

**RESIDENTIALIMPROVEMENT  
GUIDELINES  
AND SITE RESTRICTIONS FOR  
  
WESTMINSTER STATION**

AS OF AUGUST 14,2018

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**I INTRODUCTION**

**1.1 Basis for Guidelines**

These Residential Improvement Guidelines and Site Restrictions (the “Guidelines”) are intended to assist Owners living in the Westminster Station Community (the “Community”) in implementing landscaping and other Improvements to their property. The Declaration of Covenants, Conditions and Restrictions of Westminster Station (the “Covenants”) require prior approval from the Architectural Review Committee (the “ARC”) before the construction, erection, placement, alteration, planting, application, installation or modification of any Improvement upon any Lot shall be made. In order to assist Owners, the ARC desires to establish certain pre-approved designs for several types of Improvements and to exempt certain Improvements from the requirement for approval. This booklet contains the guidelines established by the governing board of the Pomponio Terrace Metropolitan District (the “District”) with respect to property subject to the Covenants.

**1.2 Definitions**

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

**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 Section 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 Section 3).

**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.

**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	OFFICE	FAX	E-MAIL
Teleos Management Services, LLC	6833 S. Dayton St., #163 Greenwood Village, CO 80112		don@teleos-services.com

## **1.6 Effect of Covenants**

The Covenants govern the Property within the Community. 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.

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

Use of property within the Community and any Improvements must comply with any applicable building codes and other governmental requirements and regulations. Owners are encouraged to contact Adams County 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 REQUIREMENTS OR REGULATIONS OR THAT A PERMIT OR APPROVALS ARE NOT ALSO REQUIRED FROM APPLICABLE GOVERNMENTAL BODIES.**

## **1.8 Interference with Utilities**

In making Improvements to property, 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**

## **1.9 Goal of Guidelines**

Compliance with these Guidelines and the provisions of the Covenants will help preserve the inherent architectural and aesthetic quality of the Community. 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 neighborhood. It is important that Improvements to property be made in harmony with and not detrimental to the rest of the Community. A spirit of cooperation with the ARC and neighbors 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 property are compatible with standards established for the Community. 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.

## **2 PROCEDURES FOR ARC APPROVAL**

### **2.1 General**

As indicated in Section 3 of these Guidelines, there are some cases in which advance written approval of the ARC is not required if the Guidelines with respect to that specific type of Improvement are followed. In a few cases, as indicated in Section 3, a specific type of Improvement is not permitted under any circumstances. In all other cases, including Improvements not included in Section 3, advance, or prior written approval by the ARC is required before an Improvement to property is commenced.

### **2.2 Drawings or Plans**

Owners are required to submit to the ARC a completed Architectural Review Request Form ("ARR"), which forms are available from the person or entity listed in Section 1.5, and complete plans and specifications (said plans and specifications to show exterior design, height, materials, color, location of the structure or addition to the structure, plotted horizontally and vertically, location and size of driveways, general plan of landscaping, fencing, walls, windbreaks and grading plan, as well as such other materials and information as may be required) prior to commencement of work on any Improvement to property. In most cases, the materials to be submitted will not have to be professionally prepared by an architect, a landscape architect, or draftsman, and a simple drawing with dimensions and description will be sufficient. In the case of major improvements, such as room additions, structural changes or accessory building construction, detailed plans and specifications, prepared by a licensed architect, may be required. Whether done by the Owner, or professionally, the following guidelines should be followed in preparing drawings or plans:

- A. The drawing or plan should be done to scale and shall depict the property lines of your Lot and the outside boundary lines of the home or building(s) as located on the Lot. If you have a copy of an improvement survey of your Lot obtained when you purchased it, this survey would be an excellent base from which to start.
- B. Existing Improvements, in addition to the home or building(s) on the Lot, should be shown on the drawing or plan and identified or labeled. Such existing Improvements include driveways, walks, decks, 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. For Example: Redwood deck, ten (10) feet by twelve (12) feet with two inch by four inch (2"x4") decking and natural stain.
- C. The plan or drawing and other materials should include the name of the Owner, the address of the Lot, the lot, block and filing number of the Lot, and the e-mail address and 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 Adams County or other governmental entity. 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.

