

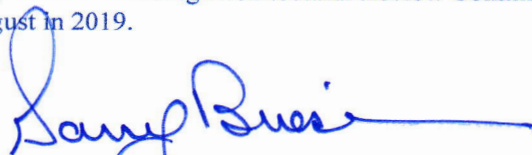
KEENE RANCH HOMEOWNERS' ASSOCIATION RULES AND REGULATIONS*

*Color Coding: State-purple; County-green; Covenants-red; HOA-blue and ARC-black

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ADOPTION OF KEENE RANCH RULES AND REGULATIONS

The Board of the Keene Ranch Homeowners' Association, Inc., has adopted these updated Rules and Regulations including Architectural Review Committee's (ARC) policies and procedures, this 1st day of August in 2019.



 Garry Briese, President

I. PURPOSE:

The Keene Ranch Homeowner's Association Rules and Regulations document consolidates sections of previous association documents, expands some areas for better clarity and further defines the Rules and Regulations for the Unit owners of Keene Ranch.

II. GENERAL RULES AND REGULATIONS

- A. **Compliance with Laws - including no immoral, improper, offensive or unlawful use may be made of the Project; and it is the responsibility of Unit Owners to comply with and conform to all applicable laws, ordinances, rules and regulations of the United States, the State of Colorado and the County of Douglas.** The violating Unit Owner shall hold harmless the Association and other Unit Owners from all fines, penalties, costs and prosecutions for any violation or noncompliance. (Common Interest Community Declaration of Keene Ranch, Section 9.2(c)). ***NOTE:** The remainder of this document will refer to the Common Interest Community Declaration of Keene Ranch, A Planned Community, as the "Declaration".
- B. The Keene Ranch Homeowners' Association (HOA) may enforce the provisions of these Rules and Regulations by any and all means available to the HOA at law or in equity and seek recovery and reimbursement of all attorney's fees, HOA expenses, and costs incurred by the HOA, as well as any and all other sums awarded by the Court. Failure of the HOA or of any Owner to enforce any covenant or regulation herein contained, or any provision of the other governing documents for the Keene Ranch Community, shall in no event be deemed a waiver of the right to do so thereafter.
- C. Water Usage and Well Meter Reporting - Owners/builders shall install totalizing flow meters as per District 1 Water Court Case No. 93CW102 and individual well permits. Keene Ranch Homeowners are required by the State to report the annual well meter readings each November to the Keene Ranch Property Manager.
- D. ATV/Recreational Vehicle/Motorsports Use: Recreational use of dirt bikes, ATV's, snowmobiles and similar vehicles is not allowed for use that exceeds the County Zoning Regulation of: agricultural and property maintenance purposes or occasional, incidental operation on private property that does not result in the establishment of a track.
- E. **Fire sprinkler system:** Each residence shall be equipped with a sprinkler system approved by the local governing authority as required by the Planned Development and/or subdivision plat. The system shall be designed and rated as sufficient to control and/or retard the spread of fire.
- F. **Each Owner is required to affirm that any Contractor and/or Builder, including the Homeowner, if acting as the Contractor, be informed that they are required to follow ALL Construction Regulations in Addendum A.**
- G. **Some, but not all, of the applicable State laws and County rules/regulations and Architectural Review Committee definitions are listed in Addendum B of this document.**
- H. Pets and Equine - Each homeowner is responsible for following the Declaration, water well permit requirements, and Douglas County Regulations, in regards to maintaining their property as owners of pets and equine animals. Household pets are those living full time in the primary residence. Further information is provided in the Keene Ranch (KR) Pet and Equine Regulations- **Addendum C** of this document.
- I. Any improvements to Units identified in Article IX, Sections 9.1 (a-m) and 9.2 (a-r) of the Declaration not explicitly addressed by this KEENE RANCH HOMEOWNERS' ASSOCIATION RULES AND REGULATIONS document remain governed by the Declaration.
- J. **Clarification of the term "regularly kept" vehicles,** which the Board adopted on June 4, 2019, for enforcement of Section 9.2(h). *"Regularly Kept" means vehicles routinely, on a regular basis, or at regular intervals kept on the Unit in any area other than in a garage or in an outbuilding. Regularly Kept Vehicles are those vehicles owned, used or leased by anyone residing in the Unit for more than two weeks per year. Exceptions:*
- 1. Official first responder vehicles, are allowed to be kept on the Unit for immediate access per CCIOA.*
 - 2. Motor homes or campers are allowed to park outside of a garage or outbuilding for loading and unloading purposes for up to 72 consecutive hours before and after a trip.*

III. ARCHITECTURAL REVIEW COMMITTEE POLICIES AND PROCEDURES

The authority of the Keene Ranch Architectural Review Committee (the ARC) derives directly from Article VIII of the Declaration. The intent of these Keene Ranch Architectural Committee's policies is to protect the investment of the Owners within the Community, subject to governance by the Keene Ranch Homeowners Association, Inc. (the HOA). The ARC reserves the right to revise the policies, with HOA Board approval, as changing conditions and priorities dictate, in order to maintain maximum aesthetic benefits for the Community while enhancing property values. The purpose of the ARC is to assure and maintain the superior beauty and the quality of the Improvements constructed on the Project, and the harmony thereof with the surroundings, and to evaluate the use and suitability of the proposed Improvements and the effect of the same on any adjacent or neighboring properties. **All improvements** above, below or on ground levels, **including but not limited to:** home construction; home additions and exterior modifications/repair and/or replacement; outbuildings; parking areas; landscaping; decks; patios; pools and ponds; fencing; driveways; utilities; exterior lighting; retaining walls; solar and wind power generation systems; children's play equipment; gardens; and flag poles **are required to receive prior written approval of the Keene Ranch ARC.** ALL improvements must meet the Declaration requirements regarding materials (wood/stone/masonry stucco); muted earth tone colors; location on Unit; and any other specific policies as listed in this document. Nothing in these policies shall supersede the provisions or requirements of the Declaration.

A. ARCHITECTURAL REVIEW PROCESS AND PROCEDURES

1. **Pre-design contact:** Prior to preparing plans for a proposed residence or outbuilding, the ARC recommends that the Owner and/or builder/architect contact an ARC member to discuss proposed plans. Consultation with an ARC member is encouraged prior to developing landscaping/fencing plans.

2. **Plan preparation and submittal:** All submittals must include one Unit owner signed paper copy with all measurements legible, delivered to an ARC member, and a pdf copy (emailed to the ARC). These copies of the submittal shall include the following:
 - **Site plans of all proposed improvements:** The final plat from Douglas County showing the actual location of the primary residence and outbuilding(s); distances from all property lines, driveway, and parking areas; fencing; well, septic, and leech field placements; and legal restrictions, including right-of-ways, setbacks, drainage or other easements, and required building envelope; on an 8.5"x11" sheet.
 - **Architectural plans:** detailed roof and floor plans, with all numbers clearly legible, reduced to an 8.5"x11" or 11"x17" sheet. All exterior elevations at the same scale as the floor plans reduced and then submitted on 8.5"x11" or 11"x17" sheet size, indicating both existing and proposed grade lines, top of foundation/slab elevations, and highest ridgeline elevations.
 - **Exterior Plans:** exterior details, including items such as chimneys, exterior stairs, decks, railings, and supports.
 - **Materials and samples:** actual samples of all exterior finishes and colors, including window frame color. Exterior material samples (i.e. roofing and rock/brick) need to be submitted as true-to-color photos only. Samples must be clearly marked with Owner's name and lot/Unit number/address and must be identified with manufacturer's name, color, and/or mixture.
 - **Landscape plan:** proposed plantings; new trees; all walkways; retaining walls; lighting; fencing; and other site amenities; and include distances from all property lines and/or easements.
 - **Site marking:** For all new structures, Owner shall provide accurate staking (completed on site at time of the submittal of all plans) of the proposed building corners; the driveway centerline at twenty (20) foot on center; lot corners; pedestrian/equestrian and utility easements; restricted building areas; and building setbacks. All stakes must extend at least 3' above grade and must be identified. Lot survey pins shall be used instead of 3' stakes in the equestrian/pedestrian easement.
 - **Final plan procedures:** Owner shall submit complete and final plans, in the format defined above, to the ARC. The ARC will not commence review of any plans unless such submission is complete (or the ARC agrees in writing to a partial submittal review), and will notify the Owner of any incompleteness. Only upon email confirmation from the ARC that the submittal is complete, will the 30-day review period begin.

