



## **Design Manual**

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Pursuant to the First Amended Declaration of Covenants Conditions and Restrictions for Gran Cielo Master Subdivision ("Declaration"), on file with the Gallatin County Clerk and Recorder's Office, the Declarant Bozeman Haus, LLC ("Declarant"), herein adopts the following Gran Cielo Design Manual ("Design Manual"):

## **Chapter 1: Purpose**

The intent of this Design Manual is to promote an overall sense of place and community by maintaining individuality through quality, thoughtful high-quality designs and sustainability standards of development that will invite people to connect and interact as part of the Gran Cielo neighborhood and adjacent neighborhoods following the development of the area by the Declarant, by any Declarant-owned or Declarant-controlled entity, or by any entity that is working directly with Declarant during development phases. Because the original concept and vision for Gran Cielo is the Declarant's, the Declarant, Declarant-owned, or entity working directly with the Declarant during the entire build-out of the Gran Cielo neighborhood shall not be subject to the Design Manual rules set forth herein, but instead will continue to be the direct concept and vision of the Declarant both before and after the Transfer Period as described in the Declaration. The standards outlined in this document provide a framework for design and construction that will allow future changes to areas no longer controlled solely by Declarant and allow the rules of the Design Manual to evaluate each project to enhance the neighborhood and contribute to the long-term goal of complimenting and enhancing the overall Bozeman community.

In order to achieve the stated purpose of the Design Manual, specific design styles are not dictated. Instead, guidelines are provided to ensure well-built, compatible and energy-efficient homes with clear order and comprehensive composition. (Photographs are included for education, inspiration and reference only and do not imply specific solutions or guarantee regulatory approval.)

Again, the goal of the manual is to strike a balance between harmony of design and individual creativity for areas that are not under the exclusive, creative control of Declarant. This document promotes design diversity and contemporary design while providing the guidance necessary to ensure the quality of each project and the longevity of property values within the Gran Cielo neighborhood. Each project should be individually unique, not a replica of another project. The fact that a particular style or feature of building already exists in Gran Cielo does not guarantee that it will be approved for construction again.

Exceptions to this Design Manual may be granted on the sole basis of architectural merit as determined by the Gran Cielo Design Review Committee ("DRC") as outlined in Section 6.4. The DRC is not authorized to grant exceptions regarding local land use regulations unless explicitly authorized by the appropriate party.

It is the responsibility of the owner(s) to confirm that all proposed construction complies with all laws, rules, and regulations including, but not limited to local land use regulations and the International Building Code as well as other applicable plumbing,

electric, or building codes in effect in the City of Bozeman. The Declaration and Bylaws, if any, also apply to all lots within the Gran Cielo Subdivision.

## **Chapter 2: Properties and Projects Subject to Design Manual**

Each and every parcel, tract, lot or division in the Gran Cielo Subdivision will be subject to the regulations and guidelines stipulated in the design manual, excluding all areas that are owned or controlled by the Declarant, by any Declarant-owned or Declarant-controlled entity, or by any entity that is working directly with Declarant. Unless specifically excluded, this Design Manual shall apply to the entire Gran Cielo Subdivision (as described in Exhibit 1 & 2) as well as any property later annexed into the Gran Cielo Subdivision, and all improvements therein.

No improvements shall be made, erected, altered or permitted to remain upon any lot unless the procedure is completed as follows:

- (1) The proper form(s) is/are submitted,
- (2) Any other information required or requested by the DRC is submitted.
- (3) All fees are fully paid.
- (4) All required forms are approved in writing by the DRC.
- (5) Any applicable City of Bozeman review or permitting and/or fee payment(s) has been completed. All plans submitted to the City of Bozeman must have the Gran Cielo Design Review Committee Form B stamp of approval.

“Improvement” shall be applied to changes including but not limited to, a residence, fence, wall, lighting, garage, outbuilding, other structure, or landscaping or changes to these elements as may occur from time to time.

## **Chapter 3: Relationship to other Documents**

### **3.1 Local Land Use Regulations & Building Codes**

Some provisions of this Design Manual may be more restrictive than local land use regulations. All improvements must also comply with applicable building codes, land use regulations, and all other laws, rules and regulations of any government or agency under whose jurisdiction the land lies. Where conflicts occur the more restrictive requirement shall be complied with. Local land use regulations can be found online at [www.bozeman.net](http://www.bozeman.net).

### **3.2 The Declaration of Protective Covenants and Bylaws for Gran Cielo**

All Lots in the Gran Cielo Subdivision are also subject to The First Amended Declaration of Covenants Conditions and Restrictions for Gran Cielo Master Subdivision (“Declarations”), which are on file at the Gallatin County Clerk & Recorder’s Office, and Bylaws, if any. These and other relevant documents are available for reference online

at [www.grancielobzn.com](http://www.grancielobzn.com)

## **Chapter 4: The Gran Cielo Design Review Committee**

A Panel is hereby established known as Gran Cielo Design Review Committee (“DRC”).

### **4.1 Function**

The purpose of the DRC is to review applications, plans, specifications, materials, samples, and location to determine whether or not the proposed construction conforms to the Declaration and the Design Manual.

### **4.2 Membership**

- 4.2.1 Before the Transfer Date, the Declarant may appoint a DRC composed of up to three persons. These persons are not required to be Owners or Members of the Association. These persons may serve on the DRC until they resign or are replaced by the Declarant, whichever occurs first. If no persons are on the DRC, then the Board of Directors shall act as the DRC.
- 4.2.2 After the Transfer Date, the Board of Directors may appoint a DRC composed of up to three persons. These persons are not required to be Owners or Members of the Association. These persons may serve on the DRC until they resign or are replaced by the Board of Directors, whichever occurs first. If no persons are on the DRC then the Board of Directors shall act as the DRC.
- 4.2.3 The Board of Directors may also engage other engineers, architects or other advisors and consultants in the design review process as necessary.

