

2nd AMENDED ARCHITECTURAL & DESIGN REVIEW REGULATIONS OF THE NORTH RIDGE MEADOWS SUBDIVISION

April 29, 2025

NOTICE AND STATEMENT OF ADOPTION

Effective Date: June 1, 2024

These Amended and Restated Architectural and Design Review Regulations of the North Ridge Meadows Subdivision/PUD (Design Regulations) have been duly adopted by the North Ridge Meadows Homeowner's Association (HOA) through its Board of Directors based upon a review and recommendation by Design Review Committee (DRC). These Second Amended and Restated Design Regulations are intended to amend, restate, and replace all prior versions of the Design Regulations. The Design Regulations are adopted pursuant to the power, authority and requirements provided for in the Governing Documents including, without limitation, the Declaration, and the Second Amendment to the Declaration, the HOA Articles of Incorporation, and the HOA Bylaws, and in accordance with applicable Colorado law.

In the event of any inconsistency between the terms, conditions, and provisions of these Design Regulations and those contained in the Declaration, the terms, conditions, and provisions of the Declaration shall control. These Design Regulations are intended to amend, restate, and replace all prior versions of the Design Regulations.

These Design Regulations may be amended by the Executive Board following a review and recommendation by the DRC, in the manner provided for in the Governing Documents. Prior to amending the Design Regulations, the Executive Board shall circulate the proposed modification to the Owners for review and an opportunity to provide written comments. The approval of Owners to amend the Design Regulations is not required.

The undersigned President of the Executive Board affirms that the foregoing Design Regulations were approved by the requisite number of members of the Executive Board and that it is a valid and continuing regulation of the HOA until it is revoked or amended.

NORTH RIDGE MEADOWS HOMEOWNERS ASSOCIATION

Board of Directors President

By: Ron Aden

Date: 4/28/2025

Ron Aden, President

Design Review Committee Chairperson

By: Resa Wells

Date: 4/28/25

Resa Wells, Treasurer & Secretary

Section 1: DEFINITIONS

The following definitions are only to clarify terminology within these Design Regulations, with the controlling provisions and definitions listed in the Governing Documents prevailing in the event of a conflict.

- 1.1 Accessory Structure.** A structure that is detached from the Dwelling Unit, typically consisting of a garage or storage facility.
- 1.2 Application for Improvements.** The request for design review and approval by the DRC.
- 1.3 Executive Board.** Board of Directors of the Homeowner's Association.
- 1.4 Construction Deposit Agreement.** The agreement and corresponding collateral between the Owner and the HOA stating that the Owner agrees to timely completion of construction per the approved plans, groundcover installation, driveway paving, and site clean-up to the satisfaction of the DRC. The Owner shall execute the Construction Deposit Agreement and pay the appropriate collateral prior to starting an approved project.
- 1.5 Construction Schedule.** A construction schedule for the Improvements. The schedule shall describe the expected commencement date of the following milestones:
 - Foundation, Stem Walls & Pad Inspection by DRC
 - HOA Framing Inspection by DRC
 - Tops of Parapets and Roof Structures Inspection by DRC
 - Tops of Parapets and Roof Structures Inspection by Colorado licensed surveyor (if required by DRC)
 - Improvements Location Certificate (ILC)
 - DRC Final Inspection
 - HOA Certificate of Compliance
 - Town of Hotchkiss Certificate of Occupancy
 - Other dates and events requested by the DRC
- 1.6 Cost Reimbursement Agreement.** An agreement that states that the Owner agrees to pay all Reimbursable Expenses.
- 1.7 Design Regulations.** These Amended and Restated Architectural and Design Review Regulations of the North Ridge Meadows Subdivision.
- 1.8 Director.** Elected member of the Executive Board.
- 1.9 DRC.** Design Review Committee.
- 1.10 Dwelling Unit.** A structure including one (1) or more habitable rooms arranged, occupied, or intended to be occupied by not more than one (1) family with facilities for living, sleeping, cooking, and eating.
- 1.11 Earth Tones.** Colors that draw from a color palette of browns, tans, warm grays, greens, rusts, whites, and some reds, and some blues.

