

Elkhorn Ridge Golf Estates

Homeowners Association

*Architectural
Standards Manual*

Elkhorn Ridge Golf Estates

Homeowners Association 10/1/2019, Revised 6/15/2023

Elkhorn Ridge Golf Estates Homeowners Association

Architectural Standards Manual

Established October 1, 2019

Revised June 15, 2023

INTRODUCTION.....	4
ARCHITECTURAL STANDARDS POLICY.....	5
ARCHITECTURAL REVIEW PROCEDURES.....	5
NEW CONSTRUCTION, ADDITIONS, ALTERATIONS & LANDSCAPING.....	5
Design Approval.....	6
New Construction (Form A).....	6
Landscaping (Form B).....	6
Additions or Alterations (Form C)	6
Examples of Additions.....	6
Examples of Alterations.....	6
SUBMISSION OF PLANS FOR APPROVALS.....	6
Property Pins.....	6
Submittal of Plans to the ARC.....	7
Submittal of Plans to the City of Spearfish.....	7
Project Completion Time Limits.....	7-8
Landscape Plan Review.....	8
Review.....	8-9
Variances.....	9
Appeal.....	9
FINES FOR NONCOMPLIANCE TO THE ARC MANUAL.....	9
Construction without the Required Submittals and Approvals.....	9
Violation of Regulations.....	10
ARC Directed Maintenance of Any Lot.....	10
CONSTRUCTION SITE MAINTENANCE STANDARDS.....	10
Site Maintenance Standards.....	10-11
Worker Conduct.....	11
BUILDING CONSTRUCTION STANDARDS.....	11
Building Setbacks.....	11
Chimneys.....	11
Drainage and Grading.....	11
Driveways.....	12
Exterior Colors.....	12
Exterior Materials.....	12
Front Porches.....	12

Garages.....	12-13
Lighting.....	13
Roofs.....	13
Windows.....	13
SITE ADDITION(S) STANDARDS.....	13
Fire Pits.....	13
Flagpoles.....	13
Satellite Dishes.....	13-14
Signs.....	14
Swimming Pools.....	14
DISALLOWED SITE ADDITION(S) STANDARDS.....	14
Fences.....	14
Sports Courts.....	14
Storage Buildings.....	14
Window Air Conditioning Units.....	14
LANDSCAPING AND OPEN SPACE STANDARDS.....	14-15
General.....	15
Landscaping.....	15
Lawns.....	15
Irrigation.....	15
Rock Mulch/Boulders.....	15
Terraced Areas	15
Temporary Fencing.....	16
Street Front Improvements.....	16
Landscape Changes.....	16
GENERAL SUBDIVISION STANDARDS.....	16
Residential Use.....	16
Home Rental.....	17
Games and Play Structures.....	17
Refuse and Storage Areas.....	17
Storage Tanks.....	17
Temporary Improvements.....	17
Utility Service.....	17-18
LANDSCAPE & GROUNDS MAINTENANCE STANDARDS.....	18
Mowing, Trimming, weed control, snow removal	18

INTRODUCTION

The Declaration of Restrictions Easements and Covenants to Run with the Land for Elkhorn Ridge Golf Estates recorded as Doc. No. 2020-06469 in the Lawrence County Register of Deed's Offices on October 14, 2020 (herein referred to as "Covenants") requires the Board of the Elkhorn Ridge Golf Estates Home Owners Association (herein referred to as "The Board"), to create an Architectural Review Committee (herein referred to as "ARC"). This Manual adopted by the HOA Board shall serve as the guide for architectural and landscape submittals and reviews. The Board may amend this Manual as frequently and substantively as it, in its sole discretion, deems appropriate.

The purpose of the Manual is to assure each homeowner that Elkhorn Ridge Golf Estates is and will remain a community of quality, custom-built homes, buildings and grounds that are of tasteful and aesthetically pleasing architectural design; constructed with long-lasting materials and high construction standards; that are harmonious with surrounding structures and topography; and have landscaping and other site improvements consistent with the aesthetic quality of Elkhorn Ridge Golf Estates as a whole.