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

One copy of the drawing or plans (minimum acceptable size 8.5" x 11") must be submitted to the ARC along with a completed ARR. Color photographs, brochures, paint swatches, etc. will help expedite the approval process. Specific dimensions and locations are required.

The ARC may require the payment of a fee to accompany each ARR, which fee shall be uniform for similar types of proposed Improvements or shall be determined in any other reasonable manner. Any actual 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.

### **2.4 Action by 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 thirty (30) days after the complete submission of plans, specifications, and other materials and information as requested by the ARC. If 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 thirty (30) days after the complete submission of the plans, specifications, materials and other information with respect thereto, such request is deemed approved by the ARC.

### **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.



## **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 six months from the date of the approval or within the time frames required for the installation of landscaping as set forth in the Covenants (the "Completion Deadline"), or 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 and the Owner is diligently prosecuting completion of the subject Improvements or other good cause exists at the time such request is made.

## **2.7 Inspection of Work**

The ARC, the District, and the Enforcement Committee, if any, or any duly authorized representative of the same, 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 Section.

## **2.8 Notice of Non-Compliance**

If, as a result of inspections or otherwise, the ARC, the District or the Enforcement Committee, if any, 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 ARC shall notify the District of the non-compliance, and the District shall then notify the applicant in writing of the non-compliance (the "Notice of Non-Compliance"). The Notice of Non-Compliance shall specify the particulars of the non-compliance.

## **2.9 Correction of Non-Compliance**

If it has been determined that a non-compliance exists, the Person responsible for such non-compliance shall remedy or remove the same, and return the subject property or structure to a condition acceptable to the District or the Enforcement Committee, if any, within the period specified in the Notice of Noncompliance. If such Person does not comply with the ruling within such period, the ARC shall notify the District, and the District may, at its option, record a notice of non-compliance against the Lot on which the non-compliance exists, may impose fines, penalties and interest, may remove the non-complying Improvement, or may otherwise remedy the non-compliance, and the Person

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.

## **2.10 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 governing board of the District, as changing conditions and/or priorities dictate.

## **2.11 Questions**

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

*Remainder of page intentionally left blank.*

### **3 SPECIFIC TYPES OF IMPROVEMENTS / SITE RESTRICTIONS**

#### **3.1 General**

The following is a listing, in alphabetical order, of a wide variety of specific types of Improvements which Owners typically consider installing, with pertinent information as to each. Unless otherwise specifically stated, drawings or plans for a proposed Improvement must be submitted to the ARC and written approval of the ARC obtained before the Improvements are made. In some cases, where it is specifically so noted, an Owner may proceed with the Improvements without advance approval if the Owner follows the stated guideline. In some cases, where specifically stated, some types of Improvements are prohibited. ARC review and approval is required on any external items not be listed below.

##### **3.1.1 Variances**

Approval of any proposed plans by the granting of a variance from compliance with any of the provisions of these Guidelines is at the sole discretion of the ARC when circumstances such as topography, natural obstructions, hardship, aesthetic or environmental considerations may require.

##### **3.1.2 No Unsightliness**

All unsightly conditions, structures, facilities, equipment, and objects, including snow removal equipment and garden or maintenance equipment, when not in actual use, must be enclosed within a structure.

##### **3.1.3 Waivers; No Precedent**

The approval or consent of the ARC to any application for approval shall not be deemed to constitute a waiver of any right to withhold or deny approval or consent as to any application or other matters whatsoever, as to which approval or consent may subsequently or additionally be required. Nor shall any such approval or consent be deemed to constitute a precedent in any other matter.

##### **3.1.4 Liability**

The ARC and the members thereof shall not be liable in damages to any person submitting requests for approval or to any approval, or failure to approve or disapprove in regard to any matter within its jurisdiction. The ARC shall not bear any responsibility for ensuring structural integrity or soundness of approved construction or modifications, or for ensuring compliance with building codes and other governmental requirements. The ARC will not make any investigation into title, ownership, easements, rights-of-way, or other rights appurtenant to property with respect to architectural requests and shall not be liable for any disputes relating to the same. The following regulations apply to both Residential and Commercial Lots unless the context indicates or dictates otherwise.

