

DESIGN & CONSTRUCTION
GUIDELINES FOR
MERIDIAN LAKE PARK CORPORATION

Includes Revisions Through 02/23/2023
Posted For Comment Until

March 20th, 2023

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SECTION I - INTRODUCTION

The purpose of these MLPC Design & Construction Guidelines (Guidelines) is to require and ensure that new construction and improvements within this residential community be made in compliance with the Revised Declaration of Protective Covenants (“Covenants”) for Meridian Lake Park Corporation (“MLPC”), these Guidelines, and any other applicable governing documents and law. These Guidelines are meant to provide a template by which to design and construct a proposed residence and/or other improvements. All proposed projects will be architecturally compatible and comply with the terms set forth in these Guidelines. Variances are permitted only as set forth in these Guidelines. No residence, garage, caretaker unit, accessory building, shed, fence, stone wall, patio, deck, or exterior improvement of any kind including hard landscaping will be commenced, constructed, erected, or maintained on any lot within Meridian Lake Park Filings 1, 2, 3, or 4 until the plans and specifications have been submitted to and approved in writing by the Architectural Control Committee (“ACC”), as set forth in these Guidelines. The powers of the ACC are set forth in our Covenants, Article VIII - Architectural Control. Pursuant to the Covenants, the ACC shall consist of the Board of Managers (herein referred to as the “Board”). For purposes herein, the ACC and Board may be used synonymously.

1.1 Intent

The intent of these Guidelines is to ensure that new construction and improvements located within Meridian Lake Park Filings 1, 2, 3 and 4 are compatible with the placement and location of homes on adjacent lots, blend with the natural landscape and surrounding residences, optimize views from each home site, minimize the visual impact of development from other home sites, preserve as far as possible a feeling of open space, and to the extent possible preserve and protect our property values.

1.2 Revisions

The Guidelines may be periodically amended by the Board of Managers. Proposed amendments to the Guidelines on the Toad Property Management’s website are not required to be posted for public comment prior to adoption by the Board of Managers, but the Board in its discretion may solicit public comment thereto.

1.3 MLPC

For purposes of these Guidelines, “Meridian Lake Park” or MLP means Filings 1, 2, 3 & 4. Meridian Lake Park Corporation or MLPC is the master association, governing all Meridian Lake Meadows, Meridian Lake Park and Pristine Point. These guidelines are applicable to all Filings of Meridian Lake Park unless otherwise indicated. Additional guidelines may be applicable for projects in Filing 3 (Meridian Lake Meadows) and Filing 4 (Pristine Point). In no event shall the Guidelines for Meridian Lake Meadows or Pristine Point be less restrictive than these Guidelines. Owners are required to comply with all guidelines governing construction and improvements and must comply with the most restrictive guidelines in any event.

1.4 Organization

The “Board” means the Board of Managers of MLPC. The MLPC Board is the Master Board for all Filings of Meridian Lake Park. The MLPC Covenants define the membership of the MLPC Architectural Control Committee (ACC) as being all Board members. The Board may delegate to, including without limitation appointing an executive committee of one or more Board members, to lead a review of submitted plans for any given project or improvement and make recommendations to the ACC for consideration. All final, as hereafter defined, ACC decisions are made by the MLPC Board. Only the MLPC Board President has the authority to send project approval to the Gunnison County Planning Department, after approval by the MLPC Board. Final approval is contingent upon the Owner tendering all required fees and payments.

1.5 ACC Empowerment and Reasonable Judgment

The ACC is empowered to approve or deny a project. The ACC may deny plans, designs, or projects that do not comply with the Guidelines in its reasonable and good faith discretion. Each Owner acknowledges that the members of the ACC may change from time to time, and that the interpretation, application, and enforcement of these Guidelines for any proposed project, improvement, or alteration might vary accordingly. Any proposed plans or drawings for any completed or proposed alteration or modification shall not be deemed a waiver of any right for the ACC to withhold approval as to any similar proposals for other alterations or changes. The ACC shall act reasonably and in good faith in approving or denying all plans and specifications submitted to it, including without limitation the Final Plans for any project. No preliminary discussions or correspondence between or amongst any Owner and any ACC member(s) shall be deemed an approval, denial, extension or waiver of any provision herein until such time as such plans, variances, waivers, extensions or similar are approved or denied by the Board and provided in writing to the Owner.

1.6 Compliance with Governmental Rules and Regulations

Nothing herein shall be deemed to remove the obligation of any Owner, contractor, architect, engineer or other party to comply with any or all applicable rules, regulations, codes, ordinances, requirements or laws of any governmental authority, county, municipal district, special district, department, agency or similar entity ("Governmental Rules and Regulations") which may apply to the ownership, construction, improvement, occupancy and/ or maintenance of any property within MLP. The provisions herein shall be construed as additional requirements and restrictions.

SECTION II - DESIGN REVIEW PROCESS & GUIDELINES

2.1 Architect

MLPC requires a designer with experience designing homes in mountainous, high snow-load locations, or a licensed architect to design your residence at Meridian Lake Park. Use of a designer does not negate the need of Owners to comply with Section 1.6 herein, including without limitation, any requirement to have a licensed architect and/or engineer to review and stamp plans. Be sure that your architect or designer is familiar with these Guidelines. Your architect or designer should also be aware of and follow the requirements of the most recent revision of any Governmental Rules and Regulations, including without limitation:

2.1.1 The Gunnison County Land Use Resolution (LUR, as amended from time to time.

2.1.2 The Uniform Building Code.

2.1.3 The International Building Code, as amended from time to time

2.1.4 The Crested Butte Fire Protection District Fire Code, as amended from time to time 2.1.5 The requirements of the Meridian Lake Park Covenants, and if applicable, the additional requirements of the Meridian Lake Meadows (Filing 3) Covenants and Design Guidelines or Pristine Point (Filing 4) Covenants and Architectural Standards.

In general, where there is a conflict between requirements, the most restrictive requirement prevails. In the event the Guidelines conflict with the Covenants, the Covenants shall control.

