Owner, and the Genesee Foundation are not bound by any representations made at the pre-design meeting.

#### **2. Sketch Plan Submission**

After the pre-design meeting, it is strongly recommended that an informal sketch or design idea be submitted to the ARC for review before formal drawings are drafted.

- a. This sketch should include the style, placement on the Lot, and the approximate size and height of the new Dwelling.
- b. The sketch should also identify potential impact(s) on the surrounding Lots and Open Space.

#### **3. Preliminary Submittal**

- a. A New Dwelling Submittal Form/Preliminary Design must be submitted with all required attachments.
- b. All Submittals should be in accordance with these Standards.
- c. The Submittal review fee as set forth in the Declarations must accompany this Submittal.
- d. The Submittal of a different design on the same Lot by the same Owner may require payment of another review fee.

#### **4. Final Submittal**

- a. A New Dwelling Submittal Form/Final Design must be completed by the Owner at the time of final Submittal and submitted with all required attachments.



## B. Site and Building Design Requirements

### Purpose and Intent

**The following requirements ensure that the foundation and wall elevations are consistent with those previously approved by the ARC.**

1. The following documents must be submitted for review prior to commencement of construction.
  - a. Site Survey, stamped copy with an original signature of a surveyor licensed in the State of Colorado, indicating:
    - i. contours at a maximum of 2' intervals referenced to USGS datum, which must also identify the following:
    - ii. existing structures, utility easements, and rights of way
    - iii. location and top of pavement elevations of adjacent roads and driveways.
    - iv. rock outcroppings and the location of trees affected by the proposed Improvements, as well as any significant trees or groupings of trees elsewhere on the site.
  - b. Site plan drawn at no less than 1" = 20' 0" scale, indicating:
    - i. the location of new construction dimensioned to at least 2 Lot lines
    - ii. existing and proposed topography in the area of new construction at maximum of 2' contour intervals.
    - iii. all easements, setbacks, no-build zones, and height restriction zones.
  - c. Grading and erosion control plan to include driveway and guest parking locations
  - d. Building plans at a scale of 1/4"=1'-0" including, but not limited to, the following:
    - i. floor plans, roof plan, landscape plan, exterior elevations, and building sections
  - e. 3D computer images and/or model may be required
  - f. Manufacturer spec sheets, to include materials and finish colors for windows, doors, garage doors, light fixtures, decks, and deck railings
  - g. Samples of all exterior finishes, paint, and stain colors
2. Upon completion of the foundation, a surveyor licensed in the state of Colorado must complete a Dwelling Foundation Survey and an Improvement Location Certificate (ILC) or an Improvement Survey Plat (ISP).
3. No framing is to commence until review and written approval of the Foundation Survey and ILC by the ARC.
4. The ARC may also require verification of various site design elements.
5. No framing is to commence until the complete construction plans have been received and approval has been granted.

### **C. Commencement of Construction**

1. When Construction begins, a Notice of Commencement must be filed with the ARC.
2. If the Construction of a Replacement Dwelling is not commenced within one month after Demolition, the Owner will be required to submit a revegetation plan to the ARC and to begin the approved revegetation as soon thereafter as possible

## **XII. CONSTRUCTION GUIDELINES**

### **Purpose and Intent**

**To ensure a safe, clean, and orderly Construction site for the benefit of Genesee residents and visitors, the following practices are expected of all Contractors and their crews.**

### **A. General Construction Requirements**

1. Conduct and Behavior
  - a. Owners are responsible for the proper conduct and behavior of their agents, builders, Contractors, subcontractors, and Construction personnel.
2. Fire Extinguishers
  - a. At least two, five-pound capacity, ABC dry chemical fire extinguishers must be operational and available at all times on the Construction Site.
3. Prohibited Practices
  - a. Changing or disposing of oil from any vehicle or heavy equipment.
  - b. Abandoning or disposing of concrete residue or waste materials on the Construction Site.
  - c. Cleaning concrete trucks and delivery equipment on the site.
  - d. Removing rocks, boulders, plant material, topsoil or other natural features or stockpiled items from any Lot or Open Space that is not part of the Construction Site.
  - e. Using natural spring or surface water for Construction.
  - f. Cleaning of paint/stain brushes, dirty equipment or tools resulting in contaminates, fuels or liquids remaining on the ground, other surfaces, landscape, etc.
  - g. Leaving open containers of solvents, spray-applied insulation or finishes on the site.
  - h. Carelessly disposing of cigarettes and other flammable materials. At no time are cigarette butts allowed to be left on the ground, even if they have been extinguished.
  - i. The Owner and Contractor will be held responsible for any damage to other Lots, Dwellings, Open Space or Genesee Foundation property as a result of a fire originating from the Construction Site or from the negligent behavior of the Contractor, subcontractors or other Construction personnel anywhere on Genesee Foundation property.

