



THOMPSON RIVER RANCH  
DESIGN GUIDELINES

RULES AND REGULATIONS

Amended November 2019

**THOMPSON RIVER RANCH**  
**DESIGN GUIDELINES - RULES AND REGULATIONS**

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# **THOMPSON RIVER RANCH**

## **DESIGN GUIDELINES - RULES AND REGULATIONS**

### ***Introduction***

Thompson River Ranch is being developed as a suburban Master-planned community within the jurisdiction of the Town of Johnstown (hereinafter referred to as the "Town"), with a population of over 3,000 residents and will provide a broad range of land uses. The Thompson Crossing Metropolitan District No. 3 (hereinafter referred to as "TCMD3") will evaluate homeowner design applications to make sure that they are consistent with the vision for Thompson River Ranch as described in the Master Declaration of Covenants, Conditions, and Restrictions for Thompson River Ranch (the "Master Declaration"), the Thompson River Ranch Preliminary and Final Development Plans, and the Thompson River Ranch PUD Performance Standards and Design Guidelines, Rules and Regulations (the "Design Guidelines") approved by the Town.

### ***Purpose of the Master Declaration***

The Master Declaration was executed to (a) further a common and general plan for the Community Area (as defined in the Master Declaration), (b) enhance and protect the quality, value, aesthetic nature, desirability, and attractiveness of the Community Area, (c) provide a mechanism to review additions and changes to commercial, industrial, and residential structures located within the Community Area, (d) provide a mechanism for the enforcement of the provisions of the Master Declaration, and (e) define certain duties, powers, and rights of Owners of Sites within the Community Area.

### ***Design Guidelines***

Compliance with these guidelines will help preserve the inherent architectural and aesthetic quality of Thompson River Ranch (hereafter referred to as "TRR"). It is important that Improvements (as defined in the Master Declaration) to any property be made in harmony with and not detrimental to, the rest of the community. A spirit of cooperation with TCMD3 and its neighbors will go far in creating an optimum environment, which will benefit all homeowners and the community as a whole. By following these Design Guidelines and obtaining approvals for Improvements to your property from TCMD3 Design Review Committee (hereafter referred to as the "Committee"), homeowners will be protecting their financial investment and will help ensure that the Improvements to their property are compatible with standards established for TRR.

### ***Design Review Procedures***

All Improvements, including but not limited to, walks, fencing, patios, lighting, landscaping or other exterior improvements are subject to review under these Design Guidelines. Unless otherwise specifically stated herein, drawings and/or plans for the proposed Improvement(s) must be submitted to the Committee and **written approval** must be obtained **before** the Improvements begin.

## ***Submission of Drawings and Plans***

### ***Architectural Plan Review***

For major Improvements, such as room additions, remodels, structural changes and/or accessory building construction, the Owner must submit to the Committee two (2) sets of construction documents to include the following (scale of ¼" = 1'0"):

- Architectural elevations (for the front, side and rear of the home), indicating typical proposed grade lines, finish floor elevations, top of slab elevations and building height calculations
- Floor plans, including square footage for each floor
- Roof plans indicating pitches, ridges, etc.
- Indication of all proposed exterior materials
- Exterior details
- Any other proposed improvements (i.e. decks, awnings, hot tubs, etc.)
- Samples of all finished exterior materials and colors
- Specifications or catalog sheets for exterior lighting

### ***Landscape Plans and Other Site Improvements Review***

Approval must be obtained **prior** to installation of any landscaping or any other site improvements including, but not limited to, dog runs, play equipment, fencing, site lighting, patios, etc. The plans submitted should be professionally prepared by an architect, landscape architect, or draftsman. If plans are not prepared professionally, plans must be drawn to scale and must have sufficient detail to permit a comprehensive review by the Committee.

#### ***The following guidelines should be utilized in preparing drawings or plans:***

The drawing or plan must be done at a scale of 1"=10' and should depict the property lines of the lot and the required setbacks per the approved Final Development Plan. It should also include the footprint of the home as located on the lot. Any existing improvements, in addition to the home, should be shown on the drawing and identified.

All proposed plant locations, types, quantities and sizes, as well as the location of turf and other ground cover materials, should be shown on the plan and labeled. The plan should exhibit grading and layout of all additional landscape improvements such as berms, walks, and structures.

Plans for any other site improvements, such as play/sports equipment, dog runs, hot tubs, trellises, retaining walls, fencing, lighting, etc., must be shown on the plan with a description of the proposed improvement, including the materials and colors to be used. In the case of structural improvements (i.e. gazebo, fence, trellises, etc.), an elevation drawing to scale of the proposed improvement is also required.

### ***Revisions and Additions to Approved Plans***

Any revisions and/or additions to the approved architectural or landscape plans made by the Owner or as required by any governmental agency, must be re-submitted for approval by the Committee. The revised plans must follow the requirements as outlined above.

### ***Review Action by the Design Review Committee***

The Committee will meet regularly to review all plans submitted for approval. The Committee may require the submission of additional material and may postpone action until all required materials have been submitted. The Committee will contact the Owner in writing if the Committee feels additional information is necessary. The Committee will act on the plans within thirty (30) days after receipt of all materials required by the Committee (unless the time is extended by mutual agreement). A written response of the decision by the Committee will be sent to the homeowner by mail within ten (10) days of the Committee's decision. The Committee may extend the time frame to issue a written decision up to an additional fifteen (15) days upon notification to the applicant. The Committee will not return submittal plans, but may return material samples at its sole discretion.

### ***Failure of the Committee to Act on Plans***

Any request for approval of a proposed Improvement to property shall be deemed approved, unless disapproval or a request for additional information or materials is transmitted to the Applicant by the Committee within thirty (30) days after the date of receipt by the Committee of all required materials. If additional fees, information or materials are requested, the 30 days within which the Committee is required to make the decision shall be automatically extended to thirty (30) days after said information is received.

### ***Completion of Improvement(s) With Approval***

After approval is received in writing for any proposed improvement, the improvement(s) must be accomplished as promptly and diligently as possible. Failure to complete the proposed improvements within twelve (12) months after the date of approval or such period of extension of the initial 12month period as specified in writing by the Committee must constitute noncompliance with the requirements for approval.

