

# **FRENCH CREEK AT BRECKENRIDGE**

## **Architectural and Development Standards**

February 2, 2010

## **ARCHITECTURAL AND DEVELOPMENT STANDARDS**

**for**

### **FRENCH CREEK AT BRECKENRIDGE**

These Architectural and Development Standards (hereinafter referred to as the Standards) have been promulgated pursuant to the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Valdora Village at Breckenridge, a/k/a French Creek at Breckenridge (hereinafter referred to as Declaration). Capitalized words used herein shall have the same meaning and definition as is set forth in the Declaration. The Standards are binding upon all persons who at any time construct, reconstruct, refinish, alter or maintain any improvement within the Project, or make any change in the natural or existing surface, drainage or plant life thereof. The Standards are administered and enforced by the Design Review Committee and the Board in accordance with the Declaration and the procedures contained in the Standards. The Standards may be amended from time to time and it is the responsibility of each Owner or other interested person to obtain and review a copy of the most recently revised Standards before taking any action which may be governed thereby. Before construction of any improvements upon any Lot can begin, each Owner must have the necessary approvals of the Design Review Committee and Summit County.

#### **I. PURPOSE OF THE FRENCH CREEK ARCHITECTURAL AND DEVELOPMENT STANDARDS**

The Standards have been written to implement the Declaration by providing a guide for the design and development of homes and improvements within the Project. These Standards include specific site planning, architectural, landscape and construction standards to ensure that an aesthetically and environmentally sensitive approach is taken in the development and maintenance of individual homes and Lots. These Standards provide the principle tool for establishing and maintaining the design continuity of the French Creek built environment.

One of the major objectives of these Standards is to encourage a unified design philosophy for French Creek. These Standards are not intended, however, to suggest that all homes in French Creek are to be identical in design or use identical building materials. These Standards are written to encourage architectural harmony in the design of homes, their relationship to one another, and their relationship to the environment, while still maintaining individual diversity. It is the intention of these Standards that no single structure or improvement stand apart in its design or construction so as to detract from the overall environment and appearance of French Creek, while still allowing for the diversity that exists within the Project.

The major objectives of the French Creek Architectural and Development Standards are:

- To provide owners with standards of what is expected in terms of architectural and landscape design and home construction.
- To foster a unified design philosophy for the community while also allowing for individual architectural expression.
- To assist owners and their design teams with the design review process and with the various factors that must be considered when designing a home, and improvements to homes, which will integrate into the village concept that is critical to the continued success of French Creek.

The Standards have been written with room for self expression by the Owners in French Creek . Inherent in this concept, however, is the understanding that all homes must be designed within the parameters outlined in these Standards in order to maintain design compatibility throughout the Project, preserve economic values, and enhance the environmental quality of the community.

The actual design Standards are outlined in three different sections:

- Site Planning Standards outline Standards for the sitting and orientation of Units, Buildings, and other Improvements on a Lot.

- Architectural Standards address the architectural style, materials, form and finish of the Units, Buildings and other Improvements on a Lot.
- Landscape Design Standards cover all site Improvements and the landscaping of a Lot.

Although addressed separately, the design concepts in these three sections are clearly inter-related and must be considered as a whole when designing a Unit or Building. A successfully designed Unit or Building will achieve a balance between the various design Standards outlined in each of these three sections.

## **II. THE DESIGN REVIEW AND APPROVAL PROCESS**

There are two important steps that every Owner should take prior to beginning the design of either a new Unit or Building, or changes and alterations to an existing Unit or Building. The first is to become familiar with the French Creek environment. French Creek, which is located in a mountain valley near Breckenridge, includes different types of Lots characterized by a variety of orientations. The second is to spend time reviewing these Architectural and Development Standards.

