

**COMMERCIAL IMPROVEMENT  
GUIDELINES AND SITE RESTRICTIONS**

**SADDLER RIDGE METROPOLITAN  
DISTRICT**

Dated April 11, 2023

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**ARTICLE 1: INTRODUCTION**

**Section 1.1 Basis of Guidelines**

These Commercial Improvement Guidelines and Site Restrictions (the “Guidelines”) are intended to assist Owners of Parcels within the Saddler Ridge Commercial Park (the “Commercial Park”) in implementing Improvements to their Parcels. The Declaration of Covenants, Conditions and Restrictions for Saddler Ridge Commercial Park (the “Covenants”) require prior approval from the Architectural Review Committee (the “ARC”) before the construction, erection, placement, alteration, planting, installation or modification of any Improvement upon any Parcel. In order to assist Owners, the Declarant desires to establish certain guidelines for several types of Improvements.

**Section 1.2 Definitions**

All words and phrases used in these Guidelines shall have the meaning provided in the Covenants unless otherwise defined herein.

**Section 1.3 Contents of Guidelines**

In addition to the introductory material, these Guidelines contain (A) a summary of procedures for obtaining approval from the ARC (see Article 2); and (B) a listing of specific types of improvements that Owners might wish to make with specific information as to each of these types of improvements (see Article 3).

**Section 1.4 Architectural Review Committee or Representative**

The ARC consists of Persons, representatives or a committee appointed to review requests for approval of architectural or site changes.

**Section 1.5 ARC Contact Information**

The contact information of the ARC, Persons, committee or representative authorized to administer the architectural review process is:

COMPANY NAME	ADDRESS	E-MAIL
Centennial Consulting Group	2629 Canton Courts, Suite A Fort Collins, CO 80525	saddlerridge@ccgcolorado.com

**Section 1.6 Effect of Covenants**

The Covenants govern property within the Commercial Park. Each Owner should review and become familiar with the Covenants. Nothing in these Guidelines supersedes or alters the provisions or requirements of the Covenants and, if there is any conflict or inconsistency, the Covenants will control.

### **Section 1.7 Effect of Governmental and Other Regulations**

Use of the Parcels and any Improvements must comply with any applicable building codes and other governmental requirements and regulations. Additionally, the Commercial Park is subject to the restrictions and controls established in the Saddler Planned Unit Development plat and Saddler Ridge Planned Unit Development (PUD). Owners are strongly encouraged to contact the Town of Severance (the “Town”) for further information and requirements for Improvements they wish to make.

APPROVAL BY THE ARC DOES NOT CONSTITUTE ASSURANCE THAT IMPROVEMENTS COMPLY WITH APPLICABLE GOVERNMENTAL CODE, REQUIREMENTS OR REGULATIONS OR THAT A PERMIT OR APPROVALS ARE NOT ALSO REQUIRED FROM APPLICABLE GOVERNMENTAL BODIES.

### **Section 1.8 Interference with Utilities**

In making improvements to a Parcel, Owners are responsible for locating all water, sewer, gas, electrical, cable television, or other utility lines or easements. Owners should not construct any Improvements over such easements without the consent of the utility involved, and Owners will be responsible for any damage to any utility lines. All underground utility lines and easements can be located by contacting:

Utility Notification Center of Colorado  
1-800-922-1987

### **Section 1.9 Goal of Guidelines**

Compliance with these Guidelines and the Covenants will help preserve the inherent architectural and aesthetic quality of the Commercial Park. It is the responsibility of the ARC to ensure that all proposed Improvements meet or exceed the requirements of these Guidelines and to promote the highest quality design for the Commercial Park. It is important that improvements to Parcels be made in harmony with and not detrimental to the rest of the Commercial Park. A spirit of cooperation with the ARC and other Owners will go far in creating an optimum environment, which will benefit all Owners. By following these Guidelines and obtaining prior written approval for improvements to property from the ARC, Owners will be protecting their financial investment and will help insure that Improvements to Parcels are compatible with standards established for the Commercial Park. If a question ever arises as to the correct interpretation of any terms, phrases or language contained in these Guidelines, the ARC’s interpretation shall be final and binding.