### ***Review of Work in Progress and/or Completion of Work***

The Committee may review all work in progress and/or at completion of work to the extent required to ensure that the improvement(s) complies with all approved plans and/or construction procedures. Please be sure to follow the Procedures for Submitting Design Review Applications, which has been included in your Design Guidelines packet. If you do not have the application materials, please contact TCMD3 or your Community Manager to get a copy. The Committee may withdraw approval of any project if the approved plan is not being followed.

### ***Enforcement/Correction of Noncompliance***

As provided in the Master Declaration, TCMD3 will have primary authority to enforce the provisions of these Design Guidelines. If an Owner fails to perform or observe any covenant, condition, or requirement imposed by TCMD3 or these Design Guidelines, TCMD3 must notify the Owner of the noncompliance as described in the Master Declaration.

If the Committee determines that a violation exists, the Owner shall remedy or remove the same as specified in the notice of violation from the Committee.

### ***Rights of Appeal by Applicant***

Any Owner aggrieved by a decision of the Committee may appeal the decision in accordance with the procedures established by the Board of Directors.

### ***Effect of Governmental and Other Regulations***

Approval of plans by the Committee must not be deemed to constitute compliance with the requirements of local, zoning, health, safety or fire codes as determined by such governmental and/or regulatory agencies.

## ***Administration of Design Guidelines***

It is the responsibility of the Committee to ensure that all proposed Improvements meet or exceed the requirements of these Design Guidelines and to promote the highest quality design for the neighborhood. Specific duties and powers of the Committee are defined in the Master Declaration.

### ***Variances***

Approval of any proposed plans is at the sole discretion of TCMD3 to grant variances from compliance with any of the provisions of these Design Guidelines when circumstances such as topography, natural obstructions, hardship, aesthetic or environmental considerations may require.

### ***Revisions to Design Guidelines***

The Committee reserves the right to revise these Design Guidelines from time to time as changing conditions and/or priorities dictate.

## ***Landscape Standards***

### ***General***

Any damage to TCMD3 property will be replaced or repaired by a TCMD3 subcontractor. All applicable charges for restoration will be charged back to the Homeowner by TCMD3, and is due and payable within thirty (30) days from notification. The landscaping for each lot should include substantial live plants in the front yard of each home, landscape screening where necessary to provide privacy; and lawn and shrub beds that blend into adjacent properties

### ***Use Easement (Also referred to as a Side Yard Easement or an Active/Passive Easement)***

**Some** residential sites within TRR will have a Use Easement on their lot. These lots will have an active side and a passive side. If the passive side of the lot next to yours is adjacent to the active side of your yard, then you have the right to use the passive side of the adjacent lot and you have the obligation to maintain this area, as though you owned it. If the active side of the other lot next to yours is adjacent to the passive side of your lot, you have the obligation to maintain it, as though the Owners of such adjacent lot owned the passive side of your lot.

Your lot may have an easement over the passive side of the adjacent lot, and your lot is subject to the same easement. Use of a passive side will include those uses permitted by zoning such as general recreational, picnic, social and garden area, as though the Owner of the adjacent active side owned such passive side. However, **the Owner of the passive side retains the right of entry for use and maintenance of his home, rights of drainage** (such that the Owner of the active side may NOT obstruct or interfere with drainage), **and the rights of support for the dwelling unit on the lot on which the passive side is located.**

The easement runs from the BACK of the lot to the FRONT of the lot and is a minimum of three (3) feet in width. **The exact location of this easement will be indicated on your Improvement Survey Certificate (or Plot Plan).** Please refer to this legal document **prior** to landscaping or installing a fence. If a wing fence is installed between two homes with a Use Easement, a gate must also be installed to allow your neighbor access to the side of their home.

When landscaping within this easement, you are strongly encouraged to use rock or wood mulch placed up against your neighbor's house foundation. Planting is allowed within this easement as long as you take into consideration the recommended planting distance from the foundation. Each homeowner is responsible for maintaining the tree lawn and sod in the tree lawn area from property line to property line.



## ***Water Conservation***

In the landscaping of each residential site, plant materials, irrigation systems and maintenance practices must be utilized to conserve water, wherever possible. It should be noted that if Xeriscape landscaping is selected, a more traditional "green" appearance can still be achieved. Xeriscape uses much less water than typical suburban residential landscape. Please refer to the end of this Design Guideline packet for a complete listing of approved plant materials for TRR.

## ***Landscape Irrigation***

**An automatic irrigation system shall be required to be installed and maintained by the Owner in all front yards at TRR.** Automatic irrigation systems must be installed, maintained and operated by the Owner in a fashion as to conserve water to the maximum extent practicable while still maintaining landscaping in an attractive, green and growing condition. Turf areas must be zoned separately from shrub and groundcover beds.

## ***Landscape Maintenance***

All landscaping must be maintained in a neat, attractive and healthy condition. The Owner, taking into account weather conditions affecting the planting of replacement landscaping, must replace dead or dying landscape materials as soon as possible and/or within fourteen (14) days of written notification from the Community Manager.

## ***Front and Side Yard Landscaping***

Landscaping within the front yard must consist of a combination of turf lawn trees and shrub beds. **Large areas of rock or wood mulch without shrub or flower plantings will be prohibited.** Shrub beds must be coordinated between lots, as much as possible, to provide visual continuity. Side yards which front onto streets or public open spaces must also be landscaped by the homeowner.

Front and side yard landscaping must be installed within ninety (90) days of occupancy, unless the home is first occupied between October 1st and March 31st. In this instance, the completion of the front, rear and side yard landscaping could be delayed until the following July 1<sup>st</sup>. Should a homeowner fail to complete the minimum landscaping within the allotted time frame, the escrowed funds will be released to TCMD3 as a fine for the homeowner's failure to complete the minimum landscaping. TCMD3 retains the right to access the Property to install the minimum landscaping at its option. If it does so, TCMD3 has the right to file a lien against the Property until the Buyer has reimbursed TCMD3 for the costs of the minimum landscaping, together with the interest at a rate of 10% per annum on *the sums advanced by TCMD3 from the date advanced until the date repaid.*

## ***Rear Yard Landscaping***

Rear yard landscaping must be installed within 90 days of occupancy, unless the home is first occupied between October 1<sup>st</sup> and March 31<sup>st</sup>, where completion could be delayed until the following July 1<sup>st</sup>. Like the front and side yard landscaping, the rear yard landscaping will be subject to the same general Design Guidelines as described above.

