

ASPEN RIDGE PHASE III

DESIGN GUIDELINES

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APPENDIX A – Site Plan for Parking

**ASPEN RIDGE PHASE III
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Date: JANUARY 11, 20 07

Signature: 

Please Note: Before beginning any project requiring ACC review, please contact the ACC to confirm that you have the most current version of these Design Guidelines

CHAPTER 1: ARCHITECTURAL CHARACTER

1.1 Introduction: The design character of Aspen Ridge Phase III (AR III) is based on “good sense” design. Through the use of building masses, roofscapes, walls and site relationships, goals of such design are to emphasize the following:

- “genuine architecture” with human scale;
- avoidance of forms foreign to the McCall area;
- proximity to the ground, so that buildings “hug” the ground, rather than dominating the site; and,
- adaptation to the site in every possible way, including its severe winter climate, its terrain, its pattern of sunlight and shade, natural vegetation and adjoining structures.

This document sets forth the general design theme of all improvements in AR III. It should be read in conjunction with the Master Declaration for Aspen Ridge (AR), together with the Supplemental Declaration to the Aspen Ridge Master Declaration for Aspen Ridge III (“Declaration”). The Declaration provides a general outline of the application of architectural standards. These Guidelines provide more detailed requirements for improvements within AR III. Terms used in this document shall be given the same meaning as provided in the definitions for the Declaration and these Guidelines, unless otherwise specified.

1.2 Design Theme: The architectural theme for AR III is directed at establishing compatibility between well designed buildings and the natural environment, fulfilling the expectations of visitors as a retreat to the mountains and lakes, respecting the historic precedent of mountain buildings and resort communities in the American West, Idaho and Europe, and utilizing energy conservation applications, when possible. Residential areas should blend structures and landscape, respecting natural landforms and existing vegetation.

1.3 Compliance: Compliance to guidelines will be strictly enforced, with set fines for not following said guidelines.

1.4 Amendments: As provided at Section 8.3 of the Declaration, these Design Guidelines may be amended as follows: the AR III Board may propose amendments to the Aspen Ridge Homeowners Association Board; and, any such amendments must be approved in writing by the Aspen Ridge Homeowners Association Board of Directors, which approval shall be reasonably given so long as the amendments do not reduce the quality of the improvements or reduce setbacks; and, until such time as the Declarant no longer owns any Units in AR III, the amendment must be approved in writing by the Declarant.

Any amendments to the Design Guidelines shall apply to construction and modification of structures and improvements commenced after the date of such amendment only and shall not apply to require modifications to or removal of Structures previously approved once the approved construction or modification has commenced; provided, the construction or modification has proceeded in accordance with the plans and specification therefore, as approved.

CHAPTER 2: RESIDENTIAL

2.1 Site Planning:

(a) Building Siting:

(1) Condominium building shall be placed in the location approved in the Final Plat for Aspen Ridge Phase III. All other new buildings and other construction should be placed on the site with respect to the existing key features such as tree massing, topography, and rock outcroppings. Home siting shall occur either within tree masses, or at the edge of the tree line overlooking open space, or out in the open where devoid of trees. The objective is to give each house a sense of unity with its site and surroundings, providing scale to each house so as to not dominate the site. Wherever possible, houses should be sited within the trees, or just off the tree line to maintain the existing tree edge. Where neither of the alternatives is available, as in the meadow areas, houses should be sited in a massing sense, using landscaping as tools for relating to the existing site and adjacent sites.

(2) Building siting shall be responsive to existing features of terrain, drainage patterns, rock outcroppings, vegetation, views, and sun exposure.

(3) Landscaping and grading for any site shall interface with all adjacent properties. The applicant shall indicate the means of accomplishing this interface in the applicant's landscape plan.

(4) Buildings should step with the contours of the site.

(5) Preserving specific view corridors is at the discretion of the ACC.

(b) **Grading:** Grading requirements resulting from development shall be designed to blend into the natural landscape. Cuts and fills should be feathered into the existing terrain, within the property boundary. Retaining walls and cribbing should utilize natural materials such as wood timbers, logs, rocks and textured board formed or color tinted concrete. Slope of the cut and fill banks should be determined by soil characteristics for the specific site to avoid erosion and promote re-vegetation opportunities, but in any case should be limited to a maximum of 2:1 slope.

