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SECTION I INTRODUCTION

To maintain the architectural integrity of Starwood, it is important that all structures in Starwood conform to certain architectural standards. These Procedures have been developed by the Board of Trustees, acting as the Starwood Architectural Committee, to facilitate architectural approvals.

The Architectural Committee is governed by Starwood's Protective Covenants and is required to exercise its best judgment to see that all improvements, construction, landscaping, and alterations on the lands within Starwood conform to existing regulations and restrictions and harmonize with the natural surroundings and existing structures as to external design, materials, color, siting, height, topography, grade, and finished ground elevation. The Architectural Committee is also required to protect the seclusion of each home site from other home sites insofar as is possible.

The Architectural Committee understands the rights of property owners to build, and the impact of its decisions on future property values. In reviewing the development plans of individual property owners and balancing those wishes against an overall goal of protecting the present natural beauty, native setting, and seclusion of home sites within Starwood for the benefit of all property owners, the Protective Covenants will be used as the governing document.

Historically, architectural approval disagreements between homeowners and the Board of Trustees or between individual Starwood homeowners have related to the sometimes-subjective determination of whether the visual impacts of proposed improvements are consistent with the requirements outlined in the Protective Covenants and in harmony with the site and adjoining sites. The Board of Trustees urges anyone considering a project within Starwood to meet with both the Architectural Committee and all impacted property owners on an informal basis early in the design process to air possible concerns and work towards resolving any differences. Letters or other evidence indicating that a consensus of impacted neighbors supports a request for approval will have a considerable impact on the Architectural Committee.

The Board realizes that these procedures are sometimes time consuming and complex; over time, however, they have contributed to the creation of one of the most desirable rural residential areas in the country. In addition, these procedures provide all Starwood property owners an opportunity to voice reasonable concerns about the future development of the neighborhood.

SECTION II CRITERIA and STANDARDS

1. ARCHITECTURAL APPROVALS

As outlined in Article IV, Section 2 of the Protective Covenants, no improvements of any kind, including, but not limited to, dwelling houses, barns, stables, outbuildings, swimming pools, courts for tennis or other sports, ponds, parking areas, fences, walls, garages, driveways, antennas, flag poles, curbs, and walks shall ever be constructed or altered on any lands within Starwood, nor may any vegetation be altered or destroyed nor any landscaping performed on any tract, unless the complete architectural plans for such construction or alteration or landscaping are approved in writing by the Architectural Committee prior to the commencement of such work.

The Architectural Committee is not concerned with the design or appearance of the interior of homes or structures. Those portions of proposed improvements that are not visible from other properties or roads are generally only reviewed for compliance with the Starwood Protective Covenants, as well as conformity to Starwood's water and land use restrictions. In addition, small landscaping projects which are not visible from other properties or roads in Starwood and do not involve removing existing vegetation or enlargement of irrigation requirements generally should not be submitted to the Architectural Committee for approval. While the Committee reserves the right to approve all landscaping changes, minor cosmetic changes such as converting an existing landscaped area from grass to planting beds, even if visible from other properties, can generally be verbally approved by a call to Starwood's Executive Director and/or Architectural Advisor.

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Installation of art objects, statues, or other non-native landscape elements that are visible from other properties or roads in Starwood is generally discouraged. The Board encourages property owners to restrict the placement of non-native landscape elements to areas that are not visible from other properties or roads. All such landscape elements must be formally approved by the Architectural Committee prior to their installation.

Owners who have questions as to whether a project may need the approval of the Architectural Committee should review these procedures, the separate Procedure for Landscape Approval, and the Exterior Lighting Guidelines and Standards to determine if an approval is required. Virtually all improvements require an approval, but if there is any question, call the Architectural Advisor.

Careful consideration will be given to the visual impact of the proposed improvements on adjacent property owners and from common areas within Starwood, including appearances from Starwood roads. In making these assessments, the Architectural Committee will focus on the following:

1. Impact on the seclusion and privacy of nearby residences.
2. Overall mass and height of the project.
3. How well existing and proposed landscaping is used to mitigate visual impacts to surrounding properties.
4. The desirability of using existing topography to hide or mask overall mass.
5. Whether the improvements would significantly block, alter, or enhance existing or future neighbors' views.
6. Location of the proposed improvements relative to a 100' radius of the building point, if such point [the homesite] is delineated on the recorded plat. Building points are established on the Starwood plats for some, but not all, residential parcels. The Association historically has required construction of dwelling houses to be within a 100 foot radius of the building point. Article VI, Paragraph 1 of the Starwood Protective Covenants provides that "No dwelling house shall be placed, erected, altered or permitted to remain on any residential tract at any site or location other than that indicated on the recorded plats of the Starwood subdivisions, except as otherwise specifically permitted by the Architectural Committee." Whether the Architectural Committee will permit a dwelling house to be located outside of the 100 foot radius of the building point will depend on the unique facts of each case as it is presented.
7. Visual impacts of roof forms and materials.
8. Light pollution caused by windows, skylights, or outdoor lighting, or caused by sunlight reflecting off roofs or other reflective surfaces.
9. Visual impacts of proposed grading changes.

2. LANDSCAPING, GRADING, REMOVAL OF VEGETATION

As outlined in Article IV, Section 2 of the Protective Covenants, no improvements of any kind, including, but not limited to, dwelling houses, barns, stables, outbuildings, swimming pools, tennis courts, ponds, parking areas, fences, walls, garages, driveways, antennas, flag poles, curbs, and walks shall ever be constructed or altered on any lands within Starwood, nor may any vegetation be altered or destroyed nor any landscaping performed on any tract, unless the complete architectural plans for such construction or alteration or landscaping are approved in writing by the Architectural Committee prior to the commencement of such work.

- 2.1. The Architectural Committee is generally not concerned with the design or appearance of landscaping improvements that are not visible from other properties. These projects are

- generally only reviewed for compliance with the Starwood Protective Covenants, as well as conformity to Starwood's water use restrictions. In addition, small landscaping projects which are not visible from other properties or roads in Starwood and do not involve removing existing vegetation or enlargement of irrigation requirements, generally should not be submitted to the Architectural Committee for approval. While the Board reserves the right to approve all landscaping changes, minor cosmetic changes such as converting an existing landscaped area from grass to planting beds, even if visible from other properties, can generally be verbally approved by a call to Starwood's Executive Director.
- 2.2. Owners who have questions as to whether a project may need the approval of the Architectural Committee should first review these procedures and then contact Starwood's Executive Director.
 - 2.3. As outlined in Starwood's Protective Covenants and Procedure for Architectural Approval, the visual impact of proposed improvements on adjacent property owners and from common areas and roads within Starwood is the major concern of Starwood's Architectural Committee. In reviewing landscaping plans, the Architectural Committee will focus on the following areas:
 - 2.3.1. Whether the improvements would significantly block, alter or enhance an existing or future neighbor's view.
 - 2.3.2. Visual impacts of the proposed landscaping and grading changes to neighboring properties including common areas.
 - 2.3.3. Impact on seclusion and privacy of nearby residences.
 - 2.3.4. Whether landscaping elements that are proposed as screening for the benefit of neighboring properties adversely impact views from the new home.
 - 2.3.5. Resulting light pollution caused by proposed exterior lighting.
 - 2.3.6. Irrigation requirements to maintain the proposed changes.
 - 2.4. The following standards have been developed to assist the Architectural Committee in protecting the present natural beauty, native setting, and seclusion of home sites within Starwood with respect to landscaping changes:
 - 2.4.1. Landscaping should be used to break up the mass and apparent height of structures and enhance the seclusion of individual home sites, while being sensitive to impacts on views. As part of the architectural approval process for new structures, the Architectural Committee may require planting of trees and shrubs to help screen proposed structures.
 - 2.4.2. Plant species that are Rocky Mountain native or commonly used in this area are encouraged, especially in areas that are visible from other properties, roads, or common areas.
 - 2.4.3. Removal of existing vegetation outside of the building envelope is generally discouraged. The Board may require property owners to replace trees, shrubs, and ground covers that are removed or destroyed with plants of similar style and size. Dead trees can be removed; however, property owners should check with Starwood's Manager for approval. The Board strongly encourages replacement of dead trees with large trees of similar type, where practical, especially in cases where the dead tree enhanced the seclusion of the surrounding home sites.
 - 2.4.4. Thinning of existing vegetation adjacent to residences in wildfire hazard areas may be permitted to create defensible wildfire zones, subject to review and approval by the Architectural Committee. Additional requirements and standards pertaining to wildfire safety and mitigation are contained in Section II, 4 of this document.