## ***Plant Materials***

A minimum of one deciduous shade tree, one flowering ornamental tree or one evergreen tree must be planted in the front yard. The deciduous tree must be a minimum of 2-inch caliper at the time of installation and the flowering ornamental tree must be 1.5-inch caliper minimum at time of installation. The evergreen tree size must be between 5 feet and 8 feet in height at the time of installation.

Required evergreen trees must generally be spaced 3 to 5 feet apart and at least 10 to 15 feet away from structures. Trees with columnar or a narrow growth habit may be spaced closer to each other and structures.

Generally, where small and medium sized shrubs are required, they must be spaced 3 to 5 feet apart and large shrubs spaced 5 to 6 feet apart. A minimum of four, 5-gallon size shrubs must be planted in the front yard.

Vines, groundcovers and perennial flowers must be 1-gallon size minimum.

All required plant materials must conform to minimum standards established by the American Association of Nurserymen, as published in the American Standards of Nursery Stock. Plant growth habits and mature sizes should be taken into consideration when spacing trees, shrubs and groundcover.

All turf areas must be sod or seeded with an improved variety of Kentucky bluegrass or drought tolerant equivalent.

## ***Landscape Materials***

Lawn areas must be separated from shrub beds with edging material. Edging must be limited to heavy (wide gauge) steel, concrete, brick, or stone on a foundation. Plastic edging is prohibited.

Mulch may include crushed or rounded gravel, shredded wood or bark native to Colorado. Unnatural or high contrasting color mulch will be prohibited and earth tone colors are strongly encouraged. Weed barriers are required under all bark or gravel mulch.

All trees must be staked or guyed using metal T-post or wood lodge pole stakes. Guy wires must be maintained by the homeowner to keep all newly planted trees set plumb for a minimum period of two years

Boulders used in landscaping must be native to Colorado and must be approved by the Committee prior to installation.

## ***General Site Improvements for Thompson River Ranch Lots***

### ***Accessory Structures***

Accessory structures, such as storage sheds, gazebos and greenhouses must be located in the rear yard and must adhere to the required setbacks and the general design guidelines outlined below. Requests for approval will be reviewed on a case-by-case basis, taking into account the lot size, square footage of the home and proposed location of the accessory building.

The accessory structure cannot exceed 80 square feet in size and 8 feet in height. Ideally, storage sheds must be located in areas that are not visible from open space, recreational areas, or public streets. It is important that the massing and scale, as well as forms, materials, and other detailing be coordinated with the main structure(s) on the home site. Gazebos must be an integral part of the landscape plan. Greenhouse structure approval will be based on, but not limited to, the general aesthetics, quality, and permanence of materials used. No carports or prefabricated metal sheds will be allowed.

### ***Arbors and Trellises***

Committee approval is required prior to installation of any proposed arbor or trellis. The inside height of a proposed arbor or trellis must not exceed 8 feet, 6 inches. Arbors must be complementary to the residence. Professionally prepared plans for Arbors are highly encouraged to expedite the approval process, otherwise a photograph or catalog picture must be provided. All Town codes must be followed.

### ***Awnings, Patio Covers, and Shutters***

Awning, patio covers, and shutter colors must be complimentary to the exterior color of the home. Patio covers must be structured of wood or material generally complementary to the home and be similar or complementary in color. Support posts for patio covers must be a minimum of 6" x 6" in size.

### ***Basketball Hoops (portable and permanent)***

No basketball backboards may be attached to a structure. Freestanding basketball backboards must be made of standard manufacturer's materials and colors. Temporary, portable basketball backboards and poles may not be used within public streets and must be stored out of view from adjacent properties and streets except when in use.

### ***Dog Houses and Dog Runs***

The Committee may allow dog houses and/or dog runs and these will be reviewed on a case-by-case basis. The location and size of the dog house or dog run will be determined with consideration given to its impact on adjacent properties and streets. Generally, dog houses must not exceed 4 feet in height and must be compatible with the home in material and color. Dog run areas should not exceed 300 square feet in size and the fence height should not exceed 5 feet. The dog run fencing should be located immediately adjacent to the home. The use of chain-link fencing is strongly discouraged, but if it is used, the Owner must fully screen the dog run from adjacent properties, streets, and open space using the privacy fencing detail outlined for TRR. The use of shared fencing between property lines as fencing for a dog run is strongly discouraged. The standard privacy fence detail has been included in the back of these Design Guidelines.

### ***Exterior Lighting***

Committee approval is required prior to changing or adding exterior lighting. In reviewing lighting requests, the Committee will consider the visibility, style, location and quality of the lighting fixtures. Exterior lighting for security and/or other uses must be directed towards the ground whereby the light cone stays within the property boundaries and the light source does not cast a glare onto adjacent properties.

## ***Exterior Mechanical Equipment***

No exterior mechanical equipment must be erected on any residential site without the specific approval of the Committee. Ground level and window air conditioning units, including swamp coolers, must be installed at street level only. These must be located in a side or rear yard and must be screened from adjacent properties.

## ***Fencing of your yard***

Each Owner of a site shall be responsible for installing, maintaining, repairing, and replacing, in a reasonably attractive manner, any fence located on such Owner's site per the enclosed fence standards. Any fence located on a lot line between two sites and was installed by one of the homeowners shall be maintained by the Owner who installed the fence. Any Owner constructing, erecting, installing, modifying, or replacing a fence must obtain the prior approval of the Committee in accordance with the Master Declaration and Design Guidelines. Chain link fence along the front, side or rear yard of a home is strictly prohibited. (See Exhibit B - Approved Fence Details)

## ***Flags***

Committee approval is required for permanent flagpoles. Committee approval is not required for flying the U.S. flag or the Colorado flag from brackets attached to houses or temporary flagpoles. Decorative flags or banners must be kept in good repair. Limit one flag per home.

## ***Garbage and Trash***

No garbage, trash, lumber, grass or shrub clippings, plant waste, compost, metal, bulk materials, scrap, or debris of any kind will allowed to be stored or to accumulate on any site. All trash containers must have a cover that is resistant to animals and be kept within an enclosed structure. As of the date of the recording of these Design Guidelines, the Town will collect and disposes of trash for TRR.

The trash container may be placed at the curb at such times as may be necessary to permit garbage and trash pickup. **Trash containers may not be placed at the curb prior to 7:00 p.m. the evening before collection and must be returned to the enclosed structure the day of collection.**

## ***Holiday & Seasonal Decorations***

Reasonable holiday/seasonal decorations and/or lighting do not require Committee approval if decorations are installed not more than five (5) weeks prior and removed within two (2) weeks after such holiday.