### **4.3 Enforcement Powers**

Should any Owner violate or threaten to violate any part of this Design Manual, the DRC may attempt to work with the Owner to have the Owner remedy the violation or threatened violation in a timely manner, and/or refer the violation or threatened violation to the Board of Directors. Among any other remedy set forth in the Declaration, the Board of Directors has the right to injunctive relief, which requires the Owner to stop, remove, and/or alter any improvements in a manner that complies with the standards established by the DRC.

### **4.4 Limitation of Responsibilities**

The primary function of the DRC is to review the Review Applications and the plans, specifications, materials, samples, and location to determine if the proposed construction adheres to the Declaration and the Design Manual. The DRC is not responsible for determining the following:

- The structural adequacy, capacity, or safety features of the proposed

- construction or improvement.
- Soil erosion, ground water levels, non-compatible or unstable soil conditions.
- Compliance with any or all building codes, safety requirements, and governmental laws, regulation or ordinances.

## Chapter 5: Design Review Process

### 5.1 In General

- 5.1.1 Approval is required to commence construction. No improvements shall be made, erected, altered or permitted to remain on any lot until the Owner submits the proper form(s) to the DRC and the DRC has approved the form(s) in writing.
- 5.1.2 The DRC has complete discretion to approve, conditionally approve or deny a form. At the least, the construction, installation or alteration shall comply with the Declaration and Design Manual. Designs must be in harmony with the external design, location and topography of the surrounding lots and the Gran Cielo subdivision. Constructions, installations and alterations may not be placed on or under any part of said lot within the common areas and easements reserved and created in the Declaration, unless approved by the DRC.
- 5.1.3 No form will be deemed submitted until all of the information required by the Design Manual and requested by the DRC and all fees are provided. Incomplete applications may be returned and are subject to a re- submittal fee.
- 5.1.4 Submit (hand delivery or mail) two copies of the required form and related materials for each design review to the following:

**Gran Cielo Design Review Committee**  
 c/o CP Manage  
 8401 Wagon Boss  
 Road, Bozeman,  
 MT 59715.

Submittals must be addressed to “Gran Cielo Design Review Committee” along with a specific project title and address. Forms I, II, III, and IV, as may be amended from time to time, may be requested from the DRC or downloaded at [www.grancielobzn.com](http://www.grancielobzn.com)

- 5.1.5 Following the DRC review, the Owner will be notified as to whether the construction has been approved, conditionally approved or denied.
- 5.1.6 An Owner may withdraw an application without prejudice, provided the request for withdrawal is submitted in writing to the DRC.

- 5.1.7 Any request for any variance must be made in writing to the DRC. Variances granted shall be considered unique and will not set any precedent for future decisions. Variance requests are subject to Section 6.4.
- 5.1.8 If an application is conditionally approved or denied, the Owner may request a hearing before the DRC to justify the Owner's position. The DRC will consider the arguments and facts presented by the Owner and notify the Owner of its decision.
- 5.1.9 If the DRC does not take action on a form within forty-five days of receiving the form, the form shall be considered denied.

## **5.2 Informal Advice**

- 5.2.1 Before beginning the design process, it is recommended that Owners and their designated representatives (architects, contractors, etc.) contact the DRC to verify their interpretation of this Design Manual. Owners or their designated representatives may request a meeting with the DRC to discuss preliminary plans prior to submitting Form I (Initial Design Review).
- 5.2.2 During the Declarant Period prior to transfer as described in Section 4.2.1. of this Document, the Declarant appointed DRC or Board of Directors reserves the right to make a final design decision based upon materials presented informally—as described in this Section 5.2 only. During the period of Declarant control, the Owner shall first submit a written request to the Management Company for the Homeowner's Association which will be forwarded to the Declarant appointed DRC or Board of Directors. If the Declarant appointed DRC or Board of Directors requires additional information prior to a final decision on the submitted request, then the Owner shall be given an opportunity to supplement their original request with additional information. If the Declarant is able to approve the request based upon the written request and materials provided informally, then the Declarant appointed DRC or Board of Directors shall make a final decision without further cost to the Owner. If the Declarant does not approve the decision, then the Owner may submit another request which will be subject fees beyond the standard review process as set forth in the \*Note below. There is no obligation for the Declarant appointed DRC or Board of Directors to approve a resubmitted request from an Owner once there has already been a rejection of the request and the Owner will be responsible for all fees as set forth. Once the final decision is made by the Declarant appointed DRC or Board of Directors, it shall be communicated back to the Owner within 30 days of the last submitted information from the Owner. This Section 5.2.2 shall terminate after the transfer date of the Declarant control period as set forth in Section 4.2.1 of this Document.



<b>Fee*</b>	<b>Required Documents</b>	<b>Required Submittal Materials (2 paper copies + 1 digital PDF copy)</b>	<b>Schematic Drawing Checklist</b>
None (except as noted below)	None	Conceptual plans appropriate for informal discussion	N/A

\*Note: Additional meetings and/or reviews requested by the Owner and as determined by the DRC to be above and beyond the standard review process are subject to hourly fees in addition to the Design Review fee and must be paid prior to issuance of approval.

### 5.3 FORM IDR (Required) Initial Design Review

The Initial Design Review checks designs for general interpretations of the Declarations and Design Manual. Form IDR includes a statement of acknowledgement. The Owner and/or its designated representative shall take all necessary steps to ensure that they and their employees, subcontractors, agents, suppliers, and any others involved in the proposed project are familiar with and agree to abide by the Declaration, Design Manual and approved plans.

Note that Form IDR review **must be** completed before Form CDR review can begin.

If a Form CDR application is not submitted within nine months of Form IDR review (based on the date of the letter from the DRC approving or conditionally approving the plans) or if the design changes considerably (as determined by the sole discretion of the DRC), a new full Form IDR submittal will be required.