### **Section 1.10 Enforcement of Covenants, Rules and Design Guidelines**

The Saddler Ridge Metropolitan District (the “District”) shall have primary responsibility for the enforcement of the architectural requirements of the Covenants and these Guidelines. The District, its agents, and the ARC will investigate written complaints concerning violations of the

requirements/prohibitions of the Covenants or these Guidelines, if such complaints are signed and dated by the person making the complaint. The District, its agents, and the ARC, shall use all reasonable means to maintain the anonymity of complainants. If a violation is found as a result of a complaint or through its own inspections, the District shall notify the Owner whose Parcel is in violation, in writing, requesting that appropriate action be taken to achieve compliance. The District shall take enforcement action (including assessing fines, fees, and penalties) in accordance with the District's compliance and fee policy then in effect. Specific duties and powers of the ARC and the District are more fully set forth in the Covenants.

## **ARTICLE 2: PROCEDURES FOR ARC APPROVAL**

### **Section 2.1 General**

The guidelines in Article 3 are intended to inform Owners in the planning of proposed Improvements to a Parcel. Adherence with any specific guidelines or standards does not obviate the requirement for obtaining ARC approval, and prior written approval by the ARC is required before an Improvement to a Parcel is commenced.

### **Section 2.2 Drawings or Plans**

Owners are required to submit to the ARC a Design Review Request Form and complete plans and specifications (said plans and specification to show exterior design, height, materials, color, location of the structure or addition to the structure, plotted horizontally and vertically, location and size of parking areas, general plan of landscaping, fencing, walls, windbreaks and grading plan, as applicable, as well as such other materials and information as may be required) prior to commencement of work on any Improvement to a Parcel. Whether done by the Owner, or professionally, the following guidelines should be followed in preparing drawings of plans:

A. The drawing or plan should be done to scale and shall depict the property lines the Parcel and the outside boundary lines of any structure located on the Parcel.

B. Existing Improvements, in addition to any structure on the Parcel, should be shown on the drawing or plan and identified or labeled. Such existing Improvements include parking areas, sidewalks, trees, shrubs, fences, etc. The proposed Improvements should be shown on the plan and labeled. Either on the plan or on an attachment, there should be a brief description of the proposed Improvement, including the materials to be used and the colors.

C. The plan or drawing and other materials should show the name of the Owner, the address of the Parcel, the lot, block and filing number, e-mail and a telephone number where the Owner can be reached.

D. The proposed Improvements must take into consideration the easements, building location restrictions and sight distance limitations at intersections.

E. Owners should be aware that many Improvements require a permit from the Town. The ARC reserves the right to require a copy of such permit as a condition of its approval.

F. In some instances, elevation drawings of the proposed Improvement will be required. The elevation drawings should indicate materials.

G. Photographs of existing conditions and of proposed materials and colors are encouraged to be included, and are helpful to convey the intended design, but should not be used solely to describe the proposed changes.

### **Section 2.3 Submission of Drawings and Plans**

One copy of the drawing or plans must be submitted to the ARC along with a completed Design Review Request Form. Color photographs, brochures, paint swatches, etc. will help expedite the approval process. Specific dimensions and locations are required.

The review fees as set forth on the Design Review Request Form (available from the entity listed in Section 1.5) shall be submitted with the Design Review Request Form. In addition, any costs incurred by the ARC for review of submittals shall be borne by the Owner and shall be payable prior to final approval. Any reasonable engineering consultant fees or other fees incurred by the ARC in reviewing any submission will be assessed to the Owner requesting approval of the submission.

### **Section 2.4 Action by the ARC**

The ARC will meet as required to review plans submitted for approval. The ARC may require submission of additional information or material, and the request will be deemed denied until all required information and materials have been submitted. The ARC will act upon all requests in writing within forty-five (45) days after the complete submission of plans, specifications, and other materials and information as requested by the ARC. If, for any reason, the ARC fails to review and approve in writing (which may be with conditions and/or requirements or disapprove, a request for architectural approval within forty-five (45) days after the complete submission of the plans, specifications, materials and other information with respect thereto, such request is deemed approved by the ARC.

