

**RESOLUTION  
OF THE  
TRES VALLES WEST OWNERS ASSOCIATION  
REGARDING RENEWABLE ENERGY GENERATION DEVICES  
AND ENERGY EFFICIENCY MEASURES**

SUBJECT: Adoption of a policy regarding Renewable Energy Generation Devices and Energy Efficiency Measures.

PURPOSE: To adopt a policy regarding the installation and regulation of Renewable Energy Generation Devices and Energy Efficiency Measures.

AUTHORITY: The Declaration, Articles and Bylaws of the Association and Colorado law.

EFFECTIVE  
DATE: August 6, 2016

RESOLUTION: The Association hereby adopts the following Policy, which shall supersede and control any portion of any policy previously adopted by the Association in the event same contains provisions contrary to the provisions set forth below:

1. Definitions.

a. "Renewable Energy Generation Device" means:

- (i) A solar collector or other device or a structural design feature of a structure which provides for the collection of sunlight and which comprises part of a system for the conversion of the sun's radiant energy into thermal, chemical, mechanical, or electrical energy; or
- (ii) A wind-electric generator that meets the interconnection standards established in rules promulgated by the Public Utilities Commission pursuant to C.R.S. 40-2-124.

b. "Energy Efficiency Measure" means a device or structure that reduces the amount of energy derived from fossil fuels that is consumed by a resident or business located on real property, and is further limited to include only the following types of devices or structures:

- (i) An awning, shutter, trellis, ramada, or other shade structure that is marketed for the purpose of reducing energy consumption;
- (ii) A garage or attic fan and any associated vents or louvers;
- (iii) An evaporative cooler;

- (iv) An energy-efficient outdoor lighting device, including without limitation a light fixture containing a coiled or straight fluorescent light bulb, and any solar recharging panel, motion detector, or other equipment connected to the lighting device; and
- (v) A retractable clothesline.

2. Renewable Energy Generation Devices. Regardless of any provision in the Declaration, Bylaws, Articles of Incorporation, Rules and Regulations, or Design Guidelines, pursuant to Colorado law, Renewable Energy Generation Devices may be approved by the Board Architectural Committee subject to the following:

- a. Wind-electric generators may not be taller than the roof ridgeline height of the structures on the lot on which they are, regardless of the elevation or grade of the ground on which the wind-electric generators are located.
- b. Wind-electric generators shall be in an inconspicuous location and no more than 30 feet from the residence.
- c. Wind-electric generators and any associated equipment or installation shall be painted a natural, subdued color compatible with the landscape setting and any existing structures on the lot.
- d. A wind-electric generator shall not be approved if the sound expected to be created by it will interfere with the use and enjoyment of residents of lots situated near the wind-electric generator. If a wind-electric generator is approved and installed, and it is subsequently determined by the Board of Directors that the sound created by it does interfere with the use and enjoyment of residents of lots situated near the wind-electric generator, then the wind-electric generator must (at the wind-electric generator owner's cost and expense) either (i) be operated so as to not cause such interference, or (ii) be dismantled and properly removed from TVW.
- e. Solar collectors shall be placed in a location on the lot so as to minimize their visibility from adjacent lots and, if installed on the roof of a structure, shall be integrated into the design of the roof. Solar collectors shall not be located more than 30 feet from the residence.
- f. Roof mounted solar collectors shall be mounted parallel to the roof deck and at the minimal reasonable height level above the roof. Solar collection devices shall be low profile and black or solar bronze in color. No portion of the device shall extend above the existing roof ridgeline.
- g. Roof mounted solar collectors shall in an inconspicuous location.
- h. Any solar tiles installed must closely match the color of the existing roof.
- i. Solar water heating devices and other affixed solar collection devices shall have all plumbing equipment, hoses, wires, cables, pipes and any other associated installations and equipment covered, painted, routed and installed so as to minimize their aesthetic impact. No portion of such equipment shall extend above the roof ridgeline, and all such equipment shall be in an inconspicuous location.