Fee*	Required Documents (1 paper copy + 1 digital PDF copy)	Required Submittal Materials (1 paper copy + 1 digital PDF copy) <i>Half size/scale plots acceptable.</i>	Schematic Drawing Checklist
\$600	Form IDR (must be signed)	Site Plan (1/16" or 1/8" scale)	North Arrow Property/Setback Lines Easements Sidewalks; Building Footprints; Porches, Stairs, etc; Overhangs (as dashed lines)
		Landscape Plan (1/16" or 1/8" scale)	Schematic Site & Boulevard Landscaping
		Floor Plans (1/8" scale or larger)	Room Use Windows & Doors Overhangs Dimensions Gross SF
		Elevations (1/8" scale or larger)	Porches, balconies Doors, windows Materials specified Overall Height (from average grade) Roof Pitches

**\*Notes:**

- 1) Fee covers Form IDR & CDR; if project does not progress past Form IDR, a \$400 refund will be provided upon request of the owner.
- 2) Additional meetings and/or reviews requested by the Owner and as determined by the DRC to be above and beyond the standard review process are subject to hourly fees in addition to the Design Review fee and must be paid prior to issuance of approval.
- 3) Incomplete applications may be returned and are subject to a \$100 penalty.

#### 5.4 Form CDR (Required) Final Construction Design Review:

The Final Construction Design Review checks the construction documents for general compliance with the Declarations and Design Manual and verifies that the previous DRC recommendations have been addressed. Conformity to applicable local regulations and building codes, as well as obtaining the appropriate local permits is the responsibility of the Owner and/or the Owner's representative.

If a Form CDR application is not submitted within nine months of Form IDR review (based on the date of the letter from the DRC) or if the design changes considerably (as determined by the by the sole discretion of the DRC), a new Form IDR submittal will be required.

<b>Fee*</b>	<b>Required Documents (1 paper copy + 1 digital PDF copy)</b>	<b>Required Submittal Materials (1 paper copy + 1 digital PDF copy)</b> <i>Half size/scale plot acceptable.</i>	<b>Drawing Checklist</b>
\$0	Form CDR (must be signed) & Green Building Checklist	Site Plan (1/16" or 1/8" scale) All dimensions must be noted.	North Arrow; Property Lines; Setback Lines; Easements; Sidewalk & Street Location; Location, Dimensions, Materials for walks & drives; Building Footprints; Porches, Stairs, etc.; Overhangs (as dashed lines); Fence location & details; Grading Plan; Location and screening of equipment and meters; Limits of construction activity
		Landscape Plan (1/16" or 1/8" scale)	Site landscaping Boulevard Landscaping
		Floor Plans (1/8" scale or larger) All dimensions must be noted.	Room Use Windows & Doors Overhangs Gross square footage for unit and garage
		Elevations (1/4" scale or larger) All dimensions must be noted.	Porches, balconies Doors, windows Materials specified Overall Height (from average grade) Roof Pitches Lights and light fixture details

		Color Rendering	Color rendering of the front, or other applicable elevation and color chips
		Material Samples	As requested by DRP
		Foundation Letter from Engineer	Each project is required to submit a letter from a civil engineer identifying existing ground water elevations, and recommendations for foundation design, footing and first floor elevations.

**\*Notes:**

- 1) Fees paid with Form IDR cover both Form IDR & Form CDR.
- 2) Form IDR & Form CDR may be submitted concurrently.
- 3) Additional meetings and/or reviews requested by the Owner and as determined by the DRC to be above and beyond the standard review process are subject to hourly fees in addition to the Design Review fee and must be paid prior to issuance of approval.
- 4) Incomplete applications may be returned and are subject to a \$100 penalty.

## 5.5 Form PM Plan Modifications:

Owners may wish to make improvements or modifications to their improvements or property during the initial construction or at a future date. A change may only be executed after DRC approval of Form PM. **Any changes or modifications made before Form PM is submitted, reviewed, and approved will be subject to an increased fee the amount of which will be determined by the Board of Directors or the DRC.**

Fee*	Required Documents (1 paper copy + 1 digital PDF copy)	Required Submittal Materials (1 paper copy + 1 digital PDF copy)	Drawing Checklist
\$150 (for proposed modifications)  \$500 (base rate) (for "after the fact" modifications)	Form PM	Any relevant drawings related to proposed change(s)	Any details related to the proposed changes.

**\*Notes:**

- 1) Additional meetings and/or reviews requested by the Owner and as determined by the DRC to be above and beyond the standard review process are subject to hourly fees in addition to the Design Review fee and must be paid prior to issuance of approval.
- 2) Incomplete applications may be returned and are subject to a \$100 penalty.

## 5.6 Site Plan Review and Building Permits

All construction projects require a building permit and some projects may require additional review from the City of Bozeman. Any plans submitted to the City of Bozeman

must include Gran Cielo Design Review Committee stamp and/or letter of approval or waiver of this requirement. This is a requirement of the Gran Cielo Homeowner's Association (GCHA) not the City of Bozeman.

Approval by the DRC does not guarantee approval by the City of Bozeman.

Construction may not commence without obtaining the necessary approvals/permits from the City of Bozeman and the GCHA DRC. The GCHA will assess significant fines for beginning construction prior to obtaining all required approvals.

### **5.7 Timing of Construction**

An Owner has one year from the date of Form CDR approval to commence the approved improvement or construction. If an Owner has not commenced work on approved improvements or construction within one year of Form CDR approval, a new application must be submitted and new approval obtained.

An Owner has one year from the date improvements or construction commence to complete the approved work unless an extension is granted by the DRC. If work has not been completed within one year of its commencement or is not completed in strict compliance with approved plans, then in addition to any remedy allowed in the Declaration or this Design Manual, or at law or in equity, the Board of Directors, may, in their sole discretion, take any action that in their judgment is necessary to bring the approved project into compliance with the Declarations, the Design Manual and approved plans, which may include completing the exterior, removing the uncompleted structure, or any other action deemed necessary. Consideration will be given to remaining landscaping based on seasonal constraints; however, such landscaping must be completed at the start of the next planting season. The amount of any expenditure incurred by the Board of Directors in taking such actions, shall be the Owner's obligation. In addition, a lien may be recorded and enforced against the lot and or property by an action at law. The Association may also take such action as is available in the Declarations and by law or in equity, including injunctions and/or actions for damages.