- **Changes to plans:** All changes or deviations from the ARC approved plans, shall be submitted by the Owner and pre-approved by the ARC. All requested changes must be detailed and shown to scale on the plan. Should any changes occur without ARC approval, after the ARC has approved the plans and specifications, and if the ARC disapproves said changes, then any and all additional costs incurred to correct the unapproved changes, shall be at the Owner's expense.

3. Approval: The ARC will review the complete submittal and will provide a written response no later than thirty days after the ARC's emailed confirmation to the homeowner that the complete submittal was received. If the ARC does not send a written response, after ARC's emailed confirmation of complete submittal, within thirty days then the submittal shall be considered approved.

- **Notice of completion:** During construction, or after completion, the ARC reserves the right to schedule a walk through of the property to verify completion of approved plans. If the ARC finds the work is not completed in accordance with the approved plans, it shall notify the Owner in writing and shall specify the reasons for noncompliance. The Owner shall have 30 days from the date of notification to remedy the noncompliance. The ARC, the HOA Board, and the members thereof, as well as any representatives of the ARC or the HOA board designated to act on their behalf, shall not be liable for damages to any person submitting requests for approval or for any approval, denial, or failure to approve or disapprove in regard to any matter within its jurisdiction under the Declaration.

4. Denial: In the event of denial, a re-submittal is allowed, as long as it includes the ARC required changes (per the denial) or is a different set of plans and/or specifications than the original submittal. The re-submittal process may not begin until 24 hours after the denial is sent and will follow the same procedure and requirements as the initial submittal.

- **Appeal:** In the event of an ARC denial, the Homeowner has the option of addressing the HOA Board through the appeal process outlined in the Declaration. The HOA Board appeal process stops the 30-day time limit for the ARC review process until the Board has made a decision and has informed both the homeowner and ARC in writing of that decision, at which point the ARC 30-day review process begins again. The Board will have 30 days to make a final decision and inform the ARC and homeowner. No further appeals are permitted for the same denial.
- **Variance or Waivers:** The Board of Directors may grant reasonable variances or waivers from any conditions and restrictions imposed by these Rules and Regulations. Such variances or waivers shall be granted only if doing so will not be materially detrimental or injurious to other properties or improvements in the neighborhood and any variance or waiver granted does not set a precedent for any other applicants.

5. Timeframe for construction: The ARC has determined that one (1) year from the date of final plan approval is a reasonable time in which construction shall begin. If construction has not begun within one year of plan approval, resubmittal to the ARC for re-approval of the same plans shall be required. To avoid unsightliness and annoying sounds for the surrounding neighbors, and uphold the ARC's requirement to protect the investment of the Keene Ranch Homeowners, once the construction of all projects has started the project must be completed within a 15-month time period.

6. Violation: The ARC and/or the HOA board may issue a notice of violation if the Owner fails to obtain ARC approval or fails to make the improvement or modification in accordance with the terms of the written ARC approval. In the event a notice of violation is issued, the Keene Ranch Homeowners Association, Inc. Covenant Rule Enforcement Policy (dated July 28, 2018) will be followed. The cost to restore the improvement or modification to its original condition shall be the responsibility of the Owner who made it. The Owner who made the improvement or modification shall also be liable for any damages or injuries resulting from such improvement.

7. Meetings of the Architectural Review Committee: The ARC shall meet as needed to perform its duties as set forth in the Declaration and according to the policies set forth therein. The ARC will provide a report at each HOA Board meeting, and a yearly review at the Annual Homeowner's Meeting, listing the improvements to the Community and the decisions of the Committee as addressed since the previous annual report.

B. ARCHITECTURAL DESIGN POLICY

A-frames, geodesic or other domes, and manufactured units are not permitted in Keene Ranch. It is a standard of the HOA for designs to incorporate materials, colors, and textures that generally blend with the landscape and proportions and details appropriate to the site. In order to maintain the superior beauty and quality of appearance throughout the Keene Ranch Community, proposed construction of residences shall not be identical to or of like design to existing construction. The general standards for appearance and design shall follow the Declaration.

All structures and improvements must meet the ARC Declaration requirements including: height limits, exterior materials, and finishes. Exterior materials and finishes shall be harmonious with the surrounding environment, with stone, rock, stucco, natural wood, brick, and hardboard generally being acceptable. Metal exterior walls are prohibited. Exterior finishes shall be muted shades of earth tones, that do not include black or white, and as defined in Addendum B.

C. SPECIFIC ARCHITECTURAL AND SITE POLICIES

Structure: Anything constructed or erected in, under, over or upon the land, or attached to something in, under, over, or upon the land, but excluding walks, patios, off-street parking areas, and electrical distribution, natural gas or water and sewer lines.

a. Building Placement: Restricted building areas, minimum setbacks, equestrian/pedestrian easements, and road rights-of-way for all lots are as noted on the subdivision plat, Douglas County Zoning Regulations or in Article IX, Section 9.1 (b), of the Declaration. The following clarifies what may, or may not, be placed within these areas:

Within the restricted building area:

Allowed: Driveway, landscape plants, Septic and well

Not Allowed: Structures, or Playgrounds

Side, front, and rear setbacks:

Allowed: Perimeter fences, driveways, and retaining walls

Not Allowed: Structures

Equestrian/pedestrian easements and/or floodplain/drainage easements:

NO improvements of any kind.

NO structures, fences, driveways, septic, wells, excavation, or grading.

Road and Utility right-of-way:

Allowed: Driveways

Not allowed: Structures, columns, fences, septic, leach field and well

b. Principal Building: Article IX, Section 9.1(c), of the Declaration requires that any Residence shall have the minimum finished floor area for the main structure, exclusive of garages, patios and basements, of not less than 2,500 square feet, of which not less than 1,250 square feet shall be on the ground floor. The principal building must be built before any outbuildings. (Douglas County Zoning Resolution)

c. Outbuildings and Building Additions: The ARC will approve only the outbuildings specifically listed in Article IX, Section 9.1 (e) the Declaration. Guesthouses are no longer allowed, per Douglas County Building Department, their recommendation is to allow home offices instead, unless a new well permit is obtained from the Colorado Division of Water Resources. The allowed outbuildings are: barns, detached garages, greenhouses, home offices and guesthouses. A minimum of 600 square feet footprint, on the ground floor, for any barn or detached garage is required, with a maximum footprint size of 2,500 square feet. Guesthouses or home offices are to have not less 750 finished square feet footprint on the ground floor and not more than a maximum of 1,500 finished square feet on the ground floor with a maximum footprint of 2,500 square feet.. Green houses may not have a ground floor footprint area of more than 1,500 square feet. Owners must also meet all County requirements for snow load and fire resistant building materials on all outbuildings.

- Carports (attached or detached) are not allowed.
- Two outbuildings are allowed per Unit. All outbuildings should be built of similar exterior finish, in muted earth tones, to be harmonious with the principal structure. The location of the structure on each

Unit may be further limited, per its use, by Douglas County Zoning Regulations and the Colorado Division of Water Resources, and require a permit from Douglas County.

- All outbuildings, as described above, are required to be permanent structures. The ARC defines permanent structures as those either attached to a concrete foundation or attached with posts anchored into concrete.
- For additions to current buildings, per the Douglas County Submittal Requirements, applicants may be able to utilize Douglas County's approved foundation designs for one story detached structures only. Any structure that is more than one story, or is attached to another structure shall require a foundation designed by a Colorado registered Professional Engineer.
- Temporary structures are **not** allowed per the Article IX, Section 9.2(n) of the Declaration. A temporary structure includes but is not limited to: trailers; sheds; shacks; huts; lean-tos; tents; or other temporary structures that might be erected on the property.
- The addition of weather vanes on outbuildings may be approved if they meet the following conditions: Do not exceed the 35' maximum height limitation, are no taller than 3', and contains no words, or political symbols.

d. Height limits: Article IX, Section 9.1(h) of the Declaration, "The measurement of the 35-foot maximum height of a structure is determined as follows: The maximum height of a dwelling unit shall be restricted to an average of thirty-five (35) feet. The height of a dwelling unit is measured by calculating the vertical distance from the average elevation of the finished grade adjoining the structure to the highest point of the ridge of the highest roofline. The average elevation of the finished grade adjoining the structure shall be the average of the exposed exterior elevations of every corner (not just the four primary corners) of the structure."

e. Exterior Paint Colors: Article IX, Section 9.1 (g) of the Declaration. Bright colors, black or white may not be used on the exterior body of any Residence or outbuilding. Muted shades of earth tone colors must be used which provide subtle diversity, without emphasizing a specific Residence.

f. Driveways, Gated Entrances and Columns: Access to each residence shall be via a single private drive per the Douglas County Driveway Regulations. The County reserves the right to allow a minimal use secondary access in specific instances per these Regulations. The ARC will only approve a second access that is first approved and permitted by Douglas County and meets their Driveway Regulations.