- 2.4.5. Fill areas must be re-vegetated and have topsoil adequately replaced. Cut areas must be adequately re-vegetated, and/or retained and screened. Large fill and cut areas that destroy existing vegetation that is not planned to be replaced with similar vegetation and are visible from other properties in Starwood are generally not allowed.
- 2.4.6. Manicured lawn and flower bed areas which do not appear native to Starwood should be limited to areas which are not visible from other properties within Starwood or to areas adjacent to the house and front entry.
- 2.4.7. All landscaping projects must include provisions for being adequately irrigated with available water sources, which may include not more than 10 gallons per minute [g.p.m.] out of the Red Mountain Ditch. Property owners should consult with their landscape designers on the most appropriate method of irrigating their landscaping on 10 g.p.m. intermittently from the Red Mountain Ditch. Irrigation water storage tanks, which are screened from view or below ground are permitted and may be an attractive alternative to the large number of zones that are required with 10 g.p.m. systems.
Installation of exterior art objects, statues, or other manmade objects that are visible from other properties or roads in Starwood is generally discouraged. The Board encourages property owners to restrict the placement of landscape elements that are not in keeping with the rural character of Starwood to areas that are not visible from other properties or roads. All such landscape elements must be formally approved by the Architectural Committee prior to their installation.
- 2.4.8.
- 2.5. In an effort to streamline smaller landscaping projects that will serve to help keep Starwood looking maintained and upkept, and to help to accommodate the general efforts to make fire mitigating tree and brush removal easier and more accessible. Certain projects will be allowed to move forward without the review and approval process by the Board and will not require any review fees. If the project meets the following requirements, then Mark Asher (Starwood Manager) can review and approve the project to move forward without further review or fees:
 - 1.) No trees are cut that are above 5" caliper.
 - 2.) (For fire mitigation) Trees can be removed if they are in physical contact of the house or the branches are within 5' of any portion of the house.
 - 3.) Trees slated to be removed would be flagged prior to review and removal.
 - 4.) Ground cover is to remain native grasses.
 - 5.) No irrigation would be needed as a result of the project.
 - 6.) No projects encompassing an area greater than ½ acre (21,780 SF).
 - 7.) *No element of the proposed project requires the removal of vegetation that is part of a historic Landscape Guarantee Agreement.*

3. WILDFIRE SAFETY AND MITIGATION

As outlined in Article IV, Section 2 of the Protective Covenants, no improvements of any kind, including, but not limited to, dwelling houses, barns, stables, outbuildings, swimming pools, tennis courts, ponds, parking areas, fences, walls, garages, driveways, antennas, flag poles, curbs, and walks shall ever be constructed or altered on any lands within Starwood, nor may any vegetation be altered or destroyed nor any landscaping performed on any tract, unless the complete architectural plans for such construction or alteration or landscaping are approved in writing by the Architectural Committee prior to the commencement of such work.

The Starwood Subdivision is located in an area of great natural beauty, but the vegetation, topography, location and mountain climate that give Starwood much of its privacy, seclusion, and character also

create risks associated with natural or man-made wildfires. The Architectural Committee is very interested in promoting “fire-wise construction” but also recognizes that there is inherently some level of risk due to wildfires that is unavoidable. The Architectural Committee intends to support measures that do not conflict with the Protective Covenants.

The Architectural Committee uses its best judgment and considers all relevant factors in reviewing requests for approvals, including the requirements and objectives of the Protective Covenants and the extent to which the proposed work is likely to affect the risks to life and property which often result from wildfires. The Committee reminds homeowners that wildfire safety involves a number of factors, some of which are not subject to human control, and that improving wildfire safety is not as simple as removing all trees within a certain distance of the home. In developing a “solution”, a homeowner should consider at least all of the following possible measures:

1. The creation of defensible zones around structures according to recognized standards,
2. Increasing the fire resistance of exterior building materials such as roofs, walls, and glazing,
3. Increasing the fire-resistance of decks, soffits, and other building projections which provide fuel to fires,
4. Locating improvements so as to minimize fire risks,
5. Utilizing natural fire barriers as well as those that can be created by driveways, irrigated landscape zones, and other improvements, and
6. Using types of landscape and other materials that are inherently safer in fire situations in order to accomplish defensible spaces which still allow the privacy and seclusion goals of the Protective Covenants to be met.

The Architectural Committee expects homeowners to consider incorporating more than one of the above measures in order to minimize the impact of wildfire mitigation measures on the natural environment of Starwood.

- 3.1. No thinning or removal of existing vegetation shall be done without the prior approval of the Architectural Committee (see exception 2.5. at the end of section 2 (above)).
- 3.2. All requests to thin or remove vegetation should consider and address the following:
 - 3.2.1. No such work shall be allowed during periods when irrigation water is not available to the work area unless the Forest Service has identified the fire hazard as “Low” in Aspen and the surrounding Forest Service lands or unless there is snow cover on the ground.
 - 3.2.2. All work shall be performed only by the homeowner proper, or by contractors or firms licensed and insured to perform such work in this locale. Use of unlicensed or uninsured personnel will not be allowed for this type of work.
 - 3.2.3. No gasoline or other flammable materials may be stored, carried through, or poured in non-irrigated areas. Refill chain saws and other tools only at irrigated or paved areas. No smoking will be allowed on any vegetation thinning or removal jobsites.
 - 3.2.4. Spark arrestors and other appropriate or required safety devices shall be used in conjunction with all fuel-powered tools. There shall be an appropriate fire extinguisher located with each fuel-powered tool at all times.
 - 3.2.5. No vehicles may be parked on or driven across any dry-land [non-irrigated] areas. All materials to be removed shall be hand carried to vehicles, which are kept on irrigated lawn or paved surfaces.
 - 3.2.6. Irrigation water as well as potable water supplies must be available to each work area at all times via hoses and, where necessary, electric pumps. Requests must include a work plan indicating how this will be accomplished.

- 3.3 All requests to thin or remove vegetation shall include the following information:
 - 3.3.1. The name, address, and contact information of the contractor or firm proposed to perform the work.
 - 3.3.2. A copy of the license to perform such work in the name of the contractor or firm above.
 - 3.3.3. An insurance certificate, which evidences a minimum of \$3,000,000 in liability coverage, or higher if requested by the Starwood Architectural Committee. The Starwood Homeowners Association and the Starwood Metropolitan District shall be named as additional insureds on the policy.
 - 3.3.4. All applications shall include a map or site plan, which indicates the extent to which modification of existing vegetation is proposed. Such map or site plan shall be keyed to on-site flagging of all plants or areas proposed to be modified or thinned and shall include descriptions of the type of work to be done in each area.
- 3.4. The Starwood Architectural Committee has provided both the Chairman of the Committee, the Executive Director and the Starwood Manager with the authority to, separately or collectively, issue a ban on the use of any equipment which may increase the risk of wildfires, such as chainsaws, vehicles, or other equipment, or to ban all such activities altogether, for period(s) of any duration(s) during which either the Chairman, Executive Director or the Manager decide in their sole discretion that the danger of wildfires is unacceptably high, with or without any prior notice to homeowners.
- 3.5. All requests for approval pursuant to this Section will be handled by the Administrative Review Process. The Architectural Advisor and the Starwood Manager will advise the Executive Director on each application and the Executive Director will review and act on such applications administratively unless the Executive Director refers the application to the Architectural Committee. A neighbor notification will be required unless the homeowner has obtained the written consent of all adjacent neighbors to the application.
- 3.6. The Architectural Advisor will be required to conduct an advance site survey with the homeowner and contractor, assist in establishing a preliminary scope of work, and monitor the progress and extent of the work on a daily or other suitable basis. It will be the homeowner's responsibility to ensure that the Committee's requirements for thinning and removal of vegetation are implemented without unforeseen impacts to Starwood and neighbors.
- 3.7. In evaluating applications to the Architectural Committee, the Committee will rely on guidelines and recommendations provided by the Colorado State Forest Service, including a booklet entitled Firewise Construction, Design and Materials by Peter Slack, and other materials as may be made available by the CSFS. A copy of the above booklet is available to each Starwood homeowner.

4. EXTERIOR LIGHTING

- 4.1. The following standards have been developed to assist the Architectural Committee in protecting the present natural beauty, native setting, and seclusion of home sites within Starwood with respect to exterior lighting:
 - 4.1.1. All exterior lighting, including all landscape, pool, driveway marker, and security lighting, must be submitted to the Architectural Committee for approval.
 - 4.1.2. All exterior lighting fixtures shall be placed so that no direct light source is visible from any other property or road in Starwood. In areas where the fixture is visible, the fixture must provide indirect lighting to completely hide the light source. All fixtures, except those identifying the address or owner of a property, shall be installed and arranged to reflect light away from adjacent properties and roads.

- 4.1.3. Large area illumination, up lighting of trees and other landscape elements, or accent lighting of buildings or landscaped forms are inconsistent with the rural character of Starwood and generally prohibited.
- 4.1.4. Exterior lights placed continuously along driveways and walkways that are visible from other properties or roads in Starwood are generally discouraged. The Committee will consider such lighting if lighting is needed for safety reasons, no other method of providing illumination is available, and the proposed lighting is consistent with Starwood's Protective Covenants. Motion detectors or timers may be desirable methods of minimizing nuisances caused by this type of lighting.
- 4.1.5. Exterior lights, which are not installed on the sides or soffits of a building, shall not exceed 48 inches in height as measured from the adjacent finished grade.
- 4.1.6. Reflective or bright metallic surfaces are not permitted on any exterior lighting fixtures.
- 4.1.7. No exterior lighting of any kind is permitted on Starwood Pasture Tracts.
- 4.1.8. The illumination of exterior art objects, statues or other non-naturally occurring landscape elements or structures which are visible from other properties or roads in Starwood is generally not allowed.
- 4.1.9. Replacement of any existing exterior lighting fixture must be with a type of fixture which conforms to these standards and which has been approved by the Architectural Committee.
- 4.1.10. Owners should also be aware that Pitkin County has extensive regulations governing the use and installation of exterior lighting fixtures that must also be followed.