These Architectural Standards apply to properties within Elkhorn Ridge Golf Estates, including single family, multi-family, apartments and commercial properties. Said Standards apply to properties within the boundaries as defined in the Elkhorn Ridge Golf Estates Covenants.

Please note that any plans by a Homeowner/Builder for any external construction, painting (even the same color) or landscaping must be submitted to the ARC for approval before work begins.

Homeowners/Builders are advised that the Covenants have granted to the ARC broad discretionary powers regarding the remedy or removal of any non-complying external improvement constructed within Elkhorn Ridge Golf Estates. In this regard, if the ARC finds that any improvement was not performed or constructed in compliance with the submittals receiving final approval or were not submitted for approval, the Board may remedy or remove the non-complying improvement and charge the action to the Homeowner/Builder.

ARCHITECTURAL STANDARDS POLICY

Elkhorn Ridge Golf Estates Home Owners Association (HOA) Board of Directors has authorized the ARC to develop and begin implementing the following policy:
All non-complying architectural matters shall be reviewed, included in and made a part of the approval process whenever requests are submitted to the ARC for architectural improvements or modifications.

This Manual has been prepared by the ARC, and approved by the HOA Board and the golf course management, as a guideline for Homeowners/Builders in their selection of concepts for construction within the community of Elkhorn Ridge Golf Estates. It does not include all building, use, and other deed restrictions associated with Elkhorn Ridge Golf Estates. *Thus, each Homeowner shall become familiar with the provisions of the Covenants; and, the rules and regulations of the Association.*

ARCHITECTURAL REVIEW PROCEDURES

General: The intent of reviewing proposed home, property, and landscape construction or redesign from its previously approved design construction is to provide and maintain the overall design integrity and harmony in the community. Thorough and timely submission of plans and information, as well as adherence to the design standards set forth in this Manual, will prevent delays. The ARC will decide questions concerning the interpretation. The ARC, in advance of commencing construction, must approve all variances from the Architectural Standards Manual.

NEW CONSTRUCTION, ADDITIONS, ALTERATIONS AND LANDSCAPING

All work on any given lot must be submitted to the ARC prior to commencement of work. The Homeowner/Builder/Landscaper shall complete, sign and date the ARC provided form affiliated with the below requirements.

Design Approval: No new construction, alteration, or addition to any existing home or structure or site improvement shall be made on any property until the plans and specifications showing the proposed design, nature, kind, shape, size, color, materials, and location of same shall have been submitted to and shall have received Final Design Approval by the ARC. After the ARC approval, please ensure you and your contractor have received all necessary building permits from The City of Spearfish, SD (herein referred to as City) before any construction and/or structural alteration commences. Please see Project Completion Time Limits section on page 6 section A of the By Laws.

New Construction (Form A): New construction is defined as any residential (single, multi-family, apartment, or commercial) structure intended to be built on any vacant lot within Elkhorn Ridge Golf Estates.

Landscaping (Form B): Landscaping plans/concepts must be submitted 30 days prior to completion of any structure.

Additions or Alterations (Form C): An addition or alteration to an existing home is defined as any change, modification, alteration, painting or other such work to an existing home or property that can be seen from any side of the exterior, including landscape alterations. Landscape changes cannot impact the City approved grade; involve the removal or installation of large trees, hedges or landscapes without ARC review.

In the event of damaged, diseased, or perished plant materials, the property owner is required to replace said plants as soon as possible. ARC approval is not needed if the replacement vegetation is of the same variety. Different variety requires permission.

A. Examples of Additions - Includes but not limited to deck additions or expansions, screened porch addition on new or existing decks, sunrooms, fountains or ponds of any kind, hot tubs, arbors, site walls, porches or stoops, stairs/steps, patios, privacy screening, any room addition/extension including garages, or fireplace additions that require a chimney. Finishing space in a basement does not require a submittal unless windows or exterior doors are changed or added as part of the project.