- Driveway gate entrances shall be at least 14' wide for fire truck access.
- All gates providing access from a road to a driveway shall be located at least thirty-five feet (35') from the edge of the roadway (to be fully out of the road/utility easement) and shall open in to allow a vehicle to stop without obstructing traffic on the roadway. It is the responsibility of the homeowner to locate the property pins and determine that the gates will not be inside the road/utility easement.
- Where a gated entrance is locked, a Knox Box or other emergency release device, approved by the fire district, shall be provided for emergency access.
- The ARC recommends that columns, gate and entrance improvements be of similar materials and colors as exterior of principal residence.
- The paper copy submittal for columns and gates needs to show a photo of the proposed colors and materials of the gate and a site plan showing it's proposed location and distance from the street. It will also require a permit from Douglas County.
- Recommended columns are typically about 2.5'w x 2.5'd x 6't needing a complete submittal to the ARC including location from street, proposed size, materials, and colors.

g. Roofs: All roofing materials shall be of a fire classification or rating as required by the plat or local government, will be required to meet any Douglas County fire hazard building code amendments, and shall be of a texture and color that harmonize with the environment. All extensions from the roof, such as chimneys, flues, roof vents, gutters, skylights, etc., shall be carefully located and finished to complement other elements of the design. Unfinished and exposed metal detailing (such as roofing valleys) is discouraged. No wood shingles or shakes are allowed.

h. Walls, Windows and openings: The walls of a building are an important part of its overall visual impact and shall be carefully detailed. Siding and trim materials shall be used consistently throughout the building. Location, type, and size of window openings shall be carefully considered for effect on proportions, continuity, and illumination. The connection from the walls to the foundation shall be treated such that the foundation becomes a very minor element. The foundation shall be finished to blend with the other exterior materials.

i. Other Improvements: Including, but not limited to: pergolas; sports courts; pools; patios; porches; gazebos; and courtyards may be allowed only as permanent structures and must meet the Declaration requirements on materials, colors, fencing and location. The massing, volume, and scale, as well as forms, and other detailing, shall be well coordinated with the main structure(s) on the site and follow the requirements as listed under Architectural Design above. **Any and all exterior lighting must receive prior written approval from the ARC before adding it to any of these improvements.**

j. Fence and Dog Run Rules:

To conform to the Keene Ranch topography and remain sensitive to wildlife, wooden round 3-rail post and dowel fencing (not to exceed 48 inches in height) and muted earth tone colored painted pipe rail corral/paddock fencing (not to exceed 48” in height) or a combination thereof, are allowed. Fencing of any kind is prohibited within any natural drainage easement or the pedestrian/equestrian trail for unrestricted animal and pedestrian movement. All fencing and gates must be muted earth tone colors, requires prior written approval of the ARC before it is installed, and must be one of the specific fencing types as listed in this section. Existing fencing/dog runs that were previously approved by the ARC are grandfathered and will not need to be removed.

Per Colorado Division of Wildlife guidelines, and for the benefit of wildlife, any gate(s) should be left open when the fenced area is not in use. If a gate is not installed, the ARC recommends that, when the area is not in use, the top rail of at least one fence section be removed for wildlife egress. For young wildlife, the bottom rail should be at a minimum of 16” from the ground or one bottom rail of one section of the fence should be removed to allow for their safe passage, especially in the spring.

- **Corral/Paddock fencing:**

The Declaration allows 48” tall painted metal pipe corrals, which the ARC has limited to a maximum size of 15,000 square feet in area (but should be a minimum of 256 square feet per large animal) and placed on 5% grade or less. The paddock/corral must be located at least 50 feet from any roadway. Priefert-type fencing with wooden posts and painted metal rails and 3-rail post and dowel fencing are acceptable for corrals and paddocks. Paddocks may also be constructed with pre-made metal pipe panels.

- **Perimeter fencing:**

Perimeter fencing needs to be 3-rail wooden post and dowel, as is common in Keene Ranch and cannot have any wire/mesh attached to it. To reduce the fire hazard of wooden 3-rail fencing, where connected to the house, the ARC suggests that for the first 10'-16' from house, the homeowner replace the fence with: a) the Priefert-like fencing (wooden posts and metal rails); b) pipe metal corral colored metal post and rail fencing; or c) extend exterior walls of the house, 48” tall and up to 16' in length to connect to the 3-rail post and dowel fence to be made out of either rock or stucco (this is considered a courtyard wall that matches the colors and materials of the home). Only muted earth tone colors are allowed for any fencing.

- **Fully Enclosed Dog Run:**

“If an Owner chooses to build a dog run on a Unit it shall have a concrete pad floor and shall be fenced entirely by a 6-foot chain link fence; and the total area thereof shall not exceed 300 square feet” (Article IX, Section 9.2(j) of the Declaration). If there is a gate, it must be secured closed. This dog run must be located at least 50’ from the equestrian/pedestrian trail and 25’ from any perimeter of the property, including the road frontage property line, and must be connected or attached to the residence.

- **Expanded Dog Run:**

An expanded dog run combines the use of 3-rail post and dowel fence, with invisible fencing, buried

underground, three (3) feet inside the post and dowel fencing, for use as a dog barrier. This fencing must be located at least 50' from the equestrian/pedestrian trail, 25' from any perimeter of the property, including the road frontage property line, and must be connected to the residence.

- **Large area Dog Run:**

Invisible dog fences, buried underground, shall be allowed if they keep animals properly controlled (including not harassing wildlife) and preserve the public's health and safety. This invisible fencing must be located at least 50' from the equestrian/pedestrian trail, be at least 25' from any perimeter of the property, including the road frontage property line, and must be connected to the residence.

- **Small area Dog Run:**

Small area dog runs may have 3-rail post and dowel fencing w/wire mesh backing and be no more than 1/3 acre in size (approximately 14,000 sq ft). "No climb", 14 gauge, 4"h x 2"w vertical rectangle natural wire mesh, with no color coating, must be attached on the inside of the 3-rail fence (facing house) and may not exceed the height of the top rail. Small area dog run fences w/wire backing must conform to easement, setbacks and no-build regulations; be attached to the residence on two sides (which includes a door to the house); may not be installed within 25' of any perimeter of the property, including the road frontage, and be at least 50' from the pedestrian/equestrian trails easement.

k. **Mailboxes:** Each lot has been assigned a street number that has been approved by the appropriate governing authority. Mailbox placement has also been determined. Contact the U.S. Postal Service in Castle Rock for proper mailbox location. Mailbox columns require prior approval from the ARC and are to be constructed of Declaration approved materials/colors.

l. Signs:

Article IX, Section 9.2(r) of the Declaration: ***"No sign, poster, billboard, advertising device or display of any kind shall be erected or maintained anywhere within the Project so as to be evident to public view and except signs as may be approved in writing by the association or the ARC."*** Permanent address markers are to be added after residence receives Certificate of Occupancy as part of a landscaping submittal.

- No offensive language is allowed on any signs.
- No signs emitting sound, banners, devices designed to wave, flap or rotate, flashing lights and or portable signs anywhere on the project, including the public road right-of-way/County easement.
- Any contractor's signs (i.e. landscaping, exterior painting, etc.,) will be allowed only during active construction or repair of the building or building grounds and must be removed immediately upon completion of the project. Maximum size of 2'x3' and no more than 3' above ground level.
- ***"A sign advertising a Unit for sale or for lease may be placed on such Unit; provided, however, that standards relating to dimensions, color, style and location of such signs shall be determined from time to time by the ARC."*** Realtor signs need to be removed once the closing has occurred for the property. Maximum size of 3'x4' and no more than 5' above ground level, limited to one sign per road frontage and located 10' onto the property for sale.
- Small security company signs (no larger than 10"Hx14"W), denoting that a specific security company monitors a property, are allowed.

1. Private Notification signs:

- Only professionally printed message(s) of no trespassing and/or video/camera monitored and/or no solicitation, as well as an invisible fence sign, will be allowed;
- ARC approval MUST be given in writing before adding the sign;
- Approval will be based on location, size (limit to 10"Hx14"W and freestanding signs no taller than 3' above ground) or it can be fastened on post/fence;
- Light fixture illumination is limited to two solar walkway lights (6-10 lumens each) placed directly in front of the sign in the ground;
- Private Notification sign can be photo luminescent (less than 5 lumens);
- Placement NO closer than 10' from the property line (not measured from road pavement, must be measured from property line determined from corner property pins) and are not allowed on public

- right of way or pedestrian/equestrian trail/drainage easements;
- Only one sign fronting the street, and one sign fronting the pedestrian/equestrian trail, are allowed, per property; and
- Signs shall be of minimum visual impact. No decorations of any kind including, but not limited to: flowers; windmills; whirly gigs; streamers; and/or hula girls; can be attached to the sign.