5. SATELLITE DISHES and ANTENNAE

- 5.1. The following standards have been developed to assist the Architectural Committee in protecting the present natural beauty, native setting, and seclusion of home sites within Starwood with respect to exterior lighting:
 - 5.1.1. Satellite dishes and devices for receiving or transmitting audio or video signals may generally not be installed in any location or at any height which a) extends above the height of the surrounding trees, or b) extends into any view plane or above any view horizon line from any other property in Starwood, whether a primary or secondary view.
 - 5.1.2. Single-rod type antennae which are no larger than 1/2" in diameter, such as those which are presently used for cellular phones, and no higher than 24" above the highest point of the roof on which the antenna is mounted will be considered regardless of the number of other devices which have been approved and can generally be approved administratively by either the Starwood Manager or Architectural Advisor.
 - 5.1.3. Requests for approval to install an antenna or a Small Satellite Dish can generally be handled administratively without presentation at a meeting of the Architectural Committee, but may require a site inspection, neighbor notification, or review by the Committee, depending on the specifics of the application. The Architectural Committee, as outlined in the Starwood Architectural Procedures, must always review requests for approval to install a Large Satellite Dish.
 - 5.1.4. All requests should include a brochure or drawing which illustrates the specific products being proposed, a scaled plan showing the proposed location, and one or more scaled elevations showing the location and size of the device in relation to the existing buildings and grades. In lieu of elevation drawings, photographs with the proposed device overlaid onto the photograph may be used.

- 5.2. SMALL SATELLITE DISHES are currently defined as any dish- or parabolic-shaped reception device that is 24" or less in its largest dimension. The following approval criteria apply to such dishes;
- 5.2.1. Small satellite dishes will generally be approved if they are either: a) attached to an existing structure so that the dish cannot be seen as extending outside of or above the three-dimensional building forms from any parcel or common area, or b) mounted on a non-reflective pole or standard which is not greater than 8' in height from the adjacent grades to the highest point of the device, is within 30' of the residence, and is landscaped or otherwise screened from view.
 - 5.2.2. Manufacturer's standard colors will generally be approved, even if they do not match house colors, since the currently available small dishes are typically not paintable, but visible surfaces must be non-reflective, and bright colors or white surfaces should be avoided, even if it means selecting a dish system from a different manufacturer.
 - 5.2.3. It is preferred that small dishes be located away from roads and common areas, and on a side of the house which is least visible to neighbors whenever possible.
- 5.3. LARGE SATELLITE DISHES are currently defined as any dish- or parabolic-shaped reception device which is 24" or greater in its largest dimension. The following approval criteria apply to such dishes;
- 5.3.1. Large satellite dishes will be reviewed on a case-by-case basis and will generally be limited to a maximum of one per parcel.
 - 5.3.2. Large Satellite Dishes should be located where they will be completely screened from any other Starwood property or common area, including roads. It is preferred that they be located in a clearing of existing vegetation that is taller than the dish.
 - 5.3.3. All applications for installation of a Large Satellite Dish shall include a landscaping plan showing the location and heights of the dish, existing vegetation, existing vegetation that is proposed to be removed, grades, and proposed new vegetation. A landscape completion guarantee will be required for any new landscaping associated with such an installation.
 - 5.3.4. Large Satellite Dishes must be installed on grade.
 - 5.3.5. In general, Large Satellite Dishes should always be screened with evergreen vegetation rather than deciduous vegetation, and the use of landscaping to screen the dish is preferred to enclosing the dish in an enclosure structure or fence, particularly if the proposed location is not contiguous to an existing building.
- 5.4. ANTENNAE, whether used for receiving or transmitting signals, or both, must also be approved by the Architectural Committee. The following approval criteria apply to such devices;
- 5.4.1. Array-type antennae, which have multiple elements such as the traditional roof-mounted antenna for television reception, must be anodized or painted in a non-reflective, dark or earth-tone finish. Array-type antennae must be attached to a structure, and the highest point of the antenna should not extend more than 3' above the highest point of the roof on which the antenna is mounted.
 - 5.4.2. Single-rod type antennae, such as the vertically oriented type of braced rod that are often used for ham radio installations, must also have a non-reflective finish and should be dark or earth-tone in color. It is preferred that such antennae be mounted to or immediately adjacent to the primary residence, but may be approved in other locations

if the visual impacts would be lessened or will be mitigated by landscaping. Single-rod antennae should not extend more than 6' above the highest point of the roof or structure on which the antenna is mounted.

- 5.4.3. As noted above, devices for receiving or transmitting audio or video signals may generally not be installed in any location or at any height which: a) extends above the height of the surrounding trees, or b) extends into any view plane or above any view horizon line from any other home or property in Starwood, whether a primary or secondary view, even if this means that there is no suitable location for a proposed antenna. In that case, a cable or satellite installation may be required.

6. FENCES

- 6.1. Fencing of properties is generally discouraged, especially fencing which is on or near property lines and whose primary purpose is to demarcate one's property. The Board encourages property owners to keep the Starwood lands visually uninterrupted and to preserve native vegetation and the seclusion and privacy of home sites by avoiding all fencing except that which may be necessary to contain horses or other approved animals and livestock. Fencing of pasture tracts and common areas conforming to these guidelines is permitted subject to the approval of the Architectural Committee.
- 6.2. The following standards have been developed to assist the Architectural Committee in protecting the present natural beauty, native setting, and seclusion of home sites within Starwood:
- 6.2.1. Any fencing must be: 1) rustic in character, 2) a type historically used for fencing pastures and corrals, 3) an open, post and rail type design, and 4) consistent in appearance with both the Purpose and Objectives of the Architectural Committee's Procedures and the Protective Covenants.
- 6.2.2. Any fencing must be primarily unpainted wood and of a height appropriate for the purpose, generally 4' or less unless a taller fence is required for horses. Metal fencing will not be approved in any form, except metal components which serve as fasteners or to provide equestrian or canine control may be approved in the discretion of the Architectural Committee.
- 6.2.3. The Board recommends that any fencing conform to the Colorado Division of Wildlife standards for wood rail fencing which are as follows:
Wood rail fencing shall employ three rails or less, be round or split rail type, shall not exceed 48 inches in height above ground level and 12 inches in width (top view), and shall have at least 18 inches between two of the rails.
- 6.2.4. Property owners should check with Pitkin County for current requirements or restrictions that apply to fences, such as variances, permit requirements, design requirements to allow passage of wildlife, etc.
- 6.2.5. Fencing to provide visual or sound privacy will not be allowed under any circumstances, except as may be specifically required by the Architectural Committee in conjunction with the enclosure of approved mechanical or other equipment or to enclose trash receptacles in an approved structure as part of an architectural approval.
- 6.3. Property owners are reminded that there are easements on both sides of every property line in Starwood and that the Red Mountain Ditch Company and other Starwood property owners have access rights to the irrigation ditches. Should a property owner wish to construct fencing either on, within, or crossing easements granted to the Homeowners' Association or others, any approval which may be granted by the Architectural Committee to construct such fencing shall be expressly conditioned on the property owner accepting all responsibility for damage to or

removal of fencing caused by the Association's normal maintenance operations such as snowplowing and road maintenance or by any party [including the Starwood Homeowners Association, the Starwood Metropolitan District, and the Red Mountain Ditch Company] having easement rights where such fencing may be located. Property owners are also reminded that the Board allows use of the easements by Starwood owners for equestrian purposes and encourages consideration of equestrian access in planning and laying out any fenced areas so that horse riders may pass by the fenced area rather than go through it.

- 6.4. All fencing must be formally approved by the Architectural Committee prior to installation. No vegetation can be removed in order to install any fencing except as specifically approved in advance by the Architectural Committee.
- 6.5. All fences that may be approved pursuant to these guidelines shall be maintained by the homeowner in good repair at all times.

7. ROOF MATERIALS

- 7.1. During the latter part of the 20th century, the predominant roofing materials in Starwood had been wood shakes and shingles. Regulations in Pitkin County no longer allow the replacement or installation of wood shake or shingle roofs and also prohibit other roofing products that do not have certain fire-resistive classifications. In response to these changing regulations and better information about mitigating wildfire risks, the Architectural Committee has developed guidelines to assist homeowners and architects in selecting roofing materials that both harmonize with the natural environment of Starwood and utilize noncombustible and/or fire-resistant materials.
- 7.2. The following standards have been developed to assist the Architectural Committee in protecting the present natural beauty, native setting, and seclusion of home sites within Starwood with respect to roof materials:
 - 7.2.1. Sloped Roofs [roof pitches of 2:12 or greater]. The following types of roofing materials are generally acceptable, subject to approval for coloring, reflectivity, design, and location [see paragraphs 7.3 and 7.4]:
 - 7.2.1.1. Pre-rusted corrugated or standing seam steel or faux painted to give the same effect.
 - 7.2.1.2. Pre-oxidized copper shingles, standing seam or similar products, or faux painted to give the same effect
 - 7.2.1.3. Terne metal or similar non-reflective grey or patinated alloys
Slate tiles
 - 7.2.1.4. Concrete and similar cementitious tiles
 - 7.2.1.5. Synthetic wood shingles or shakes, and synthetic slate tiles, in certain colors such as black, dark grays, grey-greens.
 - 7.2.2. Sloped Roofs [roof pitches of 2:12 or greater]. The following types of roof materials are generally not allowed:
 - 7.2.2.1. Painted metal tiles, standing seam roofing and similar products with baked enamel or other painted finishes.
 - 7.2.2.2. Clear-coated or bright copper or other reflective metals
 - 7.2.2.3. Asphalt or composition shingles, even with premium coloring, pattern, texture, or thickness.