It is recommended that all soil containing vegetation and organics be stripped beneath all planned structures including pavements, sidewalks and building areas. All fill placed to support structures should consist of structural fill, free from vegetation and organics.

All trees that have a 4" diameter trunk or larger are to be clearly indicated on surveys. Every effort should be taken to preserve trees and carefully protect them during construction. It is important that grading around trees be minimized.

A Grading Plan shall be submitted with the Final Design. Setbacks provided herein must be flagged on the Lot prior to commencement of construction.

(c) Set Backs: All setbacks shall be according to the setbacks specified in the McCall City Code, as enacted on March 16, 2006, with the following clarifications / exceptions:

- The rear yard setback for Units 29, 30 and 31 shall be 10’;
- The side yard setback for all sides except the Common Wall Line for Units 43 – 56 shall be 5’;
- For all Common Wall Lines on Townhome Units, the Common Wall Line setback shall be zero;
- The setback from the Dragonfly Loop right of way for Unit 46 shall be 15’;
- The side yard and rear yard setbacks on Parcels A, B, C and D-2 shall be 10’;
- The setbacks on Parcels A, B, C and D-2 from the Spring Mountain Boulevard right of way, the Dragonfly Loop right of way, the Aspen Ridge Lane right of way and the Peninsula Place right of way shall be 20’; and,
- The side yard and rear yard setbacks on Parcel D-1 shall be 5’, and the setback from Dragonfly Loop for Parcel D-1 shall be 15’.

(d) Utilities: All trunk utility lines and pipes at AR III are underground. Connections from trunk lines to individual structures must also be underground. Sewage disposal systems shall connect to the City of McCall sewer system. Propane tanks shall be placed under ground.

(e) Exterior Mechanical and Electrical Equipment: All outdoor utility tanks, metering devices, transformers and other similar devices shall be concealed from the view of public spaces and neighboring properties. No exterior antenna or dishes shall be erected without specific written approval of the ACC.

(f) Drainage: Storm drainage shall not connect into the sanitary sewer systems. Surface runoff and runoff from impervious surfaces such as roofs and pavement areas shall be directed to and connected with the AR III surface water management/storm drain system.

(g) Driveways: Driveways within site boundaries and connecting to the paved portion of any street (including the construction of any culverts, landscaping, maintenance and snow plowing that may be necessary) are the responsibility of the owner. Maximum driveway grades shall not exceed 5% for the first 20 feet from the roadway, and shall not exceed 10% elsewhere without written approval of the ACC. Driveway and parking surfaces shall be asphalt, concrete, unit pavers or cobbles.

(h) Garages: Each Unit built shall also include a garage with space for at least one car.

(i) Parking Spaces: Parking spaces shall be constructed as part of the construction of each Unit in AR III. The number and dimension of each parking space are specified at Section 7.5(a) of the Declaration. Parking spaces shall be paved.

2.2 Architectural Design:

(a) **Building Height Limitations:** The building height limitation for a single family residence shall be restricted to 28' from finished grade to a point midway between eave and ridge. The maximum roof height should not exceed 35', as required by McCall City Code.

(b) **Roofs:**

(1) **Roof Pitch:** All major roofs shall have pitches not less than 4:12 and not greater than 14:12. Major roof forms shall be restricted to gable and hip type roofs. Secondary roof forms attached to the major building form may be shed roofs with pitches not less than 4:12.

Pedestrian and vehicular areas shall be protected from roof snow shedding where roof pitches exceed 6:12. This can be accomplished through secondary roofs, snow clips and snow fences on roofs.

(2) **Roof Forms:** Dormers should be in proportion to the overall scale of the roof. They should be gable, hip or shed forms. Other roof forms may be acceptable with approval of the ACC. This type of request should be made at the Preliminary Design submittal to avoid possible rejection after unnecessary expenditures of time and money.