2. Political signs:

- Must be professionally printed;
- No larger than 24"x18"x18";
- Limited to one sign per National, State or Local office, are allowed to be placed in the ground on the Unit property for no more than 45 days before the election, and must be removed 7 days after the election is over; and
- These signs may not be placed in the public right-of-way/County/drainage easements or on the equestrian/pedestrian trail.

m. **Trash:** Per the Division of Wildlife requirements for a wildlife corridor area, the KR Planned Development documents, and the Article IX, Section 9.2(j) of the Declaration - feeding wildlife is prohibited, so all trash must be set out the day of trash pick up and in an animal resistant container (not easily opened by any animal).

- No plastic bags containing food debris and/or waste are to be placed out for trash pickup (unless contained within an animal resistant container).
- Plastic bags placed out for trash pickup can only be used on lawn clippings or non-food items.
- Manure dumpsters are allowed if kept inside the barn or in an approved manure dumpster enclosure, of width and depth needed to enclose dumpster, connected to the barn with 6' tall sides and constructed of the same materials/colors as the barn, with a metal or wooden gate matching others on the property for disposal truck pickup. **Approval from the ARC is required before adding this dumpster and the enclosure.**

n. **Exterior Lighting:** All exterior lighting shall minimize light spill onto adjacent properties so as not to cause a nuisance, disturbance, or annoyance as per Article IX, Section 9.2 (d) of the Declaration.

- Existing fixtures, previously approved by the ARC are grandfathered, however to begin a conversion process to dark sky for all properties, the ARC requests that these lights are either shielded, switched to dark sky fixtures or turned off at night to limit light pollution;
- ARC requests that replacement of bulbs in any current fixtures meet the lumens listed below;
- The number of exterior residential lighting fixtures on a lot should be limited to only those necessary for entries and way finding. Lights should be placed below an eave or otherwise shielded so that emitted light is downcast with no direct light radiated towards the sky or adjacent properties;
- The ARC requests that lighting at driveways and other entries should be limited to fixture types that are mounted low to the ground and not exceed a maximum of 500 lumens (equivalent to a 40 watt incandescent bulb);
- **Down lighting and task lighting are required and must be directed towards the property and not spill onto neighboring properties or roads;**
- The ARC recommends that wall mounted light fixtures be classified as semi-cutoff (resulting in a light distribution pattern where less than 10% of lumen output is permitted above a horizontal plane at the bottom of the fixture) with lighting limited to 500 lumens per fixture unless shielded;
- **Lighting used for security purposes will be placed on motion sensors; and**
- Special Event lighting including exterior decorative string bulb lighting for a party, celebration or special event at a residence should be turned off Sunday through Thursday at 10 pm and Friday and Saturday nights by midnight.

o. **Landscaping:** At a minimum, landscaping shall consist of **re-vegetation (drought-resistant native grasses preferred) of all areas disturbed by construction.** Landscaping and construction that take advantage of xeriscape, energy conservation, and environmental preservation are encouraged. The ARC

recommends minimal excavation/topsoil and native grass removal, for any project, due to slow re-growth of native grasses (approximately 10 years).

- Irrigation systems, when needed, shall efficiently distribute water to those plants that require it. Drip or other low water consumption irrigation systems are encouraged.
- Retaining walls should be as low as possible and integrated into the grading and landscaping plans. **Retaining walls over 4' or supporting a surcharge load, require an engineered plan and County approval/permit.**
- The ARC recommends that Owners coordinate with their insurance provider and contact the Douglas County Wildfire Mitigation Specialist, to determine minimum requirements for fire mitigation.
- Owners are allowed to add small wire or plastic mesh (limited to natural, black or green color) around the base of INDIVIDUAL trees only, extending just past the branches, to protect them from wildlife damage.

p. Solar Panels and Other Renewable Energy Devices: Per Colorado Revised Statutes Section 38-33.3-106.7, the Keene Ranch HOA adopted the “Rules for Installation of Renewable Energy Devices and Energy Efficiency Measures”, please refer to this document for further information.

- **ARC approval is required for all renewable energy devices before addition to any Keene Ranch property.**
- The property owner shall provide the ARC with the following information: the location of the device/measure to be installed on the property/structure; the type of device/measure to be installed; the dimensions of the device/measure; the proposed color of the device/measure; and a pictorial/brochure of the device/measure (if available).
- All devices, including any mechanisms or housings, must be painted to blend with the house colors and materials and be installed to minimize its exposure when viewed from any other lot, equestrian trail, or street.
- Geothermal heating/cooling systems are allowed although the horizontal installation requires a large impact on natural terrain for the piping system. Vertical ground coupled systems are preferred.
- The preferred location for solar energy devices is angled at a minimal panel height above the ground, shielded from view with nearby landscaping, berms and natural vegetation or tree plantings.
- When installed on a roof, the ARC recommends they be placed to cause minimal impact on other property owners. Panel glazing shall be solar bronze or black with no white or clear glazing allowed.
- Wind-electric generation devices, (**only** electricity generating devices), shall be located in an area that reduces interference with the use and enjoyment by residents of the property situated near the device due to sound associated with the device. The maximum height of these devices will be the same as the height requirement for homes, which is 35 feet tall.
- The ARC will consider neighboring property owners’ concerns in the renewable energy devices approval process, and also seek input from the Keene Ranch Trails Committee.
- Due to the risk of scaring horses and injuring riders on the equestrian trail, the wind-electric generation devices must be screened from view and located at least 50 feet (in any direction) from the equestrian/pedestrian trails. These devices must also meet the interconnection standards rules from the Public Utility Commission.
- Operable or motorized exterior solar shades and shutters recommended placement is on the rear or side elevation of the house and be included over each window on that elevation.
- The HOA encourages the use of removable clothes drying devices that are not affixed to the ground or a structure. They must be stored out of view of any other Lot, Common Element, street or from the surrounding community when not in use.
- Rain barrels – Upon approval from the ARC and per Colorado Law, each homeowner is allowed a maximum of two rain barrels, which must be muted earth tone colors, limited in size to 66 gallons each for a combined storage of up to 110 gallons and be covered with sealable lids. The collection of rainwater is allowed from the rooftop downspouts of the primary residence at each property with the collected water to be used **ONLY** to irrigate outdoor lawns or plants. Keene Ranch Unit owners’ well permits are on an augmentation plan and since they are nonexempt wells, do not qualify for extra rain barrel collection under SB09-080.

q. Exterior Fire Pits or Fireplaces: Keene Ranch has now been listed in a Very High Fire Hazard Zone with more regulations through Douglas County Fire Mitigation (See Addendum B).

- Per the Article IX, Section 9.2(f) of the Declaration: "No open fires shall be lighted or permitted, except in a contained barbeque unit while attended and in use for cooking purposes or within an interior or exterior fireplace designed to prevent the dispersal of burning embers."
- Only gas fire pits will be approved, open flame fire pits are not allowed. These improvements may also require permitting through Douglas County depending on how the gas is supplied. All flame producing devices must be built around a certified, prefabricated core or constructed completely from stone or synthetic (concrete) stone or other approved materials. Fire pits with open flames that have been approved or on the property for more than one year, are required to add spark suppression screens.
- An exterior fireplace may be allowed, may require permitting through Douglas County based on construction and gas supply, and must meet the following description: all ARC Declaration requirements, be a structure similar in construction to an indoor fireplace, be built into a stone/brick/concrete patio and "consisting of a firebox and a chimney designed to prevent the dispersal of burning embers".

r. Playgrounds, Swing sets, Slides and Playhouses:

Permanently installed playgrounds with ARC approval, will be allowed with the recommendation that the structure be dark colored wood/redwood/composite materials (i.e. Trex) with muted earth tone colors encouraged and the use of bright colors avoided or minimized for the accessory attachments (i.e. slides). The ARC will approve above ground, enclosed playhouses (at least 3' above ground - tall enough for children to play underneath) and playground apparatus (i.e. swings, rope ladder, slide, etc.) and recommends that playgrounds be located over a base that meets the government's general safety requirements. Screening of the equipment with landscaping is requested.

s. Athletic/Sports Equipment:

The athletic/sports equipment includes, but isn't limited to, the following items: trampolines, zip lines, soccer nets, basketball hoops, etc., which are allowed but **must be outside of the equestrian/pedestrian trail/drainage easement.**

t. Gardens:

The approved wooden fence allowable for a garden is a 48" tall solid wooden vertical slat privacy fence, for plant protection and to keep animals out. The maximum size for the fenced garden area is 1,000 square feet. **ARC approval is required** and screening with berms and landscaping is requested.

u. Flagpoles and Decorative Sculptures/Lawn Art:

All flagpole, flags and decorative sculptures need ARC approval. Submittal shall include the proposed location, dimensions, and any proposed lighting to the ARC prior to any installation. **Only the flags listed below are allowed on the flagpole or on the Unit or in the Common Interest Community.**

- Flags shall be affixed to a flagpole or mounted to a structure.
- Flagpoles must not exceed 35' in height and are limited to flying a maximum of two flags. **These include the proper display per the U.S. flag code, of the current official United States of America Flag flown first and one current official United States of America State flag flown below it. Instead of one of the official U.S. State flags, a current official flag of one of the U.S. Armed Forces (only those as shown exactly like the photos in Addendum B) may be flown.**
- A service flag, per CCIOA, is allowed as described, "The display of a service flag bearing a star denoting the service of the owner or occupant of the unit or of a member of the owner's immediate family, in the active or reserve military service of the United States during a time of war or armed conflict, on the inside of a window or door of the unit. Maximum dimensions allowed shall be 9 inches x16 inches."
- Decorative sculptures/lawn art must not exceed 35' in height, be in muted earth tones, requires written approval from all neighbors within sight of the artwork to be provided with the submittal.

Addendum A - CONSTRUCTION REGULATIONS

In the interest of all Owners and builders, the following regulations shall be enforced during the construction period. These regulations shall be a part of the construction contract documents for each residence, and all builders and Owners shall abide by these regulations.

Primary/Principal residence

The first structure to be built shall be the primary/principal residence such that Owners may not construct a garage or any outbuildings without also constructing the primary residence.

Insurance

Douglas County requires builders to provide proof of insurance before issuing a building permit. The builder shall post evidence of such insurance with the Owner, prior to entering the construction premises. The required insurance must provide coverage not less than the applicable limits of coverage relating to comprehensive, general liability, automobile liability, and workmen's compensation.

Construction hours

Construction work on any structure or building site shall not commence prior to 7:00 a.m. or continue after 7:00 p.m. Property owners are required to inform their builders about these times.

Construction limits

The ARC may require the builder to provide a detailed plan of construction limits prior to construction, to be implemented with snow fencing, rope barricades, or like material prior to construction. The plan shall include size and location of construction material storage areas, limits of excavation, access areas, parking, chemical toilet location, dumpster, fire extinguisher, utility trenching, and a construction sign (any construction sign is to be removed upon receipt of certificate of occupancy from Douglas County). The ARC requires that the Pedestrian/Equestrian easement boundary be clearly marked and that all sub contractors know this area is off limits to construction traffic and/or construction materials.

Trailers, sheds, and temporary structures

Except during construction, no temporary structures of any kind including but not limited to: trailers, sheds, shacks, tents, or lean-tos shall be allowed on the property. Thirty days after a certificate of occupancy has been issued, all trailers and any temporary structures shall be removed from that property. Owner/Builder is not allowed to live in a RV or any type of trailer on the property during construction.

Excavation

Excess excavation material may be required to be removed from the property. Excavation, except for utility trenching, shall be on the Owner's property only. Builders are expressly prohibited, during back fill and final grading operations, from spreading excess debris or material over the remainder of the Owner's property.

Utilities

Builders shall use only the utilities provided on the property on which they are working. Accessing utilities from any other property without written permission of the Owner of that property is trespassing, and violators may be charged.

Construction Signage

Construction signs by builder are allowed to be 3'tall by 4'wide not to exceed 5' in height above ground level. These signs must be removed upon receipt of the Certificate of Occupancy by Douglas County Building Department.

Debris/trash removal and site maintenance

Builders shall keep their construction sites neat and orderly at all times. Periodic cleanup of the site is mandatory, to include at the end of each working day. Work areas shall be kept free of discarded boxes,

plastic, cans, bottles, lunch bags, food, Styrofoam containers, cartons, empty cement bags, and any other such materials. The builder shall provide an animal proof trash container for all food waste and a scrap container for building debris at the construction site. All trash and debris shall be removed from the trash disposal area on a periodic basis. The builder shall not leave large amounts of trash in the container over the weekend. The builder shall remove all soil and debris flowing into the street(s), adjacent units, and open spaces, from the construction site, and any damages shall be the Owner's responsibility. Dumping of trash/scrap materials of any kind is not allowed in Keene Ranch. The builder shall ensure that construction activities, including activities of all subcontractors, do not violate this regulation as repeated violations may result in a shut down of the site.

Site access

Access for construction through adjacent lots is trespassing. The ARC may allow ingress/egress ONLY if adjacent property Owners give their permission to the ARC **in writing, prior to the beginning of construction**. Any damages to adjacent properties shall be the responsibility of the Owner whose builder, subcontractors, or employees have caused the damage.

Vehicles and parking

All construction vehicles shall be parked within the boundaries of the unit. No vehicles, trailers, construction equipment, etc., shall be parked so as to inhibit street traffic, on adjacent property, on the equestrian/pedestrian trail, or damage the surrounding natural landscape.

Contractor's Pets on Construction sites

Builders, subcontractors, and employees are prohibited from bringing dogs and other pets to the construction site.

Blasting

If any blasting is to occur, the builder shall be responsible for informing all residents in the proximity of the blasting site.

Restoration of property

Upon completion of construction, **the Owner and builder shall clean the construction site and repair all property that has been damaged**, including, but not limited to, restoring grades and repairing streets, driveways, pathways, drains, culverts, ditches, signs, lighting, and fencing. In addition, the Owner shall be financially responsible for the cost of site restoration/re-vegetation and refuse removal necessitated on all adjacent properties or Pedestrian/Equestrian easements because of trespass or negligence by employees or subcontracted agents.

Dust, noise, and odor

Reasonable efforts shall be made to control dust, noise, and odor emitted from construction areas. The contractor shall be responsible for watering, screening, or oiling excessive dust or problem areas as well as controlling excessive noise and offensive odors.

Prohibitions

The following are prohibited: **discharging of firearms; careless use of cigarettes and other flammable materials; concrete equipment cleaning or concrete dumping (without proper cleanup/restoration); vehicle and equipment oil changing (without proper receptacles/removal procedures); removal of rocks, trees, plants, or topsoil from any property other than the Owner's property and feeding of wildlife.**

Hazardous spills

Operators of vehicles are required to ensure that they do not spill any damaging materials in the community. Operators shall be responsible for cleaning up any such spills and notifying the proper county officials immediately. The cost, to the ARC or the HOA, of any cleanup done by the ARC or HOA, shall be billed to and be an obligation of the responsible party, which includes both the homeowner and contractor.

Addendum B – ARC Definitions and Various State/Douglas County Laws, Rules and Regulations

I. COMPLIANCE WITH LAWS: No immoral, improper, offensive or unlawful use may be made of the Project; and Unit Owners shall comply with and conform to all applicable laws, ordinances, rules and regulations of the United States, the State of Colorado and the County of Douglas. The violating Unit Owner shall hold harmless the Association and other Unit Owners from all fines, penalties, costs and prosecutions for any violation or noncompliance (Declaration). *Some, but not all, State laws and County rules and regulations are listed in this Addendum.*

II. ARC DEFINITIONS (Douglas County Zoning Resolution and/or Declaration)

Accessory Use: A use naturally and normally incidental to, subordinate to the devoted exclusively to the principal use. **Keene Ranch outbuildings are limited to: barns, garages, greenhouses, guesthouses and home offices.**

American Flag: Current and OFFICIAL flag of the United States of America containing only the Stars and Stripes and displayed per the U.S. Flag Code.

Balcony: A platform on the outside of a building, enclosed by walls or balustrades, supported by columns or console brackets. The platform is projecting from the wall of a building, usually above the ground floor.

Banner: Any sign with or without characters, letters, illustrations, or ornamentation applied to cloth, paper, flexible plastic, or fabric of any kind with only such material as backing.

Building: Any permanent structure, or portion thereof, built for the shelter or enclosure of human beings, animals, or property of any kind and excluding signs or fences.

Columns: Typically no larger than 2.5' wide x 2.5' deep x 6' tall must be muted earth tone and made from approved materials wood, stone and/or masonry. To avoid any leaning in the columns due to freeze/thaw cycles of the soil, we recommend that the columns be anchored. This requires pouring a concrete footer, about 8" thick and supported with rebar, below the frost line (42" deep) then pouring a concrete box (like a foundation is poured), with rebar support, all the way up from the footer and above ground to the height of the column. This support is then used as the "wall" for attaching the decorative rock veneer.