### **3.2 Accessory Buildings**

Approval is required. Approval will be based upon, but not limited to, the following criteria:

- A.** Storage sheds and/or accessory buildings must be aesthetically compatible and consistent with the style and character of the home or buildings on the Lot and other homes or buildings in the same general area of the Community. Storage sheds and/or any accessory buildings shall not be more than ten (10) feet by ten (10) feet, and shall not be more than eleven (11) feet high at the peak. The roof pitch must be complementary to the existing roof on the home or building(s) on the Lot, unless otherwise approved by the ARC. Such storage sheds and/or accessory buildings must be permanent in nature.
- B.** Siding, roofing, and trim materials must match those on the home or building on the Lot, unless otherwise approved by the ARC. Metal, plastic, PVC and other materials not consistent with original construction by the Builder are not permitted. TREX and engineered composite wood type products consistent with original Builder construction are permitted.
- C.** Smaller Lots may not have a suitable location for a storage shed. In any case, no more than one (1) storage shed and one (1) playhouse (see Section 3.47, Playhouses) shall be permitted per Lot.
- D.** The ARC, in reviewing and approving or denying an application for approval of a storage shed or accessory building, shall take into consideration lot size, square footage of the home or building(s) on the Lot, the existing grading, fence locations, landscape screenings, etc.
- E.** Any utilities serving the storage shed or accessory building shall be underground.
- F.** A playhouse or play structure shall not be considered an accessory building.
- G.** Existing setbacks required of the home must be observed when placing storage sheds, accessory buildings, gazebos and playhouses. A copy of the home's plot plan filed with the location of the proposed accessory building is required with the ARR.

### **3.3 Additions and Expansions**

Approval is required. Additions or expansions must be constructed of wood, masonite, glass, brick, stone, or other material as used in construction of the exterior of the home or building(s) on the Lot. The design must be the same or generally recognized as a complimentary architectural style and meet all design guidelines as may be applicable. Colors must be the same as that of the residence or building(s) on the Lot. Patios may not be more than twenty five percent (25%) of the entire rear yard of a Residential Lot unless

otherwise approved by the ARC.

### **3.4 Address Numbers**

Approval is required to replace, alter or relocate existing address numbers, unless the address numbers are replaced using the same style, color and type of number currently on the residence or building(s) on the Lot.

### **3.5 Air Conditioning Equipment**

Approval is required for all air conditioning equipment including evaporative coolers (swamp coolers) and attic ventilators installed after the initial construction.

Approval is not required for replacement of existing air conditioning equipment with like equipment located in the same location as the equipment being replaced.

No heating, air conditioning, air movement (e.g. swamp coolers) or refrigeration equipment shall be placed or installed on rooftops, or extended from windows. Ground mounted or exterior wall air conditioning equipment installed in the side yard on a Residential must be installed in a manner so as to minimize visibility from the street and minimize any noise to adjacent property Owners.

### **3.6 Antennae/Satellite Dishes**

#### **3.6.1 General Provisions**

"Permitted Antennas" are defined as (a) an antenna which is less than one meter in diameter and is used to receive direct broadcast satellite service, including direct-to-home satellite services, or is used to receive or transmit fixed wireless signals via satellite; (b) an antenna which is less than one meter in diameter and is used to receive video programming services via multipoint distribution services, including multichannel multipoint distribution services, instruction television fixed services, and local multipoint distribution services or is used to receive or transmit fixed wireless signals other than via satellite; (c) an antenna which is designed to receive broadcast television broadcast signals; or (d) other antennas which are expressly permitted under applicable federal statutes or regulations, in the event a Permitted Antenna is no longer expressly permitted under applicable federal statutes or regulations, such antenna will no longer be a Permitted Antenna for purposes of this Section. Installation of Permitted Antennas shall not require the approval of the ARC.