### **THE DESIGN REVIEW COMMITTEE**

The design review process involves a series of meetings between the Owner, his/her design team, and the DRC. This process begins with an informal introductory meeting and concludes with the completion of construction. Along the way are a series of meetings, or check points, designed to ensure a smooth and efficient review of the Unit or Building design. The DRC is committed to assisting owners through the design review process. As opposed to a "regulatory review agency," the DRC should be thought of as a member of the Owner's design team.

The DRC is comprised of a minimum of three members of the Board of Directors of the French Creek Association to represent a cross-section of individuals familiar with French Creek and with the challenges

involved with designing and building in mountain environments. The Committee meets on an as needed basis and is responsible for reviewing all new construction and modifications to existing Units and Buildings.

The DRC evaluates all development proposals on the basis of the Standards. Most of the Architectural and Development Standards outlined in this document are written as relatively broad Standards. The interpretation of these Standards is left to the discretion of the DRC. Other Standards, such as roof height, roof form, trim features, and exterior wall materials are more clearly stated as definitive, or absolute, design parameters. It is the intention of this design review process that all Unit and Building designs comply with these absolute Standards.

It is also recognized that each Lot has its own unique characteristics and that each Owner has his or her own individual needs and desires. For this reason, the DRC has the authority to approve minor deviations from any of the design Standards in these guidelines. It should be understood, however, that any request to deviate from these Standards will be evaluated at the sole discretion of the DRC and that any approval of deviations shall be limited to only the most creative design solutions to unique situations. Prior to the DRC approving any deviation from a design Standard, it must be demonstrated that the proposal is consistent with the overall objectives of these Standards and that the deviation will not adversely affect adjoining Lots or French Creek as a whole.

## **THE DESIGN REVIEW PROCESS**

The following sections describe the major steps involved in the French Creek DRC design review process. Submittal material required for each step in this process is also listed. The DRC may, at the request of an owner or at its own discretion, modify any of these submittal requirements.

## **OTHER DEVELOPMENT REGULATIONS**

While these Standards constitute the primary tool for controlling the development of French Creek, other material must also be considered during the design process. French Creek is located in unincorporated

Summit County. Units and Buildings in French Creek are also required to go through the normal Summit County review process. Prior to initiating construction, the owners are responsible for obtaining a building permit from Summit County.

## **MODIFICATIONS TO EXISTING HOMES**

DRC approval is required for any exterior modifications to an existing Unit, Building, Improvement, or Lot. This includes improvements such as, but not limited to, exterior Unit or Building modification, or the addition of new windows or an outdoor porch or patio. The review of modifications to existing Units and Buildings will generally follow the procedures outlined in Step Two (Preliminary Review). Submittal requirements will generally be limited to plans, written information, material samples and color samples necessary to demonstrate the proposed modification. Prior to beginning the design of any modifications to an existing Unit or Building, Owners are encouraged to contact the DRC to outline a review process and submittal requirements for the modification.

### **STEP ONE: CONCEPTUAL REVIEW**

After an Owner and his or her design team have carefully reviewed the Standards, the next step is to obtain a topographic survey of the site and begin schematic design of the Unit or Building. Depending on the nature of the proposed improvements, the requirement of a topographic survey can be waived by the DRC. For Conceptual Review, a series of informal sketches of all elevations (one of which should be a perspective of the proposed Unit or Building), and a conceptual site plan is to be submitted to the DRC. The designer should also have a general idea of the materials that are being considered for the Unit or Building.

The DRC will meet and consider the appropriateness of the conceptual design submittal and within three (3) weeks of submittal, the DRC may provide the Owner's design team with a list of outstanding issues that should be addressed during the next level of design.

### **Required Submittal Material:**

One copy of the following is to be submitted.

1. Perspective and other informal sketches depicting the elevations of the proposed Unit or Building.
2. Conceptual site plan of the lot, at a scale of 1" = 10'-0", indicating the location of all proposed structures and site improvements, access to the Unit or Building, and, where appropriate, preliminary grading plans.
3. Any other drawings, materials or information requested by the DRC.