Common Interest Community: means real estate described in the Declaration with respect to which a person, by virtue of such person's ownership of a Unit, is obligated to pay for real estate taxes, insurance premiums, maintenance, or improvement of other real estate described in the Declaration. Ownership of a unit does not include holding a leasehold interest in a unit of less than forty years, including renewal options.

Contained Barbecue Unit: a gas or charcoal device in a fully enclosed metal frame with a lid that cooks food by applying heat from below.

Courtyard: A space, usually open to the sky, which must be connected to the building on at least two sides and can be enclosed with 48" tall, approved building materials, with ARC approval.

Cupolas: A small structure on top of a building. For every foot of building width, you should have at least 1.25 inches of cupola'. Measure the width of your building and times that by 1.25. This guideline is a minimum rule of thumb to get a cupola into proportion. Structures two stories and higher may require one size up, or 1.5" per foot of roof.

Deck: Is a flat, usually roofless platform adjoining a house, usually elevated from the ground, generally enclosed by a railing, and sometimes covered by a canopy or pergola.

Dwelling: Is a building containing a bathroom (including shower/tub, sink and toilet), a full kitchen and a bedroom with a closet.

Easement: An acquired right of use, interest or privilege in land owned by another.

Equine: Defined as donkeys, Mules, miniature horses, and horses.

Exterior Fireplace: an outdoor structure of brick, stone or metal with a framed opening and ember control system, including a chimney, designed to hold embers from escaping open fires.

Exterior Gas Fireplace: an outdoor structure of brick, stone or metal with a framed opening and similar construction to an indoor fireplace, built into a stone/brick/concrete patio and operated with a supply of natural gas or propane.

Fence: Is a structure that encloses an out door area and is constructed from posts that are connected by boards, wire, rails and/or netting. A fence differs from a wall in not having a solid foundation along its

entire length.

Footprint: Is the area occupied by the entire structure, on the ground level, with the dimensions measured in square feet from the faces of the exterior walls of the building.

Fence, Wire: A fence consisting of posts with strained horizontal wires, wire/mesh netting, wire fabric or other wirework, between which may also include wooden or metal railings. **Wire fencing is not allowed in Keene Ranch except specifically for the dog runs as listed in the KR Rules and Regulations.**

Fire pits: a pit dug into the ground or encased in a surrounding structure of masonry or steel in which a fire is kept burning. Open fire flame fire pits are wood/debris burning and not allowed in Keene Ranch. Gas burning fire pits can be approved by the ARC and may require a Douglas County permit.

Flags:



Current, official and ONLY flag of the United States of America -



United States Air Force -



United States Army -



United States Coast Guard -



United States Marine Corps -



United States Navy -

Floor Area, Finished: The sum of the horizontal area, measured in square feet, of all floors of a building measured from the exterior face of the wall including stairwells or elevator shafts and excluding unfinished basements or attics, garage space, or unenclosed porches.

Gazebo: small free standing structure with a roof that is open on all sides.

Greenhouse: A structure used only for the propagation, cultivation or growing of nursery stock such as flowers, bulbs, plants, trees, shrubs or vines.

Guest House: A dwelling attached or unattached to the principal dwelling, used to house guests of the occupants of the principal dwelling, and which shall not be rented or leased, or held in ownership by other than the owner of the principal dwelling.

Immediate Family members: refers to a person's parents, spouse, children, and siblings and will also include the parent's spouse..... An **immediate family member** is defined as a parent; sibling; child by blood, adoption, or marriage; spouse; grandparent or grandchild.

Improvements: Improvements are any construction, structures, equipment, fixtures or facilities existing or to be constructed on the Project which is part of the Common Interest Community, including but not limited to: residences, outbuildings, water features, landscaping, paving, dog runs, fencing, utility pipes and light poles.

Landscape: Improvement to an area of land by the planting of a combination of trees, shrubs, plants and ground covers which may include but isn't limited to the following yard features: fire pits, patios, walkways, water features, sports equipment, lawns, plantings, mulch and rock areas, pools, etc.

Lot: A parcel of land designated as a lot on a recorded plat or a parcel of land that has been recorded by a deed in the Office of the Douglas County Clerk and Recorder provided such lot was created in compliance with the State land-use laws and Douglas County subdivision and zoning regulations in effect at the time the lot/parcel was created. Also, this is the lot of record. *(A tax parcel is not necessarily a lot of record)*. The plat corners are specified with property pins and are NOT measured from the pavement of

the roads in Keene Ranch or from the heritage fence on the exterior edges of the Keene Ranch Community, they are found using the metal pins on the property corners or by a surveyor.

Manure Enclosure: enclosed area next to a barn, at least 50' from side and rear property lines and 100' from road frontage, that is sized to contain only a manure dumpster, with an approved metal or wooden gate, that is 6' tall and constructed of the same materials/colors as the barn. It may contain a concrete floor.

Motorsports Vehicles: Including but not limited to ATVs (All Terrain Vehicles), dirt bikes, snowmobiles, UTVs (Utility Vehicle/Utility Task Vehicle) and similar vehicles used for recreational activities.

Muted Earth Tone Colors: toned and subdued colors found in nature containing some brown (the color of ground or soil) or gray does NOT include bright colors, blacks or whites.

Occasional or Incidental Use: limited recreational operation or use, from 8am to 8pm, that does not result in the establishment of a track. This does not include use for owner maintenance of property (i.e. mowing, snowplowing, etc).

Offensive wording/Language: Vulgar language, including graphic, obscene, explicit, racist or sexist comments; Personal attacks of any kind; Abusive, hateful or slanderous comments to any person, ethnicity, religion, organization or nation; Comments that suggest, endorse or encourage illegal activity; Promotion, solicitation or advertisement of particular services, products or political organizations; Infringement of copyrights or trademarks; Personally identifiable or sensitive information, including medical information; Other comments unrelated to the original message

Open Flame Fire: defined as any outdoor fire, not gas burning, including but not limited to: campfires, warming fires, fire pits, chimineas, the lighting of any explosives and fireworks of any kind, or burning of trash, debris or fields.

Outbuilding: A structure that is not over two stories in height, located on the same lot, the use of which is accessory to and incidental to the use of the dwelling.

Patio: Similar to a terrace, a patio is a defined solid rock or paved area, not connected to the house and used as an outdoor extension of a building. It is situated at ground level, open to the sky and may include seating, approved fire pits or exterior gas fireplaces (permit required thru Douglas County).

Pergola: is a feature forming a shaded walkway, passageway or sitting area of vertical posts or pillars that support cross-beams and

Permit: Douglas County requires a permit for driveways, drainage/erosion control, any buildings, retaining walls higher than 4' tall, decks, and patio covers.

Pets – defined in Addendum C.

Political Sign: means a sign that carries a message intended to influence the outcome of an election, including supporting or opposing the election of a candidate, the recall of a public official or the passage of a ballot issue.

Porch: a covered shelter projecting in front of the entrance of a house or building. The structure is external to the walls of the building but it may be enclosed in certain types of frames including walls or columns, extending from the main structure.

Principal Building/Residence*: A building in which the primary use of the lot/parcel on which the building is located is conducted. ***NOTE: Per Article I, Section 1.30 of the Declaration, a Residence shall be the building for single-family living, constructed on a Unit, including an enclosed garage attached thereto or connected thereto by an arbor or breezeway.**

Private Notification Sign: A professionally printed notice or warning located on private property (i.e. No trespassing, video surveillance or no solicitation).

Property Line: Edge of the Unit owner's property measured by a surveyor or by finding the metal pins on each property corner.

Public Right of way/Road Frontage: is an easement granted for public transportation. Keene Ranch public right of ways are 60' wide even though the pavement is only approximately 30' wide. Douglas County maintains these areas by mowing them each year.

Rain Barrel: A storage container with a sealable lid that is located above ground outside of a residential home and is used for collecting precipitation from a downspout of a rooftop.

Setback: Minimum horizontal distance between the location of structures or uses and the related front, side, or rear lot line measured perpendicular to such lot line.

Sign: Any display or object regardless of form or material used to identify or display information about or direct or attract attention to a person, institution, organization, business, product, event, location or otherwise by any means.

Special Events: Parties, family celebrations, weddings, anniversaries

Sports Court: an outdoor game court

Structure: Anything constructed or erected in, under, over or upon the land, or attached to something in, under, over, or upon the land, but excluding therefrom walks, patios, off-street parking areas, and electrical distribution, natural gas or water and sewer lines. Permanent structures as those either attached to a concrete foundation or attached with posts anchored into concrete. Temporary structure is any structure, including but not limited to: trailers; sheds; shacks; huts; lean-tos; tents; etc., that is not permanently affixed to the ground with concrete base or support beams.



