

**TRAILSIDE PARK SUBDIVISION**  
TRAILSIDE PARK HOMEOWNERS ASSOCIATION  
ARCHITECTURAL REVIEW COMMITTEE RULES

June 17, 2024

All Improvements on a Lot shall be subject to the following restrictions and architectural design standards together with the limitations and requirements contained in the CC&R's:

Approval by Architectural Committee: No building, fence, wall, or any other structure shall be commenced, erected, or maintained upon the properties, nor shall any exterior addition to or change or alteration therein be made, unless a written application is submitted and approval of such improvement or improvements is granted by the Architectural Review Committee. See "*Architectural Control*" in CC&R's.

Architectural Review Committee Fee: No fee is required when submitting plans to the Architectural Committee.

Non-compliance: Exterior improvements made in violation of ARC rules are deemed to be in non-compliance. Owners and contractors in non-compliance are subject to fines as determined by the Board of Directors of Trailside Park Homeowners Association. Fines may continue until compliance is achieved. ARC rules are subject to change; however, rule changes cannot be applied retroactively. Any issues that cannot be resolved between the ARC and the Owner/Contractor will be brought to the attention of the Board of Directors for resolution.

Approved Colors List: Dwellings constructed within the subdivision shall not visually dominate the natural landscape. To harmonize with the natural palette, dwelling colors shall be of soft, earth tones, in the range of colors and intensities typical of the natural mountain environment, or shades of white, black and grey. Masonry, fascia, trim, and other supportive materials will remain in the same spectrum. Bright and dramatic colors are prohibited, unless approved by the ARC for small accent features. Siding and trim colors must harmonize with all other exterior materials, including roof colors, window colors, garage doors, and must be consistent with the overall style of the dwelling. Together, these guidelines ensure that our community's exterior aesthetics reflect the natural mountain landscape and timeless allure of mountain design. Architectural Committee approval is required prior to project start. A list of previously approved colors is available upon request.

Number of Dwellings: Only one Dwelling may be constructed on any Lot. All Dwellings shall have a garage for at least two cars. A small-attached storage shed is acceptable but must be identical in color and materials to the main dwelling and must be approved by the ARC. No other storage building, outbuilding or habitable structure may be permitted on any Lot.

Dwelling Requirements : The minimum allowable Dwelling size for each Lot in the Subdivision, stated as allowable Floor Area, including all horizontal floor areas on all levels of the Dwelling that are under roof, and including porches, balconies and decks that are enclosed by walls on three or more sides but not including the basement, if any, is as follows:

(a) Single level structures shall contain a minimum of 1300 square feet on the main floor, excluding garage, patio and the basement, even if the basement is a walkout.

(b) Two level structures shall contain a minimum of 1100 square feet on the ground floor level, excluding the garage and patio, with at least 600 square feet on the second floor level.

(c) Horizontal roof elevations and vertical wall elevations on all structures shall be required to be broken up with architectural elements and physical breaks in the facade.

(d) All roof heights and designs shall minimize view blockage, to the extent possible, from adjacent properties and properties on the opposite side of the street.

(e) In no case shall a vertical wall extend without setback or variation more than the height of two stories above existing grade or more than 25 feet in width. The intention of this requirement is to create interesting architectural features as opposed to large blocks of structure.

Dwelling Placement: Trailside Park Subdivision consists of 38 lots with varying topography and views. Since most lot owners wish to access to mountain views, it is imperative that each lot owner account for the impact of their dwelling on other lot owners. Solutions to site utilization can be reached which satisfies many of the desires of the lot owner while simultaneously accommodating the wishes of other affected lots. Compromise may be necessary to satisfy this site utilization requirement by both the ARC and lot owners.

Dwelling Setback: All portions of the Dwelling unit are to be within the front, rear and side yard setbacks as required by Summit County.

Dwelling Driveway Placement: Each house is allowed only one driveway access to only one road. All driveways are recommended to be exposed to the South, so that the southern winter sun shines directly onto the driveway surface to help melt the snow and ice naturally.

Dwelling Height: No structure on any Lot may exceed 32 feet in height (as measured from the natural grade on the Lot prior to construction). to the top of the ridgeline of the roof.