- j. All ground mounted solar collectors shall be integrated into the existing landscaping system and shall be the minimum reasonable height and size. Ground mounted solar collectors shall be in an inconspicuous location.
- k. All Renewable Energy Generation Devices shall be installed according to any applicable safety requirements as required by any applicable building code or recognized electrical safety standard for the protection of persons or property. Likewise, all rules and regulations of applicable local governmental authorities shall apply. In the event that the local zoning or building regulations do not allow the installation of a particular Renewable Energy Generation Device, the Association shall likewise disallow same.
- l. The Architectural Review Committee shall also consider other aesthetic aspects of any Renewable Energy Generation Device related to the dimensions, placement, or external appearance to ensure that any such Renewable Energy Generation Device complies with any applicable restrictions contained in the Declaration or Design Guidelines. Such consideration shall include the approval or disapproval of color.
- m. Notwithstanding the above, no restriction or criteria placed on Renewable Energy Generation Devices by the Association may significantly increase the cost of the device or significantly decrease its performance. In the event it is determined that any such restriction or criteria significantly increases the cost of the device or significantly decreases its performance, the Association shall reasonably alter such criteria or deviate from same on a case-by-case basis.

3. Energy Efficiency Measures. Regardless of any provision in the Declaration, Bylaws, Articles of Incorporation, Rules and Regulations, or Design Guidelines, pursuant to Colorado law, Energy Efficiency Measures may be approved by the Board Architectural Committee subject to the following:

- a. Awnings, shutters, trellises, ramadas, or other shade structures shall be constructed of natural materials in subdued colors to blend with the colors of the natural landscape. Awnings, shutters, trellises, ramadas, or other shade structures shall also be compatible with the structure to which they are attached. If it is an outside mount, it is limited to one shade per window.
- b. Vents or louvers associated with a garage or attic fan shall be installed in an inconspicuous location and shall be painted to match the color of the roof. Powered vents shall be limited to a size that is 2.5 times the size of any non-powered vent being replaced and shall not be installed so as to extend above the roof ridgeline.
- c. Evaporative coolers shall be in an inconspicuous location. No such unit shall exceed four (4') feet in height. Any associated ductwork shall enter the residence on the first level and shall be painted to match the shingles.
- d. Energy-efficient outdoor lighting devices shall blend with the existing landscape design and be of a compatible color, subject to approval. The lighting from any such energy-efficient outdoor lighting devices shall be subdued and the light source must not be directly visible from adjoining dwellings.
- e. Retractable clotheslines shall be located in such a way as to not be exposed to view from roads or other lots unless surrounded by screening materials approved by the Board Architectural Committee. The lines must be retracted and stored when not in use.

- f. All Energy Efficiency Measures shall be installed according to manufacturer specifications, industry standards, and any applicable safety requirements as required by any applicable building code or recognized electrical safety standard for the protection of persons or property.
- g. Notwithstanding the above, no restriction or criteria placed on Energy Efficient Measures by the Association may significantly increase the purchase price or operating cost of the measure or significantly decrease its performance. In the event it is determined that any such restriction or criteria significantly increases the cost of the measure or significantly decreases its performance, the Association shall reasonably alter such criteria or deviate from same on a case-by-case basis.


4. Limitations.

- a. The prior written approval of the Board Architectural Committee is still required, as set forth in the Declaration, for the installation of any Renewable Energy Generation Device or Energy Efficiency Measure.
- b. Prior to submitting a design review request to the Architectural Review Committee, the owner must obtain and submit the written approval of any municipality or governmental authority that is required for the Renewable Energy Generation Device or Energy Efficiency Measure proposed to be installed and shall submit proof of such written approval along with his or her design review request form.
- c. No Renewable Energy Generation Device or Energy Efficiency Measure may be installed on any property that is owned by another person, leased (except with permission of the lessor), or on Common Areas or properties owned by the Association.
- d. Upon installation of any Renewable Energy Generation Device or Energy Efficiency Measure, such Renewable Energy Generation Device and/or Energy Efficiency Measure and all related and ancillary equipment must be maintained in a good and working condition and in accordance with all manufacturers' recommendations.

PRESIDENT'S CERTIFICATION: The undersigned certify that the foregoing Resolution was approved and adopted by the Tres Valles West Owners Association, at a duly called and held meeting of the Association on August 6, 2016 and in witness thereof, the undersigned has subscribed his/her name.

TRES VALLES WEST OWNERS  
ASSOCIATION

a Colorado nonprofit corporation,

  
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on behalf of the Board of Directors