### **5.8 FORM FI Final Inspections:**

The DRC reserves the right to inspect the property during any stage of the improvements or construction. If the DRC determines, in its sole discretion, that discrepancies exist between the improvements or construction and the approved project and plans the Owner shall immediately correct the discrepancies or submit a Form PM for review and approval which will be subject to fees at the (After the Fact) rate.

A Final Inspection is required. Owners are responsible for scheduling an inspection with the DRC by submitting Form FI.

The inspection shall determine general compliance with the Declarations, Design Manual, and approved plans. If the DRC finds that improvements were not completed in strict compliance with the Declarations, Design Manual, and approved plans, the DRC shall notify the Owner of the noncompliance, and shall require remedy of the same. The Owner shall have seven days from the notification to remedy the noncompliance or to submit a work plan delineating the time frame when the noncompliance will be remedied, although in no instance shall the timeframe exceed 45 days. The DRC may allow up to 45 days for the noncompliance to be remedied if the Form PM and corresponding work plan provide adequate justification for the requested time.

If the noncompliance is not remedied, the Board of Directors may, at their sole discretion, remedy the noncompliance. The amount of any expenditure incurred in so doing shall be the Owner's obligation. In addition, a lien may be recorded against the lot or property which is enforced by an action at law. The Association may also take such action as is available in the Declaration and by law or in equity, including an injunction and/or action for damages.

No occupancy of the project shall take place prior to the completion of all required inspections or as otherwise stated by the DRC.

## 5.9 Liability

Neither GCHA, the Declarant, the Board of Directors, the DRC, nor the individual members thereof, may be held liable to any person for any damages for any action taken pursuant to this Design Manual, including but not limited to, damages which may result from review, correction, amendment, changes or rejection of plans and specifications, observations or inspections, the issuance of approvals, or any delays associated with such action on the part of the DRC or the Board of Directors.

## Chapter 6: Neighborhood Design Standards

All development must adhere to the neighborhood standards described in the following sections (Site, Building, and Landscape). Photos are included for reference only. Note that some provisions of this Design Manual may be more restrictive than local land use regulations of the city of Bozeman. **Please also refer to Exhibits C1 & C2 for specific lot by lot requirements for uses, setbacks, coverage, areas, widths, etc.**

### 6.1 Site

The following site design guidelines are intended to provide a framework for site layouts within Gran Cielo.

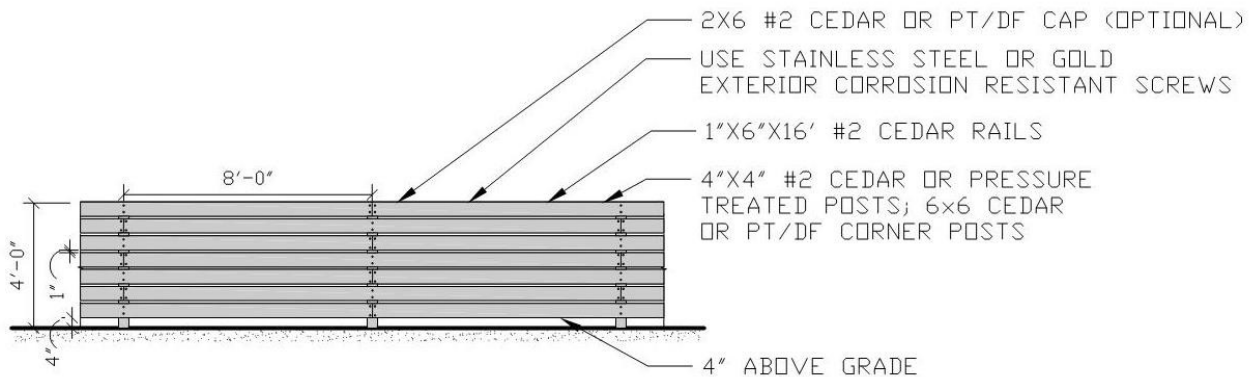
#### (a) Fences & Screens

- No fencing is allowed in street-facing yards or in required street vision triangles

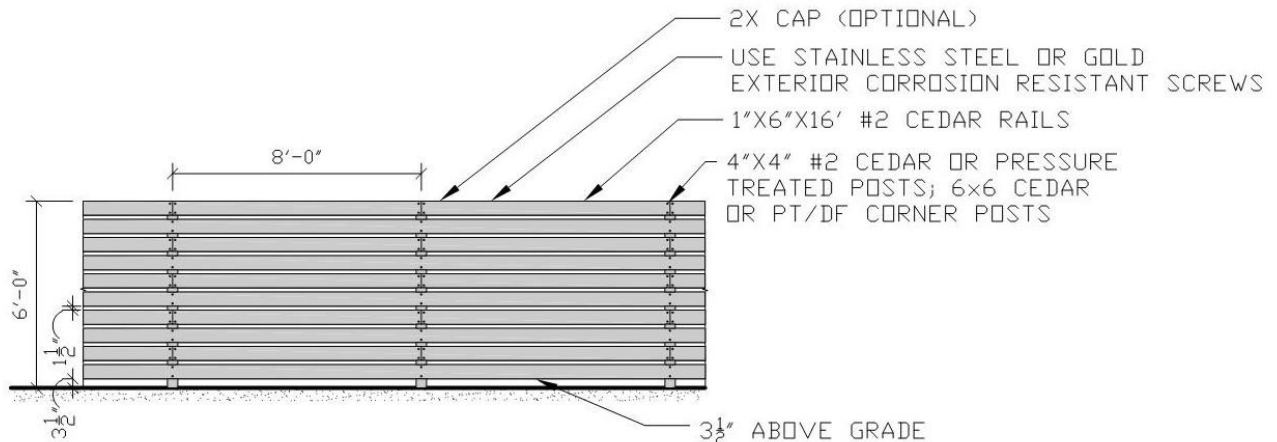
unless previously approved and constructed by developer and new fence is replacing the previously constructed fence. Modifications of previously constructed street-facing fences shall be reviewed based on design merit

- The following fence types are permitted. All other fence types will be reviewed based on design merit See specifications below.