B. Examples of Alterations Includes, but may not be limited to, landscape changes, exterior repainting, residing, and re-roofing or roofing material. Installation of seasonal color to planting beds does not require a plan submittal.

SUBMISSION OF PLANS FOR APPROVAL

Once an applicant is ready to begin construction, the following steps need to occur:

A. Property Pins

The Homeowner/Builder shall mark all property pins with wood lath and flagging. In the event property pins cannot be located, the Builder will have a licensed surveyor mark the pins. At the discretion of the ARC, a rough stake out of the proposed New Construction or Addition/Alteration may be required prior to rendering Final Approval on any matter relating to the submittal.

B. Submittal of Plans to the ARC

The Homeowner/Builder shall contact the ARC for review of plan submissions before acquisition of materials, and, at least two weeks prior to requesting a building permit from the City. This simple step will aid the Homeowner/Builder in obtaining approvals in a timely fashion. At a minimum, plans are to contain sufficient information to graphically portray the proposed new construction, addition or alteration so that the ARC can perform a review of the submittal without visiting the home site. Plans shall be submitted in “pdf” format with square footage noted; and, include the following, if applicable:

- Floor Plans and Foundation Plan at a minimum scale of 1/4" = 1'.
- Exterior Elevations at a minimum scale of 1/4" = 1'.
- Site Plan at a minimum scale of 1" = 20'.
- Exterior of a new build construction – submit color chips of the proposed siding, trim, roofing, masonry, and doors.
- A landscape plan is to be submitted 30 days prior to occupancy at a minimum scale of 1" = 20'.
- Repainting of the exterior of an existing home - submit color chips of the proposed color(s) plus a color photograph of the home showing current color(s).

C: Submittal of Plans to the City of Spearfish

Once approved, the ARC will forward the “New Construction on a Vacant Lot” form to the City and copy the Homeowner/Builder. Upon receipt of approval from the ARC, the Homeowner/Builder will submit their plans to the City per municipal requirements for receipt of a building permit before commencing any construction on the lot.

Any requests for construction, improvements or additions within the 30’ golf course easement will require submission by the ARC to Golf Course Management for inclusion of the review and approval process.

Project Completion Time Limits: A lot owner shall begin construction within two years from date of purchase. Construction plans shall be submitted to the ARC prior to submittal to the City. The property owner shall agree to the following:

- A. Upon receipt of approval from the ARC, submit plans to the City, per their requirements, for receipt of a building permit.

B. Once approved, construction shall begin within the timeframe designated by the City.

C. An approved project shall be substantially finished within 12 months and completed within 18 months from the start date as noted on the final plan. For any project that goes beyond the noted dates, the Homeowner/Builder shall provide in writing to the ARC the reason(s) for delay and a new estimated completion date. This includes weather or any situation that may be beyond the control of the Homeowner/Builder that prevents the start and/or completion of the project.

D. Any Homeowner/Builder who fails to comply with these rules or cannot provide a reasonable explanation for the delay or a revised estimated completion date may be subject to fines and/or be required to restore the property back to its original condition.

E. The Homeowner/Builder shall provide the ARC with the name, address and phone number of the general contractor accountable for the project.

F. The Homeowner/Builder shall notify the ARC once the project is complete.

G. Lots with no set date for construction shall be maintained in a manner acceptable to the ARC and golf course management. They shall be kept free of all trash, weeds, debris, and building materials, and equipment of any nature. During summer months, the lot owner will keep the entire property mowed. Per Covenants Section 2.5, lots will be maintained free of noxious weeds whether or not the lot is occupied. Construction equipment or materials are not permitted on site until a building permit has been issued by the City. Sidwalks are to remain free of any and all obstructions in order for pedestrian use.

Landscape Plan Review: Landscape Plans/Concepts will be reviewed for appropriate use of plant material, utilization of natural site features and impact on neighboring lots. Plant sizes and quantity, as well as general appearance of the design scheme shall be considered. Drought and deer resistant plant materials are encouraged (a listing can be obtained from most local nurseries). All turf grass and landscaped areas shall include an underground, automated irrigation system.