United States Service Banner/Flag–

Can only be hung on the door/window of the residence members of the immediate family of an individual serving in the U.S. Armed Forces during a period of war or hostilities.

United States of America State Flag – Is the current official flag adopted by each of the individual states of the United States of America.

Unit: A Unit is a physical portion of the Common Interest Community designated for separate ownership or occupancy, the boundaries of which are defined on the Plat and described in Article IV Section 4.2 of the Declaration.

Unit Owner: means the declarant or other person who owns a Unit in Keene Ranch Common Interest Community.

Wildfire Mitigation: Homeowners in Keene Ranch are responsible for making sure their projects meet the Douglas County Wildfire Mitigation requirements especially for landscaping and controlling the scrub oak near their homes.

III. DOUGLAS COUNTY AND STATE REGULATIONS:

- The principal building must be built before any outbuildings per Douglas County Zoning Resolution regarding Accessory Uses – “The following accessory uses shall be allowed only when a principal use has been established on the lot (A-1 303 and RR 503)”.
- All structures and their materials may also be subject to further review and specifications per the Douglas County Building Code Amendments regarding Wildfire Mitigation Standards (i.e. Wood shakes and shingles are prohibited in the Wildfire Hazard Overlay District where Keene Ranch has a Very High Hazard Rating).
- All dwellings with an attached garage or a fuel-fired appliance shall be provided with a carbon monoxide alarm. All single-station carbon monoxide alarms shall be listed as complying with UL 2034 and shall be installed in accordance with this code and the manufacturer’s installation instructions (Douglas County Building Code R315.1)
- Additions to current buildings - Per the Douglas County Submittal Requirements, “Applicants may utilize Douglas County’s approved foundation designs for one story detached structures only. Any structure that is more than one story, or is attached to another structure, or is larger than the allowed square footage limitations shall require a foundation designed by a Colorado registered Professional Engineer.”
- Lighting (based off Douglas County Planning and Design) It is recommended that the number of exterior residential lighting fixtures on a lot should be limited to only those necessary for entries and way finding. Lighting at entries and decks should be placed below an eave, or otherwise shielded so that emitted light is downcast with no direct light radiated towards the sky or adjacent properties. The amount of light produced should be designated to maintain a minimum comfort level necessary for safety and security purposes. Lighting at driveways and other entries should be limited to fixture types that are mounted low to the ground and otherwise do not exceed a maximum of 500 lumens, equivalent to a 40 watt incandescent bulb. Landscape lighting is discouraged, especially up lighting or “moonlighting” of trees and other landscape characteristics. All light should be directed towards the property being served and not spill over onto neighboring

- properties or roads. All security or exterior lighting fixtures for agricultural buildings and uses should fully shielded, meaning that no portion of the bulb should be visible, either through or below the fixture. Unshielded barn and pole lights can be major source of nighttime glare and nuisance. Motion detectors must control all security lighting.
- Drainage per Douglas County Building Code Amendment R401.3 “Single-family detached dwelling units and accessory structures thereto, shall comply with the Douglas County Drainage, Erosion and Sediment Control (DESC) manual.”
 - Erosion control: Proper re-vegetation shall begin as quickly as possible after soil disruption and should be well established within one year after disturbance. Douglas County requires a Drainage, Erosion and Sediment Control (DESC) submittal with the plans.
 - Retaining walls should be as low as possible and integrated into the grading and landscaping plans. The use of terracing is encouraged to maintain a maximum wall height of 4 feet or less wherever possible. A building permit is currently required by Douglas County for any wall over 4 feet in height measured from the top of the wall to the bottom of the footing, and for a wall of any height if it will be supporting a surcharge load (e.g., an additional load imposed on the surface close to the wall that will impose an additional lateral force, such as a building). The County requires these walls be designed by a registered professional engineer to ensure long-term viability.
 - Noxious Weeds - weed management, treatment and enforcement of procedures for noxious weed control allows entry onto private properties for the purpose of managing noxious weeds. Voluntary compliance and if that isn’t effective, enforcement of the Colorado Noxious Weed Act thru inspections and mitigation/management of noxious weeds, which will be assessed to the property owner with a 20% fee of Douglas County services.
 - Pools-Douglas County Regulations require pools to be enclosed with a security fence that is constructed to their specifications, and any gates or doors must contain self-closing and self-latching devices located at least 45” above ground for secure closure at all times. The pool must contain shielded lights.
 - ATV/Recreational Vehicle use on Rural Properties in Douglas County Regulations: Recreational use of dirt bikes, ATV’s, snowmobiles and similar vehicles can be a popular pastime for many rural property owners. However, due to concerns regarding noise, dust, and other impacts, the County recently amended its Zoning Resolution to limit the use of motorsports vehicles on rural properties to the following: Agricultural or property maintenance purposes or occasional, incidental operation on private property that does not result in the establishment of a track. Personal-use motorsports tracks (“Private Motorsports Facilities”) are allowed only through the County’s Use by Special Review (USR) process for parcels of at least 35 acres in size with a principal residence in place. The USR process requires the submittal of various types of information, including a Noise Impact Study. Public hearings on the USR are held before the County’s Planning Commission and Board of County Commissioners, with the Board making the final decision on the request as judged against specific approval standards.
 - Household pets (per Douglas County Zoning Regulations) including: dogs, cats, small birds and pot bellied pigs, shall be allowed, provided that no more than four animals of more than four months of age are kept by the occupant of any residential unit. Tropical fish, gerbils/hamsters, parakeets and similar small household pets, not raised for commercial purposes and kept indoors, are permitted with no limits.
 - Household pets shall not be allowed to run at large and are subject to Douglas County’s Leash Law R- 999-177 1.05 (1) (b) as well as State Law regarding wildlife harassment.
 - Kennels, boarding facilities and commercial activities are not allowed (Article IX Section 9.2(j) of the Declaration).
 - Equine Animals (including horses, mules and donkeys) - Due to the limitation on the Keene Ranch water well permits, each Lot is allowed 4 animal units only, regardless as to lot size: equine animals (1 large animal = 1 unit) and miniature horses (4 animals = 1 unit).
 - Corrals, Paddocks, Arenas, Run and round pens, or parking areas must meet the setbacks established by Douglas County (refer to Keene Ranch Pet and Equine Regulations–Addendum C)

- Manure - DC Regulations (Animals Section 24) apply regarding proper management of manure/waste, which shall be removed in a regular and reasonable manner or otherwise composted or spread in such a manner as to protect surface and groundwater, minimize the breeding of flies, and to control odors. Manure shall not be buried and no compost piles of any kind.
- De-vegetation requirements and Grazing Capacity (refer to Keene Ranch Pet and Equine Regulations – Addendum C)
- Trash (per Keene Ranch Planned Development Document regarding Wildlife Mitigation) Garbage shall be stored in an enclosed area prior to removal and shall not be set out for removal in containers without lids, which can be easily opened (i.e. boxes, plastic, paper bags) by any animal.
- Wildfire Mitigation Douglas County has listed Keene Ranch in the Very High Hazard Area for fires. Due to this, there are further restrictions on buildings, open fires, landscaping, fire mitigation, etc. A Wildfire Mitigation specialist is also now reviewing any new residence and outbuilding submittal and there is a fee for this specialist.