### **STEP TWO: PRELIMINARY REVIEW**

This step in the review process is the only required meeting between the DRC and the design team before the preparation of final construction drawings. As such, a comprehensive submittal including final design drawings is required for the Preliminary Review. All submittal material must be submitted two (2) weeks prior to the DRC's scheduled meeting.

Preliminary Review submittals will be reviewed for compliance with all applicable Architectural and Development Standards and with the Conceptual Review submittal. If the proposed design has not significantly changed from the approved Conceptual Design and the project team has successfully responded to all DRC concerns raised during Conceptual Review, project approval can be anticipated. Proposed designs that have not responded to DRC concerns or are otherwise inconsistent with the Standards will either be denied or tabled to a subsequent meeting. In either case, within two (2) weeks of this meeting the DRC will provide the Owner's design team with a written explanation of why the project was not approved.

**Required Submittal Material:**

**One copy of the following is to be submitted.**

1. Site Plan at a scale of 1" = 10'-0", indicating the location of all proposed structures and improvements, site access, and utility service lines.
2. Grading Plan, if appropriate, at a scale of 1" = 10'-0", indicating all modifications to existing contours and drainage patterns.
3. Floor Plans with dimensions of all proposed buildings drawn at a scale of 1/4" = 1' showing all heated and non-heated floor area and finished floor elevations.
4. Building elevations of all proposed buildings drawn at a scale of 1/4" = 1'-0" indicating all exterior wall and roof treatments, fenestration, decks and terraces, heights of all major roof ridges, eave lines and existing and proposed finished grades around the structure.
5. Landscape Plan at a scale of 1" = 10'-0" indicating locations of all existing trees or other plantings to be removed and all existing trees or other plantings to be retained, all new plantings to be added, ground covers, area of the site to be left undisturbed in natural condition, construction protection mitigation, areas to be irrigated, and all site improvements such as patios, terraces, driveways, parking areas, walkways, retaining walls, and fences.
6. List of all building and landscape materials and a color and material board.
7. Any other drawings, materials or information requested by the DRC.

### **STEP THREE: FINAL REVIEW**

After Preliminary Review approval, the following material shall be submitted to the DRC for final review of all construction plans. The purpose of this review is to ensure that final construction plans and documents are consistent with the plans approved at Preliminary Review. A formal meeting between the owner and the DRC is not required.

A written Notice to Proceed will be issued by the DRC for all plans that are consistent with approved Preliminary Review plans. The DRC shall issue the Notice to Proceed within two (2) weeks from the date complete Final Construction Plans are submitted. Prior to initiating construction, owners are responsible for obtaining all necessary approvals and a building permit from Summit County.

If construction plans deviate from approved Preliminary Plans, the DRC may approve such deviations and issue a Notice to Proceed or may disapprove the construction plans. In the event that construction plans are not approved, the DRC shall provide a written explanation of why the plans were denied within two (2) weeks from the date complete Final Construction Plans are submitted.

#### **Required Submittal Material:**

One set of the following is to be submitted: Construction plans including, but not limited to, a grading plan, foundation plan, framing plan, floor plan, roof plan, building elevations, site plan, landscape plan, and all specifications and material schedules. All submittals shall be in the same scale as required for the Preliminary Review.

### **STEP FOUR: CONSTRUCTION AND INSPECTIONS**

Inspections are conducted by the French Creek DRC throughout the construction process. The purpose of DRC inspections is to ensure that the residence is being built according to approved plans. An

improvement location certificate (ILC) indicating the location of any new foundation maybe required during the construction process. The ILC must be completed by a licensed surveyor and one copy must be submitted to the DRC prior to the beginning of any framing. Owners are encouraged to complete the ILC and submit it to the DRC as soon possible after new foundations have been poured.

The DRC has the authority to enter a construction site at any reasonable time during construction.