- 7.2.3. Flat Roofs [roof pitches less than 2:12]. The following types of roofing materials are generally acceptable subject to approval for coloring, reflectivity, design, and location [see paragraphs 7.3 and 7.4]:
- 7.2.3.1. Certain membrane colors will be considered without any ballast, depending on visibility and site-specific circumstances:
 - Black and charcoal gray are generally acceptable
 - Other grays, and tans might be acceptable
 - 7.2.3.3. Ballasted roofs are generally acceptable, depending on approval of the ballast [rock] coloring:
 - Dark color ballasts [dark red, black, dark grays and browns] are generally acceptable.
- 7.2.4. Flat Roofs [roof pitches less than 2:12].
- 7.2.4.1. Light grays and white are not acceptable unless completely hidden from all viewable locations.
 - Grays and tans might be acceptable
 - Darker colored, un-ballasted membranes are preferred.
 - Visibility to neighboring properties, Starwood roads and common areas will serve as the main determining factor for color selection.
 - 7.2.4.2. Ballasted roofs with light colored ballast, natural river rock, other light rock, and polychromatic mixes are generally not acceptable unless completely hidden from all viewable locations. Darker colored Ballast is preferred.
- 7.2.5. Roofing accessories are required to either match adjacent material colors or to be dark in color, oxidized copper, or other approved material. Bright or galvanized metal trim, flashing, and other accessories are not allowed unless specifically approved by the Architectural Committee.
- 7.3. All new roofs and re-roofs must be formally approved by the Architectural Committee prior to installation. Re-roofs using the same materials and colors as the existing roof will be handled by the Administrative Review Process. Re-roofing of existing homes with materials or colors that differ from the existing roof will be handled as an Architectural Committee review.
- 7.4. Listing of materials as being “generally acceptable” does not imply that any “approvable” material or system would be allowed under all circumstances.
- 7.5. Requests to approve any roofing material will require review on site by the Architectural Committee, or its appointed representatives, of a 4’ x 8’ sample board [one full sheet of plywood] unless the proposed material matches exactly an existing home in Starwood that can be used as an example.

8. AIR CONDITIONING AND EXTERIOR MECHANICAL EQUIPMENT

- 8.1. All projects in Starwood that include air conditioning or similar mechanical systems with outdoor equipment or components of any type, including condensers, swamp cooling or evaporative cooling units, ductwork, etc. need to have an approval by the Architectural Committee that specifically addresses that exterior equipment.
- 8.2. The following standards have been developed to assist the Architectural Committee in protecting the present natural beauty, native setting, and seclusion of home sites within Starwood with respect to air conditioning and other exterior mechanical equipment:

- 8.2.1. Equipment should be located so as to avoid or minimize visual and acoustic impacts to neighbors. Acoustic Impacts are best addressed, initially, by selecting locations for equipment that keep the equipment out of sight and hearing from neighboring properties.
- 8.2.2. Visual and acoustic impacts will be required to be mitigated to the Committee's satisfaction.
- 8.2.3. Rooftop equipment or equipment that is raised above grade, or any exposed ductwork, would generally create the greatest concern and will not be allowed unless it is not visible from any other properties or common areas.
- 8.2.4. The Architectural Committee is likely to require an enclosure for sound-producing equipment. Fencing may or may not be acceptable, depending on the visibility of the location and the sound levels generated by the equipment. Locating equipment within the building or in below-grade vaults may be required.
- 8.2.5. Enclosures that are visually integrated with the house design are preferred and may be required, particularly with new homes or substantial remodels.
- 8.2.6. Condensers, chillers, motors, fans, and other sound-producing equipment should be carefully selected at the outset so that sound output is minimized.
- 8.2.7. Depending on the scope of the project, Starwood may require that an acoustic analysis be prepared and submitted by the applicant which demonstrates that there will be no audible increase in background sound levels at adjoining properties when compared to existing night-time background sound levels.

9. FIRE PITS

- 9.1. All projects that include the construction or inclusion of a Permanent Fire Pit or similar outdoor combustion equipment, not including BBQ Grills or portable gas heaters, are required to have an approval by the Marshal of the Aspen Fire Protection District and the Architectural Committee that specifically addresses that outdoor equipment. It is the responsibility of the Homeowner and/or the Architect or Homeowner's Representative to submit the detailed plans to the Aspen Fire Marshall for initial Approval for any Fire Pit that is being proposed to be constructed. A letter of Approval from the Aspen Fire Protection District or the Aspen Fire Marshall should be included with the Approval Request Package. Open Fires are not permitted anywhere in Starwood.
- 9.2. The following standards have been developed to assist the Architectural Committee in protecting the present natural beauty, native setting, and seclusion of home sites within Starwood with respect to Fire Pits:
 - 9.2.1. Due to the higher risk of wildfire, Starwood will not permit open wood burning fire pits or exterior fireplaces.
 - 9.2.2. Only natural gas or LP gas outdoor fireplaces or fire pits with ballast or ceramic logs will be permitted, provided that such appliance conforms to all other applicable County codes. All other forms of recreational fires or campfires are prohibited.
 - 9.2.3. Size, Shape, and material will be at the Homeowner's discretion, however, approval must be granted by the Architectural Committee.
 - 9.2.5. Common sense practices must be maintained in the design. Consideration of materials for both the Fire Pits and surrounding hard-scape must be of non-flammable materials. A distance of 30' must be maintained from any and all potentially flammable foliage and/or vegetation.

Each fire pit will need preliminary approval from the Aspen Fire Protection District and will then be individually reviewed for final approval by the Architectural Committee.

- 9.2.6. Fire pits will be reviewed and approved on an individual basis. Location, site conditions, and materials will all be considered for approval.
- 9.2.7. Equipment should be located so as to avoid or minimize visual impacts to neighbors. Visual impacts are best addressed, initially, by selecting locations for equipment that keep the equipment out of sight from neighboring properties.
- 9.2.8. Approved fire pits are required to be maintained and kept in peak working order. Homeowners are required to prune the surrounding vegetation to maintain the determined distance from the pit.

10. SOLAR PANELS – are currently defined as: 1. Solar Panels, 2. Solar Heaters, 3. Solatube. All Solar Installations in Starwood require proper review and will be considered for Preliminary Approval, the issuance and review of a 21-day Neighbor Notification, and review for Final Approval. As are often the case, solar arrays are not always included at the Preliminary stage of design and review. Because solar arrays will require preliminary review, neighbor notification, and final review, if a full description of the solar array (and accompanying plans, details, and cut sheets) is not included in the Preliminary Review Packet the solar array will need to be reviewed as a separate project with separate (additional) review fees.

The guidelines here within may also apply to the installation of skylights. The following approval criteria apply to such devices:

- 10.1. Solar Panels require prior approval and are subject to approval. Solar panels, including but not limited to collectors of any type are subject to specific approval, as to the type used and location of the same on the roof top or on the ground. No Solar Panels shall be constructed or installed on any structure unless it is an integral and harmonious part of the architectural design of the structure as determined by the Architectural Committee.
- 10.2. Submittal Requirements for Solar Panel Projects: Plans of area where Solar Panels are to be installed on property/structure, type of device, dimensions of device, proposed color of device, if possible, pictorial/brochure of device to be installed.
- 10.3. The following standards have been developed to assist the Architectural Committee in protecting the present natural beauty, native setting, and seclusion of home sites within Starwood with respect to Solar Panels:
 - 10.3.1. The primary objective in all Solar Panel applications will be that the panels are positioned in a way as to not impair the view from any other Starwood properties. Approval will be based to a great extent on the Homeowner's ability to design an installation that minimizes visibility from adjacent properties, roads, and common areas in a fashion that is 'as best as possible' and 'within reasonable measures'.
 - 10.3.2. Roof mounted solar equipment (excluding the solar panels) must match the roof material. Black Panels (and all mounting hardware – see 10.3.8.) are encouraged.
 - 10.3.3. Roof Mounted Solar Panels must be an integrated part of the roof design and (where possible) mounted directly to the roof plane.
 - 10.3.4. Roof Mounted Solar units should not break the roof ridgeline on sloped roofs.
 - 10.3.5. The reflectivity of the panels must be kept to a minimum. This will be achieved primarily through placement of the panels. If reflectivity becomes an issue repositioning, additional screening may be required, or the panel project may be denied.

- 10.3.6. Visibility must be minimized from view, and any installation may be required to be screened from neighboring property in a manner approved by the Committee.
- 10.3.7. Certain locations may require a ground-mounted configuration within a private yard area. Ground installation should minimize its exposure and may require landscaping or architectural screening.
- 10.3.8. All lines (plumbing or electrical) from collectors to tank and/or panel boxes must be concealed and/or be made of a naturally non-reflective darker colored material or painted to be of a dark color (non-reflective black or brown).
- 10.3.9. In cases where panels are visible to neighbors or from neighboring properties, glare reports will be required to be generated (typically by the solar company) showing potential glare impact during stated times of the day/month/year in an effort to determine potential impact and suggest possible areas where mitigating screening may be necessary.

SECTION III REVIEW PROCESSES and SUBMISSION REQUIREMENTS

In addition to this document, please review the following documents with your architect and contractor, prior to presenting plans to the Architectural Committee:

- Starwood Protective Covenants, and
- Starwood Metropolitan District Rules and Regulations.