2.2 Preliminary Plan Review

You should carefully consider your site, the placement and location of your residence on your lot, the architectural theme, any special design considerations, any geotechnical issues, topography, drainage, snow storage, driveway location, and the building program for your construction project. If preliminary plans are prepared, you may request a Preliminary Plan Review by the ACC. Your preliminary plans should include a site plan, floor plans, elevations, exterior materials, and the building height of the highest elevation (per Section 3.2)

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and a View Corridor Analysis (see Section 3.8 for more information). If you wish the ACC to review your preliminary plans, send one (1) full size copy and one (1) .pdf digital version to the MLPC Manager. The

ACC is not required to review preliminary plans within a set deadline; however, the ACC will endeavor to respond timely to the submitting owner(s) or its representative. After review, the ACC will notify you in writing if any variance requests must be submitted, based on the preliminary plans reviewed. This review may provide the opportunity to change preliminary plans to avoid the need for variance(s). Note that no final approvals will be given during the Preliminary Plan Review. Final approval may only be granted upon receipt and approval of a complete set of Final Plans, as defined hereunder. If a preliminary plan review is requested by the Owner, the Owner may be required to pay a Drawing Review Fee for such Preliminary Plan Review. Please note that Preliminary Plans and review is not a required step in the Design Review Process.

2.3 Variances

Upon receipt of Final Plans, the ACC will consider written requests for variances from the requirements of these Guidelines on a case-by-case basis. Requests for variances must be submitted in writing to the MLPC Manager and must include a rationale for the variance. Variances must be requested with the submission of your Final Plans. Although it is the responsibility of the Owner, and the architect or designer, to identify needs for a variance, the ACC will endeavor to identify variance needs during the Preliminary Plan Review, if a Preliminary Plan Review is requested. No failure of the ACC to identify a potential variance during the Preliminary Plan Review shall be deemed a waiver of approval of any variance. Variances not explicitly requested in writing during Final Plan Review shall be deemed denied.

2.4 Final Plan Review, Professional Stamp & Drawing Review Fee

2.4.1 County Requirements

Gunnison County requires that:

The building plans and specifications bear the seal of an architect or engineer licensed by the State of Colorado, and that the Final Plans be approved by the local homeowners' association(s). Upon approval by the Board, MLPC will provide an approval letter to the Owner for inclusion in the application for a Gunnison County building permit.

2.4.2 Final Plan Review

Final Plans for projects in Filings 3 and 4 must be submitted to both the applicable ACC (Pristine Point or Meridian Lake Meadows) and to the MLPC ACC concurrently. Final Plans for projects in Filings 1 and 2 will be reviewed solely by the MLPC ACC. MLPC ACC will not begin its review of projects in Filings 3 and 4 until those respective architectural control committees and Boards have approved the plans.

All Final Plans must be reviewed by the MLPC ACC before submission to the MLPC Board. One (1) full size copy and one (1) .pdf digital version of Final Plan drawings bearing the required architectural or engineering seal(s) should be submitted to the MLPC Manager and notice provided to the current Board President at least 15 days before the next scheduled meeting of the MLPC Board (during the period March – August) or 45 days (during the period September to February). The applicable review period begins only once a complete set of Final Plans, pursuant to Section 2.5 hereunder, is received by the MLPC Manager and approval is requested. Owners should identify in writing any variance requests. If items are missing from the submitted Final Plans, including without limitation written identification of requested variances, Owners will be asked to provide the missing documents and the review period will start over. Owners are responsible to ensure that their Final Plans are complete for the purpose of Final Plan Review. Owners are welcome to attend an ACC meeting or Board meeting to explain or clarify their Final Plans, but this may extend the timetable. If a Final Plan submittal contains no variance requests, and is endorsed by the ACC, the Board may opt to vote on Plan approval without scheduling a Board meeting. This may be accomplished following ACC review and

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recommendation via email or other electronic or written communication, but in any case, a record of the vote will be created and maintained in MLPC files.

2.4.3 Drawing Review Fee

For all projects in Meridian Lake Park classified as New Construction or Major Remodels / Additions (Section 2.10.4), the Owner shall provide a \$700 check payable to MLPC to cover the cost of up to two (2) drawing reviews performed by an independent, local architect. Owners may be assessed additional fees if further and more extensive reviews, including Q&A, are required or further reviews are requested by the Owner.

2.4.4 Requirements of other Homeowners Associations

If the proposed new construction or improvements are in either Filing 3 or 4, submittals must be made to the appropriate Board as per their respective Covenants and/or Guidelines. Submittals to MLPC may be made contemporaneously.

2.4.5 Fire Suppression Systems

Plans for internal sprinkler systems must be submitted for approval to the Crested Butte Fire Protection District as well as to MLPC. See Section 4.11 for internal sprinkler system design guidelines.

2.5 Final Plans

The Final Plans for New Construction or Major Remodel / Addition (where applicable) shall include the following:

2.5.1 Site Plan

The following must be shown on the Site Plan (minimum scale: 1" = 20'):

- 2.5.1.1 Topographic survey (2' contours) prepared by a licensed surveyor
- 2.5.1.2 Property boundaries with setbacks and easements
- 2.5.1.3 North direction and view direction of major mountains
- 2.5.1.4 Footprint of building / decks / garage
- 2.5.1.5 View Corridor Analysis – Location and massing of structures, landscape, slope/topography, elevation and/or related elements relative to surrounding existing Lots and homes thereon, depicting the impact on the view corridor of such surrounding Lots and homes, including those immediately adjacent to, or otherwise materially impacted, by the proposed New Construction or Major Remodel.. See Section 3.8 for further guidance.
- 2.5.1.6 Location of driveway and designation of parking spaces
- 2.5.1.7 Location of buried propane storage tank (if applicable)
- 2.5.1.8 Location of retaining walls or structures
- 2.5.1.9 Proposed grading and drainage paths/control. See also Landscaping Sections 2.5.7 and 4.10
- 2.5.1.10 Erosion Control Plan
- 2.5.1.11 Location and type of landscape elements
- 2.5.1.12 Location of construction area boundary (see Section V.1)
- 2.5.1.13 Designation of snow storage area(s)
- 2.5.1.14 Outbuildings and storage enclosures (see Section 2.11) if appropriate

2.5.2 Floor Plan

The Floor Plan (minimum scale: 1/8" = 1") is to include all room dimensions, all window locations and sizes, the location of internal sprinkler heads (if appropriate, see Section 4.11), the location of mechanical and electrical systems, and:

- 2.5.2.1 The square footage of the gross floor area.
- 2.5.2.2 The square footage of the garage floor area.
- 2.5.2.3 The percentage of lot building envelope occupied by the residence (see Section 3.3.3 - Building Footprint). This calculation will be the Building Footprint and should also be included on the Design & Construction Checklist attached to these Guidelines.