### **Section 2.5 Revisions and Additions to Approved Plans**

Any revisions and/or additions to approved plans made by the Owner or as required by any governmental agency, must be re-submitted for approval by the ARC. The revised plans must follow the requirements as outlined above.

### **Section 2.6 Completion of Work**

After approval (which may be with conditions and/or requirements) of any proposed Improvement by the ARC, the proposed Improvement shall be completed and constructed as promptly and diligently as possible, and in complete conformity with all conditions and requirements of the approval. Failure to complete the proposed Improvement within one (1) year of the date of approval (the "Completion Deadline"), or failure to complete the Improvement in complete conformance with the conditions and requirements of the approval, shall constitute noncompliance; provided, however, that the ARC may grant extensions of time to individual Owners for completion of any proposed Improvements, either (a) at the time of initial approval of such Improvements, or (b) upon the request of any Owner, provided such request is delivered to the ARC in writing; provided that the Owner is diligently prosecuting completion of the subject Improvements or other good cause exists at the time such request is made.



## **Section 2.7 Notice of Completion**

Upon the completion of an Improvement, the Owner shall submit a written "Notice of Completion" to the ARC (in form and substance acceptable to the ARC, or on forms provided by the ARC). Until the date of receipt of such Notice of Completion, the ARC shall not be deemed to have notice of completion of any Improvement on which approval (which may be with conditions and/or requirements) has been sought and granted as provided in this Article.

## **Section 2.8 Inspection of Work**

The ARC, or its duly authorized representative, shall have the right to inspect any Improvement at any time, including prior to or after completion, in order to determine whether or not the proposed Improvement is being completed or has been completed in compliance with the approval granted pursuant to this Article.

## **Section 2.9 Rights of Appeal**

The affirmative, majority vote of the ARC shall be required for approval (which may be with conditions and/or requirements) of each matter, unless the ARC has appointed a representative to act for it, in which case the decision of such representative shall control. In the event a representative acting on behalf of the ARC decides a request for architectural approval which is adverse to the applicant, then the applicant shall have the right to appeal such decision to the full ARC upon a written request therefore submitted to the ARC within thirty (30) days after such decision by the ARC's representative.

## **Section 2.10 Notice of Non-Compliance**

If, as a result of inspections or otherwise, the ARC or the District determines that any Improvement has been done without obtaining all required approvals (which may be with conditions and/or requirements), or was not done in substantial compliance with the approval that was granted, or has not been completed by the Completion Deadline, subject to any extensions of time granted pursuant to Section 2.6 hereof, then the District may notify the applicant in writing of the non-compliance (a "Notice of Non-Compliance").

## **Section 2.11 Correction of Non-Compliance**

If it has been determined that a non-compliance exists, the Owner responsible for such non-compliance must remedy or remove the same, and return the subject property or structure to a condition acceptable to the District, within the period specified in the Notice of Non-Compliance. If such Owner does not comply with the Notice of Non-Compliance by amending the condition within the period specified, the District may, at its option, record a notice of non-compliance against the Parcel on which the non-compliance exists, may impose Fees, Fines, penalties and interest, may remove the non-complying Improvement, or may otherwise remedy the non-compliance, and the Owner responsible for such non-compliance shall reimburse the District, upon demand, for all costs and expenses, as well as anticipated costs and expenses, with respect thereto.

## **Section 2.12 Amendment**

These Guidelines may at any time, from time to time, be added to, deleted from, repealed, amended, and modified, reenacted, or otherwise changed by the Declarant in its sole discretion as changing conditions and/or priorities dictate.

## **Section 2.13 Questions**

If you have any questions about the foregoing procedures call the ARC at the phone number and address listed in the Section 1.5 of these Guidelines.

## ARTICLE 3: SPECIFIC TYPES OF IMPROVEMENTS/SITE RESTRICTIONS

### Section 3.1 General

The Town has adopted certain Commercial and Office Design and Development Standards, contained in Chapter 16, Article 19, of the Severance Land Use Code (the “Town Commercial Standards”). Owners are responsible for ensuring that any Improvement to a Parcel complies with the Town Commercial Standards. Note that the Commercial Park is zoned by the Town as a Development Node Zone District.