- 1.12 Finished Grade.** The final elevation of the ground surface material adjacent to the building.
- 1.13 Floor Area.** The sum of all areas within the exterior walls of a building or portion thereof, measured from the exterior faces of the exterior walls, excluding the area within garages, attics, or crawl spaces. Stairways within a Dwelling Unit shall be counted only on every other level.
- 1.14 Improvements.** *Declaration Section 2.15. Structures installed or moved upon a Lot, and all structures and any appurtenances thereto or components thereof of every type or kind, and of every use, and all landscaping, grading, and other improvements to the property, including, replacement, refinishing, resurfacing, and repair of existing Improvements, but specifically excluding all facilities and services owned, constructed or maintained by local government.*
- 1.15 Lot.** *Declaration Section 2.17. A platted Lot in the North Ridge Meadows.*
- 1.16 New Construction.** A vacant Lot that is being built upon for the first time.
- 1.17 Major Amendment.** The Application for New Construction or an existing Dwelling addition.
- 1.18 Manufactured Dwelling.** A transportable structure built after June 15, 1976, comprised of one or more modules, each built on a permanent chassis, with or without a permanent foundation, designed for occupancy as a principal residence by a single family.
- 1.19 Minor Amendment.** The Application for an exterior color or material change, reroofing, grade change, addition of hardscaping, fence, Accessory Structure, clean-up oversight for interior remodels, solar panels, or any other exterior change deemed by the DRC to be a Minor Amendment.
- 1.20 Mobile Dwelling.** A transportable structure built prior to June 15, 1976, comprised of one or more modules, each built on a permanent chassis, with or without a permanent foundation, designed for occupancy as a principal residence by a single family.
- 1.21 Owner.** *Declaration Section 2.20. The person or persons, entity or entities, who own of record, according to the real property records of Delta County, Colorado, fee simple title to a Lot.*
- 1.22 Plan Submittal Checklist.** A list of the required documents and materials necessary to submit for a Major Amendment review.
- 1.23 Planning Meeting.** A meeting with the Owner and the DRC during the planning stage of design to review these regulations and the approval process procedures. The Owner's design team and builder are encouraged to attend this meeting.
- 1.24 Pre-Construction Meeting.** On-site meeting with at least one DRC member and the general contractor before breaking ground.
- 1.25 Prefabricated Dwelling.** An entire building or an assembly of its components that is manufactured at an offsite facility and assembled onsite from self-sustained volumetric modules or separate panels.
- 1.26 Reimbursable Expenses.** *Declaration Section 13.6. All fees, costs and expenses incurred by the HOA for such work, advice or other assistance shall be deemed to be Reimbursable Expenses. The HOA may retain experts (architects, engineers, surveyors, attorneys and others) to assist in its review and action on an Application.*
- 1.27 Shipping Container.** Any container that was used for transport of goods by means of rail, truck or

by sea.

Section 1: GENERAL REGULATIONS & DRC POLICIES

2.1 Governing Regulations.

All Improvements must conform to and comply with the Design Regulations as determined by the DRC, County Law and all other applicable laws and regulations. Compliance with these Design Regulations does not alone mean that the proposed Improvements comply with all such County Law and other laws and regulations. The Owner is responsible for determining and securing compliance with all such other laws and regulations. In the event of any conflict in the Governing Documents, these Design Regulations or applicable County, State or Federal laws and regulations, the most stringent and restrictive provision shall apply.

2.2 No Waiver by DRC.

The DRC approval of any drawings, specifications, or work done or proposed shall not constitute a waiver of any applicable standard, guideline, or rule, and shall not preclude the DRC from denying approval of a non-compliant design or work. An Owner is not relieved of the obligation to comply with these Design Regulations and all other applicable rules, regulations, and laws simply because the DRC overlooked or was not aware of a non-compliant element or feature during the review, construction, or inspection processes. Similarly, DRC approval of a drawing, specification, or work on one Lot shall not constitute a waiver of any applicable standard, guideline, or rule, and shall not preclude the DRC from denying approval of any similar drawing, specification, or work for a different Lot or in any other circumstance. Any decision or action by the DRC on a particular Application shall not establish any precedent for the DRC's review of other Applications. Each Application reviewed by the DRC shall be evaluated and considered on its own merits in accordance with these Design Regulations and other applicable covenants, rules, and regulations.