It is very common for the design of new Units and Buildings to be refined during the construction process. Any changes to approved plans require review and approval by the DRC. Owners are required to contact the DRC prior to initiating such changes. Submittal requirements and the review process will vary depending upon the nature of proposed changes at the discretion of the DRC.

### **III. SITE PLANNING STANDARDS**

Properly siting of a Unit, Building, or modification to such structure is a critical first step to a successful design process. A number of specific steps have been taken to assist Owners with the site planning process. The following sections outline these steps and other design and planning considerations to be addressed during the site planning process. These considerations include where the Unit, Building, and improvements are located, the orientation on a lot, the manner in which access is accomplished, site grading, limits of construction, parking and utilities.

#### **FRENCH CREEK SITE PLAN**

The various subdivision plat documents for French Creek, show all Lots, streets, some easements, and Common Elements, that have been adopted by the DRC and approved by Summit County. Additionally, many of the Lots are encumbered by an Easement and Right of Way Grant recorded in the records of Summit County, or by prescriptive easements, pertaining to drive ways and parking, all of which are referred to herein as the "Easements." These plat documents and Easements, taken together, shall herein be collectively referred to as the site plan A. The Site Plan establishes the general site plan for each Lot within French Creek. All improvements to all Lots shall substantially comply with the Site Plan. It is

necessary that all Units and Buildings, including overhangs, be located within the Lot and any setback requirements applicable to such Lot.

Culverts, if required, shall be installed by the owner in accordance with Summit County standards and in all cases culverts shall be faced with appropriate materials.

### **SITE CONTOURS, GRADING and DRAINAGE**

The grading and modification of existing site contours should be no more than necessary to accommodate the development of a Unit or Building, as appropriate. Existing natural drainage courses should not be altered. When grading is required, it shall be designed to blend with the natural contours and landscape of the site. This can be accomplished by feathering all cuts and fills into the existing terrain of the site.

### **PARKING**

Overnight parking on French Creek streets is not permitted. While large expanses of paved surfaces are to be avoided, the need for on-site parking in addition to these requirements should be considered during the design process. Approved driveways and parking areas may be paved.

### **UTILITIES**

All utility lines and related utility equipment shall be installed underground. All utility boxes shall be located to minimize their visual impact from the Unit, adjacent Lots and streets. When appropriate, utility boxes should be screened with landscaping.

## **IV. ARCHITECTURAL AND DEVELOPMENT STANDARDS**

The essence of the Standards is that Units and Buildings in French Creek should be designed to create a cohesive rural mountain residential village. The character of structures in French Creek should be simple and draw inspiration from the traditional, historic residential structures found throughout western slope

Colorado communities. Rather than attempt to define this style, these Standards outline a number of specific architectural concepts that are to be followed during the design process.

The following sections outline the specific Architectural and Development Standards used to evaluate proposed development in French Creek.

### **BUILDING HEIGHT, MASSING and SCALE**

All Units in French Creek shall be either one, one and one-half, or two stories above grade. It is encouraged that any second story be partially integrated into the roof element. Basements and split level homes are discouraged. Simple rectangular building forms are encouraged. Building heights shall not exceed 30 feet above existing grade, as determined by the Summit County Development Code, except that appendages such as chimneys, vents, and minor architectural accents may, if approved by the Upper Blue Planning Commission, exceed the height allowance by 10%.

The interior floor of all Units and Buildings on a Lot shall meet Summit County standards.

### **SHEDS**

Storage structures shall meet the following standards:

#### Appearance:

1. The shed's exterior shall be the same siding material as the primary structure.
2. The roofing shall be of the same color and have the same style of shingles as the primary structure.
3. The shed and trim shall be painted the same color as the primary structure.

#### Location:

1. The shed should be located behind the Unit in a place that makes it appear as a secondary structure.

Size:

1. The shed shall not exceed twelve feet (12') in height.
2. The floor area of the shed shall not exceed 100 square feet.