- 2.5.2.4 If an Integrated Secondary Residence (see Section 3.3.2) is planned, those rooms must be so indicated, and the total square footage shown.

The Gross Floor Area is defined by Section 1002 of the 2003 International Building Code as the total floor area included within the exterior walls, without deductions for corridors, stairways, closets, the thickness of interior walls, columns or other features. Mechanical rooms, unfinished attics, including

unfinished lofts, unfinished basements, and other unfinished interior spaces are included in this calculation.

2.5.3 Elevations

The following must be shown (minimum scale: 1/8" = 1')

2.5.3.1 Building height illustrated from the highest roof peak to the lowest point where the foundation meets finished grade.

2.5.3.2 All roof pitches defined

2.5.3.3 All proposed exterior materials defined

2.5.3.4 Location and size of all windows and doors

2.5.3.5 Color of exterior finish (see Section 2.5.4)

2.5.3.6 Type and color of roof (see Sections 2.5.4 & 4.4.3)

2.5.3.7 Color of trim for windows & doors (see Section 2.5.4)

2.5.3.8 Type of facing covering foundation (see Sections 2.5.4 & 4.2)

2.5.3.9 Location of all exterior lighting fixtures with bulb wattages (see Section 3.4)

2.5.4 Colors

All major colors must be earth toned. Any color changes prior to and during the construction must be submitted in writing along with a color sample, before the ACC approves a color change. Color samples must be provided as follows:

Part of Exterior Description Sample Roof Metal roofing or asphalt shingles Required Roof Wood shingles

Not Recommended Siding Painted or pigmented stains Required

Siding Natural stains Required Window trim & door trim Vinyl-clad or anodized Required

Door & window framing Can be more expressive colors Required

Stucco All types Required

	Foundation	Show type, pattern & mortar color for rock facing. Indicate color for stucco	Required
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2.5.5 Foundation Plan

The foundation plan must be prepared and stamped by a Colorado licensed engineer or architect for all New Construction or for Major Remodels / Additions. The Owner is responsible for providing this drawing (minimum scale: 1/8" = 1') to the ACC and the County for their review.

2.5.6 Details

Provide any special design details to represent unique, external visual expressions of the building, exposed connections, and material interfaces.

2.5.7 Landscape Planning for New Construction

(See also Section 4.10 for information on plant selection and for landscape plans for established residences.) Include the following landscape planning information for new construction on the Site Plan.

2.5.7.1 Drainage control, including drains and culverts. Drainage must not be diverted onto another lot.

2.5.7.2 Planting plan with proposed plant materials and tree types (as known at the time of submission).

Indicate plans to reseed disturbed earth areas. Avoid continuous lines of trees that might impede a

neighbor's view.

2.5.7.3 Any earth or rock berms.

2.5.7.4 Any retaining walls. If concrete retaining walls are proposed, indicate the proposed facing material. See also Section 4.2.

2.5.7.5 Location of patios, walkways, driveways, trellis structures and freestanding structures. Note that landscaping inside easements or setbacks, while not prohibited by MLPC, is undertaken at the Owner's risk. If utility companies or the County require access to their easements, landscaping could be removed or damaged without compensation to the owner.

2.5.8 Snow Storage

Show the location of all proposed snow storage areas on the Site Plan. Snow storage areas shall be located on Owner's respective property, and/or setbacks adjoining owner's property. Snow may not be stored on adjoining property, the roads or any Association property.

2.5.9 Specifications

Provide written specifications for all items that are required in this guideline, such as exterior "down lighting" (Section 3.4), fireplaces and fire pits (Sections 4.8 and 4.9). Specifications shall include types, materials, and colors.

2.5.10 Site Staking

Site staking of the building corners, driveways and other improvements is recommended. This is the responsibility of the Owner and contractor. Surveyor pins at lot corners may be permanently staked with 4-foot-high wood or earth-toned metal stakes. Site staking of the highest ridge line may also be requested based on a View Corridor Analysis with the proposed house location.

2.5.11 Wetlands. Any affected wetlands shall be shown on the plans. Owners shall be required to comply with any Army Corps of Engineers requirements with respect to impacted wetlands. 2.5.12 Construction Schedule

Projected starting and completion dates of the residence and completion of landscaping are to be furnished on the "MLPC Design & Construction Check List." (See also Section 2.8.1.)

2.5.13 MLPC Design & Construction (D&C) Check List

The MLPC D&C Check List is required for all projects classified as New Construction or for Major Remodels / Additions (Section 2.10). The D&C Check List provides information on the Owner, design firm, the construction firm, and the specific rules the contractor must follow. (See Attachment)

2.6 Independent Architectural Design Review

The MLPC Board will submit a copy of the construction plans to an independent architect for review. This will be paid from the Design Review Fee and includes two (2) reviews. Owners may be assessed an additional fee if further design reviews are required or requested by the Owner.

2.7 Final Plan Approval and Security Deposit

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2.7.1 Deposit Amount

In addition to the Drawing Review Fee (see Section 2.4.3), a refundable Security Deposit check (depending on circumstances) payable to MLPC is required before MLPC approval will be given to Gunnison County. The Security Deposit is intended to ensure that the project is built in a timely manner, built according to the approved Final Plans, post-construction clean-up and landscaping brings the site to a finished condition and/or damage to adjacent property is addressed. If an Owner fails to complete or perform any of the foregoing, the Security Deposit may be used to complete or perform the work, mitigate the impact on adjacent property, and/or assess fines according to the Association's fine schedule, subject to the Association's enforcement and fine policy.

The size of the Security Deposit for New Construction is governed by house gross floor area, as follows: 2.7.1.1 For houses under 3,000 sq. ft. the required deposit is \$5,000.