2.3 Recusal of Directors or DRC Members in DRC Related Decisions.

A conflict of interest shall exist in the event that a Director or a member of the DRC would be part of the review of an Application which involves: (a) property that is owned by the Director or DRC Member or their immediate family (i.e., husband/wife, parents, children, siblings); and (b) property owned by a person or an entity to whom the Director or DRC Member has a business relationship. Directors and DRC Members shall recuse themselves and not participate in the discussion of or voting on an Application for which the Director or DRC member has a conflict of interest. The minutes of the meeting shall reflect the disclosures and recusals made, the composition of the quorum, and record who voted for and against. A DRC member shall not approve their own Application.

2.4 Limited Purpose of DRC Review.

The DRC reviews proposed Improvements only to ensure compliance with the HOA's Governing Documents and to promote the design goals and objectives of the Community and these Design Regulations. The DRC does not, by reviewing or taking action on an Application, make any warranty or representation to anyone as to the sufficiency or adequacy of the design or construction of any proposed Improvement and is not responsible therefore.

2.5 Fees.

At the time of the Planning Meeting, the Owner will be given the current Fee Schedule that has been

adopted by the Executive Board. This schedule changes from time-to-time and the applicable fee shall be the current fee at the time the fee is due. (See current Fee Schedule.)

2.6 Application Fees

Major Amendments shall be charged an Application Fee for DRC review based on the current Fee Schedule. The fee is due at the time of plan submission.

2.7 Cost Reimbursement Agreement.

At the time of the Planning Meeting the Owner shall be required to execute the Cost Reimbursement Agreement which states that the Owner agrees to pay all Reimbursable Expenses. The Reimbursable Expenses shall be due within fifteen (15) days of the HOA sending a statement to the Owner. The HOA may assess a lien against the Lot for any unpaid Reimbursable Expenses.

2.8 Construction Deposit Agreements

The Owner shall pay the Construction Deposit prior to starting the approved project. The HOA shall hold the funds in escrow.

A. Major Amendments shall require a Construction Deposit based on the current Fee Schedule. The deposit shall be returned in full to the Owner upon timely completion of construction per the approved plans, groundcover installation, driveway paving, and site clean-up to the satisfaction of the DRC. The HOA may use the deposited funds to complete these actions if the Owner does not complete them in a timely manner.

B. Minor Amendments requiring clean-up oversight shall require a clean-up deposit. Typically, oversight is necessary for projects with a dumpster or generating a substantial amount of waste. The DRC, in its sole discretion, shall determine if a Minor Application requires a clean-up deposit. The fee shall be determined by the current Fee Schedule. The deposit shall be returned in full to the Owner when site clean-up has occurred in a timely manner and to the satisfaction of the DRC. The HOA may use the deposit funds to complete the clean-up if the Owner does not comply in a timely manner.

2.9 Inspections & Independent Certifications.

The Owner shall provide to the HOA confirmation at various stages of construction that all Improvements are being constructed in accordance with the DRC approved plans. If deviations are discovered, the HOA has the authority to suspend work on the Improvements until they are corrected, and such correction is confirmed.

Construction Process Submittals and Approvals. The following shall be completed during the construction process:

- Foundation, Stem Walls & Pad Inspection by DRC
- HOA Framing Inspection by DRC
- Tops of Parapets and Roof Structures Inspection by DRC
- Tops of Parapets and Roof Structures Inspection by Colorado licensed surveyor (if required by DRC)
- Improvements Location Certificate (ILC)
- DRC Final Inspection
- HOA Certificate of Compliance
- Town of Hotchkiss Certificate of Occupancy

- Other dates and events requested by the DRC

2.10 Non-Conformities.

At the HOA's discretion, Application for a Minor Amendment may require the Owner to bring existing non-conforming design elements into compliance with these Design Regulations. Re-roofing and solar energy projects shall not be evaluated for existing non-conformities.

2.11 Construction Schedule Compliance.

New Construction. Declaration Section 13.8.C. All Improvements commenced on a Lot shall be pursued diligently to completion and shall be completed within eighteen (18) months after commencement, unless an exception is granted in writing by the DRC. If an Improvement is commenced and construction is then abandoned for more than ninety (90) days, or if construction is not completed within the required eighteen-month period, then after notice and opportunity for hearing as provided in the Bylaws, the HOA may impose a fine per day of such reasonable amount as the HOA may set to be charged against the Owner of the Lot until construction is resumed, or the Improvement is completed, as applicable, unless the Owner can prove to the satisfaction of the Executive Board that such abandonment is for circumstances beyond the Owner's control. Such charges shall be a Default Assessment and lien as provided in this Declaration.