### Section 3.2 Building Design and Development Standards

The following establish the minimum design standards for all commercial development in the Commercial Park.

A. *Massing and Scale.*

- Maximum Number of Stories: 2
- Front Setback: 15 feet
- Interior Side Setback: 15 feet
- Corner Side Setback: 15 feet
- Rear Setback: 15 feet

B. *Building Materials.* Simple material finishes are encouraged, and matte finishes are preferred.

- Primary Materials Required: 50% to 90%
- Secondary Materials Required: 20% to 40%
- Accent Materials: 10% to 30%

No more than four (4) materials should be used, including the use of secondary and accent materials. Exterior materials shall be permitted as follows:

- Primary Materials:
  - Brick, unpainted
  - Natural stone, unpainted
  - Other quality materials, such as repurposed materials
- Secondary Materials:
  - Any primary materials may be used as a secondary material
  - Glass (i.e., clear, and semi-transparent)
  - Metal siding (twenty five percent (25%) maximum per building façade)
  - Colored concrete
  - Stucco (masonry)
  - Quality wood or composite siding or panels
  - Architectural tiles

- Fiber cement board
- Other quality materials, such as repurposed materials
- Accent Materials:
  - Any primary or secondary materials may be used as an accent material
  - Wood trim (or equal or better simulated material)
  - Precast stone, or wood moldings or similar architectural details (or equal or better simulated material)
- Prohibited Materials:
  - Vinyl Siding
  - Exterior Insulation and Finish Systems (EIFS)
  - Reflective or mirror glass

C. *Building Entrances.* Façades that face a public street or open space shall contain a single-story primary entrance feature. Primary entrances shall be clearly defined and oriented to the sidewalk and primary pedestrian ways. Entrance features shall occur every seventy-five feet (75') along a building frontage. For single-tenant buildings, façades shall be differentiated by horizontal massing techniques. Corner buildings to be designed with angled entrances at the corner. Public entryways shall create architectural interest and variation from other portions of the building by incorporating at least three of the following features:

- Changes in building plane through recesses and/or projections a minimum of two (2) feet in dimension
- Canopies, awnings, arcades, galleries, or other overhangs
- Raised corniced parapets over the door
- Peaked roof forms
- Display windows
- Integrated architectural embellishments such as moldings
- Changes in building material, color, and/or texture
- Special paving treatments
- Other substantial design elements that add visual interest

D. *Horizontal Articulation.* Building façades greater than fifty feet (50') in length shall incorporate variations in the wall plane with projections, recesses, or other variations from the main mass having a depth of at least two feet (2').

Building façades shall incorporate a change of materials as follows:

- At least three (3) materials for street facing façades or when facing other public areas; and
- At least two (2) materials for all other façades

Each building façade shall incorporate at least two (2) of the following elements:

- Change in building colors

- Change in textures
- Variation in window design
- Other substantial design elements that add visual interest

Remaining blank wall areas should be broken up by patterns of windows and doors, elemental architectural details or changes in materials that are consistent with the architectural style of the building.

E. *Vertical Articulation.* Buildings taller than twenty feet (20') shall be designed so the massing or façade articulation of the buildings presents a clear base, middle, and top. Visually heavier and more massive elements shall be incorporated at the building base with lighter elements above the base. Upper stories shall not appear heavier or demonstrate greater mass than the lower stories of the building.

Lower levels of multi-story buildings are to be differentiated by incorporated elements such as the following:

- Veneer banding or wainscot
- Change in materials and/or change in textures
- Heavier materials and darker colors on lower levels
- Integrated covered walkways, trellises, or architectural awnings
- Low planters or walls
- Other substantial design elements that distinguish lower levels

Buildings shall incorporate four-sided design where all parts are perceived as a coordinated part of a unified whole. Specifically:

- All sides shall exhibit the same quality, continuity, and durability of design including the same primary and secondary materials. Important sides can reflect priority in the allocation of materials.
- All sides visible from streets, public spaces or active portions of adjacent Parcels shall have a similar level of trim, accent material, details, and ornamentation. Greater importance shall be given to areas closest to the public realm or with greater visibility. Parts not exposed to the public may be designed for utility.