1. PRE-APPLICATION CONFERENCE:

The first step in the procedure for architectural or landscape approval is to arrange a Pre-application conference with the Architectural Advisor. The Advisor will ask you to describe the project and, based on that information, will advise you as to the most expeditious way to request an approval that will be appropriate for your particular project. This may be an administrative review or, for larger projects, a preliminary review, neighbor notification, and final review with the Architectural Committee. The conference for very minor projects may be handled over the phone, but most projects will be handled by a short conference with the owner and/or the owner's architect at the Starwood or Advisor's office, or on site. This conference is an opportunity to resolve any questions about the process, find out what fees and deposits may be involved, discuss potential issues that the Advisor may be aware of or that you have identified, and generally help get you going in the right direction.

2. ADMINISTRATIVE APPROVALS:

The Architectural Committee has determined that requests for approval of minor projects or improvements may be reviewed and approved administratively. Minor projects or improvements shall include those which involve minor changes in exterior appearance and which are not visible from other Starwood parcels or Starwood roads. The Architectural Committee has authorized the Executive Director to determine whether a request has any impacts and to review and approve projects that do not impact other Starwood property owners. The Committee has also appointed an Executive Committee to review and approve projects that have minor impacts, as determined by the Executive Committee.

Requests for administrative review and approval should be addressed to the Starwood Executive Director and delivered to the Starwood Homeowners Association, 121 Stewart Drive, Aspen, Colorado 81611, or you may contact the Architectural Advisor as suggested in Paragraph IV.

3. CONCEPTUAL REVIEW:

The Architectural Committee welcomes anyone considering construction on lands within Starwood to come in and informally discuss their plans. Persons interested in such a discussion should call the Secretary of the Board of Trustees and schedule this conceptual review. There are no formal requirements for presentation materials; however, drawings and or pictures are helpful to focus the discussion. The Architectural Committee would encourage this process for anyone who is not ready to begin the more formal approval process described below or anyone who has questions as to what the Architectural Committee may or may not approve.

4. PRELIMINARY APPROVALS:

The purpose of Preliminary Approvals is to review projects with the Board early in the design process, so that property owners can receive feedback from the Architectural Committee and interested neighbors before final plans have been developed. To avoid approval delays or costly design changes, submission of architectural sketches and/or preliminary plans for informal and preliminary review in advance of final plans is encouraged. In addition, the Board encourages informal meetings with impacted neighbors to work through potential disagreements. Persons who anticipate constructing improvements on lands within Starwood, whether they already own lands in Starwood or are contemplating the purchase of such lands, are encouraged to submit preliminary plans for architectural approval.

Formal review by the Architectural Committee begins when a copy of this Procedure for Architectural Approval signed by the property owners along with two full-size sets of plans, two 11x17 reduced set of plans, a full digital copy, and the required presentation information outlined below is delivered to the Architectural Advisor, Mark Noel at the Starwood Office, phone (970) 379-3778, and email mark@mnarchitect.com. By submitting the signed copy of the procedures, a property owner acknowledges receipt of this procedure and agrees to comply with the procedures set forth herein.

4.1. SUBMISSION REQUIREMENTS:

4.1.1. A one-page summary of the proposed project (in editable digital format).

4.1.2. Two copies of the following drawings:

4.1.2.1. Survey showing all lot lines, all applicable setbacks, all easements and all existing structures and improvements. The survey should also show the building point [also referred to as a “homesite”] and a 100-foot radius circle with the building point as its center, if such point is shown on the recorded plat for your lot.

4.1.2.2. A site plan showing the above information plus the following:

- Proposed structures or improvements and any proposed modifications to existing structures or improvements, including buildings, driveways, septic systems, fences, air conditioning or other mechanical equipment, and other improvements.
- Existing and new grades.
- Proposed septic systems should either be located on the site plan or, if the engineering plans have not already been prepared, depicted diagrammatically for location.
- Proposed Solar Array (Roof Mounted, Ground Mounted, or other) location and size.
- Elevation of main floor level in relationship to topographic grades.

4.1.2.3. A preliminary landscape plan.

MARK NOEL, ARCHITECT, INC.

Architectural Advisor | Starwood Homeowners Association | (970) 379-3778 | mark@mnarchitect.com

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- 4.1.2.4. Floor plans showing the building footprint. Plans must be drawn at either 1/8" or 1/4" = 1' scale.
- 4.1.2.5. A roof plan at the same scale as the floor plan(s) showing location and size of Solar Array.
- 4.1.2.6. Exterior elevations at the same scale as the floor plan(s) with the following information:
 - Building heights dimensioned to ridgelines.
 - Heights of existing structures.
 - Existing and proposed grades, shown from lot line to lot line.
 - Existing and proposed trees, drawn in proposed heights and locations.
 - Exterior materials.
 - Locations of air conditioning or other exterior mechanical equipment.
- 4.1.3. Plans for Solar Array (Roof Mounted, Ground Mounted or other). **If the solar array is to be considered for approval as part of the approval for the proposed project a complete description including plans, details, and cutsheets must be included at this phase (so that it can be included in the Neighbor Notification).** If the project will in any way potentially be seen by or affect neighboring properties (or views) completed glare reports (usually provided by the solar company) from locations at affected properties must be included.
- 4.1.4. To the extent that it is practical and readable, two reduced size copies of each of the above drawings [8.5 x11 or 11x17].
- 4.1.5. A listing or samples of proposed exterior materials and colors.
- 4.1.6. A copy of the current deed for the property.
- 4.1.7. An estimate of the quantity of fill in cubic yards which will be generated as excess to be removed from the site or which will be required to be imported. The purpose of this information is to make information about fill needs or fill surplus available to other property owners and possibly reduce the number of truck trips in and out of Starwood.
- 4.1.8. The signed copy of the Final Page Architectural Procedures.
- 4.1.9. To assist in explaining projects to neighbors and determining visual impacts, the Architectural Committee or its Advisor may require that visual aids such as height poles, architectural models, or architectural sketches from impacted views be provided prior to preliminary review. Typically, height poles are requested for any new structures and for additions to existing structures where the additions may be visible from other Starwood properties or roads. The architectural advisor will determine the quantity and locations of required height poles when your plans are submitted for review, and the Committee will usually have a site inspection to view the height poles just prior to the meeting.

The Board of Trustees, acting as the Architectural Committee, generally meets once a month. The Board encourages owners to submit plans for discussion according to Starwood's architectural review time table; and the Board will make a faithful effort to act within 30 days after their review of plans if requested by an owner. Plans for approval must be submitted to the Starwood architectural advisor not less than 14 days prior to the next scheduled meeting for consideration at that meeting. Owners and/or their representatives are encouraged to attend Board meetings to answer any questions the Board or interested property owners may have.

Please keep in mind that the preliminary approval process is not a substitute for the more inclusive Final Approval requirements discussed below. Property owners should note that in addition to finalized architectural plans, the Final Approval process includes review of detailed landscape and exterior lighting plans and requires a formal neighbor notification process, which allows all Starwood property owners 21 days in which to submit comments on projects receiving Preliminary Approvals prior to the Architectural Committee considering that project for Final Review.

5. NEIGHBOR NOTIFICATIONS:

Neighbor Notification letters describing projects which have received Preliminary Approval are typically sent to all Starwood property owners unless the Architectural Committee has determined that there will be minor or no impacts to other property owners. Neighbor Notification letters are sent to one owner of each Starwood property via first class U.S. mail at their address of record, and they allow a 21-day period for receipt of written comments from interested property owners.

Typically, Neighbor Notification letters are mailed after a project has received Preliminary Approval but prior to Final Review.

Projects for which no Preliminary Approvals were sought, and projects which the Committee determines to have changed in any significant way between Preliminary Review and Final Review, will have a Neighbor Notification process occur after the Final Review. The Committee will not vote on Final Reviews requiring further Neighbor Notification until after the 21-day comment period has expired, and no construction or work on site can occur during this time.

All objections to plans submitted for approval to the Architectural Committee must be submitted to the Starwood Architectural Committee in writing and contain clear statements of specific objections. Objections should be addressed to the Executive Director and delivered to the Starwood Homeowners Association at 121 Stewart Drive, Aspen, Colorado 81611. The Architectural Committee recommends that Association members call one or more of the following people to alert the Committee that written objections are forthcoming;

Association Secretary	Heather Dresser	(970) 925-8939
Architectural Advisor	Mark Noel	(970) 379-3778
Executive Director	Meg Haynes	(970) 963-9197

Objections or concerns expressed by an Association member to any aspect of a proposed project will be considered during the review process; however, the Committee shall not be obligated to require modifications to submitted plans based on such objections or concerns.

6. FINAL APPROVALS

Formal review by the Architectural Committee begins when a copy of this Procedure For Architectural Approval signed by the property owners along with two full-size sets of plans, two 11x17 reduced sets of plans, a complete digital set, and the required presentation information outlined below is delivered to the Architectural Advisor, Mark Noel at the Starwood Office, phone (970) 379-3778, and email mark@mnarchitect.com. By submitting the signed copy of the (final page of the) Procedures, a property owner acknowledges receipt of this procedure and agrees to comply with the procedures set forth herein.