2.7.1.2 For houses over 3,000 sq. ft. the required deposit is \$8,000.

The size of the Security Deposit for Remodels or Additions is governed by the scope of the project, as follows:

2.7.1.3 Repair / Maintenance projects (see Section 2.10.1), no deposit required.

2.7.1.4 Minor Remodels / Additions (see Section 2.10.2), deposit not normally required.

2.7.1.5 Moderate Remodels / Additions (see Section 2.10.3), the required deposit is \$1,500.

2.7.1.6 Major Remodels / Additions (see Section 2.10.4), the required deposit is \$5,000.

2.7.2 Approval Notification

The President of MLPC will notify the Owner of the approval or denial to construct a project within 15 days of receipt and acceptance of Final Plans (during the period of March – August) or 45 days (during the period September to February), unless (1) problems are discovered in an independent architectural review, (2) all the submission requirements have not been met (application is incomplete) or (3) the ACC (or any member

thereof) has requested a revision, supplemental information, clarification or similar item(s) (“ACC Supplemental Request”) and such ACC Supplemental Request has not been satisfactorily addressed in the sole discretion of the ACC. In the event of any of the occurrence of 1, 2 or 3 above, approval of the Final Plans shall be deemed denied and the ACC review period tolled until the requirements of 1, 2 and/or 3 are resolved to the satisfaction of the ACC.

2.7.3 Post-approval Design Changes

Any significant change to the approved Final Plans for New Construction, or for Major exterior or Moderate Remodels / Additions must be presented to the ACC for approval or MLPC may require the Owner to return the residence to the condition consistent with the approved Final Plans at Owner’s sole expense.

Significant changes include but are not limited to the following:

- House site position (see Section 3.1)

- Structural Changes (see Section 3.2 and 3.3)

- Roof color or type (see Section 4.4)

- Siding type or color (see Section 4.1)

- Foundation covering (see Section 4.2)

- Solid fuel burning devices (see Section 4.8)

- Driveway location or configuration (see Section 3.7)

- Deck or patio (see Section 3.3.3)

2.8 Security Deposit Refund Limits

2.8.1 Initiation of Construction

Unless an extension is granted by the Board, initial construction must commence within [12] months of the Board’s approval of the Final Plans. Initial construction is defined as the staking of the location of the

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residence as provided in the Final Plans and initiating site preparation or excavation. If initial construction is not initiated within 12 months of Board approval, the Owner may request an extension from the Board. Failure to initiate construction or to make a timely request and receive approval for an extension within twelve months of the initial Board approval is sufficient cause for forfeiture of the Owner’s Security Deposit.

2.8.2 Period of Construction

Pursuant to the Covenants (ARTICLE IX 9.1 Period of Construction), “All improvements constructed upon the Land shall be completed within 12 months from the date of site preparation or excavation, unless written permission granting an extension of time is obtained from the Committee [the ACC/ Board] or unless construction is delayed by strikes, war, riot, or acts of God.....”. Primary construction completion shall be defined as the Owner being issued a County temporary or permanent Certificate of Occupancy (“CO”) or otherwise assuming residency. If the Period of Construction is anticipated to

exceed 12 months, we strongly recommend that the Owner include with their Final Plans a Request for Extension of the Period of Construction for a period consistent with Owner's good faith estimate of the project completion date, inclusive of a reasonable contingency. Additional extensions may be requested and approved or denied at the discretion of the Board, acting reasonably and in good faith. If construction is not completed within the period of time provided herein, including any extensions thereof, the Owner's Security Deposit shall be forfeited.

2.8.3 Staged Security Deposit Refund

Half (50%) of the Security Deposit will be refunded after the MLPC Board has determined that:

2.8.3.1 The Owner has obtained a permanent CO and has sent a copy of the CO to the MLPC

Manager. 2.8.3.2 All exterior work has been substantially completed in accordance with the approved Final Plans, including, without limitation, driveways and retaining walls, and the Owner has provided a schedule by which the remainder shall be completed.

2.8.3.3 All construction-related equipment, materials and debris have been removed from the site.

2.8.3.4 Damage to adjacent lots, open space, or Association property has been repaired, and 2.8.3.5

The lot surface has been smoothed to the original contours or to contours specified in the approved site plan.

The remainder of the Security Deposit will be refunded after the MLPC Board has determined that the planting of trees, shrubs and revegetation including seeding have been completed in accordance with the approved landscape plan.

2.9 Inspections

The Owner and/or contractor shall request inspections and obtain approvals for all phases of construction required by Gunnison County. The MLPC Board reserves the right to inspect any project at any time to ensure it conforms to the approved Final Plans. If problems are found, the cost of the inspection and the corrections will be the responsibility of the Owner. MLPC may enter the Owner's property at any time to inspect for this purpose. The Owner must request a CO from the County. The Owner is required to notify the MLPC Board when a temporary or permanent CO is received, or residency has begun, to provide for regular trash collection and to change the dues' structure, if applicable. Failure to notify the MLPC Board concerning the CO will delay the return of the Security Deposit.

2.10 Remodels and Additions

Remodels or additions that alter the exterior appearance of the building (painting a different color, room or deck additions or modifications, re-roofing with a different roofing material or color etc.) are subject to MLPC

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approval. Plans must be presented prior to beginning the remodel or addition. Owners, who fail to ask for and gain MLPC Board approval before commencing the project, may be required to have the work redone or undone at the Owner's expense, and may risk forfeiture of their Security Deposit. The following categories apply:

2.10.1 Repair / Maintenance Projects

This category includes simple projects such as driveway paving, on-going landscaping, repainting, or re-roofing without color or material change. These are not considered remodel / addition projects and there is no requirement to seek approval of the MLPC Board.

2.10.2 Minor Remodels / Additions

This category includes items such as modifications to an existing deck, flagpoles, structural additions of less than 200 sq. ft., roof color or material changes, outbuildings etc. If a foundation for a living area is necessary, a foundation plan (Section 2.5.5) is required. MLPC Board approval is required, but a Security Deposit or MLPC D&C Check List may not be required.

2.10.3 Moderate Remodels / Additions

This category includes items such as house siding replacement, addition of a new deck, balcony or

exterior stairs, additional fireplace(s), changes in windows (excluding replacements which do not materially change the size, configuration or number of existing windows), any structural additions over 200 sq. ft. but less than 1000 sq. ft. etc. Revised Site Plans (Section 2.5.1), Floor Plans (Section 2.5.2), and Elevations (Section 2.5.3) are required. If a foundation for a living area is necessary, a foundation plan (Section 2.5.5) is required and the exterior lighting for the residence must be modified to meet the standards of Section 3.4. MLPC Board approval is necessary, and a Security Deposit will be required. The ACC may waive certain requirements which are deemed unnecessary given the scope of the project (e.g. replacement of siding with that of substantially similar type, appearance and color).