### **B. Blasting**

1. If blasting is to occur as a part of Construction activities, the Contractor is responsible for informing the Genesee Foundation office and all residents within 500 yards of the Construction Site at least 24 hours in advance.
2. Blasting should only be scheduled between 10am and 5pm on weekdays.
3. No blasting supplies are allowed to be stored at the Construction Site.
4. The Owner and Contractor are responsible for the safety of all people and animals, and the integrity of adjacent and nearby Dwellings and other structures and natural features during blasting activities.

## **C. Conservation of Existing and Natural Landscape Materials**

Owners and Contractors should be aware that many Lots contain valuable native plants and other unique natural landscaping materials, such as topsoil, rock (including moss rock and unique rock outcroppings), shrubs, and trees. The ARC and/or the Open Space manager may require additional conservation measures to ensure the preservation of such materials.

## **D. Construction Hours**

All exterior Construction activities that create noise disturbances, including but not limited to, demolition, excavation, foundation forming and placement, framing, roofing, siding, exterior trim installation, and landscaping, must be limited to the following hours:

- Monday–Friday: 7am–6pm
- Saturday: 8am–5pm
- Sunday: None

Construction is not allowed on the following days:

- Memorial Day
- Fourth of July
- Thanksgiving Day
- Christmas Eve
- Christmas Day
- New Years Eve
- New Years Day

## **E. County and District Regulatory Requirements**

1. All water and sewer connection permits must be obtained directly from the Genesee Water and Sanitation District.
2. Understanding specifications for various service and meter installation(s) is the responsibility of the Contractor.
3. All applicable permits, letters, and approvals from Jefferson County and the Genesee Fire Protection District will be obtained as necessary and appropriately displayed at the Construction Site.
4. Prior to any excavation, all underground utilities should be located and marked.

## **F. Debris and Trash Removal**

1. Owners and Contractors must maintain a trash receptacle of substantial construction and sufficient size to contain all trash and debris generated between emptying or replacement cycles.
2. Trash receptacles must be removed and/or emptied at a legal disposal site outside of Genesee as often as necessary. Owners and Contractors are prohibited from dumping, burying, or burning trash anywhere in Genesee.

3. All debris and demolished material must be covered or weighted down to prevent wind from moving such items from the site.
4. To avoid insect infestation, all cut trees and branches must be removed from the Lot or stored on the Lot according to current fire mitigation recommendations, before submitting the Owner's Notice of Completion.
5. During the Construction period, the Construction Site and surrounding area are to remain clean and orderly. Dirt, mud, trash or other debris resulting from Construction activity must be promptly removed from public and private roads, Open Space, driveways, and other Lots. As a courtesy, coordination with adjacent property owners must be attempted before entering a Lot to remove debris.
6. Clean-up costs incurred by the Genesee Foundation as a result of Construction activities, including, but not limited to, trash collection and mud removal from roadways, will be billed to the offending Owner.

## **G. Dumpsters, Construction Trailers, Portable Field Offices, Sanitary Facilities**

1. Dumpsters, Construction trailers, field office facilities, and sanitary facilities should be located on the driveway of the existing Dwelling whenever possible.
2. It is suggested that dumpsters be covered whenever possible.
3. If such facilities must be located other than on a driveway, written approval of the proposed location must be received from the ARC prior to placement.
4. All such facilities are to be removed within five days of completion of Construction.
5. The area where such facilities have been located must be restored to the original or approved contour and re-vegetated according to previously approved plans.

## **H. Excavated Materials**

1. Materials excavated during Construction and not re-used as backfill or as an element of the landscaping portion of the approved final plan must be removed from the Lot and disposed of legally.
2. Prior to removal, excess excavated material that cannot be removed in a timely manner must be stockpiled in a designated area that does not damage the existing landscape.
3. Erosion/silt fencing and/or straw wattles must be installed around the stockpiled material.

## **I. Fire and Safety Compliance**

Ongoing drought conditions, high winds, large stands of coniferous trees, dry grasses, and severe mountain terrain create a high risk of extreme fire behavior in Genesee. It is critical that all Construction activities focus on fire safety. Owners, their Contractors, and Construction crews are asked to take the threat of wildfire seriously when working in Genesee.

1. Owners and Contractors must comply with all current county and state fire restrictions and bans.

2. Smoking outside is highly discouraged and, if engaged in, cigarettes must be completely extinguished and the butts picked up. (See Section XII. A. 3. h.)
3. Outdoor fires are not permitted at any time.

## **J. Limits of Construction Site Disturbance**

1. The Construction Site disturbance limits, as designated on the approved final documents, must be maintained throughout Construction with properly supported, temporary construction fencing.
2. All temporary fencing must be maintained in good condition throughout the Construction process.
3. Construction-related activities must not disrupt the natural environment or extend beyond the designated limits of the Construction Site.
4. All excavated areas must have a barrier fence around the entire perimeter.
5. Fencing must be black or dark green mesh.
6. Owners and Contractors will not disturb, damage, trespass or allow Construction debris to accumulate on neighboring Lots, roads or Open Space. Should damage from any of the preceding occur, restoration and/or repairs must be made promptly at the offending Owner's expense and to the reasonable satisfaction of the ARC, the Genesee Foundation, and the Owner(s) of the damaged property.