## ***Hot Tubs***

Hot tubs must be designed as an integral part of the deck or patio area and must be located in the side or rear yard area. They must be installed in such a way that they are not immediately visible to adjacent property owners, or screened by landscaping (or privacy fence) in such a manner that affords both homeowners' adequate privacy. The use of the hot tub cannot create an unreasonable level of noise for adjacent property owners.

## ***Mailboxes***

Mailboxes will be built in accordance with the approved community design guidelines. In most cases, the Town and/ or the Postmaster requires that new mailboxes be Cluster Mailboxes.

## ***Maintenance of Drainage***

All Owners of real property within the Community Area will be responsible for maintaining the established drainage pattern on such real property in accordance with the grading plan provided to the Owner at the time of closing. Please refer to your Drainage Certificate for specific details.

## ***Maintenance of Fencing***

Each Owner of a site will be responsible for maintaining, repairing, and replacing, in a reasonably attractive manner, any fence located on the Owner's site, unless the fence is to be maintained by TCMD3.

## ***Maintenance of Property Improvements***

No property within TRR will be allowed to fall into disrepair and all property within TRR, including any Improvements upon that property (i.e. landscaping, patios, fencing), must be kept and maintained in a clean, safe, and attractive condition.

## ***Maintenance of the Tree Lawn Area***

The area between the street and the sidewalk is called a "tree lawn" and it is the responsibility of each Owner to maintain the landscaping and irrigation located within this area (as part of your residential site) to the same standards as outlined under "Plant Materials". The tree will be planted by the developer and is under warranty for one year. If the tree is stressed or looks like it is dying during the first year you occupy your home, you must contact the developer as soon as possible. ***After one year, it is the Owner's responsibility to replace a dead tree and/or dead sod within the tree lawn area.***

## ***No Hazardous Activities***

No activity may be conducted on and no Improvement shall be constructed on, any property within the Community Area which is or might be unsafe or hazardous to any person or property. No firearms shall be discharged upon any property; no open fires shall be lighted or permitted on any property except in a contained barbecue unit and no fireworks or exploding fireworks shall be discharged.

## ***No Unsightliness***

All unsightly conditions, structures, facilities, equipment, and objects, including snow removal equipment and garden or maintenance equipment when not in actual use, must be enclosed within a structure.

## ***Painting and Repainting***

Committee approval is required for all exterior painting or repainting of the home and accessory improvements. All exterior finishes including front doors and shutters should be subdued earth tones such as grey, green, brown, muted blues or reds, or other similar colors. White, primary colors and other bright colors will be permitted as trim colors only. Downspouts should be painted to match the body color of the home.

## ***Patios, Decks and Paving Materials***

Patios, decks and paving materials must be compatible and harmonious with the structure and surrounding neighborhood and must be an integral part of the landscape architecture design. Materials and colors shall be compatible with those of the main house structure. Natural wood decks shall be permitted with any type of building material. It is also recommended that paving materials be earth tone colors.

## ***Pet Fencing***

Pet fencing may include any invisible fence on or within the perimeter boundary of an Owner's site per the enclosed fencing standards. Also refer to dog houses/dog runs for additional information and restrictions.

## ***Play and Sports Equipment***

Play equipment must be located in the rear yard and set back a minimum of 5 feet from the property lines. Consideration must be given in the location of play equipment so as to not create an undue disturbance on neighboring properties. No playground equipment above 10 feet in height, as measured from the ground level can be erected without the prior approval of the Committee. Playhouses larger than 30 square feet and higher than ten (10) feet will be reviewed on a case by case basis.

## ***Recreational and Commercial Vehicles***

No commercial vehicle, house trailer, ATV, camper, camping trailer, motor home, horse trailer, boat, hauling trailer of any nature, truck larger than 1 ton, self-contained recreational vehicle (commonly referred to as an "RV"), snowmobile, jet-ski, motocross motorcycle, three-wheeler or other recreational equipment or vehicle associated accessory can be parked on any portion of the community longer than forty-eight (48) hours in any two-week period.

## ***Retaining Walls***

Retaining wall materials may include boulders, stone, brick or modular concrete block. Retaining walls erected upon any residential lot should not exceed three feet (3') in height and they should not obstruct or adversely affect existing, or adjacent drainage patterns.

## ***Roof Replacement/Rooftop Equipment***

Committee approval is required if roof material or color is changed. Roofing color should be complementary to other colors on the home. Air conditioning units must be ground mounted.

### ***Satellite Dishes and Antennae***

Satellite dishes and antennas must be carefully located and screened to minimize visibility from any public streets, public open spaces, or adjacent homes and should be no larger than one meter or less in diameter. To the extent feasible, the satellite dish/antennae should be placed in the rear or side yard area. Antennae for short wave or HAM radio operation are prohibited unless it can be demonstrated that said antennae can be screened from view similar to a satellite dish.

### ***Screen, Security Doors and Windows***

Committee approval is not required for the addition of screen doors or storm windows added to a home if the material and color matches or is similar to existing doors and windows on the home.

### ***Signs and Address Numbers***

Temporary signs advertising property for sale or lease (i.e. typical and customary real estate sign) may be installed on a lot without Committee approval provided there is no more than one sign per lot. All trade signs, which include, but are not limited to, landscaping, painting, remodeling, etc. may only be displayed while work is in progress and must be removed upon completion of the job. All other signs, including address numbers and nameplate signs must be approved by the Committee.

### ***Solar Equipment/Skylights***

Solar equipment and skylights must be designed as an integral part of the roof. Skylight glazing must be clear, solar bronze, or white.

### ***Swimming Pools***

Request for swimming pools will be reviewed on a case-by-case basis by the Committee with consideration given to, but not necessarily limited to, the size of the yard area, setback from impact on neighboring properties, size of pool enclosure, and pool materials. Above ground pools are not allowed. All Town permits must be obtained by the Owner prior to plan review by the Committee. Please Note: In some cases, the Town may require DRC approval prior to reviewing permit applications. These will be handled on a case by case basis.

### ***Vegetable Gardens***

Vegetable gardens must be located in either **the rear or side yards**. Gardens must be screened from neighboring homes, common open space areas, and adjacent streets.

