Two or multi-story	2600 square feet (on the main levels, not including area in the basement.)

10.9 Roof Design: Roofs are very important to the overall integration and compatibility of Starwood Subdivision. The design must be given careful consideration as they will be highly visible from streets, other buildings and neighboring sites. Preferable roof designs are those designed with multiple gables, hip roofs and dormers.

a. The use of major rooftop elements such as dormers, chimneys or skylights should enhance the roof form and be an integral part of it. Special attention should be given to the design and placement of mechanical systems (i.e., vents, fans, etc.). Evaporative coolers are prohibited. Attic fans may be allowed, provided they do not ~~project more than 12 inches above the roof surface and are located on the "rear"~~ elevation. Solar equipment is discussed in a separate section below. In all cases exposed mechanical devices, metal flashing, (step flashing does not have to be painted) attic or soffit vents, chimney pipes and other such items shall be colored to match the color of roofing materials or trim. The use of step flashing at masonry is ~~discouraged; when used, it should present a quality appearance in its final~~ installation.

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b. Acceptable roof designs are as follows: the minimum roof pitch allowed on major roof forms is 5:12 (5 vertical units per 12 horizontal units). Steeper roof pitches are highly encouraged. The pitch of minor elements, such as porches, dormers, etc., may be lower than 5:12 if the Design Review Committee approves it to be consistent with the architectural design and the roofing materials to achieve overall design continuity. The only allowable roofing materials are concrete tile or 40 year dimensional asphalt shingles. Roofing materials that differ from this must be approved by the Committee prior to construction.

10.10 Chimneys: Chimneys are very strong roof elements. They shall have proportions compatible with the design, form and style of the residence. No more than two (2) feet of exposed fireplace chimney pipe will be allowed. Square topped chimney caps and chimney fences are encouraged. Artificial "brick-look" and other similar metal chimney caps are expressly prohibited. Chimney height shall comply with City of Longmont Building Codes.

10.11 Exterior Walls: In designing floor plans and exterior elevations, care should be taken to create exterior wall surfaces of varying planes. It is desirable to avoid long, uninterrupted walls. Covered entryways, bay windows, angled walls and nooks, wall projections, covered porches and cantilevers (if consistent with the form of the

These Design Guidelines may be amended or modified pursuant to Article 9 of the Declaration of Covenants, Conditions, and Restrictions of Starwood at Fox Meadow. In the event of a conflict between Article9 and these Design Guidelines, the Design Guidelines shall prevail. The Architectural Review Committee may adopt other limitations and restrictions in its reasonable discretion. 1/23/02, 7/24/2003, 2/19/2009, 6/17/09

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MARKUP #1 · POTENTIAL STATUTE CONFLICT — BOARD & COUNSEL REVIEW

Sec. 10.9 (p. 14): Restriction prohibits solar energy devices, heat pumps, evaporative coolers, or retractable clotheslines in violation of Colorado energy efficiency statutes.

Statutory / Legal Reference: C.R.S. § 38-33.3-106.7 & C.R.S. § 38-30-168

Statutory Comparison: Under C.R.S. § 38-33.3-106.7 and C.R.S. § 38-30-168, an association may not effectively prohibit the installation or use of an energy efficiency measure (including retractable clotheslines, heat pumps, evaporative coolers, and window shades/awnings) or a renewable energy generation device (solar panels), nor impose bona fide aesthetic guidelines that significantly increase the cost (>10%) or significantly decrease performance (>10%).

CURRENT WORDING IN DOCUMENT:
Solar equipment is discussed in a separate section below. In all cases exposed mechanical devices, metal flashing, (step flashing does not have to be painted) attic or soffit vents, chimney pipes and other such items shall be colored to match the color of roofing materials or trim.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
Pursuant to C.R.S. § 38-33.3-106.7 and C.R.S. § 38-30-168, the Association shall not prohibit or unreasonably restrict the installation or use of solar energy devices, heat pumps, evaporative coolers, or retractable clotheslines, nor enforce aesthetic guidelines that increase installation cost by more than ten percent (10%) or reduce efficiency by more than ten percent (10%).