Minor Amendment. A Construction Schedule for Minor Amendment shall be required at the DRC's discretion.

2.12 DRC Agendas.

The HOA shall email DRC meeting agendas to all Owners in the subdivision in advance of the DRC meeting.

2.13 Website Posting.

The Owner consents to the posting of all Application materials on the Website.

Section 2: PROJECTS REQUIREING DRC SUBMITTAL

Declaration Section 6.1.C. No Owner shall construct any structure or Improvements or make any structural or design change (including a color scheme change), either permanent or temporary and of any type or nature whatsoever to the exterior of his Lot or construct any addition or Improvement to his Lot without first obtaining the prior written consent of the DRC under Article 13.

Section 13 .3 Submittal. In addition to any requirement of submitting Improvement plans and specifications for approval to the Town of Hotchkiss or Delta County government, the Owner of each Lot shall submit the plans and specifications for the construction, alteration, or addition of Improvements thereon to the DRC, whose prior written consent shall be required before any such Improvements are commenced. Owners shall submit all review requests and documentation to the address provided on the Website <https://www.northridgemeadowhoa.com/>.

Section 2.1 Major Approval

New Construction and existing Dwelling additions shall require Major Approvals.

Section 2.2 Minor Approval

The following shall require a Minor Approval:

- Fences
- Construction site oversight for interior remodels
- Grading changes
- Accessory Structures
- Exterior material or color change
- Reroofing
- Solar Panels

Section 2.3 A Vacant Lot Sold with New Construction Plans

Any vacant Lot sold with plans for Improvements shall require a Major Approval by the DRC prior to listing the property for sale with the plans. It shall be the responsibility of the current Owner (seller) to apply for DRC approval. The DRC shall not be responsible for initiating the Application process. The HOA is not liable for any damages resulting in unapproved Improvements plans marketed or sold with a Lot.

Section 3: DESIGN STANDARDS

The following standards shall be reflected on the submitted Application plans, as applicable.

3.1 Building Form, Massing and Architectural Expression.

The architecture within the community shall promote design appropriate to the surrounding environment. The building massing shall be low profile with horizontal forms dominant.

Each Lot shall be allowed to contain one (1) Dwelling Unit and two (2) Accessory Structures.

3.2 Minimum Dwelling Unit Size.

Dwelling Units shall have an above ground minimum of 1,000 sf interior of Floor Area plus a fully enclosed garage with parking for a minimum of two (2) cars.

3.3 Construction Methods

All Dwelling Units shall be site constructed. Prefabricated Dwellings shall be allowed. Manufactured Dwellings, Mobile Dwellings and the use of Shipping Containers shall not be allowed.

3.4 Accessory Structures.

Accessory Structures shall include, but are not limited to, detached garages, shops, sheds, and greenhouses. Pergolas, arbors and other landscape features are not considered Accessory Structures.

- Only two (2) Accessory Structures shall be allowed on a Lot.
- The Accessory Structure shall not include kitchen and/or bath facilities or be used as a residence.
- The Accessory Structure shall follow the design and color of and be subordinate in size to the Dwelling Unit.

3.5 Color Theme

The exterior materials of all buildings shall be Earth Tones.

3.6 Exterior Walls

The DRC recommends wood siding, painted hardboard siding, or stucco as the predominant exterior cladding material. Stone, cultured stone, and metal accents are encouraged. The DRC shall consider other materials on a case-by-case basis. Vinyl cladding shall not be used, and metal shall not be the predominant exterior wall material.

3.7 Roof Material

The DRC recommends the use of thirty (30) year or better architectural grade asphalt shingles. The DRC shall consider other materials on a case-by-case basis. Metal roofs shall be matte in finish. All rusted or patinaed metals roofs shall be treated to the approved finish within in fourteen (14) days of installment.