Review: The ARC shall have the right to enter upon and inspect any property (*exterior only*) at any time before, during, or after the completion of work for which approval is required under this Manual. Upon completion of construction, a Homeowner/Builder shall give notice to the ARC that the construction and/or landscape installation is complete.

Any damaged concrete (sidewalks, curbing) will require replacement by the Builder. The lot will be free and clear of all construction materials, dirt, rock, etc and rough grade of the lot. If a speculation build, the builder will provide the name of the buyer to the ARC upon closing. Upon final review (exterior structure and landscaping only), if it is determined the construction was completed in compliance with the plans and specifications submitted for approval, the ARC will determine the project completed.

Variances: Please note the ARC cannot grant a variance to any requirement set by the City or ERGE Covenants. A request for a variance to the Architectural Standards Manual may be submitted to the ARC for hardships or unique situations that are not self-imposed or that will enhance the project. If the variance is approved by the ARC, the work may commence. If the variance is not approved, the applicant may request a hearing before the HOA Board to appeal the decision (see Appeal process below). Noncompliance with the variance, appeal and the standards set forth in this manual will result in work site closure, possible fines, and removal of completed work.

APPEAL

If an application for approval has been denied; or if an approval is subject to conditions, which a Homeowner/Builder feels are unreasonable or unwarranted; or, if there are disputes to any other matter related to the decisions of the ARC, the Homeowner/Builder may request a hearing before the HOA's Board of Directors. At the hearing, the Homeowner/Builder and ARC will be allowed to present their position on the matter and make requests or recommendations as to an alternative action. After the hearing, the HOA will review the information presented and notify the ARC and Homeowner/Builder in writing within one week of its final decision on the hearing. The decision of the HOA regarding the matter shall be final.

FINES FOR NONCOMPLIANCE TO THE ARC MANUAL

Construction without the Required Submittals and Approvals: Homeowners/Builders who commence or continue with new construction, additions, alternations or landscaping to a home or property without the required submittals and approvals as listed herein will be subject to a \$500 fine. Upon identification by the ARC that construction has commenced or has continued without the required authorizations and approvals, the Homeowner/Builder will receive a letter from the ARC requesting immediate corrective actions; and, the contractors and subcontractors will be denied access to the community until resolution. If corrective actions are not taken within a specified time period, a second letter will be sent requesting corrective action and establishing a fine of an additional **\$1,000**.

Violation of Regulations: Homeowners/Builders, who have been determined by the ARC to have violated the regulations established herein and approved by the Board of Directors, will receive a letter from the ARC identifying the nature of the violation and requesting correction of that violation within a specified amount of time. If corrective measures, which are satisfactory to the ARC, are not taken within the initially specified time period, a second letter will be sent which will establish a fine of up to **\$50.00** per day until the specific violation has been corrected.

ARC Directed Maintenance of Any Lot: If at any time the condition of any lot is determined to not meet community standards, and reasonable efforts have been expended to have the lot owner correct such conditions are unsuccessful, the ARC will request that the Board authorize reasonable maintenance and invoice the lot owner **150%** of the maintenance costs incurred as a fine.

CONSTRUCTION SITE MAINTENANCE STANDARDS

Site Maintenance Standards: Homeowners/Builders shall be held responsible for the maintenance of the construction site. Violations of the Construction Site Maintenance Standards can result in fines and/or costs incurred by the Board to correct such violations. In this regard, the Homeowner/Builder shall be responsible for the following:

- A. Ensure that the construction site is kept reasonably clean and free of debris and waste materials. Stockpiles of unused materials are to be kept in a neat and orderly fashion.
- B. Trash is to be retained in a refuse container. Once filled, it must be promptly emptied or removed. Said materials are to be secured or covered to prevent wind scatter.
- C. No dumpster may be located on a street.
- D. Burning of trash or waste materials is prohibited.
- E. Contractor's vehicles are not to be left on the streets overnight and may be towed, at the owner's expense.
- F. Port-a-Potties are required during home construction and are to be promptly removed upon completion.