- A. All Permitted Antennas shall be installed with emphasis on being as unobtrusive as possible to the Community. To the extent that reception is not substantially degraded or costs unreasonably increased, all Permitted Antennas shall be screened from view from any street and nearby Lots to the maximum extent possible, and placement shall be made in the following order of preference:
  - (1) Inside the structure of the house or building(s) on the Lot, not visible from

- the street;
  - (2) Rear yard or side yard of the Lot, behind and below the fence line (if any);
  - (3) Rear yard or side yard, mounted on the house or building(s), in the least visible location, below roofline;
  - (4) Side yard in front of wing fence (if any), screened by and integrated into landscaping;
  - (5) Back rooftop;
  - (6) Front yard screened by and integrated into landscaping
- B.** If more than one (1) location on the Lot allows for adequate reception without imposing unreasonable expense or delay, the order of preference described above shall be used, and the least visible site shall be selected.
- C.** Permitted Antennas shall not encroach upon common areas or any other Owner's property.

### **3.6.2 Installation of Antennae/Satellite Dishes**

- A.** All installations must comply with all applicable building codes and other governmental regulations, and must be secured so they do not jeopardize the safety of residents or cause damage to adjacent properties. Any installation must strictly comply with FCC guidelines.
- B.** All Permitted Antennas shall be no larger, nor installed more visibly, than is necessary for reception of an acceptable signal.
- C.** Owners are responsible for all costs associated with the Permitted Antenna, including but not limited to costs to install, replace, repair, maintain, relocate, or remove the Permitted Antenna.
- D.** All cabling must be run internally when feasible, must be securely attached, and must be as inconspicuous as possible. Permitted Antennas, masts and any visible wiring may be required to be painted to match the color of the structure to which they are attached. The Owner should check with the installer/vendor for the appropriate type of paint.
- E.** All other antennas, not addressed above, are prohibited.

### **3.7 Awnings**

Approval is required. Awnings should be an integral part of the house, building or patio design. The color shall be complimentary to the exterior of the residence or building, and shall be substantially solid in color; provided, however, that limited patterns or striping may be approved.

See Section 3.39, Overhangs/Sunshades/Awnings - Cloth or Canvas.

### **3.8 Backyard Sport Pads.**

Approval is required and will only be permitted on Residential Lots. Backyard, concrete pads for “sport” type courts must be approved by the ARC. The ARC will consider backyard sport courts based on pad size, Lot size and proximity to other Lots. Sport equipment installed or stored on or around the pad must be maintained at all times in a neat and clean manner.

### **3.9 Balconies**

See Section 3.17, Decks.

### **3.10 Barbecue/Gas Grills**

Approval is not required. All barbecue grills, smokers, etc. must be stored in the rear yard or within an enclosed structure, not visible from the front of the home or building.

### **3.11 Basketball Backboards**

Approval is not required for Residential Lots, subject to the following limitations. No basketball backboards shall be attached to the garage. Only portable basketball backboards shall be allowed if the following guidelines are met:

- A. Portable units cannot be placed in the public rights of way, streets, sidewalks or street lawns.
- B. Location must be in the driveway, at least half of the length of the driveway away from the street, or in the side or rear yard.
- C. Portable basketball backboards may be left out when not in use only if the backboard, hoop, and net are in good repair. Portable basketball backboards that are not in good repair, including the hoop and net, must be stored out of sight when not in use and may not be left out for more than 24 hours.
- D. Permanent garage or pole mounted basketball hoops are not permitted.

### **3.12 Birdbaths**

Approval is not required for Residential Lots, subject to the following limitations. Placement in front or side yard is not allowed. Birdbaths are only permitted in the rear yard.

See Section 3.66, Statues or Fountains.

### **3.13 Birdhouses and Bird Feeders**

Approval is not required for Residential Lots, subject to the following limitations. If installed in the rear yard and the size is limited to one foot by two feet, no approval is required. No more than three of each of a birdhouse or bird feeder shall be installed on any Lot. Birdhouses or bird feeders may be mounted on a pole, provided the pole shall not exceed five (5) feet in height.

### **3.14 Carports**

Approval will not be granted.

### **3.15 Clothes Lines and Hangers**

Approval is not required for Residential, subject to the following limitations. Clotheslines may only be placed in the rear yard. Fixed clotheslines and hangers are not permitted. Temporary drying structures will be permitted so long as such structures are used solely in the rear yard of a lot and are immediately removed from sight after each use. Retractable clotheslines with permanent fixtures require approval.