(3) **Roof Materials:** Roof surfacing materials are an important means of blending the new construction into the existing character of the site. As careful selection of these materials may help to relate the buildings to their surroundings, the wrong color or texture may make the building garish or distracting. The roofing material choice should be based upon roof slope, roof assembly, and climate, with the objective to blend the roof into its surroundings in a functionally appropriate fashion.

Roof materials shall be unit pieces such as slate, fire retardant treated cedar shingles, architectural-grade asphalt shingles or treated copper shingles. Due to continuing changes in technology, the ACC may expand the list of permissible materials from time to time.

All roof flashing and appurtenances shall be of a painted or coated color harmonious with the roof and upper wall surfacing.

Roofs shall have a Class A roof covering or a Class A roof assembly, as provided in the Urban-Wildlands Interface Fire Code. For roof coverings where the profile allows a space between the roof covering and the roof decking, the space at the eave ends shall be firestopped to preclude entry of flames or embers.

If the interior side setback is less than 10' and the roof slopes toward to interior side property line, then the roof shall be designed to hold and/or shed snow to prevent snow accumulation on the adjoining property.

(c) **Exterior Walls:** Major exterior walls should convey a sense of mass through plaster, timber or rock. Plaster shall have a soft undulating appearance similar to adobe with an avoidance of sharp edges. Both plaster and rock shall typically express mass.

In contrast to the mass walls, vertical wood siding can be used especially at gable ends and upper levels. Generally, the heavier rock and plaster surfaces shall be below, and visually supporting the lighter wood-sheathed elements above.

Only the following materials shall be used for major exterior walls:

- stone or stucco;
- wood shingles, wood siding or logs;
- cedar or redwood plywood painted or stained, only for use in creating a board and batten effect; or,
- hardboard or other composite lap siding.

Aluminum and vinyl siding are specifically not permitted. Due to continuing changes in technology, the ACC may expand the list of permissible materials from time to time.

(d) Number of Wall Materials: Use of a variety of wall materials may lend to visual interest, but too many changes may make the wall visually unpleasing. The objective should be to create walls that are interesting, but do not compete with their surroundings. Walls may use more than one material, but should limit use to no more than three different materials.

(e) Window Casings and Windows: Approved finishes are natural, stained, painted or clad. Due to continuing changes in technology, the ACC may expand the list of permissible materials from time to time. Exterior window trim shall relate to other building materials, either heavy wood or masonry. The use of headers and sills, designed integrally with the wall, is required. Colors for exterior window casings and trim must be complimentary to the colors of the remainder of the home and shall be approved by the ACC.

Windows may be constructed of vinyl, wood, or wood covered with color-fast vinyl or aluminum. Metal windows are discouraged, but they may be used with an approved finish.

Windows shall be used in combinations to avoid large uninterrupted glass areas. Windows shall have a double or triple glazing. No uninterrupted glass area shall exceed 50 square feet unless in conjunction with smaller window units. To minimize visibility and reflection, it is important to locate large expanses of glass beneath adequately-projecting overhangs, balconies or porches. Mirrored glass is not allowed. If shutters are used they should be operable and not used merely as an ornament.

(f) Lighting: Exterior lighting shall conform to McCall City Code.

(g) Chimneys, Flues and Roof Vents: Chimneys and flues shall be designed in such a manner so as not to cause fumigation of ground level areas or adjacent buildings during down-slope wind conditions.

Vents, flues and spark arresters shall not be exposed galvanized pipe, but rather attempts shall be made to group and conceal them from public view. Enclosing them in forms compatible with the structure can do this. Wood, stucco, concrete, and masonry finished flues are permitted. Unfinished, exposed metal or masonry block chimneys shall not be permitted.

(h) Foundations: Foundation walls shall not be exposed for more than 12" in a vertical direction, unless they are faced with plaster or rock as delineated in the section on Exterior Walls, or unless written approval is obtained from the ACC for exposed foundation walls. Such visually exposed concrete or block masonry foundations shall be stained or textured as well as heavily landscaped with bushes, shrubs or evergreens, as required by the ACC.