### ***Vehicle Repair***

No Maintenance (other than washing and polishing vehicles), servicing, repair, dismantling, or repainting of any type vehicle, boat, trailer, machine, etc. may be carried on upon any residential site, except within a completely enclosed structure, which screens the sight and sound of the activity from the street and from other sites, common areas and public property.

## ***Yard Ornaments***

Permanent yard ornaments in front yards or yards adjacent to public open space or streets, including but not limited to fountains, sculpture, statues, wagon wheels, driftwood, birdbaths, etc. will require approval by the Committee. Yard ornaments located in the front yard are discouraged.



## **Thompson River Ranch Penalty Policy Enforcement of Covenants, Conditions, Limitations and Restrictions**

It benefits all Owners in TRR to follow the established Design Guidelines to promote the common good and enjoyment of the homeowners' investments, protect property values, and maintain a pleasant living environment. Pursuant to the Documents and Section 32-1-1001 (1)(j) C.R.S., failure to adhere to the Rules and Regulations as outlined in the Documents may result in monetary penalties, or suspension of any services provided by TCMD3. Furthermore, the homeowner may also be held responsible for costs incurred by TCMD3 to resolve the issue such as, but not limited to, legal expenses. By statute and the legal documents, unpaid penalties are a first lien on the property in question and may be foreclosed through judicial proceedings.

### **Notice of Violation – Written Notice to Cure**

Notice is given to Owner outlining the nature of alleged violation and a request for compliance within thirty (30) days of written notice.

### **Fines**

Failure by the Owner to cure said violation within thirty (30) days of written notice shall result in the imposition of the following fines:

1. \$25.00 per day for each violation, up to fourteen (14) days after passage of the deadline to cure each violation;
2. \$50.00 per day for each violation outstanding more than fourteen (14) days but not more than twenty-eight (28) days after passage of the deadline to cure each violation;  
and
3. \$100.00 per day for each violation outstanding thereafter.

## ***Thompson River Ranch Definitions***

All capitalized terms not herein defined shall be defined as presented in the Master Declaration.

**Design Guidelines, Rules and Regulations** - means any instrument adopted for the purpose of establishing guidelines, rules, regulations, and procedures relating to the architectural design, exterior appearance of all dwellings, and any improvements or alterations made on any lot. The design guidelines may be amended or supplemented from time to time.

**Design Review Committee** - means a committee of members, who need not be members of the Board of Directors of TCMD3 or Owners, who are appointed by TCMD3 to perform design review functions.

**Improvements** - means all structures and any appurtenances thereto and equipment of every type or kind, including, but not limited to, buildings, outbuildings, swimming pools, patio covers, awnings, painting of any exterior surfaces of any visible structure, additions, walkways, outdoor sculptures or artwork, sprinkler pipes, garages, carports, basketball poles and/or backboards, playground equipment, flagpoles, roads, driveways, parking areas, fences, screening walls, retaining walls, stairs, decks, fixtures, landscaping (both organic and non-organic), hedges, windbreaks, plantings, planted trees and shrubs, poles, signs, exterior tanks, solar equipment, antennae, satellite dishes and exterior air conditioning units.

**Master Declaration** - means the Master Declaration of Covenants, Conditions and Restrictions for Thompson River Ranch recorded in the real property records of the Clerk and Record for Larimer County, Colorado on October 2, 2006 at Reception No. 2006-0074437, as it may be amended or supplemented from time to time.

**Owner** - means the person who holds fee simple title of Record to a site or any Common Area.

**Residential Site** - means any site zoned and used for single-family or multi-family residential purposes.

***Thompson River Ranch  
Exhibit List***

- \* **Exhibit A**  
Recommended and Approved Plant List for Thompson River Ranch
  
- \* **Exhibit B**  
Approved Fence Standards for Thompson River Ranch
  
- \* **Exhibit C**  
Submittal forms and procedures for Initial and Final Design Review for Thompson River Ranch.

**Exhibit A**  
**Recommended and Approved Plant List**  
**Thompson River Ranch**

**(x) Means approved xeriscape plants**

**Deciduous Shade Trees**

American Linden  
Burr Oak (x)  
Green Spire Linden  
Redmond Linden  
Columnar Norway Maple  
Columnar English Oak  
Norway Maple  
Northern Red Oak  
Common Hackberry (x)  
Swamp White Oak  
Red Maple  
Kentucky Coffee Tree (x)  
Ohio Buckeye (x)  
Black Walnut (x)  
Autumn Purple Oak  
Fall Gold Black Ash  
Green Ash  
Western Hackberry  
Highland Cottonwood  
Plain Cottonwood  
Imperial Honey Locust  
Sunburst Honey Locust  
Skyline Honey Locust

**Ornamental Trees**

Amur Maple (x)  
Aristocrat Pear  
Selected Flowering Crabapples  
Golden Rain Tree (x)  
Redspire Pear  
Thorntess Cockspur Hawthorn (x)  
Native Chokecherry (x)  
Quaking Aspen  
Canada Red Cherry

**Evergreen Trees**

Pinion Pine (x)  
Ponderosa Pine (x)  
Austrian Pine (x)  
Colorado Blue Spruce  
Colorado Green Spruce  
Concolor Fir

**Exhibit A**  
**Recommended and Approved Plant List**  
**Thompson River Ranch**

**Large Deciduous Shrubs**

Alpine Currant  
Barberry  
Cistena Plum  
Nanking Cherry  
Western Sand Cherry (x)  
American Plum  
Bailey Redtwig Dogwood  
Smooth Cutleaf Sumac  
Coyote Willow

**Medium Deciduous Shrubs**

Native Chokecherry (x)  
Peking Cotoneaster (x)  
Golden Currant (x)  
Burning Bush  
Anthony Waterer Spirea  
Froebel Spirea Bluemist  
Spirea (x) Snowmound  
Spirea Butterfly Bush  
(x) Threeleaf Sumac (x)  
Fragrant Sumac (x)  
Thimbleberry  
Select Viburnum Species  
Dwarf Arctic Willow  
Dwarf Korean Lilac  
Isanti Dogwood  
Bailey Dogwood  
Yucca (x)  
Mockorange  
Shrub Rose  
Gambel Oak (x)  
Dwarf Ninebark  
Chinese Lilac  
Common Purple Lilac  
White Snowberry  
Potentilla Species  
Wayfaring Tree (x)  
Sagebrush (x)  
Serviceberry (x)  
Hancock Coralberry (x)  
Austrian Copper Rose  
Mountain Ninebark Tall  
Blue Rabbitbush Tall  
Green Rabbitbush