6.1. SUBMISSION REQUIREMENTS

6.1.1. A one-page summary of the proposed project (2 hard copies & a digital copy).

- 6.1.2. Provide a Construction Timeline outlining the overall schedule of construction from initiation through project completion (see SECTION V CONDITIONS APPLYING TO ALL APPROVALS, Item 3.).
- 6.1.3. Two hard copies and a digital set of the following drawings:
- 6.1.3.1 Survey showing all lot lines, all applicable setbacks, all easements and all existing structures and improvements. The survey should also show the building point [also referred to the “homesite”] and a 100-foot radius circle with the building point as its center, if such point is shown on the recorded plat for your lot.
- 6.1.3.2. A site plan showing the above information plus the following:
- Proposed structures or improvements and any proposed modifications to existing structures or improvements, including buildings, driveways, septic systems, fences, air conditioning or other mechanical equipment, and other improvements.
 - Existing and new grades.
 - Existing and new septic systems.
 - Elevation of each floor level in relationship to topographic grades.
 - Location of utility runs and septic systems. Please include size of proposed water connection.
 - All proposed grading changes on no more than 2-foot contours.
 - Location and quantity of parking spaces to be used for construction related vehicles as described in the parking plan required by item 8 below.
 - Any and/or All ground mounted Solar Panels or Arrays
 - A Construction Fencing Plan
- 6.1.3.3. Dimensioned floor plans of each floor at either 1/8” or 1/4” = 1’ scale.
- 6.1.3.4. A roof plan at the same scale as the floor plan(s).
- Include any roof mounted Solar Panels or Arrays
- 6.1.3.5. Exterior elevations at the same scale as the floor plan(s) with the following information:
- Building heights dimensioned to ridgelines.
 - Heights of existing structures.
 - County 28’ [mid-point] and 33’ [ridgeline] height limits at existing and proposed structures.
 - Existing and proposed grades from lot line to lot line.
 - Existing and proposed trees and shrubs, drawn in actual and proposed heights and locations.
 - Exterior materials.
 - Locations and sizes of air conditioning or other mechanical equipment, drawn to scale.
- 6.1.3.6. A complete landscape plan showing plant types, sizes and locations, exterior lights, fences, and driveway and parking areas. Please review Starwood’s Procedure for Landscape Approval.

- 6.1.3.7. An Activity Envelope Site Plan with the written approval and signatures of both the Pitkin County Community Development Department and the property owner.
- 6.1.3.8. Complete irrigation plans showing compliance with the rules and regulations of the Starwood Metropolitan District, (download from www.starwood.org) including the requirement for irrigation zoning and controls that do not exceed 10 gpm maximum water flow at any time.
 - 6.1.3.8.1. Along with the complete irrigation plans, two copies of a written approval(s) from the Starwood Metropolitan District and the Red Mountain Ditch Company for the irrigation system design and irrigation take-out.
- 6.1.4. Plans for Solar Array (Roof Mounted, Ground Mounted, or other). If the project will in any way potentially be seen by or affect neighboring properties (or views) completed glare reports (usually provided by the solar company) from locations at affected properties must be included.
- 6.1.5. Wildfire Hazard Mitigation report, Wildlife Habitat Mitigation report, and all other information or representations provided to Pitkin County pursuant to the Activity Envelope approval process.
- 6.1.6. Septic engineering and design report. All septic systems must comply with Pitkin County and State of Colorado requirements pertaining to ISDS systems and must be approved by the Starwood Metropolitan District and the Red Mountain Ditch Company.
- 6.1.7. To the extent that it is practical and readable, two reduced size copies of each of the above drawings [8.5 x11 or 11x17].
- 6.1.8. A completed Starwood Metropolitan District Tap Privilege Fee Worksheet [the form can be found on the website under the Architectural Fee Worksheets tab] that includes a count of all existing and proposed plumbing fixtures, hose bibs, spas and swimming pools, and other fixtures that use potable water. For remodels and additions to existing structures, the completed Tap Privilege Fee Worksheet shall include an inventory of all existing fixtures for all structures on the property.
- 6.1.9. Samples of exterior colors and materials.
- 6.1.10. Product data [includes photographs of fixture, physical dimensions, materials and glazing, and number/lamp type/wattages of lamps] and plan of locations for all exterior lights, including landscape lighting. Please review Starwood's Exterior Lighting Guidelines and Standards.
- 6.1.11. Product data [including manufacturer's literature with dimensions, colors, and materials for panels and mounting systems and hardware] for all solar equipment for either ground mounted or roof mounted systems. See above sections 6.1.3.2. and 6.1.3.4. – Solar systems must be shown on plans.
- 6.1.12. Plans, sections, and elevations should be included for any proposed Fire Pits. See **SECTION II CRITERIA and STANDARDS, 9. Fire Pits** for specific Fire Pit criteria. Include a letter showing that the Fire Pit has been reviewed and approved by the Aspen Fire Protection District.
- 6.1.13. Product data [including manufacturer's literature with dimensions, colors, and sound output information] for all air conditioning or other mechanical equipment in exterior locations.

- 6.1.13.1. If requested by the Architectural Committee or the Architectural Advisor, an acoustic analysis of the proposed equipment demonstrating that there will be no audible increase in background sound levels at adjoining properties when compared to existing night-time background sound levels.
- 6.1.13.2. Proposed mitigation measures [e.g. screening, enclosures, and vaults] should be shown on the landscape and architectural drawings, as appropriate.
- 6.1.14. A descriptive and graphic plan for parking construction vehicles. The plan should address the maximum number and type of vehicles required by the contractor(s) at any time during the construction, and should, to the greatest extent possible, allow for parking those vehicles on the actual property. **Construction vehicle parking on Starwood roads is not allowed except in unique circumstances specifically approved by the Executive Director.** Car pooling and shuttles to bring workers and materials from off-site locations or other arrangements are encouraged to minimize traffic to and from construction sites and onsite parking of construction vehicles, and may be required by the Committee if adequate parking is not available.
- 6.1.15. An estimate of the quantity of fill in cubic yards which will be generated as excess to be removed from the site or which will be required to be imported. The purpose of this information is to make information about fill needs or fill surplus available to other property owners and possibly reduce the number of truck trips in and out of Starwood.
- 6.1.16. A copy of the current deed for the property.
- 6.1.17. The signed copy of the Architectural Procedures.
- 6.1.18. The signed copy of the Architectural Agreement.
- 6.1.19. The following visual aids should be in place on the site for viewing 7 days prior to the scheduled Architectural Committee meeting date:
 - A staked permanent reference point located on the site with reference to the elevation of finished floor level.
 - If requested by the Architectural Committee or its advisor, height poles showing the highest point or points of the roof and exterior corners of the building.
 - If requested, flagging of center of access roads, parking and turn around areas.
- 6.1.20. To assist in explaining projects to neighbors and determining visual impacts, the Architectural Committee or its advisor may require that visual aids such as height poles, models or architectural sketches from impacted views be provided prior to Final Review.
- 6.1.21. The Board of Trustees, acting as the Architectural Committee generally meets once a month. The Board encourages owners to submit plans for discussion at scheduled meetings; however, the Board will make a faithful effort to act within 30 days after submission of plans if requested by an owner. Plans for approval must be submitted to the architectural advisor not less than 14 days prior to the next scheduled meeting for consideration at that meeting. Owners and/or their representatives are encouraged to attend Board meetings to answer any questions the Board or interested property owners may have.

7. NEIGHBOR NOTIFICATIONS FOR FINAL APPROVALS:

Projects for which no Preliminary Approvals were sought, and projects which the Committee determines to have changed in any significant way between Preliminary Review and Final Review, will have a Neighbor Notification process occur after the Final Review. The Committee will not vote on Final

Reviews requiring further Neighbor Notification until after the 21-day comment period has expired, and no construction or work on site can occur during this time.

The Architectural Committee will consider any objections or comments submitted in writing during the 21-day comment period and will vote on the Final Approval after the comment period has concluded. The Chairman will determine whether or not the Committee needs to meet with the applicant and discuss the project further prior to voting on the approval.

No construction or work on site shall occur during the comment period, prior to the Committee giving Final Approval, and prior to all required fees and deposits having been provided to the Homeowners Association.

8. ARCHITECTURAL COMMITTEE MEETINGS:

The format for Architectural Committee meetings will be as follows:

- 8.1. The Starwood Architectural Advisor will present his report, which will include specific acceptance/rejection/discussion recommendations; non-controversial plans will be accepted by consent agenda. Prior to the meeting, the architectural advisor will give a copy of his report to the property owner.
- 8.2. The Architectural Advisor will read into the record any written objections or comments received from Starwood property owners.
- 8.3. After the Architectural Advisor presents his reports and specific recommendations, and after the Board has allowed time to ask questions, the floor will be opened to the homeowner and his/her representatives to provide additional information, propose alternatives, or otherwise address the Architectural Advisor's report and recommendations.
- 8.4. The floor will then be opened to any property owners in attendance that have specific comments or objections to make before the Board acts upon the approval request.

All comments and objections will be considered by the Board in the context of the Board's goals and objectives, and the Starwood Protective Covenants, but it will not be the Board's mission to address every possible concern or to reach compromise solutions for all concerns.