Roof Design: Roof pitches must be within a range of a 4/12 to a 7/12 slope. No more than one roof pitch may be used on any structure. Eaves and roofs must overhang by at least eighteen inches. The use of architectural grade asphalt-composition shingles is allowed, subject to ARC approval. Non-reflective coated metal may be used as a primary or secondary material, subject to ARC approval. Mansard, fake mansard, A- frame, gambrel, flat, curvilinear, and domed roof designs are prohibited. All fascia boards must be at least eight inches in width. Special attention should be given to the south facing roof overhang to allow for adequate sun protection. All roof flashing, vent stacks, gutters and chimney caps will be made of anodized aluminum or galvanized metal, coated or painted to harmonize with the adjoining roof color.

Siding Materials: All siding materials must be approved by the ARC. Only the following exterior wall surface materials are allowed: cedar siding, redwood siding, stone, culture stone, wood shingles, and limited use of stucco (without "Tudor" wood breaks). The ARC may consider on a case-by-case basis high quality composition siding products, which in the opinion of the ARC, would be virtually indistinguishable from their natural wood counterparts. Subordinate materials, such as non-reflective metal, may only be used in combination with other approved

materials, and only with specific ARC approval. Plywood, vinyl, pressboard, and hardboard siding materials are prohibited. There shall be no more than two separate exterior wall materials on any wall surface and no more than three on any Dwelling. Exterior wall colors must harmonize with the site and surrounding buildings and be consistent with the colors set forth in the ARC rules and CC&R's.

Windows: Windows should be wood, aluminum clad wood, or high-quality composite in the spectrum of earth-tone to black. Vinyl windows are not recommended due to a rapid deterioration in visual appearance due to our harsh mountain environment. All Windows must be high quality decorative/designer series, be identical in color, and must be at least double-glazed. Any trapezoidal windows must follow the shape of the walls or roofs surrounding them, with the top parallel to the above roof, and the bottom horizontal or parallel to a roof structure below it. No mirrored or reflective glass may be used. Single replacement windows must be identical in color and style to all other windows. In the case of a phased total window replacement, in no instance may multiple window colors and/or styles be visible from any exterior aspect of the home. Exterior screens must be kept in good condition. All window projects must be approved by the ARC.

Garage Doors: Garage doors, that face the street, must be high quality decorative/designer doors. Secondary garage doors must be identical in color and materials and must maintain design continuity. Flat garage doors with no design or offset are prohibited. All new garage doors must be approved by the ARC.

Front Door: The main Front door, visible from the street, must be a high quality decorative/designer door.

Chimneys: Vents, Chimneys should be enclosed in an approved siding material. Exposed metal flues must be painted to match roof color. All chimney tops on any Dwelling must be of identical design. Vent stacks must be combined to the extent possible to minimize the number of roof penetrations, and should generally not be visible from the street. Vent stacks must be painted to match roof color. Vent stacks cannot be taller than six feet high.

Antennas: All antennas must be enclosed within the Dwelling. Any satellite dishes should be "hidden" and not deter the natural beauty of the house.

Solar Panels: Solar Panels will be permitted only with the consent of the Architectural Review Committee.

No Used or Temporary Structures: No previously erected, used, or temporary structure, mobile home, trailer house, or any other non-permanent structure may be installed or maintained on any Lot.

Balconies and Decks: Any balcony, deck or porch that is more than twenty-four Inches above the natural grade must be constructed in compliance with the following: All railings must have at least four horizontal members. All posts or pillars supporting any deck must be between eight and sixteen Inches in width, including vertical members in railings. The area under any deck must either be landscaped or screened from view so that the view from adjoining Lots or

streets is not of the unfinished underside of the deck. The area under any deck shall not be used for storage of equipment, firewood, building material, or similar material. The underside of any deck more than three feet above grade must either be completely screened with vertical lattice or siding, or, if exposed (as in the case of a second story deck or balcony), will be finished, painted or stained to match the house.

Fire Sprinklers: Dwellings may be equipped with an automatic fire sprinkler system in accordance with the ordinances of Summit County.

Fireplaces: Each Dwelling may contain no more than one wood-burning stove or fireplace, which must be an EPA approved model.

Basketball Goals: Temporary movable basketball goals are preferred and should be stored inside when not in use. Permanent basketball goals may be approved if adequate landscaping is installed to substantially hide the goal and backboard from adjacent properties subject to the review and written approval of the architectural review committee,

Play Structures: Any Play Structure must be limited in height to 8 feet, 12 feet in length and width. The Play Structure must be placed such that does not obstruct or impede a surrounding property owner's view. Colors must be consistent with those contained in the CC&R's. Written approval must be obtained from the Architectural Review Committee prior to installation.