3.8 Building Height.

No Improvements on Lots shall exceed 25' in absolute height from the lowest visible point of a structure to the highest visible point of the structure except for a 5' allotment for chimneys, flues, vents, lightning rods, or similar structures. At the DRC's sole discretion, a Tops of Parapets and Roof Structures Survey conducted by a Colorado licensed surveyor may be required at the time of the Framing Inspection.

3.9 Driveway Paving

All driveways shall be paved with cement or asphalt.

3.10 Vehicle Parking and Storage.

Owners shall plan storage for recreational vehicles, sports equipment, maintenance equipment, firewood, and other such objects.

Declaration Section 11.11.A Vehicle Parking and Storage.

All vehicles parked on a Lot shall be parked on a paved or gravel parking pad and a paved or gravel track shall be provided to convey the vehicle on and off the Lot without tracking dirt or mud onto the sidewalk. The track shall extend across the parking strip.

No recreational vehicles shall be stored on the street. Each Dwelling Unit is limited to the outside storage, within the Owner's property boundary, of two (2) large recreational vehicles and two (2) small recreational vehicles. An unlimited number of recreational vehicles may be stored in a fully enclosed structure.

Owners who own two (2) adjoining Lots shall not be allowed additional outside recreational vehicle storage unless there is a Dwelling Unit on each lot. Recreational vehicles include but are not limited to, travel trailers, campers, watercraft, off-highway vehicles, two-wheeled vehicles, snowmobiles, and hauling trailers. The Executive Board shall determine, in its sole discretion, what constitutes a recreational vehicle and whether that vehicle is large or small.

Each Dwelling Unit shall be allowed to park one (1) business related vehicle on the street or outside on the Owner's Lot. An unlimited number of business related vehicles may be stored in a fully enclosed structure.

No oversized vehicles, (except for business related vehicles as provided in this section), heavy equipment, or heavy machinery shall be parked or stored within the North Ridge Meadows; vehicles or equipment necessary for construction or maintenance, in an emergency, and as a temporary expedience for loading or delivery of goods or services shall be allowed.

3.11 Fences.

Declaration Section 11.8. Before the erection of any fence or other carrier, the Owner must obtain written approval from the DRC.

The DRC recommends the use of metal, such as iron or black chain link, or wood fence material. The DRC shall consider other materials on a case-by-case basis. Agricultural-style fencing shall not be allowed.

3.12 Trash Storage & Disposal

The DRC encourages the construction of trash enclosures to obstruct trash cans from view.

Declaration Section 11.3. The burning of refuse outdoors shall not be permitted. No incinerators or other devices for the burning of refuse indoors shall be constructed or installed. Refuse shall be kept in covered containers and disposed of with reasonable promptness.

3.13 Lighting

The DRC encourages the use of dark sky exterior light design and fixtures.

Declaration Section 11.7. No light shall be emitted from any Lot which is unreasonably bright or causes unreasonable glare.

3.14 Solar Energy Systems

Solar energy systems shall be sited and designed to minimize visibility.

3.15 Grading

Cuts and fills should be feathered into the existing terrain within the Lot. Grading shall be completed with construction and shall not be left incomplete. Grading shall not create drainage onto adjoining Lots.

3.16 Foundation Requirements

Declaration Section 17.1. Lots 13, 14, 15, 16, and 17 shall require foundation design by a Colorado Registered Engineer before any construction, these engineered drawings shall be part of the submittal to the DRC. Foundation construction shall be inspected and signed off by the designing engineer.

Section 4: LANDSCAPING STANDARDS

The following standards shall be reflected on the submitted Application plans, as applicable.

4.1 Ground Cover

Improved Lots shall install and maintain ground cover over all exposed earth thirty (30) feet back from the street. The ground cover shall minimize weeds and control dust. The DRC encourages Owners to cover all exposed earth. Approved ground cover materials are:

- grass
- plantings
- rock over landscape cloth
- wood chips over landscape cloth
- other materials shall be considered on a case-by-case basis

4.2 Plantings

The DRC encourages planting of trees and shrubs for screening and shade. Each Lot pays for use of the Irrigation System regardless of water use. The DRC encourages Owners to use the Irrigation System for landscaping.

4.3 Installation Timing

Ground cover shall be installed immediately following the completion of construction. If the season does not permit the installation of ground cover upon construction completion, then the ground cover shall be installed immediately upon the change of season.