Footing & Attachment:

1. The footing shall be concrete or other approved footing material rated for the Summit County climate.

Permitting:

An Owner must submit the proposal for a shed to the DRC for approval and obtain the appropriate approval from the Summit County Planning Department.

**ROOFS**

All major roofs of a structure should have a minimum roof pitch of not less than 4:12. While the recommended roof pitch is 6:12, roof pitches of up to 12:12 shall be approved by the DRC.

Roof forms shall be limited to simple gable, except as noted. Shed and hip roofs may be permitted as secondary roof forms provided they are attached to the primary building form and have pitches no less than 4:12. Mansard, gambrel and A-frame roof forms are discouraged.

Roof overhangs and dormers are encouraged to add interest and variety to roof forms. Minimum primary horizontal overhangs (eaves) on all roof elements shall be 12". Smaller overhangs in limited areas may be

allowed. When used, dormers should be an integral part of the roof form and designed in proportion to the overall scale of the roof. Dormers may be gable or shed forms.

Roof colors should be earth tones such as charcoal, brown, green, etc. All finished roof surface material is required to be a minimum Class A rating. The Summit County Building Department should be contacted for additional information on minimum ratings for roof materials.

Snow diverters and retainers may be necessary on certain roof forms. If used, they should be designed as a decorative element consistent with the overall design of the residence.

When skylights are used, they should be integrated with the roof form to be as unobtrusive as possible.

## **EXTERIOR WALLS AND SURFACES, FENESTRATION & COLORS**

While simple rectangular structures are encouraged in French Creek, large expanses of continuous, unbroken vertical wall planes must be avoided. All vertical planes shall be designed to reflect interest and shall be visually attractive. Large, blank wall elements are not allowed. Window elements should be included in all walls, unless the wall is less than eight (8) feet wide. Wall planes greater than 20 feet in length should contain window elements of at least 18 square feet, including trim.

All building corners, windows, and doors shall be trimmed. Roof edges and rakes shall be trimmed..

All siding shall be painted or stained. Modest color schemes are required and should be reminiscent of subtle colors which tie the building elements together. Color should not be used to gain attention, and should be clearly subordinate to the architecture of the structure. All exterior colors are subject to approval by the DRC. No more than three exterior colors shall be allowed, one for siding, one for trim, and one for accent.

## **CHIMNEYS, ROOF VENTS, FLUE and ARRESTER**

Chimneys can be a prominent visual and structural elements of a Building. They should be designed in proportion to the rest of the structure and be constructed of materials that lend a substantial and stable appearance. All exterior elements of a Building that are metal or light colored PVC, such as flues, flashings, vents, etc., shall be painted a flat, dark color or one that is compatible with the building and not left or allowed to become bare metal.

Roof vents and flues should be grouped and concealed from view by enclosing such features in a manner compatible with the design of the residence. A false chimney is one example of how this can be accomplished.

### **TRIM and ACCENT COLORS**

All trim work, mullions, soffits, fascia, flashing and other exterior finishes shall be consistent with the materials and color of the Building. Trim and accent colors should be used to provide visual interest to a Building, but should not call undue attention to any single element of the Building. Trim and accent colors should be selected to reflect the natural colors found in the area and should be complimentary to the residence. The use of bright colors shall be avoided.

### **ACCESSORY USES**

TV or radio antennas are not permitted on exterior roofs or walls. Satellite dishes, 18" and smaller in diameter, may be allowed upon review on a case by case basis by the DRC. Satellite dishes, if provided, must, whenever possible, be appropriately located and screened from view from adjacent Lots.

## **V. LANDSCAPE ARCHITECTURE DESIGN STANDARDS**

### **TREES**

The Owner of each Lot in French Creek is encouraged to plant and maintain several trees upon his or her Lot. Trees will do better if served by an underground irrigation system and fertilized at least annually. Any tree which dies should be replaced.