### **Option A - 4' Height**

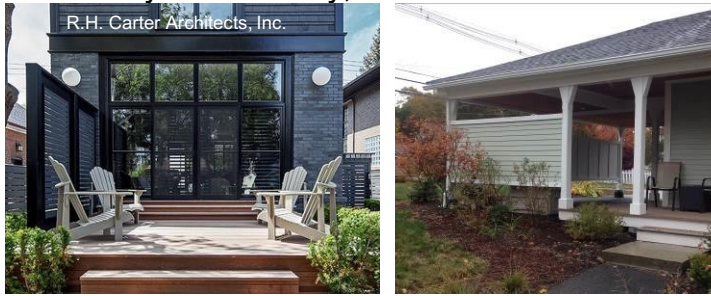


### **Option B - 6' Height**



- Option B - 6' Height fence types are only allowed on lots where it is replacing the same type of fence originally installed by developer.
- All fences connections shall be made with stainless steel or gold exterior corrosive resistant screws.
- All fences shall be stained or sealed to protect them from weather and elements and to maintain appearance. The standard approved stain is Sherwin-Williams Woodscapes product in the color "Crossroads;" any other choice shall need approval through the design review process.
- Screen walls, used for patios or hot tubs, are required to meet all setbacks and must be aesthetically connected to and appear as an extension of a primary residence wall. Outdoor rooms may be designed to include, but shall not be

substantially obscured by, screen walls.



- All fence assemblies are required to be maintained for appearance and kept in working order.
- Dog kennels or runs must be attached to a primary or accessory structure, be screened from public streets and adjacent properties, and receive DRC approval for materials and configuration. Chain-link is not permitted. Underground electric fences are encouraged for dogs.

#### **(b) Sidewalks**

- Any existing sidewalks in the right-of-way or open spaces that are damaged during construction must be repaired or replaced at the lot owner's expense.
- Sidewalks on homes facing local streets are required to cross the boulevard in line with the sidewalk leading to the front porch.

## **6.2 Building**

The following building design guidelines are intended to promote both building diversity and neighborhood compatibility within a developing neighborhood framework.

#### **(a) Recommended Energy Star Program**

- Because of its ease and low cost, homes are encouraged to meet or exceed the standards of the "Energy Star" Program. Energy Star homes typically include additional energy-saving features that make them 20–30% more efficient than standard code compliant homes.

Energy Star Qualified New Homes include:

- Effective Insulation
- High-Performance Windows
- Tight Construction and Ducts
- Efficient Heating and Cooling Equipment
- Efficient Products
- Third-Party Verification



The specific standards can be found at:

[http://www.energystar.gov/index.cfm?c=new\\_homes.hm\\_index](http://www.energystar.gov/index.cfm?c=new_homes.hm_index)

### **(b) Base Element & Foundation**

- A base element is required and must be detailed in such a way to visually and structurally connect the building with the ground. It may appear as a platform or terrace upon which the house stands or as a built extension of the ground integrated with the house above. This element may be masonry, concrete, wood or materials matching trim package. Buildings without a base element may be considered based on design merit.



- Foundation walls shall be exposed a maximum of 12-inches above the ground. Exposed foundation walls shall be built of brick, cast concrete, trimmed with horizontal members, or as otherwise approved by the DRC. Concrete foundations exposed more than 18-inches above grade must have an architectural finish (texture, pattern and/or color).



- Due to the potential of high ground water tables in the areas of the subdivision, it is not recommended that residential dwellings or other structures with full or partial basements be constructed.

### **(c) Walls & Facades**

- Primary materials on a façade may change only at a horizontal band or inside corner. Consideration will be given to changing materials at a visual block such as a fence.

- Varied building massing is encouraged. No exterior wall plane, unless approved otherwise for design merit, shall exceed 40 feet in length without incorporating a minimum 24-inch offset or recess in a significant proportion to the overall plane. Buildings without varied building massing may be considered based on design merit.
- Building walls shall be clad in smooth cut wood shingles, wood clapboard, barn or reclaimed wood, wood drop siding, traditional wood board and batten, fiber cement siding, architectural metal cladding, brick or stone. Siding shall be painted or stained; pre-finished siding will be considered based on design merit. Thought should be given to the required maintenance of chosen materials to ensure the long lasting quality of appearance. Alternative materials, including the use of steel, will be considered based on design merit. Log, vinyl or aluminum siding is not allowed.



- The color palette of the body of the house shall be as approved by the DRC based on merit. Attached dwelling units are exempted from each other. Garish colors are not allowed.
- Exposed exterior wood shall be painted or stained (wood front doors excluded).
- Lap siding shall run not run diagonally. Maximum lap siding exposure is 10" inches. Combinations of lap exposure will be considered on a case-by-case basis.



- Trim materials should be of high quality and appropriate visual size. Corner caps

are acceptable. Variations on trim width and/or exclusion of trim will be considered based on design merit.

- Stonework shall be natural or approved synthetic stone materials. Dry stack, uncoursed settings with minimal exposed mortar are preferred. Stonework shall not be applied to individual wall surfaces in order to avoid a veneer-like appearance. It shall continue around corners to an inside corner.

#### **(d) Porches**

- For yards facing a public street, the front porch of a residential structure must be built within 5 feet of the setback line (“build-to” line). The width of the porch on the build-to line must occupy a minimum of 30% of the width of the front façade measured along the build-to line. As an alternative to the typical front porch and to provide additional design diversity, narrower but deeper porches that have the same square footage may also be considered. A minimum 6 feet of depth is required. Buildings without front porches may be considered based on design merit.



- Buildings on lots that address two or more streets must address both streets with fronting characteristics as part of the comprehensive composition. Design considerations should include but not be limited to: wrapping front porches, outdoor rooms, variation in wall planes and massing, additional openings and enhanced landscaping.