**Exhibit A**  
**Recommended and Approved Plant List**  
**Thompson River Ranch**

**Evergreen Shrubs**

Buffalo Juniper (x)  
Scandia Juniper (x)  
Tammy Juniper (x)  
Hughes Juniper (x)  
Bluechip Juniper (x)  
Wilton Juniper (x)  
Calgary Juniper (x)  
Prince of Wales Juniper (x)  
Dwarf Mugo Pine (x)  
Silvermound Mugo Pine  
White Bud Mugo Pine

**Groundcovers, Perennials and Vines**

Red Daylily (x)  
Tangerine Daylily (x)  
Shasta Daisy  
Columbine  
Blanket Flower (x)  
Purple Coneflower (x)  
White Coneflower (x)  
Border Jewell  
Poppy Species  
Creeping Potentilla  
Creeping Mahonia (x)  
Snow in Summer  
Wild Strawberry  
Sedums (x)  
Common Yarrow (x)  
Tall Yellow Yarrow (x)  
Virginia Creeper  
Clematis  
Hall's Honeysuckle  
Sliver Lace Vine  
Sweet William  
Creeping Phlox  
Basket of Gold (x)  
Periwinkle  
Fall Mums  
Fall Asters  
Japanese Iris  
Sunray Coreopsis  
Silver Mound Sage  
Switch Grass  
Black-eyed Susan  
Indian Rice Grass

***Exhibit A***  
**Recommended and Approved Plant List**  
**Thompson River Ranch**

**Ornamental Grasses (for use in shrub beds)**

Blue Fescue (x)  
Fountain Grass (x)  
Feather Reed Grass  
Blue Avena (x)  
Maiden Grass

**Trees Not Allowed In Tree Lawn (Public Right-of-Way)**

Popular Species (including Quaking Aspen)  
Willow Species  
Box Elder  
Siberian Elm  
Silver Maple  
Coniferous Trees within Sight Distance Triangle  
Green Ash  
Honey Locust

***Exhibit B***  
**Approved Fencing Standards**  
**Thompson River Ranch**

FENCES:

- Fences must be located on the property lines and maintained by the property owner.
- Fences of chain link, poultry wire, aluminum, sheet metal, plastic, fiberglass, reeds, straw, bamboo, rope and other similar temporary or commercial materials are not permitted.
- No double fences shall be allowed along the same property line.
- Community perimeter fencing bordering Thompson Crossing Metro District (TCMD) Property shall not be altered in any way or replaced with any other type of fencing other than what was installed by the Builder or TCMD.
- Fences adjacent to sidewalks are required to be at least 12 inches from the edge of the walk.
- Interior rear and side yard fencing shall be six foot (6') height tan vinyl privacy fence.
- Lots with open rail fencing shall provide a transition panel from the six foot privacy fence to the four foot open rail fence.

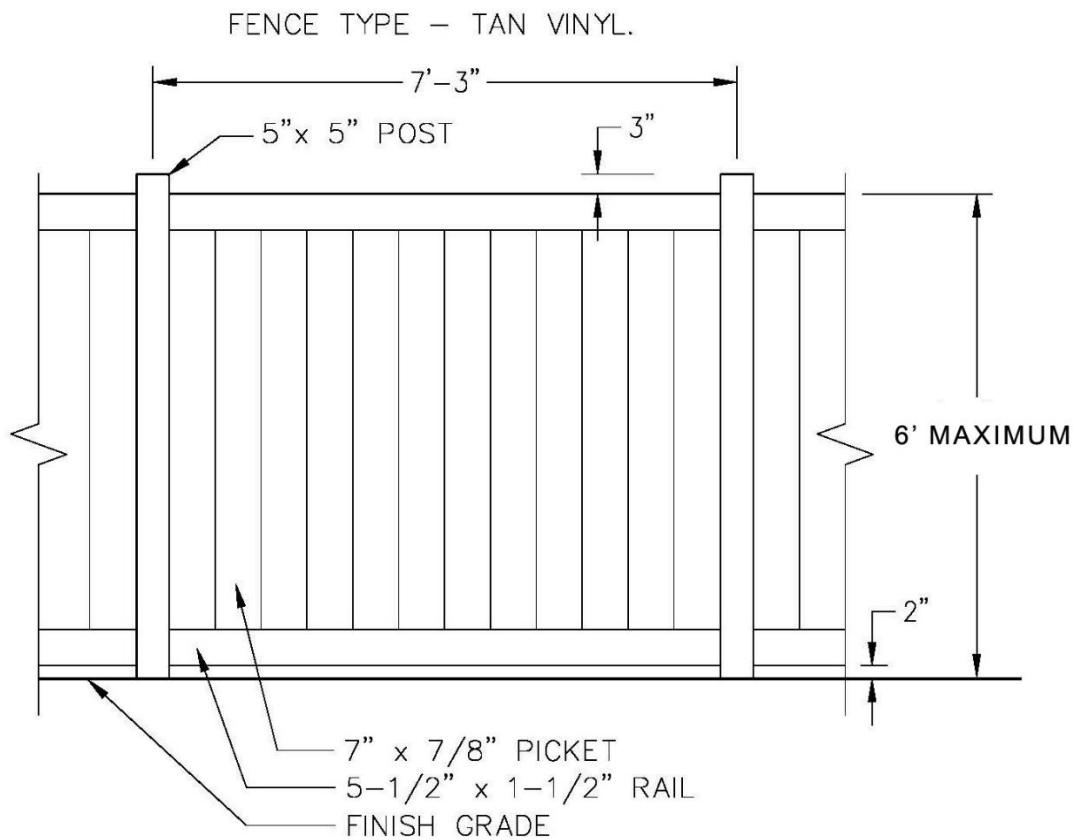
See below for additional detail on fencing types.