F. *Transparency (Windows, Doors, and Openings).* A minimum of fifty percent (50%) of the total area of ground floor façades facing a public area shall contain windows and/or doorways. A minimum of fifteen percent (15%) of the total area of upper floor façades facing a public street or other public area shall contain windows and/or doorways. Storefront display windows and doors shall allow visibility into and out of the store. Windows shall be accented and defined with detail elements, such as frames, sills, and lintels.

G. *Colors.* Colors shall complement one another and fit the overall architectural character of the area and be context sensitive to surrounding buildings.

Intense, bright, or fluorescent colors and glossy finishes shall not be used as the prominent color on any exterior wall or roof of any structure.

H. *Roof Form.* No roofline along any building elevation shall exceed thirty feet (30') in length without a visual variation that incorporates any of the following:

- Projections or recessions of at least two feet (2') in depth
- Dormers
- Change in roof height of at least two feet (2')
- Distinct architectural features

Roofs of buildings shall have parapets or enclosures concealing flat roofs and roof-top equipment from public view and be constructed of materials that match the building in quality and detail. Three-dimensional cornice treatments shall be incorporated as part of the architectural design. Roofs are encouraged to be designed to accommodate solar energy systems to the extent practical. Roofing materials shall be appropriate to the building architecture.

I. *Screening of Ancillary Uses and Utilities.* Ancillary uses such as outdoor storage areas, trash and recycling areas, loading and unloading areas, service areas, HVAC equipment, and on-site utilities shall be screened to the greatest extent possible from view of public rights-of-way, amenity and public spaces, and adjacent Parcels by a combination of walls, fences, landscaping, or other similar device and be incorporated into the overall site and building design.

Building mounted utilities and equipment shall be screened from view of public rights-of-way, amenity and public spaces, and adjacent properties by a combination of walls, fences, landscaping, or other similar devices, and shall be painted to match the adjacent wall color, when applicable.

Ancillary uses shall be located to the rear of the property or in a way that mitigates their potential impacts on surrounding properties and the public realm. Views of ancillary uses shall be separated from sidewalks and on-site pedestrian ways. Screening structures shall be made of the same materials as the principal structure if not placed behind the building.

Outdoor display and storage areas shall not encroach on any portion of a walkway, drive aisles, required parking spaces, or landscape area unless otherwise authorized by these Guidelines or the ARC.

### **Section 3.3 Landscaping**

A. *Parcel Landscaping.*

The following areas are required to be landscaped:

- Bufferyards
- Plazas and courtyards
- Parking areas using islands/medians/perimeter plantings
- Streetscapes
- Stormwater areas
- Unused portions of a Parcel not already occupied by site features

Minimum landscaping requirements:

- A minimum of one (1) tree per one thousand (1,000) square feet of landscaped area shall be provided, consisting of a minimum of fifty percent (50%) shade/deciduous trees and a minimum of twenty-five percent (25%) coniferous trees.
- A minimum of one (1) shrub per one hundred and fifty (150) square feet of landscaped area shall be provided and must be grouped and distributed throughout the parcel. With ARC approval, trees may be substituted for up to one-half (1/2) of the required shrubs at the rate of one (1) tree per ten (10) shrubs.

Irrigated turf or an alternative as approved by the ARC shall be utilized for active recreation areas, and maintained to appropriate industry standards. Native grass is highly encouraged for areas that will not function as active recreation areas. Native grass must be weed-free and maintained at a maximum height of eight inches (8") following industry standards for establishment timeframes.

A minimum of seventy-five percent (75%) of the landscaped areas shall be covered with live irrigated, lower water consuming ground cover, except for areas where additional hardscape is allowed or an alternative as approved.

Pedestrian walks and other hardscape landscape features and amenities, including outdoor seating areas, plazas with recreation and entertainment areas, water features, public art, and approved permeable pavement may comprise the required landscape areas.