## **GRASS AREAS**

All areas of each Lot that lie outside of the Buildings and those areas between the front, side, and/or rear boundary of each Lot and the paved street surface adjacent to each such Lot, except driveways and parking areas, shall be seeded or sodded with grass and maintained as described herein. Seeded or sodded yards shall consist of: (1) a lawn, to be mowed, made up of a Kentucky Bluegrass and Chewings Fescue mix; or (2) bunch type grasses, such as Sheep Fescue, Hard Fescue and Creeping Red Fescue, that may or may not be mowed. All grassed areas described herein may be served by an underground irrigation system.

## **LANDSCAPE DESIGN CONSIDERATIONS**

Landscape materials should be used to complement the architecture of the home, define outdoor spaces, frame both on-site and off-site views, establish background and foreground balance and knit the home to the site.

## **DECKS and PATIOS**

Decks and patios shall be designed as an integral element of the design of Buildings on each Lot. Materials used for decks, patios and other hard landscape surfaces shall be consistent with the materials and colors of the Unit and Building and other site improvements such as retaining walls. Decks and patios shall, whenever possible, be located on the southerly side of the Building, and shall not normally exceed 250 square feet in size. All decks and patios shall be constructed so that the surface of the deck or patio is even with or below the level of the floor of the ground level of the Building.

## **DRIVEWAYS**

Driveways shall be either gravel or paved with a hard surface material. Materials other than gravel, asphalt or concrete shall be reviewed by the DRC on a case by case basis.

The maximum grade of driveways shall not exceed six percent (6%). Parking areas for each Unit will be looked at on a cases by case basis.

## **RETAINING WALLS**

Retaining walls shall be subject to the same criteria relating to color and materials and the Unit itself. The maximum total vertical exposure of a retaining wall should not exceed two feet (2').

Retaining walls that are visible from the street shall be constructed of an approved material. Unfinished concrete is not an approved material. Plantings around the base of such retaining walls are encouraged.

## **FENCES**

Fences shall not be constructed unless approved by the DRS. Except where privacy fencing is appropriate, such as at the rear of a Property, fences should not exceed 48 inches in height. Fences shall be constructed of wood pickets and shall be painted or stained.

## **LIGHTING**

The design, location and type of any exterior lighting requires approval by the Design Review Committee. Lighting shall be placed to light only the site being developed and so as not to produce glare. Lighting elements must be full cut-off luminaries. No exterior lighting in which the direct source is visible from a neighboring property or which produces excessive glare to pedestrian or vehicular traffic shall be permitted. When exterior lighting is used, the use of white exterior lights are encouraged.

## **NOISE**

The quiet mountain environment should be maintained by proper selection and insulation of appliances.

**EASEMENTS**

Easements are located at various points throughout French Creek for the installation and maintenance of utilities and drainage facilities and for common driveways. Grading, structures, plantings or other materials shall not damage or interfere with utilities or drainage. Revegetation of all easements disturbed during the installation of utilities shall be required.


**DRC INSPECTIONS**

Members of the DRC will conduct inspections of the job site throughout the construction process. The purpose of these inspections is to ensure that all site work and construction are consistent with approved plans. The DRC has the authority to access a job site at any point during construction. In the event that the project is not in compliance with approved plans, the DRC will work with the Owner, their design team and contractors to resolve any discrepancies. In the case of severe deviations from approved plans, the DRC may issue a "Stop Work Order", at which time all construction activity on the site shall be suspended. Construction may resume only after all discrepancies have been resolved with the DRC.

In addition to periodic inspections by the DRC, Owners are responsible for obtaining all required development and building permits from Summit County. The Summit County Building Department will also conduct inspections during construction. The Owner and their contractor are responsible for requesting all required inspections from Summit County.

These Architectural and Development Standards for French Creek at Breckenridge are adopted this 2 day of Feb, 2010.

ASSOCIATION, INC.  
a Colorado non-profit corporation

By:   
LAWRENCE AUGUSTYN, President