### **3.16 Cloth or Canvas Overhangs**

See Section 3.39, Overhangs/Sunshades/Awnings - Cloth or Canvas.

### **3.17 Decks**

Approval is required. The deck must be harmonious (in configuration, detail, material and color) with the architecture of the house or building. Modifications or additions to Builder installed decks must incorporate the same materials, colors and detailing as the Builder's or approved existing deck. TREX or similar engineered composite wood type products are the preferred material for construction. Plastic, PVC or similar materials are prohibited.

The appropriate governmental permits are also required.

The deck should be located so as not to create an unreasonable level of noise for adjacent property Owners.

Changes in grade or drainage pattern must not adversely affect adjoining properties and shall comply with drainage change requirements of the Covenants.

Upper-level decks shall be attached directly to the house or building. Only ground level decks may be approved as freestanding decks. Decks shall not extend beyond the Lot boundaries into any common area. Depending on Lot location and orientation, decks should not project beyond the side walls of the house or building. The side walls of the house or building are defined as the major (structural) side walls and do not include bay windows, chimney enclosures, porches or other such projections. In certain situations,



stairs and some portions of the deck may extend up to 4' beyond the side walls.

A solid trim board shall be provided on any open side of the deck to conceal the joists and cut ends of the decking. Underdeck screening should be compatible with the architecture of the house or building and deck. Any lattice must be properly framed and recessed.

Railings and other features such as privacy screens for attached housing must match the approved Builder design.

### **3.18 Dog Houses**

Approval is required and dog houses will only be permitted on Residential Lots. Dog houses are restricted to ten (10) square feet and must be located in a fenced back yard or dog run. Dog houses must be installed at ground level, and must not be visible above the fence. Dog houses must also match the colors and materials of the exterior of the home. Limit of one dog house per Lot.

### **3.19 Dog Runs**

Approval is required and dog runs will only be permitted on Residential Lots. Dog runs must be located in the rear or side yard, abutting the home and substantially screened from view by planting fast-growing or mature trees or shrubs. Dog runs will be limited to two hundred (200) square feet, unless a variance is granted by the ARC. Dog run fences should be left natural in color and sealed to prevent weathering. Dog runs must be made of wood. Please refer to the fence details in **Exhibit A** for approved heights, stains and designs. Covers (ex: tarps, sheets, blankets, etc.) on dog runs are not allowed.

### **3.20 Doors**

Approval is not required for an already existing main entrance door to a home, building or an accessory building if the material matches or is similar to existing doors on the house or building on the Lot and if the color is generally accepted as a complimentary color to that of existing doors on the house or building. Complementary colors would be the body, trim or accent colors of the house or building on the Lot, or white (for storm/screen doors).

- A.** Storm Doors. Approval is not required for storm doors as long as the door is complimentary with the color scheme of the home or building on the Lot. Owners wishing to utilize a different color must first obtain approval.
- B.** Security Doors and Windows. All security or security-type doors and windows must be approved prior to installation.

### **3.21 Drainage**

The Covenants require that there be no interference with the established drainage pattern over any property. The established drainage pattern means the drainage pattern which exists at the time final grading of a Lot by the Developer or a Builder is completed. When installing your landscaping, it is very important to insure that water drains away from the foundation of the house and that the flow patterns prevent water from flowing under or against the house foundation, walkways, sidewalks, and driveways into the street. The ARC may require a report from a drainage engineer as part of landscaping or improvement plan approval. Landscaping and all drainage from downspouts off the house or building on the Lot should conform to the established drainage pattern. Sump pump drainage should be vented a reasonable distance from the property line, on the Owner's property, to allow for absorption. Adverse effects to adjacent properties, including District lands, sidewalks and streets, will not be tolerated.

### **3.22 Driveways and Parking Areas**

Approval is required for any changes or alterations to driveways or to any parking areas on both Residential and Commercial Lots. This includes construction of a pull-off area to the side of the driveway and/or concrete driveway extensions. No driveway extension on a Residential Lot shall extend beyond the width of the home. Only clear sealant may be used on driveways or parking areas (no colors) and Owners will be required to maintain the driveways and parking areas against oil spills, spalling/peeling/etc.