G. The homeowner/builder is responsible for providing erosion barriers surrounding the entire lot during construction.

COMMUNITY ETIQUETTE

Workers Conduct: Homeowners/Builders shall be held responsible for the acts of their employees, sub-contractors, suppliers and other persons or parties involved in construction or alteration of a home-site. In this regard, a Homeowner/Builder shall be responsible for the following:

- A. Prohibiting the consumption of alcoholic beverages, illegal drugs or other intoxicants that could hamper the safety or well-being of others on the job site or within the community; or, affect the quality of workmanship.
- B. Assuring that all site personnel do not commit any violation of the rules and regulations of the Association.
- C. Contractor's employees or their sub-contractors are not allowed to trespass on adjacent occupied property for any reason (includes taking water and electricity without the property owner's permission).

BUILDING CONSTRUCTION STANDARDS

Building Setbacks: Building setback lines (including eaves, overhangs, and cantilevers) shall meet or exceed the minimum setback requirements established by the City on the date of issuance of the Building Permit.

Chimneys: Any exposed portion of a chimney outside of the building shall be constructed solely of a Hardie board type product, brick, stone, or stucco and shall be built to grade.

Drainage and Grading: No ditches, cuts, swales, streams, impoundments, ponds, or lakes; no mounds, knobs, dams, or hills; nor other physical improvements or elements of the landscape or terrain which control or determine the location or flow of surface water and drainage patterns may be created, destroyed, altered or modified without the prior approval by the City. Special attention shall be given to proper site surface drainage, so that surface waters will not interfere with surrounding homes and natural drainage flows. Paved areas shall be designed to allow surface water to drain naturally and not allow water to collect or stand. Neither the ARC nor the HOA are in any way accountable for review of drainage concerns before or after construction. The Homeowner and/or Builder are

accountable for all drainage concerns or resultant damages to adjacent properties as a result thereof.

Driveways: Garages, curb cuts, and the driveway to a garage shall be planned and executed in an attractive and functional manner and shall consider the location of existing trees, topography, streetscape and compatibility with surrounding improvements. All homes shall have a concrete driveway aligned with the full width of the garage entries, and no closer than three (3) feet from the side property line. All driveway approaches shall be concrete, extending 25 feet from city sidewalk and 25 feet from front of the house. When curbs are required to be broken for driveway entrances, the curb shall be replaced by the Homeowner/Builder in an orderly and timely fashion in such a way as to be acceptable to the ARC and City requirements. Access to golf cart doors must be of concrete or a suitable solid foundation. Gravel is not allowed.

Exterior Colors: Finish colors shall be applied consistently to all sides of the buildings. Color selections shall be harmonious with each other, the natural surroundings, and adjacent properties. Architectural interest to the front of the house, via use of several siding styles and/or colors is encouraged.

Exterior Materials: Recommended materials shall be Hardie board type siding, wood products, brick, stone (natural or cultured) and stucco. A combination of these materials may be used to add architectural interest to a structure. No vinyl or aluminum siding shall be permitted. Fascia, soffit, gutters and downspouts shall blend in and be directly compatible with the architectural detail of the exterior walls.

Front Porches: Per Covenants Section 9.2.a., covered front porches are encouraged.

Garages: All residential dwellings shall include:

- A. A garage adequate to house two (2), but not more than four (4) large size automobiles and shall include adequate space for storage (*a minimum 22' X 22' per covenants sec 9.1.d*).
- B. Garage doors shall be at a minimum width of eight (8) feet for each automobile and operated by automatic door openers.
- C. When more than two garage doors are planned, it is recommended that the 3rd garage door on the outside be offset a minimum of two (2) feet from the other garage doors. (*revised 6.15.2023*)

D. The color of the garage door(s) shall be compatible with the color of other exterior finishes of the home.

E. All garage doors, automatic door openers, and service doors shall be maintained in useful working condition and kept closed when not in use.