2.10.4 Major Remodels / Additions

This category applies to any structural additions over 1000 sq. ft. and to any conversion of a portion of an existing residence to include an Integrated Secondary Residence. A drawing review fee (Section 2.4.3) is required. Any resulting Integrated Secondary Residence must meet the requirements of Sections 3.3.2 and 3.7.1. The exterior lighting for the residence must be modified to meet the standards of Section 3.4. MLPC Board approval is necessary, and the applicable Security Deposit will be required.

2.11 Outbuildings and Exterior Storage Enclosures

The MLPC Board must approve all outbuildings (including greenhouses) and exterior enclosures to be used for storage.

2.11.1 Exterior siding must be either wood or should match the existing siding on the house. 2.11.2 The roof must match the material and color of the house roof.

2.11.3 Location must be either detailed on a site plan or the corners must be staked.

2.11.4 Location must not materially interfere with view corridors of neighbors.

2.11.5 Such structures are generally discouraged, but if proposed, Owners are encouraged to consider both design and placement with the goal of being less conspicuous and incorporated, as much as practical, into the general character, look, feel and proximity of the existing residence.

Examples include but are not limited to greenhouses, sheds, outbuildings, and storage buildings.

SECTION III - SITE GUIDELINES

These site and landscape guidelines are intended to help Owners and architects/designers design residential structures that are suitable for MLPC.

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3.1 Setbacks and Building Envelopes

Required MLPC setbacks are 25 feet from the front and back property lines and 15 feet from the side property lines. No structures, including cantilevered structural elements, fences, hot tubs or spas; or any other permanent object or parking areas are permitted to encroach into or occur in or above the setbacks. For lots which front two streets, the MLPC ACC may determine which lot sides are the front and the back sides. Filing 3 has approved designated building envelopes that are generally more restrictive than MLPC guidelines. Large rocks, retaining walls, driveways, trees and landscaping are generally prohibited within setbacks. However, for slope stability, for erosion control, or for unique site conditions these improvements may be considered by the ACC when accompanied by a variance request. MLPC shall not require pre-existing trees or rocks to be removed from setbacks.

3.2 Building Height

3.2.1 Specifications

Building height is influenced by lot size, the proximity between the proposed home and any existing homes on adjacent lots, the view corridors of existing and new homes, and the structural mass of new homes in relation to existing homes on adjacent lots.

3.2.2 Vertical Measurements

Building height is measured from the highest roof peak to the lowest point where the exposed foundation meets the finished grade.

3.2.3 Maximum Building Height

Given the size of lots and proximity between existing homes, the maximum building height in Filings 1 & 2 is 30 feet, unless a variance is granted (see below). However, for sloped lots, and depending on any material impact on view corridors of existing homes, and any other relevant factor a variance may be considered. In no cases will a building height greater than 35 feet be approved or allowed. See also Sections 1.1, 2.2, 2.5.3, 2.5.10, and 3.8.

In Filings 3 and 4, lots are larger and the spacing between homes is greater than in Filings 1 and 2. The maximum building height in those filings is 35 feet.

3.3 Size Restrictions

3.3.1 Minimum Gross Floor Area Size

The minimum square footage for the gross floor area is 1,750 sq. ft. The gross floor area is the area included within the surrounding exterior walls as defined in Section 2.5.2.

3.3.2 Integrated Secondary Residences

If an Integrated Secondary Residence (ISR) is included, the LUR limits the gross floor area to between 400 and 1,200 sq. ft. Integrated Secondary Residences in MLPC must be either connected to the main residence or included within the main residence. See also Section 3.7.1 for garage conditions for an ISR. There shall be no ISRs detached from a residence. Stand-alone structures, independent from the main residence, are not permitted.

3.3.3 Building Footprint

The coverage, or total building footprint, of all the structures on the lot is limited to 30% of the building envelope (the area enclosed within the setbacks) unless a variance is approved. A building footprint is defined as the area the structure covers when seen from directly above, less the roof overhangs (eaves). This provision does not apply in Filing 3, where building envelopes serve to restrict the footprint. Decks and patios are not part of the Building Footprint unless they are deemed by the Board to be excessive and out of character when compared to existing homes and decks.

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3.4 Exterior Lighting

3.4.1 Restrictions

Exterior lighting is restricted in MLPC to minimize surface light pollution. Exterior lighting shall be used only to illuminate areas of pedestrian activity or vehicular traffic. The total wattage of all exterior light bulbs may not exceed 1000 watts. Exterior lighting must not be installed so that it produces excessive glare to neighbors, pedestrians, or vehicular traffic. Lighting shall not be permitted to stay on all night.

3.4.2 Down-Lighting

“Down-Lighting” must be used for all out-of-doors lights. No spotlights per the LUR are permitted. Bare light bulbs or lamp lenses of exterior lights must not be visible to neighbors. Houses located at elevations higher than other houses may be required to have fixtures with a narrower downward light cone.

3.4.3 Motion Detector Lights

One motion detector exterior lighting fixture per residence is permitted for safety and security considerations. No spotlight fixtures with exposed bulbs are permitted. This fixture may have no more than two 50-watt, narrow beam spotlight bulbs with shielded “down lighting” fixtures. The light fixture must be focused downward to prevent the bulbs from being seen from beyond the property line. The timer on the motion detector must be set to no more than 5 minutes lighting duration.

3.5 Privacy Walls and Barriers

Walls or other barriers including berms and hedges are not allowed for the purpose of enclosing or

demarcating a building envelope or Lot boundaries; however, walls and barriers may be used for privacy and screening purposes within the building envelope. These must be reviewed by the MLPC ACC for design, appropriateness, size, and materials in relation to the proposed residence, the view corridors of existing homes, and they must be approved prior to construction.

3.6 Fences

3.6.1 Allowable Fence Design and Location

Fences are generally discouraged in MLPC, to protect the open feeling and rural character of our development. As described below, however, variances may be approved by the MLPC Board on a case-by-case basis. Fences shall not be permitted for the purpose of enclosing or demarcating building envelope or Lot boundaries. An exception to this prohibition is the MLPC-maintained perimeter fence which encloses Meridian Lake Park and protects the subdivision from cattle intrusion. Fences, to the extent permitted, must be designed to create a harmonious appearance with the residential structures and surrounding landscape. Fences must be maintained in a safe and attractive condition. Any fence considered to be in a state of disrepair must be either repaired or removed within 14 days of written notice.