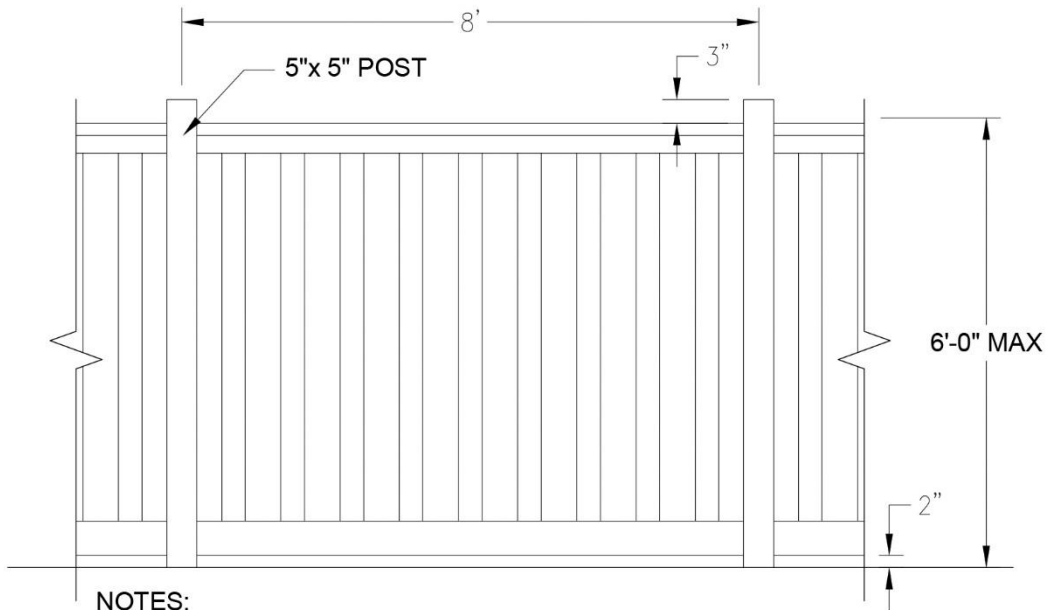


## Approved Fencing Details

### INTERIOR REAR YARD FENCING DETAIL:

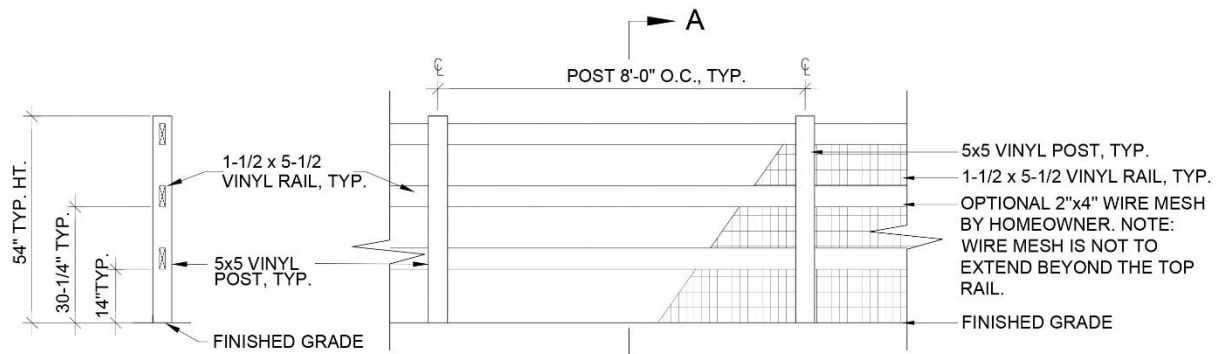
NOTE: TO BE PLACED BETWEEN INDIVIDUAL LOTS. LOCATE FENCE ON SHARED RESIDENTIAL PROPERTY LINE.





NOTES:

1. FENCE TYPE- BROWN TREX
2. LOCATE FENCE INSIDE RESIDENTIAL PROPERTY LINE BUTTED AGAINST PROPERTY LINE.



SECTION A-A

NOTES:

1. FENCE TYPE- ALMOND VINYL
2. LOCATE FENCE INSIDE RESIDENTIAL PROPERTY LINE BUTTED AGAINST PROPERTY LINE.

**Exhibit C**  
**THOMPSON RIVER RANCH**

**PROCEDURES FOR SUBMITTING DESIGN REVIEW  
APPLICATIONS**

**As stated in the *Design Guidelines - Rules and Regulations*, pre-approval is required for ALL external improvements made to your home (i.e. landscape, fence, deck, hot tub, paint colors, etc.) PRIOR to installation. It is important that this process be followed to ensure and promote design excellence in your community, and prevent possible fine violations.**

1. The initial Design Review Application must be completed and submitted directly to the Management Company at the address or email listed on the application.
2. The Management Company will review all applications and forward the applications to TCMD3, Design Review Committee (the "Committee") for final review and consideration. The Committee will act upon the plans within 30 days of receipt of a completed application packet.
3. The Management Company will contact the homeowner in writing with the decision on the submitted application. If your improvement is not approved, you must resubmit with the necessary revisions (as indicated by the Committee) until you have received written approval from the Committee.
4. Once your improvement is completed, you may then submit the **Final Approval & Inspection Application** to the Management Company. Once submitted, the Management Company will conduct an on-site inspection of the improvement.
5. Once the Management Company performs an on-site inspection of the improvement, you will receive written notification of the Committee's decision. They will also notify TCMD3 in writing. TCMD3 will notify your closing Title Company to release your landscape escrow money and your check will be mailed to your home address within 30 days.

**Forward Design Review Applications to:**

Management Company  
c/o Community Manager  
8201 Spinnaker Bay Dr. Suite D  
Windsor, CO 80528  
(970) 633-0498

If you have any questions, please contact the Management Company directly at 970-633- 0498. Thank you in advance for your cooperation.

# Thompson River Ranch Initial Design Review Application

c/o MSI, LLC.  
8201 Spinnaker Bay Dr., Suite D, Windsor, CO 80528  
(970) 635-0498 Fax: (970) 635-0517  
<http://trrcommunity.com/>

### For Office Use Only

Received: \_\_\_\_\_  
Critical Date: \_\_\_\_\_  
Sent to DRC: \_\_\_\_\_  
Received from DRC: \_\_\_\_\_  
Pre Project Inspect: \_\_\_\_\_  
Post Project Inspect: \_\_\_\_\_  
Request #: \_\_\_\_\_  
CM: \_\_\_\_\_

**Please submit this form to MSI, LLC before making any improvements**

Name: \_\_\_\_\_

District: TCM

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Work Phone: \_\_\_\_\_

My request involves the following type of improvement(s):

Email: \_\_\_\_\_

- Painting       Deck/Patio/Spa       Roofing       Landscaping       Fencing
- Patio Cover       Addition       Other: \_\_\_\_\_

Described Improvement (attach a drawing per design guidelines)

Planned Completion Date: \_\_\_\_\_

I understand that I must receive approval from the Thompson Crossing Metropolitan District No. 4 in order to proceed. I understand that approval does not constitute approval of the Town of Johnstown and that I may be required to obtain a building permit. I agree to complete improvements after receiving TCMD4 approval in a timely manner. I have read the Covenants, Conditions and Restrictions and Design Guidelines and agree to comply with these documents.