F. No garage shall be converted to other usage without the substitution of another garage.

Lighting: All exterior lighting shall be consistent with the character established in Elkhorn Ridge Golf Estates and be sufficient for safety, identification, and decoration. Exterior lighting of buildings for security and/or decoration shall adhere to “protecting the night sky” principles.

Seasonal Christmas lighting and/or decorations shall be removed by January 31st

Roofs: (*revised 6.15.2023*) Steep pitch and elaborate rooflines are encouraged (per Covenants Section 9.2.a). Flat roofs shall not be permitted on the main portion of the structure. The composition of all pitched roofs are recommended to be architectural dimensional shingle, concrete, slate, tile, or other composition approved by the ARC. An 8/12 slope for pitched roofs is the standard. However, as varying roof pitches add interest to overall appearance of the structure and the community, a variance will be considered provided homes are deemed harmonious to the site location and surrounding homes. Any variance is subject to ARC approval.

Windows: Reflective glass or film is not permitted on the street side of a home. All reflective glass or film used on side or rear windows, must be approved by the ARC.

SITE ADDITION(S) STANDARDS

Fire Pits: ARC approval is required for all outdoor fireplaces or fire pits (per Covenants Section 1.8) and the location thereof.

Flagpoles: Erection of a flagpole requires approval by the ARC. Flagpoles will have a height limitation of twenty feet. Only display of a U.S., State or Military flag is allowed with the exception of “game day only” when a school or sport team banner may be displayed. All flags must be taken down at dusk unless properly illuminated. At the time of home sale, the property owner will remove the flagpole.

Satellite Dishes: Any satellite dish that is less than one meter (39.37 inches) in diameter is allowed in Elkhorn Ridge Golf Estates, but must be approved by the ARC. The ARC requires all satellite dishes to be placed at the side or rear of a home. Landscape screening,

painting, or other means of camouflage may be required to minimize the visual effect on the community. At the time of home sale, the property owner will have the satellite dish removed.

Signs: No signs of any kind are allowed on a home site unless otherwise mentioned under Section 1.5 of the Covenants. For a limited-time basis, one (1) professionally printed sign no more than four (4) sq.ft. temporarily advertising the realtor, builder, and/or subcontractor are allowed until such time services rendered are complete.

Swimming Pools: Above ground swimming pools are not permitted, with the exception of small temporary splash pools for children. These are to be drained and stored in the garage when not in use, or at the end of the day. In-ground pools, including lap pools, shall not be constructed in front or side yards; and, they require ARC approval. Such an addition would require a variance to the Covenants and the Architectural Standards Manual, since fencing would be needed and is not allowed

DISALLOWED SITE ADDITION(S) STANDARDS

Fences: No above ground or visible perimeter fencing shall be constructed on a residential lot (Per Section 1.9 of Covenants).

Sports Courts: Court surfaces (e.g. basketball, tennis, pickle ball, volleyball) are not allowed on any given home site.

Storage Buildings: No outbuildings of any kind are allowed on a residential lot (Per Section 2.1.c. of Covenants).

Vegetable Gardens and Compost: Garden plots and/or beds, as well as composting, are not allowed on individual lots within the subdivision. ERGE has garden plots available for rent each year that includes water, fencing, a compost area, etc.

Window Air Conditioning Units: No window air conditioning units shall be permitted.

LANDSCAPING AND OPEN SPACE STANDARDS

General: A home site shall be landscaped according to plans or concepts submitted to and approved by the ARC. All plantings of any kind; e.g. trees, shrubs, grass as well as rock/bark mulch or other approved mulch shall be kept maintained, properly cultivated,

and free of weeds, trash and other unsightly material.