## **K. Restoration and Repair of Property Damage**

1. Restoration after Construction includes, but is not limited to, damage to roads, driveways, Dwellings and other structures, Open Space, pathways, culverts, drainage ways, signs, lighting, fencing, and the landscape, including the natural grade and vegetation on the Lot and adjoining properties, as well as the site disturbance area.
2. Damage must be repaired promptly and the Lot restored to the satisfaction of the ARC and the Genesee Foundation.
3. If the necessary repairs and/or restoration are not completed within a reasonable amount of time, the Genesee Foundation may complete the repair and restoration at the Owner's expense.

## **L. Road Closures**

1. Access to all neighboring Lots must be maintained during the entire period of Construction.
2. The Owner and Contractor are responsible for notifying the Genesee Foundation office and all residents affected by the temporary closure of any road or private drive at least 48 hours in advance of such closure.
3. Temporary closures expected to exceed 15 minutes require prior approval by the affected neighbors.

## **M. Safety and Health Compliance**

1. It is the Owner's and Contractor's obligation to strictly observe all applicable regulations and guidelines, including those of OSHA.

## **N. Storage of Materials and Equipment; Parking**

1. Owners and Contractors are permitted to store construction materials and equipment only within the limits of the Construction Site.
2. Materials must be neatly stacked and secured to prevent theft or the creation of an unsightly or hazardous condition.
3. Storage of materials and equipment is the Owner's and Contractor's responsibility. The Genesee Foundation does not provide security for such storage and is not responsible for any losses.
4. Private and construction vehicles and equipment must park within the designated Construction Site and must not park on other Lots or Open Space. Parking on adjacent private drives must be approved in advance by the Genesee Foundation.
5. If requested, the Contractor will update the ARC of Construction progress and any adjustments to the schedule. Construction progress photos may also be requested.

## **O. Work in Progress**

1. The ARC may inspect all Work and, if necessary, will notify the Owner of any observed issues of non-compliance.
2. The absence of such inspection or notification during the Construction period does not constitute either approval by the ARC of the Work or a determination of compliance with these Standards or Governing Documents.
3. Upon request, the Owner(s) will furnish to the ARC all reports, permits, or documentation issued by the Jefferson County building department.
4. If requested, the Contractor will update the ARC of Construction progress and any adjustments to the schedule. Construction progress photos may also be requested.

## **XIII. DEMOLITION OF EXISTING DWELLINGS(S)**

### **A. Overview**

It is of the utmost importance that anyone conducting Demolition activities in Genesee use extreme care in preventing conditions that are unsafe, that would reasonably be expected to create a nuisance, or that could contribute to a fire or other hazard.

Demolition must be conducted in accordance with all the regulations contained in SECTION XII: CONSTRUCTION GUIDELINES.

### **B. General Requirements**

1. All proposed Demolition must be submitted to and reviewed by the ARC to ensure compliance with SECTIONS XI and XII of these Standards.
2. An approval letter from the Colorado Department of Public Health and Environment (CDHPE) must be submitted with the above review.

### **C. Inert Waste**

1. Inert waste is unlikely to pollute surface or groundwater, or serve as food for insects, rats, mice, etc.
2. Inert waste items include wood, bricks, plaster, ceramics, plastic, metal, siding, insulation, shingles, glass, asphalt, and concrete.
3. Inert waste requires no immediate remediation.
4. Inert waste must be disposed of in an appropriate manner and in compliance with all applicable laws and regulations prior to filing a Notice of Commencement of Improvements.

### **D. Hazardous Waste**

1. Hazardous waste includes household garbage; food; toxic or dangerous liquids; solvents and paints; maintenance and cleaning chemicals or products; pesticides; fertilizers and other yard, garden, or agricultural chemicals; oil and used oil containers; lead-acid batteries; household appliances; fluorescent light fixtures and bulbs; mercury-containing electrical switches and thermostats; electrical transformers; any item which contains asbestos; and any other item that might contaminate or pollute the water or air; attract insects, rats, mice, etc. or might reasonably be expected to pose a health risk to the Contractor, subcontractors, Construction personnel, or residents during Demolition.
2. Hazardous waste other than asbestos must be identified and removed from the Dwelling prior to Demolition and must be disposed of at an appropriate location immediately upon removal.
3. All regulated asbestos-containing material (RACM) that would be disturbed during Demolition must be properly removed and disposed of prior to Demolition by a Contractor certified and licensed for asbestos removal by the state of Colorado.
4. Upon completion of all remediation procedures, a Notice of Completion of Remediation from CDPHE must be submitted to the ARC for review and approval. Upon approval, the Demolition may proceed.