### **3.23 Evaporative Coolers**

Approval is required. No rooftop or window mount installations are allowed.

See Section 3.5, Air Conditioning Equipment.

### **3.24 Exterior Lighting**

See Section 3.37, Lights and Lighting.

### **3.25 Fences**

#### **3.25.1 General Statement**

Fences constructed by the Developer or Builder along or abutting property lines, arterial streets, collector streets, and local streets may not be removed, replaced, painted a different color or altered, including, adding a gate, without approval of the ARC.

- A.** If any such fences constructed by the Developer or Builder which are located upon an Owner's property are damaged or destroyed, the Owner shall repair or recondition the same at the Owner's expense.
- B.** Some fences may be located upon property owned by the District and, if so,

the approval of the District shall also be obtained before any such fence is removed, replaced, painted or altered.

### **3.25.2 Theme Fencing**

(Fencing that has been installed by the Developer or Builder along or abutting property lines on residential streets, parks, green belts, or non-urban areas)

- A. Arterial/Perimeter Fencing (along major roadways): No change in this fencing is permitted without approval of the ARC.
- B. Non-Arterial Fencing: Open fence that is adjacent to or abuts open space shall not be changed.

### **3.25.3 Fence Designs**

All rear or side yard fences along Lot lines require approval of the ARC.

- A. All fencing shall comply with the fence specifications in **Exhibit A**.
- B. Double fencing of property lines is not permitted.
- C. Wire mesh fencing may, upon approval of the ARC, be installed on the inside of the fence on Residential Lots for pet security.

### **3.25.4 Maintenance/Staining**

All fences constructed on a Lot shall be maintained, repaired and replaced by the Owner of such Lot. Regular physical and aesthetic maintenance of fencing is required. All fences must be sealed with a clear waterproof sealant, or finished using semi-transparent stain approved as specified in Exhibit A. Owners will still be required to submit their staining request to the ARC and this will be reviewed in-house with no additional submittal fee.

### **3.25.5 Additional Fence Requirements**

- A. No electric fences are permitted (other than pet containment fencing installed below grade on Residential Lots).
- B. It is important to remember that certain drainage patterns may exist along, or under, proposed fence locations. When constructing a fence, be sure to provide for adequate space between the fence and the ground to accommodate these drainage patterns.
- C. When making a submittal for fencing, include the style and height of the fence, color of stain, and all other descriptive details, as well as an elevation drawing

with dimensions of the fence and a plot plan with the location of the fence clearly marked.

- D. At the discretion of the ARC, Residential Lots may have a privacy fence installed to border the deck pad only; provided the deck pad privacy fencing is included in the Lot's fence plan.

### **3.25.6 Prior Approved Fencing**

To the extent that fencing has been previously approved by the ARC based on a prior version of these Guidelines, such fencing will be required to be compliant with this section and **Exhibit A** at such time as the fence is replaced, or whenever any repair is required or made to more than twenty five (25) percent of the existing fencing material.

### **3.25.7 Pet Fencing**

Pet fencing may include any invisible fence on or within the perimeter boundary of an Owner's Residential Lot per the above fencing standards.

See Section 3.18, Dog Houses and Section 3.19, Dog Runs.

## **3.26 Fire Pits**

Approval is required for all permanent or built-in structures. Approval is not required for portable units.

## **3.27 Firewood Storage**

All firewood must be located in the side or rear yard, must be neatly stacked, shall not be visible from any street or the ground level of any other Lot, and must not be located so as to block established drainage patterns.

## **3.28 Flags/Flagpoles**

Approval is required for any freestanding flagpole.

Approval is not required for flagpoles mounted to the front of the residence or building on the Lot provided that the flags displayed thereon (if other than an American Flag) are temporary in nature and are only displayed on holidays or in celebration of specific events. They must not be placed earlier than thirty (30) days prior to the start of the particular holiday/event or celebration and must be removed no later than thirty (30) days following the particular holiday/event or celebration. Under no circumstance may the height of the flagpole exceed the height of the roofline of the residence or the building on the Lot. Flag size cannot exceed five (5) feet in length and three (3) feet in width.