SECTION IV FEES and DEPOSITS

The Architectural Committee has established a schedule of Deposits and Fees for all improvements requiring approval by the Architectural Committee. Deposits and Fees must be paid in full to the Association at the time that plans are first submitted for review, and the Architectural Committee will not consider an application for Preliminary, Final, Administrative or other approval until the required Deposit or Fee is received. A copy of the Starwood Architectural Approval Agreement must be signed, notarized, and submitted with the application as well. The purpose of these Fees and Deposits is to offset architectural and legal expenses related to the required review of all plans submitted for approval. Effective as of November 04, 2014, the following schedule of Improvement Review Fees and Deposits is in effect:

1. IMPROVEMENT REVIEW FEE:

This is a non-refundable fee paid to the Association to cover the costs that the Association incurs for: 1) the services of the Architectural Advisor and, 2) the services of the Association's Attorney pertaining to legal issues or documents for specific projects.

1.1. NEW HOUSES	1 – 5,000 SF	\$20,000
	Over 5,000 SF	\$20,000 plus \$5,000 for each additional 2,500 SF or fraction thereof
1.2. ADDITIONS	All	\$5,000 per 2,500 SF or fraction thereof
1.3. EXTERIOR REMODELS	Minor remodels	\$5,000
	Major remodels	\$15,000

1.3.1. Minor remodels would include projects that are expected to require a one-step review process. Major remodels would include both preliminary and final reviews, significant changes in materials and/ or colors, and other significant changes which do not involve additional square footage.

1.4. VEGETATION THINNING & REMOVAL [WILDFIRE PREVENTION]	All	\$1,000
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1.4.1. No fee is required where the work consists solely of the removal of dead trees, but prior approval for all such work from the Starwood Manager is still required.

1.5. LANDSCAPE & SITE APPROVALS

Minor projects	Fixed Fee per Paragraph 1.6 below.
Other projects	\$5,000

1.5.1. Minor projects would include landscape changes that qualify for administrative reviews. All other projects would be charged the higher flat rate.

1.6. SOLAR ARRAYS (ALL ARRAYS - GROUND OR ROOF MOUNTED OR OTHER)

Simple Arrays (36 panels or fewer)	\$2,500
Complex Arrays (37 panels or more)	\$5,000
Upgrade to Existing System	\$1,800

1.6.1. The determination of a simple solar installation vs a complex solar installation will be made by the Homeowners Association Executive Director and the Architectural Advisor. The criteria used to determine the status will be size of the array and the potential for impact to neighboring properties.

1.6.2. Additional Fees for a solar array may be higher if the project has the potential to directly impact neighbors and involves significant input, review, and negotiation to resolve the details of possible mitigation. The Starwood Homeowners Association reserves the right to invoice for additional cost should the associated time and staff input be required (See **SECTION V CONDITIONS APPLYING TO ALL APPROVALS Item #15**)

1.6.3. Any direct swap for an aging system to a new system where the two systems are the same (or very close) in size, location, and number of panels will be considered Repair and Maintenance and no fee or review is necessary. Typically, Mark Asher or Mark Noel can review this and make that determination. If there are plans to upgrade an existing system and the two systems are similar in size and scale but portions or the entire system is to be located in an alternate area, the project will be considered 'Upgrade to

Existing System' and will receive review via the Administrative Approval Process and will be Neighbor Notified and charged the described fee. A new system that replaces an existing system with a new location with different panels (hot water replaced by PV, etc.) will be determined a Simple or Complex Array as a new system and will be subject to the appropriate review process and fees.

1.7. FIXED FEES:

The following types of approvals will be charged fixed fees:

MINOR LANDSCAPE AND SITE APPROVALS	\$600 per request
CHANGES TO APPROVED PLANS	\$600 per request - simple \$1800 per request - complex
ADMINISTRATIVE APPROVALS	\$600 per request – simple \$1800 per request - complex
RE ROOF (w/ NEIGHBOR NOTIFICATION)	\$1800 per request
FIRE PIT APPROVALS	\$1200 per request
PROJECTS STARTED WITHOUT APPROVAL	\$2500 per incident (1.7.3.)

- 1.7.1. Improvement Review fees are typically paid prior to Preliminary Review and no additional fee is due for Final Review, but the fee is due prior to Final Review if there were no Preliminary Review.
- 1.7.2. Administrative Approvals AND Changes to Approved Plans requiring a 'one step' review process will be considered as 'simple'. Those projects requiring additional steps or review will be considered 'complex'.
- 1.7.3. Projects started without seeking review and approval from the Starwood Architectural Committee that would usually require review and approval will be subject to a 'one time' compensation fine of \$2500. This will be assessed in addition to any regular fees that would normally apply to said project.

2. IMPROVEMENT DEPOSITS:

2.1. CONSTRUCTION DEPOSIT

NEW CONSTRUCTION	1 – 5,000 SF	\$5,000
	OVER 5,000 SF	\$5,000 plus \$1,000 for each additional 1,000 SF or fraction thereof
REMODEL / ADDITION	1 – 5,000 SF	\$2,500
	OVER 5,000 SF	\$2,500 plus \$1,000 for each additional 1,000 SF or fraction thereof

2.2. CONSTRUCTION PARKING DEPOSIT

CONSTRUCTION PARKING DEPOSIT	\$3,000
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- 2.2.1. The Construction Parking Deposit was created to respond to ongoing problems throughout Starwood with On-Street Parking of construction vehicles. A reminder – **'Construction vehicle parking on Starwood roads is not allowed except in unique circumstances specifically approved by the Executive Director.'** Parking on Starwood

roads creates dangerous and hazardous conditions for Starwood residents, associated vehicles and maintenance vehicles. The goal of this deposit is to strictly discourage and to aid in the enforcement that construction vehicles NOT be parked on Starwood Roads (unless an exception is granted by the Executive Director). This deposit is to be made by the Builder or General Contractor, as that will most likely be the person or persons that will be on-site and in the best position to effectively oversee and manage the parking at the construction site. The Starwood Manager will be responsible to enforce the Construction Parking rules. A fine of \$150.00 per incident will be deducted from the deposit on a per incident basis. The remaining balance of the deposit will be returned when the Letter of Final Inspection has been issued.

2.3. ROAD CUT DEPOSIT

ROAD CUT DEPOSIT	IF APPLICABLE	\$3,000
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2.3.1. The ROAD CUT DEPOSIT will be held through one (1) winter following the completion of the project. This serves to ensure that a proper inspection can be made, while there is no snow on the ground, to determine that the plans have been effectively carried out and that proper backfill was used and compaction was performed during construction as to return the road to its fully functional state.

2.4. LANDSCAPE AGREEMENT DEPOSIT

ALL	\$5,000
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2.4.1. Projects requiring a Landscape Guarantee are subject to an Agreement and a Guarantee Deposit (see Section 2.5. below). The Landscape Agreement Deposit has been put in place to cover the cost of the preparation and implementation of the Landscape Agreement.

2.5. LANDSCAPE GUARANTEE DEPOSIT

The amount of the landscape guarantee will be determined by the Starwood Architectural Committee. This is a deposit to guarantee that the approved landscape plan, as part of the overall project approval, is completed within the term to which it was approved. Please see the LANDSCAPE GUARANTEE document @ www.starwood.org. This document must also be signed, notarized and submitted with the project application. 10% of the landscape guarantee will be held for one year after the completion of the project, at which time a site inspection will be performed to determine that the landscaping has been successfully completed, is viable and being maintained. If a Landscape Guarantee is required as part of the Approval, the Landscape Guarantee shall be finalized, and all fees and deposits shall be made prior to the project receiving Final Approval.

2.6. REMAINING DEPOSIT BALANCES

If the amounts charged to the project, through the time that all Construction and Landscape Guarantee Deposits are returned to the property owner in full and the project is closed out by the Association, are less than the Deposit held by the Association, then the remainder will be returned to the property owner at the time that the Association agrees to release all security deposits held by the Association for that project.

3. WATER TAP FEE

Preliminary amount is calculated by Architectural Advisor, based on spreadsheet of fixture counts provided by homeowner or his architect. Final amount is determined by inspection of completed construction [after Certificate of Occupancy is obtained] by Starwood Manager and Architectural Advisor. The information to determine the Water Privilege Tap Fee is required to be submitted by the Property Owner or his Architect in the Final Review application. By the time of the Final Approval, Starwood has documented the Tap Fee due in a spreadsheet and has sent copies to the Homeowners Association, the Metro District and the Property Owner's Architect.

4. LEGAL REVIEW FEE

The Improvement Review Deposits and Fees will typically include the Association's legal fees for preparation of landscape completion guarantees and other normal documentation for a specific project. The Association reserves the right to impose an additional legal fee [to be determined] for projects requiring easements, special Metropolitan District requirements, or other legal work which is specific to that project beyond the landscape completion guarantee.

5. TRANSFER OF OWNERSHIP REQUESTS FOR INFORMATION AND INQUIRIES FEE

It is fairly common when a property changes hands in Starwood that there are requests for information, or a series of inquiries made. These can come from a number of individual entities such as Potential & Existing Homeowners, Realtors, Engineers, Planners, Architects, and Designers. Typically, these inquiries range from simple questions about what types of fencing are allowed in Starwood to complex analysis and review for a schematic plan to perform an extensive remodel or to build a new house. The Association reserves the right to impose an additional review fee to cover the expenses incurred when a property is going through the consideration, negotiation, and sale phases. If and when time is required by the architectural advisor or attorney to address questions and/or issues, Starwood may at its discretion, prepare and deliver an invoice to the current homeowner to cover the time required to address or satisfy the inquiry or request for information.