It is recommended that all soil containing vegetation and organics be stripped beneath all planned structures including pavements, sidewalks and building areas. All fill placed to support structures should consist of structural fill, free from vegetation and organics.

Foundations shall be designed by an architect or professional engineer to be consistent with the soils reports for the specific site.

(i) Exterior Service and Storage Areas: Areas shall be provided for trash containers, utility tanks, storage of patio furniture, and maintenance and recreational equipment. These areas shall be screened from the view of the public and adjacent property owners. Trash containers shall be inaccessible to wildlife. Walls enclosing these areas shall be compatible with the materials and integral with the form of the residence.

(j) Dog Runs: Fenced dog runs are not permitted without prior ACC review and approval. In any event, chain link enclosures are not permitted. Underground electrical enclosure devices are encouraged.

(k) Window Coverings on Condominium Units: Window coverings shall be provided by the developer of the Condominium Neighborhood as part of the finished Condominium Units. Window coverings shall be replaced with identical coverings, or such replacements as are approved by the ACC for Condominium Units.

(l) Storage on Condominium Balconies: No bicycles or trash containers may be stored on the balconies or patios of Condominium Units. Lawn furniture and barbecue grills may be stored on balconies or patios of Condominium Units if such items are not taller than 36" high and cannot be visibly viewed from other Condominium Units or Common Areas.

(m) Antennas and Satellite Dishes: No exterior radio, television, microwave or other antenna or antenna dish or signal capture and distribution device shall be permitted outside any Unit; provided, that a maximum of one satellite dish under 24" may be placed on the exterior of a Unit, and provided that Owners of Townhome Units and Condominium Units will work the ACC to determine appropriate placement of satellite dishes on Townhome Units and Condominium Units, and will attempt to allocate use of a dish to more than one Unit where possible.

(n) Parking Spaces. As specified in the Declaration, at Section 7.5, the following minimum parking shall be constructed for each Bungalow, Townhome and Condominium Unit: A single car garage, plus one additional parking space that is at least 9' wide and 20' long, plus one additional parking space for every two units of no less than 10' wide and 20' long. The said additional parking spaces are in addition to any driveway for a Bungalow and Townhome Unit. The additional parking spaces may be placed in the street right-of-way for Dragonfly Loop for some Units, but may not be within the paved

traveled way of Dragonfly Loop. General locations of parking for each Unit are depicted on the site plan for parking attached as **Appendix A** hereto. These locations may be modified with the prior approval of the Board, and the Declarant prior to the Conversion Date. Parking spaces for each Unit must be paved, and shall be constructed prior to or concurrent with construction of each Unit.

2.3 LANDSCAPE DESIGN

(a) Introduction: The predominant goal of AR III is to maintain, enhance, and preserve the existing natural beauty of the area and the site integrity of home sites, while allowing diversity in the home and landscape designs.

Landscaping must be executed and maintained in a way as to present a neat and pleasing appearance to all off-property views. Formal, regimented planting arrangements are strongly discouraged; shrubs, trees, grasses and other plant material should be arranged in informal, unaligned groupings rather than straight rows.

(b) Primary Goals:

(1) Re-vegetation: While every new home in AR III should seek to minimize the impact of construction on the existing landscape, disturbance of the site is inevitable. Correcting damage done in the construction process will require re-vegetation; and this should, to the greatest extent possible, recreate the earlier character of the site, using indigenous plants and trees native to the site. New plantings should blend in with the existing natural landscape so that several years hence, all traces of the disruption will have disappeared.

(2) Irrigation: AR III should have the least possible impact on the water resource. As any valuable natural resource, water should not be used in a wasteful manner. Continuous irrigation in the dry months is to be discouraged, and the choice of planting materials should make it possible, once the plant material is established, for such irrigation to be minimized.

(c) Walls and Fences: Walls and fences have only two acceptable uses at AR III: (a) as a retaining wall; and (b) as a privacy screen.

Placement of walls and fences should respect the existing landforms, following existing contours. No fencing is allowed within any rear setback or side setback on the golf course side of a home. Any fence built away from the home (non-privacy screens) must be an approved open rail style. The design of these elements should be in scale and harmony with the buildings and their surroundings.