Landscaping: *(revised 6.15.2023)* Foundation landscape plants shall be provided adjacent to the front of the house. Any area not planted to turf grass; trees, shrubs, and perennials (or any combination thereof) are to be used. The following recommendation is provided for minimum plantings to be located primarily within the areas of bark/rock/mulch/edging:

- 1) Two perennial/grasses or small shrubs (<than 3 ft. width at maturity) for every 50 sq. ft. of rock/bark mulch / min. 1 gal. size
- 2) One large shrub (> than 3 ft. width at maturity) for every 50 sq. ft. of rock/bark mulch / min. 1 gal. size
- 3) One tree for every 300 sq. ft. of rock/bark mulch / min. 1 inch caliber for deciduous and min. 3 ft. spread for evergreens. *(revised 6.15.2023)*

At the time of plan submission, the Homeowner/Builder shall provide the landscape calculations for ARC review.

Yards containing 100% rock/mulch are not allowed. Rock/bark mulch can only be used for landscape planting areas. These areas cannot be used for storage or parking purposes.

It is recommended, at a minimum, at least one tree, either conifer or deciduous, be planted in each front yard.

Lawns: *(revised 6.15.2023)* It is required that all areas within the property not covered with a residence, pavement, sidewalk, or patio will have 66% of the available area planted to turf grass of a suitable variety along with the appropriate irrigation system. Creating curb appeal that enhances our mountain aura is the goal and creating eye-catching focal points can be used to lower the percentage of turf grass needed, but the percentage of turf grass cannot be reduced to less than 50% of the total area available for landscaping.

Native natural grass areas shall be allowed in the backyard only, as long as a minimum 30 ft. deep landscaped area is provided adjacent to the house the entire width of the lot.

Irrigation: All turf grass and landscaped areas shall be provided with an underground irrigation/sprinkler system, at the time of the project is installed.

Rock mulch and boulders *(revised 6.15.2023)*

A mix of rocks in various sizes is both attractive and functional. Small rocks not only work with the natural look of landscaping with rocks, but they also help to prevent the large boulders from settling or shifting out of place. Landscaping with boulders has become a good way for homeowners to add curb appeal to their yards. Big rocks can be tucked into garden beds or used on their own to create that eye-catching focal point.

Rock mulch is allowed on border areas, and around utility boxes. Appropriate weed barriers must be used under the rock and weed mitigation must be employed to keep the area clean and presentable.

All areas within each property not covered with pavement, residence, turf grass or groundcover shall be covered with landscape plants and mulched, either with wood chip/bark mulch or decorative aggregate rock mulch. “Quarry rock” mulch will require consideration from the ARC depending on the overall size and location on the property.

Proper weed control barriers are required underneath any mulch material. Weed control barriers do not mitigate weeds altogether; thus, the homeowner is responsible for keeping these areas weed free.

Terraced areas *(revised 6.15.2023)*

Some lots need to be terraced to affect run off. The flat area on top of the terraced area can have different types of ground cover depending on the type of irrigation system that can be installed. If the terraced area is small - i.e. < 2' in depth, colorful ground cover is preferred especially if getting a mower to that area is difficult.

Temporary Fencing *(revised 6.15.2023)*

Temporary fencing around new plantings to prevent animal damage is allowed until which time the tree/plant is viable enough to survive. Temporary fencing around trees and shrubs is allowed between the months of November through April **for established plantings**.

Street Front Improvements: The area between the street curb and sidewalk shall be: a) irrigated and landscaped/sod, or b) maintained with weed barrier and rock mulch.

Landscape Changes: All major alterations, changes, or modifications, to the initially approved landscape plan, must be submitted to and approved by the ARC.

GENERAL SUBDIVISION STANDARDS

Residential Use: Property may be used only for residential housing purposes. No business, occupation, or profession may be conducted on a property or within a home if such business creates regular employee or customer traffic. Employee traffic includes but is not limited to any individual receiving compensation for services rendered to, or for, such business. Customer traffic includes but is not limited to customers, clients, patients, or students. Vehicles attendant to any business shall not be parked on any street for longer than one hour in any 24-hour period.