Date: \_\_\_\_\_ Homeowner's Signature: \_\_\_\_\_

Committee Action:

- Approved as submitted
- Approved, subject to the following

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**Note: Committee approval is granted subject to the above noted conditions. If you commence construction you are accepting these conditions. If the conditions or improvements are denied, you must contact the Committee to determine how to proceed.**

- Denied for the following reasons

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Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

# THOMPSON RIVER RANCH

## *Design Review Application Conditions*

All proposed improvements including transporting labor and/or materials must access the property through the residential site **ONLY**. Access over or through Thompson Crossing Metro District (TCMD) property is **PROHIBITED**. Any damage to TCMD property is subject to the restoration policy within the Design Guidelines.

### **Tree Lawn, Front and Side Yard Landscaping Requirements:**

- \_\_\_\_\_ In addition to the tree lawn requirements, a minimum of 1 other tree is required in the front yard. Canopy trees must be a minimum of 2 inches in caliper and flowering ornamentals must be a minimum of 1.5 inches in caliper at time of installation. Evergreen trees must be between 5 – 8 feet in height at time of installation. After one year from closing date, it is the homeowners responsibility to replace a dead tree and/or dead sod within the tree lawn.
- \_\_\_\_\_ A minimum of four, 5-gallon size shrubs must be planted in the front yard. Vines, ground covers and perennial flowers must be at least 1-gallon in size.
- \_\_\_\_\_ All rock and mulch areas must have fabric weed barrier installed and be separated from turf areas using wide heavy gauge steel edging, concrete, brick or stone on a foundation. Large areas of rock or wood mulch without shrub or flower plantings will be prohibited.
- \_\_\_\_\_ All turf areas must be sod or seeded with an improved variety of Kentucky Bluegrass or drought tolerant equivalent.
- \_\_\_\_\_ An automatic irrigation system shall be required to be installed and maintained by the homeowner in all front yards.

### **Back Yard Landscaping Requirements:**

- \_\_\_\_\_ All rock and mulch areas must have fabric weed barrier installed and be separated from turf areas using wide heavy gauge steel edging, concrete, brick or stone on a foundation. Large areas of rock or wood mulch without live plant material will be prohibited.
- \_\_\_\_\_ All turf areas must be sod or seeded with an improved variety of Kentucky Bluegrass of drought tolerant equivalent.

### **Miscellaneous Requirements:**

- \_\_\_\_\_ Fencing must be six foot, tan, privacy vinyl fencing only. Where privacy fencing must adjoin to Metro District four foot rail fencing, the privacy fencing must taper down to the four foot open rail within the last eight feet from the six foot height to the four foot open rail fence height. If wire fencing is requested, it shall be installed on the homeowner side of the rail fencing and fencing type must be 14 Gauge Galvanized Welded Wire Fence with 2" x 4" openings. Chain link, poultry wire, aluminum, sheet metal, plastic, fiberglass, reeds, straw, bamboo, rope and other similar temporary or commercial materials are **NOT** permitted.
- \_\_\_\_\_ Permanent yard ornaments in front yards are discouraged by the Design Review Committee (DRC) and must have DRC approval prior to installation.
- \_\_\_\_\_ There shall be no interference with the established drainage patterns over any residential site without DRC approval and may require an Engineering Certificate with Design Review Application (DRA) as specified in the Design Guidelines (DG).
- \_\_\_\_\_ Retaining walls not installed by the builder must provide information on materials, height, lengths, whether they are retaining or freestanding and must include information about how the slope and drainage are routed through the site both currently, and with the proposed wall.
- \_\_\_\_\_ Please be considerate of your neighbors when using a fire pit (if wood burning) as smoke can impact their living spaces both indoors and outdoors due to wind and weather.
- \_\_\_\_\_ Permanent playground equipment, trampolines or trampoline fences or similar sport equipment may be installed in the rear or side yard of a Residential Site without DRC approval if they are at least 5' from any property line and do not make use of neon color tones. Playground equipment may not exceed 10' in height without DRC approval.
- \_\_\_\_\_ Shed requests must include information on location within the lot (plot plan or similar plan to be submitted by homeowner), dimensions (width x length x height), type (custom vs. pre-fabricated), foundation type, materials and colors (including roof color). Shed must be screened from public view and plant material must be used to soften the look of the structure, if visible, be planted within 30 days after installation and continuously maintained thereafter.

*Landscape escrow deposit will be held until full landscaping is installed, inspected and approved by the District or its representatives. This includes all improvements requested by the homeowner on the Design Review Application.*

Please contact your Community Manager Russ Hofer with any questions at (970) 663-9687 or email him at [rhofer@msiho.com](mailto:rhofer@msiho.com).

**Thompson River Ranch  
Final Approval and Inspection  
Application**

c/o MSI, LLC.  
8201 Spinnaker Bay Dr., Suite D, Windsor, CO 80528  
<http://trrcommunity.com/>  
(970) 635-0498 Fax (970) 635-0517

**For Office Use Only**

Received: \_\_\_\_\_  
Critical Date: \_\_\_\_\_  
Sent to DRC: \_\_\_\_\_  
Received from DRC: \_\_\_\_\_  
Pre Project Inspect: \_\_\_\_\_  
Post Project Inspect: \_\_\_\_\_  
Request #: \_\_\_\_\_  
CM: \_\_\_\_\_

**Pease submit this form to MSI, LLC once improvement has been completed.**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City/State/Zip: \_\_\_\_\_

**District:** \_\_\_\_\_ TCM \_\_\_\_\_  
Home Phone: \_\_\_\_\_  
Work Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

Request for **FINAL APPROVAL and INSPECTION** of the following completed improvement(s);

- Painting     Deck/Patio/Spa     Roofing     Landscaping     Fencing  
 Patio Cover     Addition     Other: \_\_\_\_\_

Date: \_\_\_\_\_ Homeowner's Signature: \_\_\_\_\_

Committee Action:

- Approved as completed  
 Denied for the following reason(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reviewed By: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

Date inspected and reviewed: \_\_\_\_\_