Clotheslines and other items: Outside clotheslines and any other item, as determined by the ARC, that negatively affects the lot or the subdivision are prohibited. The ARC must approve any item not discussed in this document

Exterior Lighting: Any exterior lighting should be designed to minimize light pollution. Excessive exterior house lights diminish the night star viewing quality. Therefore, all exterior lighting should be designed to shine towards the ground, with minimal glare to the neighbors and using the lowest possible wattage. Owners are encouraged to install high quality, attractive, architectural grade exterior lights.

## **LANDSCAPING STANDARDS**

Water is a precious resource in this mountain desert environment, and careful planning should be given to the water demands created by landscaping of lots. Water needs will vary substantially for different kinds of plantings, and fees for water connections are based in part on the anticipated water demand. The CC&R's require landscaping of Lots following construction of any improvements. The use of appropriate drought tolerant plant materials is encouraged.

Quality landscaping improves the value of property and enhances the beauty of the Subdivision. The use and Improvement of each Lot is subject to the following Landscape Standards:

Landscaping Required: As soon as practical following completion of the construction of the Dwelling, but in no event later than the summer immediately following completion of

construction, each Owner is required to landscape their Lot. The Owner may plant lawns and gardens, plant shrubbery, trees or other ornamental plantings or replace natural species. Limited use of earth tone colored bark or rock may be used to compliment a landscaping plan. Large areas of bark, rock or similar materials are prohibited.

Drought Tolerant Plants Recommended: The use of drought tolerant species of grasses, shrubs, and trees is strongly recommended.

Placement of Trees: Planting of a minimum of 6 trees on each lot is required. Location of trees will not deter view corridors from adjoining Lots. Conifer trees will have a height of at least 6 feet. One third of the trees may be deciduous trees of at least 2-inch caliper. The planting shall occur on at least three sides of the house, wrapping the home in trees.

Sprinkler Systems: Permanent underground sprinkler systems are required for any lawn area to provide irrigation. Outside of any lawn areas, sprinkler systems may be used as necessary to establish healthy growth of plants, which may not require long-term irrigation. All irrigation systems should a) be set to operate after sun-down and before sunrise so as to minimize evaporation; b) utilize pop-up heads or underground "drip" devices so as to minimize water usage.

Fences: Fencing of Lots along the Lot line shall be permitted in the Subdivision only as allowed and approved by the ARC. The area that may be fenced shall be limited to the side and rear yards. No fencing is permitted in the front yard. No fencing is permitted on the side yard, from the front yard to a point that is half the depth of the Dwelling. Fencing shall be limited in style and color either to (a) Four feet high, uniform design, natural earth-tone colored post and rail wood fence with 2 or 3 rails. The fence may be supplemented with a light wire mesh. (b) Five feet high, natural earth tone colored solid wood fence, with a uniform design, as determined by and approved by the ARC. The precise area to be fenced on any Lot shall be subject to advance approval by the ARC. No chain link or other type wire fencing is permitted. Where two or more lot lines are shared with adjacent Owners, permission for the fencing shall be obtained from the adjacent Owner prior to installation. Hedges and mound landscaping are permitted if it does not interfere with driving visibility.

Driveway Access: Individual driveway accesses to each Lot must be approved by the ARC as part of the site plan of the Lot. Driveways must be large enough to accommodate two parked automobiles side by side. Driveways are to be made of concrete and may be colored with approval from the ARC.

### **TRAIL SYSTEM**

Trailside Park Subdivision has designated trails as shown on the Plat. The trails are for the use and benefit of Owners of the Subdivision, but may also connect with trails in adjacent areas and therefore may be used by the general public. Further, the trails may be dedicated as public trails at any time in the future at the discretion of the Association. The use of the trails within the Subdivision is subject to the following:

Open Corridor: No Cross Fencing. The trail system is to have free passage through the Subdivision, and no Owner shall block the trail with gates or cross fencing, or otherwise impede the use of the trail.

No Motorized Uses: The trail system is intended for pedestrian, equestrian and bicycle use only. No motorized vehicles of any kind, including snowmobiles and motorcycles, shall be used or operated in the trail easement, or common areas, at any time. The only motorized vehicles permitted are authorized construction or maintenance vehicles or equipment engaged in the construction or maintenance of the trail itself.

Other Improvements: No structures of any kind are permitted within the trail corridors with the exception of directional signs approved by the Architectural Committee. The trail corridors may parallel a public utility corridor, and within the trail, underground utility facilities may be constructed, operated, and maintained.