When an above ground fence is proposed, it must be designed to the following standards.

3.6.1.1 Height

48 inches or less measured from the top of the top rail or wire (i.e., the highest horizontal element) to the average grade between two adjacent posts. Fence posts may be higher than 48" but must not exceed 54 inches above grade (as measured from the base of the post).

3.6.1.2 Materials:

Posts are recommended to be constructed from either:

- Logs of a pre-approved average diameter.
- Square dimensional lumber (stained to a pre-approved shade) 4 inch minimum to 8-inch maximum size.
- All other proposed materials must be approved by the Board in advance. No "T" section metal agricultural fence posts will be permitted.

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Rails are recommended to be constructed from either:

- Logs of a pre-approved average diameter
- Split Square dimensional lumber (stained to match posts)
- Tubular or square metal rails
- All other proposed materials must be approved by the Board in advance.

Retaining material:

- Either 4 inch or 6-inch rectangular welded, rusted, wire mesh (WWM).
- All other proposed materials must be approved by the Board in advance. Chicken wire or chain link materials are not allowed.

3.6.2 Animal Containment

Within MLPC boundaries, fences may be used for animal containment and protection when approved. The use of underground electric fences is the preferred method for domestic animal containment.

3.6.3 Fence Approvals

All proposed fences (landscaping included.) must be approved by the MLPC Board of Managers.

3.7 Garages, Driveways and Parking

3.7.1 Required Garage Size

A minimum 500 sq. ft. two-car, attached garage is required. If the residence contains an Integrated Secondary Residence (ISR), an additional 200 sq. ft. one-car, attached garage dedicated for the ISR is required. A stand alone separate garage for an Integrated Secondary Residence is not allowed. (See also Section 3.3.2). If an Owner has, or plans to have, recreational vehicles including RV's, motor bikes, snow

mobiles, campers, all terrain vehicles, UTVs, ATVs, side-by-sides, or trailers for these vehicles, additional garage space will be required to store such equipment. The D&C checklist asks if storage space has been included for all recreational vehicles and trailers.

3.7.2 Driveways

Driveways within a lot must be designed according to Gunnison County regulations and a Gunnison County driveway permit must be obtained if the driveway connects to a County road. Driveways access the streets through setbacks.

3.7.3 Parking

The area directly in front of a two-car garage is normally designated to be two parking spaces. One additional designated parking space is allowed within the building envelope (See Section 3.1) for a maximum of three designated parking places. No other portion of a lot will be used for parking or storage of any type of vehicles, unless by approved variance. No portion of the driveway in a setback may be designated for parking.

3.8 View Corridors

View corridors of surrounding houses and lots must be considered when designing a house. As the build out of MLPC continues, maintenance of existing view corridors will become difficult, perhaps impossible. An effort during the early design phase of a building (or landscaping) must be made to consider the impact of new construction on the view corridors of surrounding lots. Specifically, the location of the proposed home on the lot, the height of the new home, the proximity of the new home to adjacent developed properties, lot topography, and the mass of the new home are all factors that must be taken into consideration when designing a house. It is the intent of the Board to support an Owner's right to develop their lot(s) in compliance with these Guidelines. The ACC shall use its reasonable and good faith discretion to determine how to best balance the interests of all affected Owners. Owners submitting an application for construction of a new home (or a major home remodel), shall include a View Corridor Analysis designating the impact, if any, the proposed structure

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shall have on the view corridors of existing homes and lots on adjacent properties. The new structure must blend with the surrounding landscape and maintain the character of the MLPC development.

3.9 Drainage

3.9.1 Natural Drainage Paths

No Owner or contractor may construct improvements or install landscaping or take any other action, which alters the drainage pattern or diverts run-off from its natural flow path. Run-off from roofs and pavement areas shall be directed to natural or improved drainage channels or be dispersed into shallow sloping vegetated areas (swales).

3.9.2 Erosion Control

An erosion control and re-vegetation design is required in the Final Plans. This shall include the following:

- Measures to control ground water, roof and pavement runoff water, and surface water runoff so that neighboring lots, open space and nearby houses are not affected.
- The Owner shall describe on the Site Plan, and the Landscaping Plan, the measures to be taken to revegetate and stabilize all disturbed areas.

3.10 Easements

Easements may be located on lots for installation and maintenance of utilities, drainage facilities and / or irrigation ditches. Within these easements no grading, structures, walls, hot tubs or spas, or other impediments are permitted which may damage or interfere with the utilities, drainage, or irrigation. All trunk utility lines, pipes, and connections to individual structures must be underground. Large rocks, retaining walls, driveways and landscaping are generally prohibited within easements and setbacks. However, for

slope stability, for erosion control, or for unique Lot conditions these improvements may be considered by the ACC when accompanied by a variance request. See also Sections 3.1 and 4.10.

3.11 Propane Tanks

Propane tanks (if installed) must be buried.

SECTION IV - DESIGN GUIDELINES

These Guidelines apply to the design and construction of residences and building improvements. The following design standards apply:

4.1 Exterior Building Walls and Finishes

The following materials may be used for exterior walls of the building:

- Wood with either a natural or transparent stain, painted, or pigmented color stain finish. Paints and colored-stains must be earth-toned.
- Stucco with an earth-toned coloration.
- Rock with earth-toned coloration mortar.

All other types of materials, such as corrugated steel, must be reviewed by the MLPC ACC and specific approval must be issued in writing by the MLPC Board. The use of vinyl or aluminum siding is expressly prohibited.

4.2 Exterior Foundation & Retaining Walls

Foundation and retaining walls shall be faced with stucco, wood or rock if exposed for more than one foot in the vertical direction. Proposed use of other facing materials must be reviewed by the ACC, and approval must be issued in writing by the Board.

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4.3 Chimneys

All chimney pipes exposed over two (2) feet above the highest penetration through the roof must be enclosed with natural materials compatible with the structure.

4.4 Roofs

4.4.1 Roof Pitch

Roof pitches must not be less than 4/12 without a variance from the ACC. Snow shedding shall be taken into account by the architect or the designer. Snow is not permitted to shed onto MLPC open space or neighboring property.