SECTION V CONDITIONS APPLYING TO ALL APPROVALS

1. The Architectural Committee may grant Final Approval subject to certain conditions or upon changes in plans as presented. Any such conditions of approval will be clearly described in Section G of the Architectural Approval Agreement.
2. Construction must commence within 24 months after Final Approval or the approval expires; in that event, the project must be re-approved by the Architectural Committee and additional fees may be due.
3. While Starwood invites and encourages new-home construction and remodeling of existing homes, there is also a responsibility to minimizing the impact of construction and truck traffic on other Starwood homeowners. The Starwood HOA will work with homeowners' construction projects to minimize delays due to HOA administration and architectural review, but also expects and encourages efficient completion of projects. This Construction Delay Policy takes into account increasing construction times for larger homes, but also levies penalties for projects taking longer than the times allotted in this Policy. As outlined in the Submission Requirements (SECTION III REVIEW PROCESS and SUBMISSION REQUIREMENTS, 6. FINAL APPROVALS, 6.1.2 CONSTRUCTION TIMELINE) a construction schedule is required as part of the Final Approval Package. The following construction timelines and penalties shall apply:

- a. Once obtaining Starwood approval for a construction project, that approval is good for 24 months, beyond which if the project hasn't started, it must re-submit for approval.
 - b. From the commencement of construction, the project must be completed in **XX** months (defined below), otherwise penalties shall be imposed.
 - i. **"Completion"** is defined as:
 1. For exterior construction, final Starwood inspection and approval.
 2. For Trucking Fee Penalties, issuance of a Certificate of Occupancy.
 - ii. **XX** for a project, after which Monthly Penalties shall be imposed:
 1. For homes of 5750 sq. ft or less, XX is 24 months
 2. For homes from 5750 – 8250 sq. ft, XX is 30 months
 3. For over 8250 sq. ft XX is 36 months
 - c. The **Monthly Penalty** equals the initial application fee/12 for each of the first 12 late months and increases equal to the initial application fee/2 for every month thereafter.
 - d. The **Trucking Fee Penalty** for the first 12 late months is an increase of 50% over the standard Trucking Fees then in effect for 3-axle or larger trucks and \$10/truck for smaller trucks. Beyond the first 12 late months, the Trucking Fee Penalty is 100% of the standard Trucking Fees for 3-axle and larger trucks and a continuing \$10/truck for smaller trucks.
 - e. Penalties shall not be imposed after "completion," as set forth above. Penalties shall be imposed as fines following the procedures set forth in the Association's Enforcement Policy, which requires notice and an opportunity for a hearing prior to imposition of such fines.
 - f. The start of penalties can be delayed by application to the Starwood HOA Board detailing special circumstances such as extreme market or personal conditions and accompanied by a cessation of external activity that would be bothersome to other homeowners. Starwood may also require some temporary dressing up of the construction site or other reasonable conditions to lessen impact to Starwood owners.
 - g. The Construction Delay Policy at the time of initial approval of a construction project will remain the policy for that project and will not be changed without mutual consent of Starwood and the homeowner.
4. The terms of the Final Approval will be outlined in a standard form Starwood Architectural Approval Agreement. Property owners should review this document, which is included in the Starwood approvals packet, early in the approval process. Final approval will be subject to the owner executing an Architectural Approval Agreement and complying with the terms and conditions outlined therein.
 5. The Architectural Committee may grant Final Approval subject to certain conditions or upon changes in plans as presented. Any such conditions of approval will be clearly described in Section G of the Architectural Approval Agreement. Property owners should also be aware that construction must commence within 24 months after Final Approval or the approval expires; in that event, the project must be re-approved by the Architectural Committee and additional fees may be due. Once construction begins, Starwood's Protective Covenants require that construction should be completed within 18 months or such longer period as reasonably required and approved by the Architectural Committee. Pursuant to this authority, the Committee has allowed for the timelines for completion set forth above.
 6. Property owners should also be aware that once final plans have been approved, no visible changes in siting, grading, exterior materials or colors, changes to windows or doors, building massing, landscaping, or exterior lighting will be allowed without prior written approval by Starwood. If changes must be

made, property owners should contact the Executive Director to see if the changes will require a review by the entire Architectural Committee or if the Executive Director can approve the changes. There is a standard fee for changes to approved plans (see **SECTION IV FEES and DEPOSITS, 1. IMPROVEMENT REVIEW FEE;** 1.6. FIXED FEES:) If the complexity of requested changes requires additional plans to be reviewed, owners will be subject to additional plan check fees.

7. Property owners are required to ensure that all construction sites are maintained in a neat and orderly manner on a daily basis, free from accumulations of trash and debris, and shall not cause or allow trash and debris to litter the roads. If conditions at the site are unkempt, or if trash and debris resulting from the construction are not promptly removed and cleaned up after verbal or written notice from Starwood, Starwood reserves the right to arrange for such removal and cleanup to be performed by its own or contracted forces and to bill the property owner at the rate of one hundred (\$100.00) dollars per hour for all time required to remove and clean up such trash and debris, such cost to be assessed against the property if unpaid, or deducted from the construction deposit, as Starwood in its sole discretion shall determine.
8. All food or other edible waste that might attract bears or other wildlife shall be stored on-site in approved bear-proof trash receptacles or shall be removed from the project site at the end of every working day.
9. Property owners shall make all necessary arrangements to ensure that there is adequate off-road parking so that those working at the site do not park their vehicles on any Starwood roads or common areas or adjacent properties, or in any manner that interferes with plowing, road maintenance and emergency operations.
10. The use of Construction Cranes will be limited to specific tasks and restricted to use and placement only during the foundation and framing portions of the overall construction process. If there is a specific task where the use of a crane is necessary, permission must be obtained from the Starwood Architectural Committee. Because cranes could obstruct neighboring views, cranes will not be allowed to be placed and to remain on a jobsite during the entire construction process. If there are plans to use a crane during the specified portions of the construction process or for specific tasks, prior clearance and time frames must be discussed and agreed between the builder/contractor and the Starwood Architectural Committee and/or the Starwood Architectural Advisor.
11. For all new construction projects within Starwood, major remodel or new homes, the addition or replacement of a meter pit is required. Outdated meters and/or inaccessible meter pits are problematic for meter reading purposes, and in emergency situations. Meters should be located in an accessible concrete pit, and near the driveway at the road. If you have any questions regarding the specific requirements for a meter pit, please contact Mark Asher – Starwood Manager.
12. The Architectural Committee does not review plans for compliance with Pitkin County requirements. The Committee relies on property owners to ensure that all county and state building permits and approvals, including issuance of Activity Envelope or 1041 approvals, septic permits, ridgeline review, and variances from the Pitkin County Land Use Code if applicable, have been obtained and are kept current.
13. Pitkin County often requires specific project approvals in addition to the customary building permits, and distinct from any approvals required by the Starwood Architectural Committee or the Starwood Metropolitan District. Certain properties within Starwood require scenic overlay review by the County, and there are other types of projects requiring separate reviews, such as caretaker units and setback encroachments. As of the date of this document, all Starwood properties are required to go through an Activity Envelope Review prior to applying for a building permit. Where these County and Starwood approvals are both required, it shall be the owner's responsibility to determine whether to obtain County approval prior to Starwood approval, Starwood approval prior to County approval, or to seek approvals from both entities at approximately the same time. The owner is encouraged to discuss the

requirements and appropriate options with the County Community Development Department and the Starwood Architectural Advisor very early in the process and then decide how to sequence the reviews.

14. All proposed improvements that involve modifications to any existing irrigation ditch must be approved by the Starwood Metropolitan District and the Red Mountain Ditch Company as well as the Starwood Architectural Committee. Modifications requiring approvals include, but are not limited to, physical modifications or culverting of any portion of any ditch, modifications or additions to irrigation systems, changes in ditch take-outs and pumping equipment, new septic systems or changes to existing septic systems which are located within 100' feet [horizontally] of any irrigation ditch, or other improvements which are within 25 feet [horizontally] of either side of the centerline of the ditch.
15. All projects described in the Starwood Architectural Procedures require approval by the Starwood Homeowners Association Board (acting as the Starwood Architectural Committee) prior to the commencement of any and all work. If a project gets underway prior to receiving review and approval a \$2500.00 fine will be added to the designated fees for the project.
16. If the charges to the project by the Association during the review and construction period exceed the Improvement Review Fee at any time, then the property owner will be required to increase the Improvement Review Fee immediately upon receipt of an invoice from the Association. The Architectural Advisor's time and the Association Attorney's time will be charged to each project at a rate of 1.75 times the cost charged to the Association by each of the two professionals to provide an adequate additional fee, as solely determined by the Association. Payment(s) will be due upon receipt of the invoice(s). The Association shall have the right to draw upon any funds or security held pursuant to either the Construction Deposit or the Landscape Guarantee to pay any such outstanding invoices if payment is not received within fifteen calendar days of the date of the invoice(s).

STARWOOD ARCHITECTURAL COMMITTEE PROCEDURES

Adopted by

THE BOARD OF TRUSTEES

STARWOOD HOMEOWNERS ASSOCIATION

On October 3, 2007 (updated November 04, 2014)

SECTION VI OWNER RECEIPT and ACKNOWLEDGEMENT OF PROCEDURES

The undersigned owner hereby acknowledges receipt of the Architectural Procedures, pages 1 through 26, and agrees to comply with the procedures set forth herein.

Owner _____

Owner _____

Tract No: _____

Date: _____