Plazas and courtyards shall include at least three of the following amenity element types:

- Seating at one (1) space per one hundred and fifty (150) square feet of plaza/courtyard area (seating may be provided with chairs and tables, benches, and/or seating walls)
- Trees appropriate for the space planted at (one) 1 tree per seven hundred and fifty (750) square feet of plaza or courtyard area
- Art or creative features (i.e., water features, fire features, interactive features for families and kids)
- Areas and facilities for recreation, entertainment, or educational activities
- Other appropriate amenities or design elements

B. *Streetscape Landscaping.* Perimeter treatment adjacent to roadways should include a landscape buffer of varying widths, with a minimum width of ten feet (10') and a maximum width of twenty feet (20').

A pathway at least six feet (6') in width shall be provided parallel to the street. The pathway shall be designed to provide adequate space for pedestrians, street furniture, outdoor seating areas, landscaping, and other amenities to enhance the pedestrian experience.

A landscape strip ten feet (10') in width shall be planted with at least (one) 1 tree per thirty-five feet (35') of frontage between the street and pedestrian pathway, consisting of seventy-five percent (75%) shade/deciduous trees and twenty-five percent (25%) of other approved species. The landscape strip, where applicable, shall be landscaped with irrigated lower water-consuming grass or other material suitable for the area.

Coniferous/evergreen trees shall be placed a minimum of ten feet (10') off the southern edge of a public street, sidewalk, or trail to minimize winter icing concerns where possible.

C. *Water Conservation.* A minimum of seventy percent (70%) of shrubs or trees shall be classified as very low or low water use. A maximum of ten percent (10%) of shrubs or trees shall be classified as high-water use. Plants with similar water requirements shall be grouped together in the same irrigation zones. Grass turf areas classified as medium or high-water use shall be limited to high use or high visibility areas. Grass varieties listed as low water use may be used without limitation.

### **Section 3.4 Lighting.**

The style of lights on a Parcel shall be consistent with the style and character of the architecture of the building(s) proposed for or constructed on the Parcel. Light fixtures that illuminate signage shall be compatible with the architecture of the building on which they are placed. Mercury vapor lamps are not permitted.

Light sources shall be concealed or shielded to the extent feasible to minimize potential glare on adjacent Parcels. All lights shall be directed downward, and the light source shall be equipped with cut-off devices so as not to be visible from any adjacent Parcel. Reflector lights are preferred. Accent and flagpole lighting may be permitted to be directed upward as long as the light source is shielded and not visible from any adjacent Parcel. Globe lights are not permitted. Light fixtures installed under canopies, awnings, overhangs, and the like shall be fully recessed. All lighting shall be designed to reduce or eliminate light pollution.

Light fixtures shall be mounted on concrete, fiberglass, or painted metal poles no higher than twenty-five (25) feet from the ground. Lighting mounted on a building or structure shall not exceed the height of the building or structure. Bollard-type lighting fixtures shall be between thirty-two inches (32") and forty-seven inches (47") high.



### **Section 3.5 Signs.**

A. *Entry Signs.* Entry signage shall be high-quality, ground-mounted signs and/or monumentation.

B. *Building Mounted Signs.* Signs on buildings shall be limited to no more than ten percent (10%) of the wall to which they are attached, up to a maximum of one hundred and fifty (150) square feet per individual sign, with no limit on the number of such signs.

C. *Free Standing and Banner Signs.* Freestanding signs are limited to no more than seventy-five (75) square feet in area, unless the height of the sign is ten feet (10') or less, in which case the area is limited to one hundred and eighty (180) square feet. Banner signs not attached to walls shall be limited to no more than six feet (6') in height, and shall be limited to no more than forty (40) square feet.

D. *Temporary Signs.* No more than two temporary signs attached to a building and no more than two free standing temporary signs may be displayed on a Parcel at any time. Temporary signs attached to a building are limited to no more than twenty (20) square feet in area. Free standing temporary signs are limited to no more than forty (40) square feet in area. Temporary signs may include:

- Real estate signs, including for sale or for rent signs
- Seasonal signs
- Sale or promotional signs

E. *Prohibited Signs.* The following signs are prohibited with in the Commercial Park:

- Animated or flashing signs
- Signs with exposed light sources
- Roof signs
- Hand-lettered signs
- Paper or cardboard signs attached to or temporarily placed within windows of buildings and/or affixed to the exterior or interior of doors
- Inflatable features