Failure to install ground cover in a timely manner will constitute a violation of these Guidelines. Further plantings and landscape features may be implemented over time.

Section 5: SUBMITTAL & APPROVAL PROCESS

5.1 Application Process: Application for Improvements for a Major Amendment

The Owner shall follow this Application Process to make an Application for Improvements for a Major Amendment.

5.1.1 Planning Meeting. To begin the DRC review process, the Owner shall contact the HOA to schedule the Planning Meeting among the DRC, the Owner, the design team. At the Planning Meeting, the HOA will learn about the Concept Plan for the Improvements and orient the Owner's team to the Design Regulations, review process, and submittal requirements. The *Plan Submission Checklist* will be provided at the Planning Meeting which describes the Application information required by the DRC.

5.1.2 Application Submittal. The Owner shall submit the Application to the HOA who shall circulate materials to the DRC members. No materials, information, documents, or communications shall be directed to the DRC, either by the Owner or any other party. Within a reasonable time of receiving an Application, generally within ten (10) business days, the DRC shall conduct an Application completeness review. If the DRC determines the Application to be deficient, Owner shall be notified of the deficiencies and the Owner shall revise its Application accordingly.

5.1.3 Application Review & Approval. When the Application is deemed complete, the DRC shall schedule a meeting to review the Application with the Owner and design team. The Owner may be required to submit additional materials to bring the Application into compliance with the Design Regulations and the Checklist requirements. The DRC shall vote on the Application and issue an approval, approval with conditions, or denial.

5.1.4 Changes to an Approved Major Amendment. Any proposed changes on an approved Major Amendment shall be submitted in writing to the HOA with any supporting material. The HOA shall circulate the information to the DRC and an approval, approval with conditions, or denial shall be issued in a timely manner.

5.2 Application Process: Application for Improvements for a Minor Amendment

The Owner shall follow this Application Process to make an Application for Improvements for a Minor Amendment.

5.2.1 Application Submittal. The Owner shall submit the Application to the HOA who shall

circulate materials to the DRC members. No materials, information, documents, or communications shall be directed to the DRB, either by the Owner or any other party.

The Owner shall submit drawings, photos, and/or a written description to explain the proposed change. The DRC may request further information as needed.

5.2.2 Application Review & Approval. The DRC shall vote on the Application and issue an approval, approval with conditions, or denial. The DRC will strive to issue a vote within seven (7) days of receiving all necessary Application information.

5.1.3 Changes to an Approved Minor Amendment. Any proposed changes on an approved Minor Amendment shall be submitted in writing to the HOA with any supporting material. The HOA shall circulate the information to the DRC and an approval, approval with conditions, or denial shall be issued in a timely manner.

Section 6: CONSTRUCTION REGULATIONS

6.1 Pre-Construction Meeting.

Prior to commencing construction, the general contractor shall meet on-site with the DRC to review construction procedures and to coordinate construction activities.

6.2 Regulations.

Construction Site Standards. The construction site shall be maintained in an orderly manner. All construction related activity and materials shall be contained within the construction site and shall not encroach upon neighboring Lots.

Temporary Facilities. The DRC shall approve the placement of temporary facilities.

Construction Fencing. Construction fencing may be required at the discretion of the DRC.

Trash Containers. Each construction site shall have adequate and securely covered trash containers on-site during the entire construction period.

Sanitary Facilities. Adequate sanitary facilities shall be provided.

Dust and Mud on Roadways. Dust shall be controlled, and mud tracked onto the sidewalk and street shall be removed.

Compliance with Applicable Law. Construction shall occur in accordance with all applicable laws, regulations, permits, and OSHA regulations.

Restoration or Repair of Other Property Damages. Damage and scarring to any property, Common Elements, or other Lots due to construction operations shall not be permitted. Damage must be repaired and/or restored promptly at the expense of the Owner.

Fire Prevention. Burning any material is prohibited. Flammable material and cigarettes shall be properly disposed of. At least one (1) ten (10) pound ABC-rated dry chemical fire extinguisher shall always be present in a conspicuous place on the construction site.

Blasting. All blasting shall require prior approval of the DRC.

HAZMAT Materials. All HAZMAT materials will be disposed of in a proper manner and in

accordance with local, state, and federal guidelines regarding HAZMAT materials.