4.4.2 Eave Overhangs

Large roof or eave overhangs are encouraged. A twelve-inch minimum eave overhang is required.

4.4.3 Roof Colors

All roof colors shall be earth-toned and non-reflective. Multi-colored roofs are not allowed. Since some colors fade over time, the Owner should carefully choose the roof color.

The following are prohibited:

- Any glossy finish including copper.
- All bright primary (blue, red and yellow) colored roofs.

Rusted corrugated roofs (and / or siding, see Section 4.1) will be allowed only when they are properly treated for a uniform rusted appearance and are consistent with the overall architectural design of the house. This decision shall be in the reasonable discretion of the MLPC ACC.

4.4.4 Roof Materials

Approved roof materials are enamel-colored metal roofs, fire-retardant simulated shake shingles, fire retardant cedar shake shingles, and asphalt shingles.

4.5 Solar Panels

Solar panels may be located on the roof if at the same angle and flat against the roof. Solar panels may also be installed integral with exterior walls. Other proposed locations for solar panels require a variance.

4.6 Windows and Doors

Window casings and exterior doors shall be wood or dark, non-reflective metal. Approved finishes are neutral stained, painted, or clad. Colors must be approved by the ACC. Reflective or mirrored glass is not allowed. Windows shall be, as a minimum, double-glazed.

4.7 Antennas

All antennas must generally be attached to a residence. Free-standing antenna towers are not permitted. Television satellite or other dish antennas may not be larger than 18 inches in diameter. Amateur or "Ham" radio antennas are permitted, subject to a case-by-case review by the ACC.

4.8 Solid Fuel Burning Devices

Any solid fuel burning devices must comply with the LUR. Any New Construction or Major Remodel / Addition of an existing residence shall only have Approved Solid Fuel Burning Devices, limited to a maximum of two (2). An Approved Solid Fuel Burning Device is defined as a device designed or intended to burn solid fuel (excluding coal) and certified to meet the Environmental Protection Act Phase II particulate emissions rate standard set by the U.S. Environmental Protection Agency (EPA) or certified to meet those standards by a testing laboratory accredited by the EPA or approved by the Colorado Air Quality Control Commission.

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4.9 Exterior Fireplaces and Fire Pits

4.9.1 Exterior Fireplaces.

Use of exterior wood-burning fireplaces is generally considered a hazardous activity. "Open pit" fireplaces are not allowed. However, on a case-by-case basis, MLPC may consider granting a variance for an exterior fireplace under the following circumstances:

- The lot is remote from surrounding vegetation and neighbor properties, as determined by the MLPC ACC.
- The exterior fireplace is connected to the primary residence and vented through a chimney.
- The open face of the exterior fireplace has a solid door (glass or metal) that can be closed when the fire is being extinguished or left unattended.
- The open face of the exterior fireplace is further protected from the emission of sparks or burning debris by a fireproof hearth to a radius of five (5) feet. A fireproof hearth may be stone, tile, or some other fireproof material
- No free-standing exterior fireplaces burning any kind of material are allowed

4.9.2. Exterior Fire Pits

No exterior wood, coal or paper burning fire pits are allowed in MLPC due to the proximity of forests and the vast quantity of combustible material in the area. However, on a case-by-case basis, MLPC may consider granting a variance for a natural gas or propane fire pit if the following conditions are met:

- The property and the fire pit location are remote from neighboring houses.

- An adequate separation is provided from the fire pit to surrounding forests and/or combustible materials, landscape, grasses or similar combustion risk.
- A sufficient barrier of non-combustible material is incorporated around the fire pit.
- All construction materials for natural gas fire pits are non-flammable.
- If a natural gas or propane fire pit is proposed to be located on a deck, all surrounding deck materials, including railings and stairs, must be made of non-flammable materials.
- A purchased propane fire pit unit must meet ANSI compliance codes for Outdoor Decorative Gas Appliances.

4.10 Landscaping and Landscape Plans for Existing Residences.

Owners are encouraged to use plants that do not materially impact view corridors of adjacent developed properties, provide seasonal shade, and screen undesirable views. New planting should use plants indigenous to a Rocky Mountain alpine or sub-alpine environment and be drought resistant. Artificial grass is permitted but is limited to the backyard of a residence. Gravel is permitted. Groomed yards and ornamental plants, if planted, should in general be limited to the areas adjacent to buildings. Because of the relatively short growing season at Meridian Lake, the planting of larger deciduous trees and evergreens is recommended. Owners should be aware of landscaping limitations in setbacks and easements in Sections 3.1, 3.9.2 and 3.10 and the need for a variance request if these conditions cannot be met.

4.10.1 Landscape Plans

Landscape Plans for existing residences need not be submitted for approval providing they do not violate these Guidelines.

4.10.2 Variance

If a variance is proposed for a new landscape plan for an existing home, a landscape plan must be submitted to the Board on a surveyed site plan that shows the location of all existing easements, setbacks and structures on the lot. Depending on the scope of the landscape plan a security / clean-up deposit may be required.

4.11 Internal Sprinkler Systems

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4.11.1 Crested Butte Fire Protection District

(CBFPD) may require installation of internal sprinkler systems for all new construction and major remodeling projects in MLPC. Owners and or Contractors should coordinate with CBFPD during the design process and submit plans for Board approval (see Section 2.4.5 Fire Suppression Systems).

4.11.2 Sprinkler Systems

For new construction projects where a single structure is greater than 4,800 sq. ft., and for remodel expansion projects where a revised building size exceeds 4,800 sq. ft., an internal sprinkler system must be provided. The determination of square footage will be in accordance with the definition of Gross Floor Area (see Section 2.5.2). The sprinkler system must be designed in accordance with current codes and design basis of the CBFPD. This provision shall not be modified without the prior written approval of the Mt. Crested Butte Water and Sanitation District and the Crested Butte Fire Protection District.

SECTION V - CONSTRUCTION REQUIREMENTS

The following requirements must be followed during the Period of Construction by all contractors, sub contractors, and Owners. The MLPC Board will fine the Owner for the continued violations of these regulations. Fines are subject to MLPC's enforcement policy and, if assessed, will be deducted from the Security Deposit.