Entry identification fences and walls are discouraged. If allowed they must be designed in accordance with the architectural guidelines and overall site character.

(1) Fences: Fences shall be a horizontal see-through wood such as split rail or buck fences, except for screening service areas where fences shall be solid and compatible with the structure. All wood fences shall be left natural, stained, or oiled, but not painted. Unacceptable fencing materials include chain link, plywood, painted materials, and picket fencing.

(2) Retaining Wall: Retaining walls and privacy screens built adjacent to buildings should be designed as part of the building in accordance with the

architectural guidelines. Retaining walls that are separated from the buildings should be kept in scale with the overall design and may be stepped to limit the exposed height of the retaining wall. All retaining walls higher than 3' - 0" must have reinforced concrete footers and walls behind rock facing. All retaining walls must have natural stone facing, except that heavy timber retaining walls may be used with special approval from the ACC. Unacceptable retaining wall and screen materials include exposed concrete, concrete block, plywood, brick and railroad ties.

(d) Landscape Structures: Landscaping often includes outdoor structures (decks, patios, trellises, gazebos, pergolas, greenhouses, play equipment, basketball standards, equipment enclosures). These structures frequently detract from the overall appearance of the landscape by adding an element of disorder. All structures should be designed to work as extensions to the house designs rather than freestanding, separate elements. Freestanding elements should be avoided unless there is a compelling reason for such. But in both cases, every effort must be made to give the entire lot a common character befitting of AR III.

All exterior items, including compressors, meters, etc. should be screened from street and neighbor's views. Vehicles (including snowmobiles, motorcycles, bikes, golf carts, autos, trucks, boats, etc.) must be visually protected from view in an enclosed structure designed to be compatible with the overall building design.

All outdoor structures should be devoid of gimmickry and excessive ornamentation. Decks and trellises should be built of stained or treated wood, unless otherwise approved by the ACC in its discretion.

CHAPTER 3: SUBMITTAL AND REVIEW PROCEDURES

3.1 Introduction:

(a) General Overview: Site-sensitive and site-specific design is fundamental at AR III. The Architect's planning process and the design and construction documents should evolve from the careful and thorough analysis of a site's specific setting and features.

New construction or installation, including: dwellings, accessory buildings, garages, fences, retaining walls, steps, awnings, canopies, poles, trellises, patio overheads or decks, gazebos, sun decks, wind screens, game courts, swimming pools, fountains, spas, hot tubs, recreation apparatus, driveways, antennas, exterior lighting, sound systems and solar energy systems.

Installation or modification of: landscape, paving, trees, shrubs, plants, irrigation or drainage systems, and surface drainage revisions.

Subsequent changes or other improvements to the property after completion of the initially approved and/or constructed structure, landscaping, etc., must be submitted through the same procedure for approval by the ACC.

(b) Approving Bodies: The primary entity for approval of any improvements, construction or landscaping, or alterations thereof, within AR III is the Aspen Ridge Architectural Control Committee ("ACC"). The City of McCall will also review all construction documents after their approval by the ACC. No design, drawings or

specifications may be submitted to the City of McCall without first having been reviewed and approved in writing by the ACC.

Approval of any proposed or existing improvement by the ACC shall not be construed to warrant or represent that the improvement was approved by or complies with the appropriate standards of any public agency that may have jurisdiction over such improvement. Similarly, approval of any proposed or existing improvement by any public agency having jurisdiction over the improvement shall not constitute approval by the ACC.

The ACC shall not be responsible for reviewing and/or approving any plans and specifications for engineering design, structural engineering and safety, or for compliance with applicable zoning, building or other city, county, state or federal laws, ordinances or policies.

The ACC shall be appointed by the Aspen Ridge Association Board.

(c) Review Procedures: The Review Procedures Section of the Aspen Ridge Design Guidelines, as may be amended, shall be followed with regard to the submittal and review procedure, including but limited to the Preliminary Design Review Check List and the Final Design Review Checklist.

(d) Review Fees: The Design Review Fee Schedule Section of the Aspen Ridge Design Guidelines, as may be amended, shall be followed with regard to the fees applicable to Design Review.