- Front porches generally must be elevated between 2 and 4 feet above fronting top of curb. Other heights may be considered based on site conditions and foundation design.
- Porch railings may be opened or closed. If closed, they must be composed of the

same material as the adjacent wall planes.

- Front stoops shall be made of concrete, wood, stone or brick and must be detailed and integrated into the porch/railing design. Required stair railings must be compatible with the overall stair and porch design.
- Porch supports shall be built of stone, masonry, concrete or wood. Column base piers shall be no less than a 16 x 16-inch square and wood columns shall be no less than 8-inches square. Column groupings must have an outer minimum dimension of 10-inches. Tapered columns may not be smaller than 7 x 7-inches at the top. Columns shall match or be similar in design on all elevations of a structure.
- The balustrade and the space below porches shall be closed and integrated into a closed band and/or landscaped, interrupted as necessary for drainage.
- No exposed stair or deck framing is allowed.



### **(e) Outdoor Rooms**

- The minimum size requirement for an outdoor room is 80 square feet with a minimum dimension of 8 feet on both sides.
- Outdoor rooms typically include covered porches, screened porches, covered patios or covered decks with integrated landscaping. Partially covered or uncovered patios or decks that are integrated into the overall design and comprehensive composition of the home and landscaping will be considered on design merit.
- Other interpretations of outdoor rooms will be considered based on design merit by the DRC.





#### (f) Decks & Patios

- First floor and surface decks and patios must face only back and side yards and/or open spaces. The space below first floor elevated decks visible from nearby streets or public spaces shall be architecturally detailed and/or landscaped to provide screening.
- Decks, balconies and terraces shall be designed to enhance the overall architecture of the building by creating variety, layering and detail on exterior elevations. Covered decks, projecting balconies and bay windows shall be integrated and composed with the overall building form, rather than placed randomly throughout the building. Terraces shall be used to integrate the building and landscape by creating a transition between the built and natural character of the site.

#### (g) Windows & Solar Gain



- Windows are encouraged meet or exceed Energy Star standards as previously stated.
- Openings (including windows and doors) shall not be less than 15% of the wall area, measured on each elevation. Elevation calculations shall include exterior window or door trim.
- Windows shall be wood, wood-clad, fiberglass, metal or vinyl.

- Round, hexagonal and octagonal windows are not permitted.
- Mirrored glass shall not be used.
- Bay window projections shall be proportionate to the overall composition and are encouraged to extend to the ground or be trimmed appropriately. Cantilevered bays must be visually carried by structural brackets or a water table trim band. Only cantilevered bays may encroach into a setback.



- False shutters are not permitted.
- Canvas awnings are permitted and shall be square cut without side panels.

#### **(h) Doors**

- Exterior doors are encouraged to meet or exceed Energy Star standards as previously stated.
- Traditional sliding glass doors may only be used in yards facing open spaces and side yards.
- Garage doors shall be built of wood, translucent panels, steel or fiberglass.



- Garage doors shall be de-emphasized in the elevation of the building. If possible,

they should be oriented away from the street. If the garage doors must face a street, the doors shall be made of a complementary and quality material and have significant detailing contributing to the elevation composition.



- Other more contemporary and creative approaches to garage doors will be considered based on design merit.



## (i) Roofs



- Asphalt composition shingles are permitted, but must be at least 30-year architectural grade.
- Treated wood shingles are permitted.
- Metal roof materials are a permitted but must be designed to protect people and property from significant sliding of snow and ice (not applicable to dormers or similar roof forms that do not drip directly to grade). Metal roofs may be standing seam only. Unpainted, galvanized, rusted, brown, grey or rust-red-baked-on finish are all acceptable finishes. Garish colors or shiny materials are not appropriate.
- Natural or synthetic slate roof materials are permitted.
- Green roofs are encouraged.



- Flat roofs are permitted on all buildings if integrated with the design. Flat roofs used as balconies on street facades may be enclosed with solid railings.
- Roof plane continuous length dimensions shall not exceed 45' for single family and duplex structures and 100' for multifamily structures without a significant break. Minimum break shall be no less than 20% of the length roof plane and extend up the roof plane no less than 30% of the height of the roof.

## (j) Skylights

- Skylights shall be flat in profile (no bubbles or domes).





#### **(k) Roof Mounted Solar Panels**

- Solar panels are encouraged for all projects. Solar panels shall be integrated into the overall roof design.



#### **(l) Dormers**

- Dormer width shall be proportionate to the overall composition.



- Shed dormers shall have a pitch of at least 3:12. Hip and gable dormers shall have the same pitch as the main roof volume.

#### **(m) Eaves**

- Overhanging roof eave and gable end depth shall be no less than 24-inches unless approved otherwise based on design merit for a more contemporary style or flat roof.



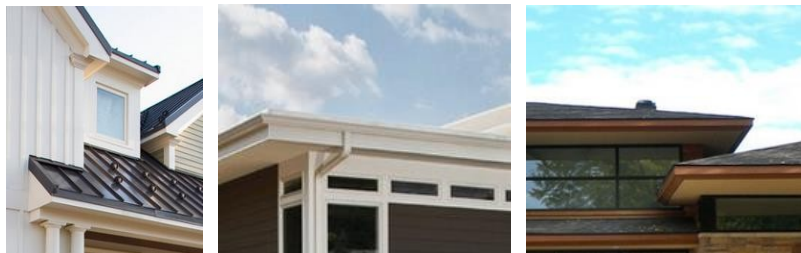
- Fascia detail must have a minimum dimension of 8-inches nominal unless otherwise approved for design merit. The material used must fit the aesthetic of the structure. As an alternative, exposed rafter tails and entry accents are encouraged if appropriate for the architectural style.



- Rollex type metal or vinyl soffits are not permitted.
- Boxed soffits are allowed when integrated into a suitable architectural style and overall detailing.



- Enclosed soffits are acceptable on more contemporary styles.



- Gutters shall be built of metal of a color and finish that blends with the finish color scheme. Gutters shall be half-round or rectangular and downspouts shall be circular or rectangular.