IV. LINKS-DOUGLAS COUNTY ZONING RESOLUTION/CCIOA (links are not HOA rules)

- CCIOA Flag display –38-33.3-206.5(b); CCIOA Political signs–(rules specified per CCIOA 38-33.3-106.5) and State of Colorado – law on use of energy efficiency measures -
<http://www.hindmansanchez.com/resources/pdf/colorado-common-interest-ownership-act-ccioa/>
- Secretary of the State – Department of Agriculture – Animal Protection Rules -
https://www.colorado.gov/pacific/sites/default/files/1201-18%20Website%20_1.pdf
- Secretary of the State – Department of Agriculture – Equine Disease Control –
<https://www.colorado.gov/pacific/aganimals/livestock-health>
- Colorado Parks and Wildlife – Bear-proofing your trash -
<https://cpw.state.co.us/Documents/Education/LivingWithWildlife/BearproofingTrash.pdf>
- Consumer Product Safety Commission – guidelines for home playground equipment -
<https://www.cpsc.gov/PageFiles/122146/324.pdf>
- Division of Water Resources – Rainwater collection information -
- Douglas County Wildlife Mitigation -<http://douglas.extension.colostate.edu/small-acreage/resources/wildlife-management/>
- Douglas County Wildfire Hazard – Section 17 - <https://www.douglas.co.us/documents/section-17-3.pdf>
- Sheriff - Fire Restrictions for Unincorporated Douglas County - <http://www.dcsheriff.net/sheriffs-office/divisions/emergency-management/fire-restrictions/>
- Castle Rock - Fire Restrictions for Unincorporated Douglas County -
<https://crgov.com/2659/Fire-Restrictions>
- Douglas County Section 30: Lighting Standards - <https://www.douglas.co.us/documents/section-30.pdf>
- Douglas County Outdoor Fire pits, fireplaces and burning -
<https://www.douglas.co.us/documents/o-012-004-restricting-open-fires-open-burning-and-fireworks-in-unincorporated-douglas-county.pdf>
- Douglas County 2016 Building Code Amendments -
<https://www.douglas.co.us/land/building/adopted-building-codes/>
- Douglas County 2012 Building Code Amendments - <https://www.douglas.co.us/documents/2012-code-amendments.pdf>
- Douglas County DESC - <https://www.douglas.co.us/land/drainage-and-erosion-control/>
- Douglas County Driveway Construction Rules and Regulations -
<https://www.douglas.co.us/documents/driveway-regulations.pdf>
- Douglas County Private, Residential or Family Swimming pools -
<https://www.douglas.co.us/land/building/apply-for-permits/swimming-pools/>

- Douglas County Noxious Weeds – Identification and Control - <https://www.douglas.co.us/land/weed-management/types-of-noxious-weeds/>
- Douglas County Noxious Weed Plan and Enforcement Resolution – <https://www.douglas.co.us/documents/noxious-weed-plan-and-enforcement-resolution.pdf>
- Recreational Vehicle Use on Rural Properties - <https://www.douglas.co.us/land/rural-living/rural-lifestyle-expectations-rights-responsibilities-and-potential-conflicts/>
- Douglas County Zoning Resolution – Section 29 – Sign Standards - <https://www.douglas.co.us/documents/section-29.pdf>
- US Postal Requirements for mailboxes - <https://www.usps.com/manage/mailboxes.htm>

Addendum C – PET AND EQUINE ANIMAL REGULATIONS

1) **Pets:** “Pets and/or animals may not be kept for any commercial purposes, and no wildlife species, especially young or injured animals may be kept as pets. The Association shall be considered an “equine only” community where no farm animals will be allowed except horses, donkeys and mules. Equine animals, dogs, cats and other household pets shall be controlled by their owner at all times and shall not be allowed off the Owner’s Unit except when properly leashed or controlled and accompanied by the animal’s owner or such owner’s representative.” (Article IX, Section 9.2(j) of the Declaration)

2) Each owner of such an animal shall be financially responsible and liable for any damage caused by said animal. Any animal causing or creating a nuisance or unreasonable disturbance or noise shall be permanently removed from the Project following Notice and Hearing.

3) Each Owner shall and does hereby hold the Association harmless from any claim resulting from any action of such Owner’s animal(s) or the animal(s) of such Owner’s guests. The provisions hereof are subject to and in addition to those contained in the Planned Development, which among other things prohibit feeding wildlife.

4) **General Guidelines:** Following the Douglas County regulations is a necessity and the Declaration, Rules, Regulations, Policies and Procedures, can be more stringent but not less restrictive than these regulations (the Declaration states “maintaining the community in a higher standard than usual”). Therefore, all of the following requirements, including fencing (as listed in Rules and Regulations) must be met for each submittal to the ARC, and before approval will be granted:

Household Pet and Equine Care Requirements:

A. Equine: (defined as horses, mules and donkeys only) - Due to the limitation on the water well permit, each Lot is allowed 4 large animal units only, regardless as to lot size: equine animals (1 large animal = 1 unit) and miniature horses/donkeys (4 animals = 1 unit). Equine animals must be provided housing that meets the KR Outbuilding requirements, as listed in the KR ARC Policies, so as to protect them from the elements and predators.

- a. Minimum barn footprint size is 600 sq. ft. and maximum footprint size is 2,500 sq. ft
- b. All materials and finishes shall be harmonious with the surrounding environment, with stone, rock, stucco, natural wood, brick, and hardboard acceptable.
- c. Due to Keene Ranch’s Very High Danger label for Fire Hazard Areas, there may be further requirements as to building and roofing materials from Douglas County (i.e. cedar shake roofing or siding material is not allowed).
- d. A submittal addressing barn location and size, use setbacks, fencing, manure control, grazing capacity, and proposal for avoidance of de-vegetation will be required.
- e. The Declaration also allow 48” tall metal pipe corrals, which the ARC has limited to a maximum size of 15,000 sq. ft. but should be a minimum of 256 sq. ft. per large animal placed on 5% grade or less.
- f. Maintenance of all property must be sustained (including fence and paint/exterior repair on all buildings) so as not to affect the value of surrounding properties or the Community.

B. Household pets – Household pets including: dogs, cats, small birds and pot bellied pigs, shall be allowed, provided that no more than four animals of more than four months of age are kept by the occupant of any residential unit (per Douglas County Regulations). Kennels, boarding facilities and commercial activities are not allowed (Article IX Section 9.2(j) of the Declaration).

- C. **Offensive Sounds or Odors** - Per Article IX, Section 9.2 (e) of the Declaration, “No sound or odor, including those caused by animals, shall be emitted from any portion of the Project which is noxious or unreasonably offensive to or would interfere with the rights, comforts or convenience of other Unit Owners or occupants.” Odor, noise, and other characteristics unique to each species may determine whether approval will be granted. DC Regulations apply regarding proper management of manure/waste, which shall be removed in a regular and reasonable manner or spread in such a manner as to protect surface and groundwater, minimize the breeding of flies, and to control odors. Manure shall not be buried and no compost piles of any kind. Plans for adequate drainage facilities or improvements are to be provided by the landowner and constructed to protect any adjacent land from run-off containing organic waste.
- D. **No Commercial Activities** - No animal or by product of that animal may be used or sold for commercial purposes (this includes 4H activities that require sale of the animal or its byproduct).
- E. **Grazing/Vegetation Requirements** - Vegetation requirements apply to all land having permitted equine animals. The site, excluding that area which is allowed de-vegetated, must be maintained with vegetative groundcover. Vegetative groundcover includes native or introduced grasses and forbs, but does not include weeds on bare dirt. In areas where exposed shelf-rock or cap rock is the natural terrain, this will be considered to be vegetative groundcover. All corrals, outdoor arenas, paddocks, run pens, round pens, unpaved or un-graveled parking areas shall be included when calculating the maximum area de-vegetated. The area within the required minimum setback shall be fully maintained with vegetation. A variance from the above vegetation standards may be sought from the Douglas County Board of Adjustment.

The maximum land area that may be de-vegetated is as follows:

Lot Area	Maximum De-vegetated Area
2.3 - 4.49 Acres	25% of the total site
4.5 – 8.9 Acres	1.25 acres or 20% whichever is greater
9 – 24.9 acres	2 acres or 15% whichever is greater
35+ acres	5.2 acres or 10% whichever is greater, max of 10 acres

Grazing Capacity

NUMBER OF HORSES

	<i>30 Acres</i>	<i>10 Acres</i>	<i>5 Acres</i>
<i>1</i>	<i>24 hrs/day</i>	<i>8 hrs/day</i>	<i>4 hrs/day</i>
<i>2</i>	<i>12 hrs/day</i>	<i>4 hrs/day</i>	<i>2 hrs/day</i>
<i>3</i>	<i>8 hrs/day</i>	<i>2.6 hrs/day</i>	<i>1.3 hrs/day</i>
<i>4</i>	<i>6 hrs/day</i>	<i>2 hrs/day</i>	<i>1 hr/day</i>

- F. **Setbacks** – Setbacks are required for all outbuilding installation. A setback is the required minimum horizontal distance between the location of structures or uses and the related front, side, or rear lot line measured perpendicular to such lot line. The following setback information is for barns, corrals, arenas, paddocks, run pens, round pens, or parking areas:

Lot Size	SETBACK FROM		
	Street	Side Lot Line	Rear Lot Line
4-4.49 acres	100'	50'	50'
4.5-8.9 acres	100'	50'	50'
9-35+ acres	100'	50'	100'

- G. **Bees** - A submittal for bees will require the homeowners to contact the Colorado beekeepers organization and provide the ARC with the proper hive information and location away from the surrounding neighbors. Only one hive is allowed per lot in Keene Ranch and the **bees and byproducts cannot be used for commercial purposes.**