3.2 Construction Procedures:

(a) Pre-Construction Submittal Requirements: After the Final Design Approval has been granted by the ACC, the following must be provided to the ACC prior to commencement of construction:

- Construction Insurance [For more insurance information, reference the following subsection (b)];
 - Copy of Certificate of Liability Insurance naming the Owner, the Aspen Ridge Homeowners Association, Inc. and Aspen Ridge III Association, Inc. as additional insureds;
 - Proof of Valid Worker's Compensation Insurance or Exemption from it;
- A copy of the City of McCall Building Permit;

(b) Insurance Requirements: All contractors must provide evidence of insurance with the ACC and the homesite Owner prior to entering the construction premises. Confirmation shall be evidenced in the form of a valid Certificate of Insurance naming the Owner, the Aspen Ridge Homeowners Association, Inc. and Aspen Ridge III Association, Inc. as additional insureds. The required insurance must provide coverage not less than the applicable limits of coverage relating to comprehensive general liability, automobile liability, and workers' compensation. Proof of liability insurance and worker's compensation [or exemption from it] is required as a condition to begin and continue construction.

(c) Site Preparation and Staking: Prior to commencement of construction, on-site staking shall be completed. Property corners should be marked, setback lines strung, and the footprint of improvements marked. The ACC may choose to view the on-site staking, but shall not be required to inspect such staking. The ACC's failure to so inspect in no way relieves the property owner from satisfying all set back requirements, or other requirements included in these Guidelines.

(d) Completion of Construction and Active Sites: The Contractor shall, in any event, complete all construction of improvements to the project within 12 months after commencing construction, except when such completion is impossible or would result in hardship to the Owner due to labor strikes, fires, national emergencies, or natural calamities. If the Contractor fails to comply with this schedule, or if the diligent and earnest pursuit of the completion of the improvement ceases, or if the site is abandoned for a period of one calendar month, or a cumulative period of 4 weeks during any 8-week span, the ACC may, upon the passage of 60 days after written notification to the Owner, proceed to have the exterior of the improvement completed in accordance with the approved plans. The ACC may also remove the improvement and restore the project site to its pre-construction condition to the greatest degree possible. All costs relating to the completion or removal shall be borne and reimbursed to the ACC by the Owner, to be secured by a continuing lien on the project site.

An active construction site, one that will not be considered abandoned, must not only have work crews present, it must also have, at all times, a dumpster, a sanitary toilet, fire extinguishers.

(e) Inspections of Work and Enforcement: The ACC may choose to inspect work in progress and give Notices of Noncompliance when applicable. The Notice of Non-Compliance will usually be associated with a fine as described below.

The Owner is liable for violations of all regulations by all parties involved in the construction of all regulations by all parties involved in the construction of improvements. As the main contact with the ACC during the construction phase, the General Contractor is responsible for making sure that all parties, including subcontractors and crew members, abide by the rules set forth.

All notices will be directed toward the General Contractor, who bears responsibility for all persons entering AR III property on behalf of the homesite project. A copy of the Notice of Noncompliance will be distributed to the Owner.

In the event of a violation of the governing documents, a warning may, but not necessarily will, be given for less serious breaches. Violations may be subject to fines and other corrective actions, as may be published and provided to Members, and amended from time to time. These fines and actions may be imposed by the Aspen Ridge Homeowners Association and/or the ACC and their agents. Fines may be doubled for each successive similar or uncured violation, regardless of any third party involvement, such as a subcontractor.

(f) Subsequent Changes: Any changes to an approved design proposal that occur after the Final Design Approval and before Final Release must be submitted as follows: Additional construction or other improvements, or changes during construction, including,

but not limited to, landscaping, any re-staining or color modification must be submitted to the ACC for approval prior to the beginning of any work. **Implementation of the change may only occur if and when approval is granted.**

3.3 Construction Regulations:

(a) **General Overview:** AR III is situated in a magnificent natural place. Respect and consideration of this serene and idyllic environment form the basis of our community. In order to ensure that the natural landscape of each homesite and project is preserved and the nuisances inherent to any construction process are kept to a minimum, the following regulations will be enforced during the construction period of all improvements at AR III. They are designed to protect the current residents and the overall integrity of the natural landscape.