#### **(n) Chimneys / Roof Vents**



- Chimneys shall be clad in stone, masonry, siding, steel or some other compatible or complementary material.
- Prefabricated metal flues shall be concealed within a chimney unless approved otherwise. Chimney caps may extend above the chimney top per building code requirements.
- Roof protrusions, other than chimneys, shall be arranged to minimize street exposure.
- All roof-mounted equipment shall be integrated into overall design and screened.

#### **(o) Lighting**

- All exterior residential lighting must be dark—sky compliant.



All exterior lighting of all lots shall be limited to 800 lumens (12- watt LED bulbs/60-watt incandescent bulbs) and must be full cut-off and shielded bulb of such focus and intensity so as not to cause disturbance of adjacent lots.

- Recessed or can lighting is encouraged for porches and main entrances for softer lighting conditions.



- The following lighting is prohibited: obtrusive flood lighting, mercury vapor or high-pressure sodium lights, metal halide lights, and clear glass or exposed bulb (non-cutoff) fixtures.
- Pathway lighting is permitted. These types of lights may be attached to the home, along walkways near the ground level, or incorporated into fences. Solar-powered lighting is strongly encouraged.

#### **(p) Signage**

- No signs shall be erected on residential properties except to identify the owner and address of the property.
- Typical "For Sale" signs shall be allowed during the sale of a lot.
- Signage integrated with landscaping may be placed at the main entrances and parks to identify the neighborhood.

### **6.3 Landscape**

The proper use of plant materials adds to a sense of permanence and consistency for a neighborhood while also connecting the built and natural environments. Landscape plans submitted with Form CDR should outline hardscape elements, fencing, and planting areas with species and quantities listed. Each Owner will be required to meet minimum landscape specifications related to two general categories: boulevard plantings and yard plantings.

#### **(a) Street Boulevard Plantings**





- Individual Lot Owners shall be responsible for the landscaping the boulevard area directly adjacent to their property at the time of occupancy and for the maintenance of the boulevard area thereafter.
- To enhance a public street boulevard where present, one tree (minimum 2½-inch diameter caliper) shall be planted per 50 feet in the boulevard area.
- It is the responsibility of the Owner to contact the appropriate utility companies before digging.

#### **(b) Yard Plantings**

- All properties are required to landscape yards.
- Native, drought tolerant grasses and regional plant materials are encouraged. Yards should be regularly and well maintained, so they thrive and therefore, use fewer resources. Lawns should be maintained at about 4-inches as keeping lawns slightly long ensures the soil remains shaded, thereby using less water.
- Mulching, composting, efficient irrigation, harvesting water from roofs, sidewalks, driveways and other impervious surfaces are all encouraged.
- “Xeriscaping” or water-conserving, drought-tolerant landscaping is encouraged. A proposal for a Xeriscape landscape plan must be prepared by a landscape professional. United States Environmental Protection Agency (US EPA) has guidelines available at : <http://www.epa.gov/>.



#### **Yards facing a street:**

At least one tree (minimum 2½-inch caliper) and two appropriately sized planting beds are required for yards facing a public street. Corner lots are considered to have two separate yards and therefore require a total of two trees (minimum 2½-inch caliper) and two appropriately sized planting beds.



- Planting beds must be composed with the site and the building elevations and shall have a top layer of mulch or earth tone stone (non-white).



- Maximum height of landscaping in required vehicle vision triangles is 30-inches.
- It is the responsibility of the Owner to contact the appropriate utility companies before digging.

#### **(c) Vegetation and Solar Gain**

- Special consideration should be given to areas of sun exposure and shade when planting trees and large shrubs. Landscaping should allow southern exposures necessary for a home's solar gain in the winter, or that of the neighbors.

#### **(d) Hardscapes**

- Selection of hardscape materials should favor natural materials such as untreated wood, stone, or stamped concrete, while balancing the desire for durability. Pressure treated lumber and railroad ties, although re-used, should be avoided due to their toxicity.

#### **(e) Soil Preparation & Drainage**

- Investment at the soil level provides huge payoff in reduced water and fertilizer use and plant vigor. Soils should be of the best quality available and improved with imported compost as feasible, especially in lawn areas. In areas where poor soils are unavoidable, homeowner's should focus plant selection on species that thrive in such

conditions. Runoff from roofs, and hardscapes, and melting snow, should be considered, and should be harvested for landscape use whenever possible.

#### **(f) Irrigation Systems & Water Use**

- Underground irrigation systems can use water efficiently but they must be designed, installed and operated correctly. They also require regular maintenance.
- Plants with similar water usage, sun and shade requirements and zones with spray heads, rotors or drip systems should be grouped together.
- Plants should be sufficient in number and density to reduce weed growth. A weed mat also inhibits weed growth. Mulch conserves water and shades soil.
- Landscapes do not require as much water during shoulder months (May, June, September, October) as in July and August. Watering should be reduced in September and October to prepare vegetation for dormancy. Early morning is the best time (4am-9am) to water because watering at night can encourage fungus and disease to grow. Avoid watering between 9am – 7pm.
- Water only when your turf requires it. If you leave distinct footprints when you step on it or the grass does not spring back, it is time to water. Applying one inch of water (including rainfall) each time you water once per week is enough to keep your lawn green throughout the summer.
- Turf grass should be watered using longer run times (15-20 minutes) but less often. This causes the grass roots to grow deeper thereby needing less water and becoming more drought and weed resistant. Frequent watering of turf grass causes the root base to remain shallow which causes the grass to brown easily and also makes it more susceptible to drought and weeds.
- When watering trees and shrubs it is not necessary to water the leaves or the trunk. Instead, place a sufficient number of emitters evenly around the tree or shrub halfway between the trunk and the outer canopy.

#### **(g) Fertilizing / Pesticides**

- In careful consideration of the lakes and streams, homeowner's that border open spaces or parks with surface water (lakes, streams, wetlands) will only be permitted to use non-chemical fertilizers / pesticides in required yard setbacks. Organic fertilizers for lawns are readily available, as are corn-based weed suppression substitutes. Non-lawn native and drought tolerant plantings typically require no extra fertilizing at all.