## **CONSTRUCTION COVENANTS**

In order to minimize the inconvenience to adjoining Owners during periods of construction within the Subdivision, the following construction regulations shall be enforced. These regulations shall be made a part of the construction contract between the Owner and the Builder of each Dwelling or other Improvements on a Lot. The Owner shall be bound by these regulations, and violations committed by the Builder or its employees, sub-contractors or others shall be deemed a violation by the Owner for which Owner is liable.

Pre-Construction Conference: Prior to the commencement of construction, the Owner and Builder will meet with the Committee to review these regulations and coordinate the construction activities within the Subdivision. At the conference, or prior to the Committee granting its approval, the Owner or Builder must supply a construction site plan showing the location of material storage areas, the portable toilet, any construction office or trailer, and the trash dumpster. This plan must be approved by the Committee prior to the commencement of construction.

Portable Office or Trailer: Any Builder who desires to bring a portable office or trailer on to a Lot shall first apply for and receive written approval from the Committee. The Committee will work closely with the Builder and Owner to determine the best possible location for the portable office. The portable office will be located in a location approved by the Committee and within the Owner's Lot. The temporary office may not be installed prior to the commencement of construction, and must be removed upon the first to occur of (1) the Issuance of a Certificate of Occupancy, (2) the termination, expiration, or cancellation of the Building Permit (3) the suspension of construction activities for a period of 60 days, or (4) one year after the commencement of construction.

Construction Debris Removal: The Builder must comply with County ordinances requiring the placement and maintenance of a trash container or dumpster on the lot during construction. The Builder shall collect trash at the end of each workday and deposit the construction trash, packing material, unusable scraps, and other debris in a suitable container protected from the wind, and regularly serviced. No trash may be burned, buried, or otherwise disposed of within the Subdivision. No concrete trucks may be cleaned out on the Lot or elsewhere within the Subdivision.

Construction Area Appearance: The Lot, during construction, will have a temporary perimeter fence. The purpose of this fence is to stop construction materials from being blown into adjoining properties/neighborhood. The Lot must be maintained in a reasonably organized and neat condition at all times during the construction of the Dwelling or other improvements. Once the Dwelling is enclosed, materials shall be stored inside, and out of sight, whenever practical and possible.

Sanitary Facilities: The Builder is responsible for the installation and maintenance of an approved portable toilet facility during construction. The portable toilet must be located on the Lot at a location approved by the Committee, and removed from the site at such time as the permanent plumbing system is operational.

Construction Parking and Vehicles: Construction crews must park their vehicles on the Lot on which they are working, and shall not use or park on any other Lot or Common Areas within the Subdivision. All vehicles must be parked to allow the free flow of traffic within the Subdivision. All vehicles must be parked completely off the road if parked on Trailside Drive.

Construction Sign: During periods of actual construction on the Dwelling, the Owner or Builder may install a sign not to exceed six square feet in area identifying the Lot and the Builder. The sign must be removed upon completion or abandonment of construction.

Hours of Work: Daily working hours on the site shall be limited to the period beginning one half hour after sunrise and ending one half hour before sunset, unless otherwise restricted by Summit County ordinances. The Builder is responsible for controlling noise emanating from the site.

Soil Conservation Dust: At all times when the surface of the Lot is disturbed by construction activity, and vegetation has not been completed, the Builder shall practice reasonable dust, sedimentation and erosion control measures as described in the USDA Soil Conservation Service Guidelines.

Removal of Mud: The Builder is responsible for cleaning up and removing mud and dirt, from the construction site, which was deposited on the roadways of the Subdivision.

Common Area: All construction adjacent to Common Areas shall be undertaken, in a manner, to not impact those areas. Where necessary, Builders shall use special precautions to avoid the potential impacts of trash, loose construction materials, and construction-related runoff that may impact such areas.

Duration of Construction: No construction shall be undertaken without ARC written approval, a Building Permit, and all other necessary permits from Summit County, Snyderville Basin Sewer Improvement District and any other governmental entity having jurisdiction over construction on the site. No materials, tools, temporary offices or portable toilets, excavation or construction equipment, or similar materials or equipment may be delivered to the site prior to the issuance of ARC written approval and necessary permits. It is the obligation of the Owner to proceed with construction with all reasonable speed once construction has commenced, and in any event, all exterior surfaces of the building shall be substantially complete within a period of eight months from commencement. All landscaping and soil stabilization work must be completed as soon as possible after completion of the exterior of the Dwelling, but in no event later than the summer following completion of the exterior of the Dwelling.