The construction regulations at AR III are more stringent than those typical of developments in this region. The intent of these rules is to limit as much negative and destructive activity as possible while allowing for the reasonable construction and completion of improvements. Compliance with all of the regulations requires a sincere effort to familiarize oneself with the rules and continued diligence to abide by them.

(b) **Preservation of Property:** Because of the delicate nature of the soils and the vegetation that it sustains, the use of, or transit over, any other homesite or common area, as defined in the Declaration, is prohibited. Similarly, in the interest of preserving as much of the natural landscape as possible, the use of, or transit over, the natural areas or setbacks outside the limits of construction on any homesite is also prohibited. Construction personnel must refrain from parking, eating, and depositing rubbish or scrap materials [including concrete washout] on any neighboring homesite, tract, or right-of-way, or anywhere outside of the building or paving footprint.

(c) **Temporary Best Management Practices:** Much of AR III drains into ecologically sensitive wetlands that are strictly protected by various governmental agencies. Protection of these sensitive lands is a condition of development at AR III. The delicate ecological balance can be disturbed by a minimal amount of sediment, such as topsoil, water-borne pollutants, and a few drops of oil from a piece of machinery. In short, there are a strict set of requirements that are designed to keep fertile soil from eroding and pollutants carried by surface water runoff into ecologically sensitive areas.

With modification and mitigation of construction methods most of the impacts can be significantly reduced. The mitigation measures are called Best Management Practices, or BMPs. Temporary BMPs include:

- Temporary Soil Stabilization Practices;
- Pine needle mulch [preferred method];
- Hydromulch;
- Jute Netting;
- Wood excelsior blanket;
- Erosion control blankets or geotextiles;
- Approved chemical mulches or tackifiers; and,
- Filter strips.

Straw should not be used as a temporary soil stabilization practice. Although the non-native grasses in straw do not survive through the winter months, there are invasive weeds mixed in the straw that do. Furthermore, hay bails that are broken down and spread over an exposed area [such as a driveway] as a soil stabilization practice look unsightly, decompose at a very slow rate, and are difficult to clean up.

(d) Vehicles and Parking Areas: Construction crews may not park on, or otherwise use, undeveloped portions of project sites or open space. All vehicles should be parked within the Lot. During busy construction periods involving multiple trades such that all construction vehicles cannot be confined to the Lot, the overflow vehicles may be temporarily parked along the edge of the roadway. Vehicles may park along one side only to allow continual unconstrained access by normal traffic, snow removal equipment, and emergency vehicles such as fire trucks. Vehicles may not park on neighboring homesites, in nearby driveways, open space, or along any street frontage bordering occupied properties. Changing oil or other vehicle maintenance is not allowed. The discharge of any petrochemical substance is strictly forbidden. Vehicles that leak oil must not be brought onto AR III property.

(e) Material Deliveries: All building materials, equipment, and machinery required to construct a residence on any homesite at AR III must be delivered to and remain within the Lot. This includes all building materials, earth-moving equipment, generators, mixers, cranes, and any other equipment or machinery that will remain at AR III overnight. MATERIAL DELIVERY VEHICLES MAY NOT DRIVE ACROSS ADJACENT HOMESITES OR COMMON AREAS TO ACCESS A CONSTRUCTION SITE OR DROP DELIVERIES IN A ROADWAY OR RIGHT-OF-WAY.

(f) Refuse Receptacles and Debris Removal: Owners and Contractors shall clean up all refuse and debris at the end of each day; a commercial dumpster must remain on the site at all times during active construction for the purpose of containing all waste materials or packaging.

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

All concrete washout, from both trucks and mixers, must occur within the building footprint or in a location where it will ultimately be concealed by structure or covered by paving. Washout in road rights-of-way, setbacks, natural areas or on adjacent properties is strictly prohibited. During the construction period, each construction site must be kept neat and be properly policed to prevent it from becoming a public eyesore or detriment to other homesites or open space. Any cleanup costs incurred by the AR III Association or ACC in enforcing these requirements shall be payable by the Owner. Dirt, mud, or debris resulting from activity on each construction site must be removed daily from public or private roads, open spaces, and driveways or other portions of AR III.