#### **(h) Weed control**

- As further specified in the covenants, noxious weeds pose a serious threat to the environment, and property owners should familiarize themselves with, and control them, on their property. Chemical solutions should be balanced with the threat level of the individual species and the possibility for non-chemical alternative treatments. Under no circumstance should noxious weeds be allowed to flourish, or go past the flowering

stage and into the seed stage. Weed control is required on both developed and vacant lots and will be enforced in accordance with the covenants.

#### **(i) Vegetation Removal**

- No landscaping in the right-of-way, parks, open spaces and common areas may be removed without prior permission from the DRC.

### **6.4 Variances from Neighborhood Patterns**

The DRC encourages unique and creative design that respects the spirit and intent of the Declarations and Design Manual. Except as otherwise set forth in Chapter 3, the DRC may, upon application, grant a variance from the Design Manual, based on design merit.

The Board of Directors shall have the power to make the final decision on whether to approve, conditionally approve or deny a variance, without any liability being incurred or damages being assessed due to any decision of the Board of Directors.

## **Chapter 7: Amendments**

Amendments to the Design Manual may only be made as set forth in the Declarations.

Any amendments to the Design Manual will be on the Gran Cielo website and is available by request to the DRC.

A submittal shall be processed consistent with the Design Manual in effect 30 days prior to DRC receipt of a complete Form IDR submittal.

No improvements that were constructed and approved in accordance with the Design Manual shall be required to be changed because such standards are thereafter amended.

## **Chapter 8: Definitions**

The words and terms used in this document shall have their customary dictionary definitions unless otherwise specifically defined within the Declaration or this Design Manual.



**Exhibit 1 - Gran Cielo Phases 1, 1A and 2 Subdivision Legal Description:**  
**Phase 1, Phase 1A and Phase 2 of the Gran Cielo Subdivision**

**Appendix A: Applications**  
**Initial Design Review Application**

**FORM IDR**

**Property Information:**

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

Lot \_\_\_\_\_ Block \_\_\_\_\_ Phase \_\_\_\_\_

**Owner Information:**

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

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

Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_

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

**Architect Information:**

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

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

Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_

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

**Builder Information:**

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

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

Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_

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

**Landscape Designer Information:**

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

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

Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_

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

**Information:**

1. Are any variances from the Gran Cielo Design Manual being requested under this application?

- ☐ Yes
- ☐ No

If yes, please describe the variance:

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2. Items submitted (please check):

- ☐ Review Fee
- ☐ Site Plan
- ☐ Floor Plans
- ☐ Roof Plan
- ☐ Elevations
- ☐ Landscape Plan
- ☐ Digital copy (PDF) of all of the above

**Acknowledgement Statement:**

The Lot Owner acknowledges that he/she has received, read and will abide by the Gran Cielo Design Manual.

As stated in the both the Covenants and Design Manual, violations will be remedied by the Gran Cielo Homeowner's Association whereupon the Lot Owner will be responsible for the cost of the remedy.

I (We)\_\_\_\_\_am/are the owner(s) of record of Lot \_\_\_\_\_, Block \_\_\_\_\_, Phase\_\_\_\_\_of the Gran Cielo Subdivision. I/We have read these requirements and understand their implications. Furthermore, I (we) have been given sufficient opportunity to discuss any questions we may have regarding these requirements with a member of the Gran Cielo Design Review Committee. My (Our) signature(s) below is/are evidence of my/our intent to comply with these requirements.

Owner Signature:\_\_\_\_\_Date: \_\_\_\_\_

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

Applicant Signature:\_\_\_\_\_Date: \_\_\_\_\_

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

**Property Information:**

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

Lot \_\_\_\_\_ Block \_\_\_\_\_ Phase \_\_\_\_\_

**Owner Information:**

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

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

Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_

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

**Architect Information:**

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

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

Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_

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

**Builder Information:**

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

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

Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_

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

**Landscape Designer Information:**

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

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

Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_

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

**Information:**

1. Are any variances from the Gran Cielo Design Manual being requested under this application?

☐ Yes

☐ No

If yes, please describe the variance:

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2. Items submitted (please check):

☐ Site/Grading Plan

☐ Floor Plans

☐ Roof Plan

☐ Elevations & Sections

☐ Samples & Cut Sheets

☐ Rendered Elevation

☐ Landscape Plan

☐ Digital copy (PDF) of all of the above

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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



**Property Information:**

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

Lot \_\_\_\_\_ Block \_\_\_\_\_ Phase \_\_\_\_\_

**Owner Information:**

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

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

Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_

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

**Architect Information:**

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

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

Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_

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

**Builder Information:**

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

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

Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_

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

**Landscape Designer Information:**

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

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

Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_

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

**Information:**

1. Has the requested change or modification already been constructed?

☐ Yes

☐ No

If yes, please explain:

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2. Change Description and reason for change:

(Attach specific drawings of proposed change)

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3. Items submitted (please check):

☐ Review Fee

☐ Plans/Elevation

☐ Details/ Samples

☐ Digital copy (PDF) of all of the above

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

**Property Information:**

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

Lot \_\_\_\_\_ Block \_\_\_\_\_ Phase \_\_\_\_\_

**Owner Information:**

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

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

Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_

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

**Architect Information:**

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

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

Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_

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

**Builder Information:**

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

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

Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_

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

**Landscape Designer Information:**

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

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

Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_

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

**Certification:**

I do hereby certify that the contracted structure on said lot conforms to the codes and the construction documents as approved by the DRC. All site work, landscaping, cleaning, removal of temporary utilities, and repair of damage to rights-of-way and/or common areas have been implemented.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

***For DRP use only:***

**Date of inspection:** \_\_\_\_\_

- ☐ Approved as noted in letter
- ☐ Denied as noted in letter

DRC Signature: \_\_\_\_\_

**If denied, subsequent inspection date:** \_\_\_\_\_

- ☐ Approved as noted in letter
- ☐ Denied as noted in letter

DRC Signature: \_\_\_\_\_