Home Rental: If a resident elects to rent their home during any large event in the Black Hills community, they shall limit the time of stay to two weeks or less. Overnight parking on the public right-of-way is not allowed. If sufficient parking is not available in the garage and/or driveway, the resident will assist the renter(s) with obtaining off-site space. Given this is a residential subdivision; “quiet time” is expected between the hours of 10:00pm to 7:00am. A homeowner will be assessed a **\$50.00** per day fine, in the event their renter impacts the neighborhood in an adverse fashion, during their stay. Use of a residence within the Elkhorn Ridge Golf Estates subdivision as an ongoing Airbnb, a bed and breakfast, etc. is not allowed.

Game and Play Structures: All basketball goals and any other fixed games or play structures are subject to approval by the ARC. All basketball backboards must be clear acrylic (glass-like) and the metal pole painted black. All fixed games and play structures, i.e., swing sets, slides, trampolines, sandboxes, etc., must be located behind the home within the property setbacks. Landscape screening shall be provided and ARC approval is required. No play structure, basketball goal or hardscape surface for such may be placed within five feet of any property line. Play structures are only approved to the current homeowner and are to be well maintained. Play structures no longer in use or that have deteriorated shall be removed. At the time an occupant chooses to sell subject home, all game and play structures are to be removed from the lot at the time of sale, unless the buyer wishes to retain.

Refuse and Storage Areas: Garbage and refuse containers shall be concealed within the garage, at all times; and, left outside and in view only on the day of scheduled collection. Storage buildings and screening walls for such purpose are no allowed.

Storage Tanks: No storage tanks, including but not limited to those used for storage of water, gasoline, propane, oil, or other liquid or any kind, shall be permitted outside a building except as approved by the ARC.

Temporary Improvements: No temporary building or structure shall be permitted on any property except portable construction trailers, dumpsters, port-a-potties, barricades and the like determined to be necessary during the construction of a permanent improvement. They shall be removed not later than fourteen (14) days after the date of completion of the construction.

Utility Service: No lines, wires or other devices for communication purposes, including telephones, television, data and radio signals, or for transmission of electric current or energy, shall be constructed or placed on any property unless the same shall be in or by conduits or cables constructed, placed and maintained underground or concealed in, under or on buildings, or other approved improvement. In addition, all gas, water, sewer, oil, and

other pipes for gas or liquid transmission shall also be placed underground or within or under buildings. Nothing herein shall be deemed to forbid the erection and use of temporary power or telephone services incident to the construction of approved improvements.

LANDSCAPE & GROUNDS MAINTENANCE STANDARDS

Homeowners shall maintain home site in accordance to the following standards:

A. Mow, weed and fertilize grass areas to maintain a manicured appearance commensurate with prevailing community standards. Any areas adjacent to the golf course property left “natural” shall be kept free of invasive weeds, as well, according to Elkhorn Ridge Golf Resort, and city/county standards.

B. Edge turf including bed lines and curbs during the growing season.

C. Remove weeds from all bark or rock mulch and planting areas. Maintain sidewalks free of snow, mud, weeds, and debris of any kind.

D. Mulch all non-turf areas with materials such as decorative bark/rock mulch. Bark mulch is not permitted along city curbs or sidewalks.

E. Remove dead or diseased shrubs and trees promptly. Replace as needed to maintain the approved landscape plan.

F. Water turf adequately to maintain sufficient turf health. Some species of turf grass require less water than others and will react accordingly in hot, dry weather.

G. Adequate weed control (mechanical, chemical or otherwise) shall be applied to maintain an acceptable threshold of unwanted weeds. Fertilize only as needed to maintain healthy turf grass and suppress invasive weeds and turf diseases.

H. Keep all grass clippings, wood/rock mulch from scattering on to sidewalks, adjacent properties or into the streets or storm drains. Keep storm drains adjacent to home site free and clear of debris.

G. SNOW - Per City ordinance, snow is to be removed from all public walk areas on your property within 24- 48 hours after snowfall subsides.