(g) Excavating and Excess Materials: Trenching must be confined to those areas indicated on the Site Plan. Manual excavation methods and moisture blanketing will

generally be necessary to preserve root systems. Backfill materials must include loose soil of proper characteristics to promote re-vegetation of all disturbed areas.

(h) Dust and Noise Control: The Contractor is responsible for controlling dust and noise from the construction site, including the removal of dirt and mud from rights-of-way daily that is the result of construction activity on the homesite. Contractors must cover materials or provide sufficient irrigation to eliminate any fugitive dust. The use of radios or other audio equipment must not be audible beyond the property perimeter of any homesite in AR III.

(i) Temporary Power: Utilize existing power supply sources.

(j) Daily Operation: Hours of operation for construction activity shall conform to MCC Title 9, Chapter 6, 9.6.08(G).

(k) OSHA: All applicable Idaho and national Occupational Safety and Health Act [OSHA] regulations and guidelines must be observed at all times.

(l) Sanitary Facilities: Contractors are responsible for providing adequate sanitary facilities for their construction workers on each homesite at all times. Portable toilets must be located on the Lot, clear of all setbacks. For a construction site to be considered active, a sanitary closet must be on site and in a location approved by the ACC.

(m) Fires and Flammable Materials: No on-site fires are allowed, except small, confined, attended fires for the heating of masonry water. Careless disposal of cigarettes and other flammable materials, as well as the build-up of potentially flammable materials constituting a fire hazard, is prohibited. At least two 10-pound 4A/20BC rated Dry Chemical Fire Extinguishers must be present and available in a conspicuous place on each construction site at all times, in addition to any requirements of the local Fire Protection District. Additional restrictions may be imposed on high and very high fire danger days.

(n) Paint Cloths And Sponges: Any and all paint cloths, sponges, rags, and other apparatus that have had contact with a flammable paint, stain, or solvent shall be either: (1) removed from the construction site on a daily basis; or, (2) lain flat or hung, fully exposed to oxygen, at any time not in use.

(o) Site Visitations: Due to the inherent danger associated with an active construction site, visitors to any homesite are limited to those persons with official business relating to the construction activity, such as construction workers and tradesmen, building officials, security staff, ACC members, sales personnel, and the Owner. Construction personnel may not invite or bring family members or friends, especially children, to the project site.

(p) Pets: No pets, particularly dogs, may be brought onto the property by anyone other than the Owner. If the Owner brings a pet to the site, that animal must be properly contained within the homesite. This regulation is strictly enforced.

(q) Signs: Temporary construction signs are limited to one sign per homesite, which are not to exceed six (6) square feet of total surface area. This sign is intended primarily for project site identification; therefore, it must be located on the subject homesite outside of any side and rear setbacks, facing the street. It may identify the Architect and

Contractor by name with address, license number, and telephone number[s], and it may identify the project site by homesite number or Owner's name.

(r) Construction Trailers, Job Offices, and Materials Storage: Commercial storage containers are not permitted at AR III. Temporary construction trailers, portable job offices, and site built storage or shelter facilities that have a professional and maintained appearance may be proposed to the ACC.

(s) Restoration of Property: Upon completion of construction, each Owner and Contractor shall clean the construction site and repair all property that has been damaged. This includes but is not limited to, restoring grades, planting shrubs and trees as approved or required by the ACC, streets, driveways, pathways, drains, shoulders, culverts, ditches, signs, lighting, and fencing. In addition, the Owner and Contractor will be held financially responsible for the cost of site restoration/ re-vegetation and refuse removal necessitated on any and all adjacent properties as a result of trespass or negligence by their employees or subcontracted agents. The Owner and Contractor are responsible for making sure that all disturbed areas, regardless of who disturbed them, are re-vegetated in a way that satisfies the ACC.

APPENDIX A
Site Plan For Parking