5.1 Construction Area

The Construction Area shall be limited to the area within the Lot lines. The boundaries of the construction area must be staked with a low black plastic barrier. The location of the construction area must be shown on the Site Plan. The low black plastic barrier should be maintained during construction until a permanent CO is issued. All construction activities, including the storage of excavation material, shall be confined to the Construction Area except for excavations required to connect to utilities.

5.2 Temporary Structures / Construction Trailers

All temporary structures shall be confined to the Construction Area unless written permission is received from adjacent lot owners. All temporary structures shall be removed within two weeks of the residence being physically occupied or within two weeks of the issuance of a temporary or permanent CO.

5.3 Storage of Construction Material and Equipment

Storage of construction materials and equipment shall be confined to the Construction Area. The Owner and his/her/its contractor are responsible for the clean-up of these areas at the conclusion of construction and landscaping.

5.4 Daily Operation

Exterior construction activity shall only be conducted between 7:00 a.m. through 7:00 p.m., Monday through Friday for exterior work, with variances granted under special circumstances.

Interior work may occur 7:00 am to 7:00 pm, any day of the week.

5.5 Noise

No excessively loud radios or other audio devices are permitted in the Construction Area.

5.6 Excavation Material

Excess excavation material must be removed from Meridian Lake Park.

5.7 Debris and Refuse Removal

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Disposal of refuse, including trash and construction debris, is the Owner's responsibility. Refuse and trash shall be removed from Meridian Lake Park on a regular basis or when needed. Debris and refuse should not be allowed to blow around, shall be appropriately stored and not allowed to move onto adjacent lots, streets, rights of way, or Association property.

5.8 Burning

Burning construction materials is not permitted on the site at any time.

5.9 Vehicles and Parking

All contractor and sub-contractor vehicles must be parked so as not to inhibit traffic. As far as possible, construction vehicles and equipment must be parked on the Lot..

5.10 Portable Toilet

A portable toilet shall be provided by the contractor and placed within the Construction Area. The portable toilet must be removed once the residence is occupied or a CO has been issued, whichever is sooner.

5.11 Signs

Contractor construction signs are limited to one sign per site. The sign must not exceed six square feet in surface area. See also the MLPC Covenants for additional terms and conditions regarding signage.

5.12 Fire Extinguishers

At least one serviceable ABC rated dry chemical fire extinguisher shall be located on each construction site in a conspicuous location.

5.13 Flammable Items

Flammable materials shall be stored in approved containers.

5.14 Dogs and other Animals

Contractors, subcontractors and their employees must keep dogs and other animals confined to the Construction Area using physical restraints as necessary.

5.15 On-Site Camping

Camping in the Construction Area by any employee of the contractor or sub-contractor is not permitted.

The storage of any recreational vehicle is not permitted in the Construction Area during construction.

5.16 Restoration and Repair

Damage to any property other than the Owner's (adjacent lots and MLPC open space or property) shall be repaired at the expense of the Owner before the return of the Security Deposit is warranted.

As approved and adopted by the Board of Managers, Meridian Lake Park Corporation on _____, 2023.

Scott Winn, President MLPC Board, ACC

William Hamilton, MLPC Board, ACC

Allie Cote, MLPC Board, ACC

Sherri Twilleger, MLPC Board, ACC

Beth Hise, MLPC Board, ACC

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Dustin Gaspari, MLPC Board,
ACC Hilary Kunz, MLPC Board,
ACC

MLPC DESIGN & CONSTRUCTION CHECKLIST

Owner Information (to be completed by the Owner)

Owner name

Filing # & Lot #

Mailing address

Street address

City, State & Zip
code

Home phone
number

Local phone number

Cell phone number

Email address		
---------------	--	--

Owner provides MLPC Manager permission to release their contact information to inquiring third parties (i.e., existing and future homeowners, realtors, and MLPC Board members) who may have questions regarding your home plans.

Yes _____ No _____

Information from Owner needed by MLPC ACC

- Site Plan / Topographic Survey, including a View Corridor Analysis
- Exterior elevations
- Floor Plan
- Foundation plan with stamps and seals
- Color samples

Architect / Designer Information (to be completed by Owner)

Name

Mailing address

Street address

City, State & Zip
code

Phone number		
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Contractor / Builder Information (to be completed by Owner)

Name

Mailing address

Street address

City, State & Zip
code

Office phone
number

Cell phone number

Email address		
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Design Summary (to be completed by Owner / Architect)

Total gross floor area Sq. ft.

Integrated Secondary Residence (ISR) (Yes / No)

If yes:

ISR Gross floor area Sq. ft.

ISR Garage area provided Sq. ft.

Garage area Sq. ft.

Does garage area include space for all
intended recreational vehicles and
trailers? (Yes / No)

Building height is measured from the highest roof peak to the lowest point
where the foundation meets the finished grade

ft.

MLPC		
------	--	--

Solid fuel burning device
type

Roof type & color

Exterior walls type & color

Window & door trim colors

Color samples provided

Exterior light fixtures
types & colors

--	--

Building Contractor Rules (Completed by Owner & Contractor)

Contr. Initials /
Date

Initials / Date

Copy of Contractor Rules received?
Owner

--	--	--

The following sections are understood, and will be enforced:

Contr. Initials /
Date

Owner
Initials / Date

Construction Area. (Sections 5.1, 5.2 & 5.3):

Working hours. (Section 5.4):

No loud radios. (Section 5.5):

Excess excavation material removed.
(Section 5.6):

Trash clean-up. (Section 5.7):

No burning of construction materials.
(Section 5.8):

Vehicle parking control. (Section 5.9):

Portable toilet. (Section 5.10):

Sign limitations. (Section 5.11):

Fire extinguisher. (Section 5.12):

Flammable materials handling. (Section 5.13):

Animals confined to Construction Area.
(Section 5.14):

Camping not permitted. (Section 5.15):

Site restoration required. (Section 5.16):

Owner Initials
Date

Estimated Construction Timetable:

Construction Schedule (Section 2.5.11):		
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Construction start date (estimated):

Construction completion date (estimated):

Landscape completion date (estimated):			
--	--	--	--

Final MLPC Approval:

Date

Request for Extension of the
Period of

Drawing Review Fee received?

Construction? (If projected
completion > 12
MLPC ACC Member Initial

Security Deposit received?

months)

Plans are consistent with D&C Guidelines?			
---	--	--	--