American Flags: Owners shall be permitted to display an American flag in accordance with the Federal Flag Code and as follows:

- A. The flag shall be no larger than three (3) feet by five (5) feet.
- B. The flag may be displayed in a window or from a flagpole projecting horizontally from a location on the front of the residence or building on the Lot.
- C. Flags and/or flagpoles shall be replaced as necessary in order to prevent wear and tear.
- D. Flags may not be illuminated without prior written approval of the ARC. Any request for lighting must detail the type and location of lighting. Lighting shall be placed so as not to disturb Owners of neighboring Lots.

An Owner or Occupant may display a service flag bearing a star denoting the Owner's or Occupant's or his family member's active or reserve U.S. military service during a time of war or armed conflict. The flag may be displayed on the inside of a window or door of the home or building on the Lot. The flag may not be larger than nine (9) inches by sixteen (16) inches.

### **3.29 Gardens - Flower or Vegetable**

Approval is not required for flower or vegetable gardens on Residential Lots that do not exceed one hundred (100) total square feet. All flower gardens must be weeded, cared for and maintained. Vegetable gardens shall be located in the rear or side yard.

### **3.30 Gazebos**

Approval is required. A gazebo must be an integral part of the rear yard landscape plan and must be similar in material and design to the residence or building(s) on the Lot. The color must be generally accepted as a complementary color to the exterior of the residence or building(s) on the Lot.

### **3.31 Grading and Grade Changes**

See Section 3.21, Drainage.

### **3.32 Greenhouses**

Approval is required. Generally, greenhouses are discouraged due to the extensive maintenance required. Approval will be based upon but not limited to general aesthetics, quality and permanence of materials used. Adequate screening will be required.

### **3.33 Hanging of Clothes**

See Section 3.15, Clothes Lines and Hangers.

### **3.34 Hot Tubs and Jacuzzis**

Approval is required and hot tubs and Jacuzzis will only be permitted on Residential Lots. Hot tubs and Jacuzzis must be an integral part of the deck or patio area and of the rear yard landscaping, and be installed in such a way that it is not immediately visible to adjacent property Owners and that it does not create an unreasonable level of noise for adjacent property Owners. In some instances, additional plant material around the hot tub may be required for screening. Non-vegetative screening materials should match or complement the house or deck structure. Prefabricated hot tub enclosures will be evaluated on a case-by-case basis, and may require additional plant material screening.

### **3.35 Kennels**

Approval will not be granted for Residential Lots. Breeding or maintaining animals for a commercial purpose is prohibited, except on Commercial Lots and as otherwise permitted by applicable zoning regulations.

Also see Section 3.19, Dog Runs.

### **3.36 Landscaping**

Approval is required. All Owners must comply with any applicable landscaping requirements of Adams County. The plot plan of the residence or building on the Lot and yard must be provided at a measurable scale. All organic materials (plants, shrubs, trees, etc.), building materials (stone, wood, edging, etc.), must be clearly labeled in detail.

The current, approved landscape requirements are attached in **Exhibit B**. All new landscape installations and Improvements must meet these requirements.

Builder installed landscaping is pre-approved.

Significant structural elements related to landscaping, such as retaining walls, paved areas, steps, etc., must be submitted for review and approval. Changes in grade or drainage pattern must not adversely affect adjoining properties and shall comply with drainage change requirements of the Covenants.

Plant materials should be appropriate in character, habitat, species, size (both installed and mature), number and arrangement for their purpose and surroundings.

Owners are responsible for compliance with all, County laws regarding tree installation and approved tree species. Certain tree species, such as Russian Olive, may not be permitted by the County or State.

Mulch material shall be selected recognizing that high winds may be present. Mulches

that “knit” together and hold to the ground should be used. Owners are responsible for removal of any mulch material that blows into other Owners’ property or the common areas of the District.

Stone used as accent elements, ground cover or paving material should be chosen so that its color, size and installation complement the architecture of the house or building(s) on the Lot, the natural environment and associated plant materials. Monolithic paving of yards or covering yards with decorative stones as a primary design element is prohibited.

### **3.37 Lights and Lighting**

Approval is not required for replacing existing lighting, including coach lights, with the same or similar lighting style and color as originally installed.

Approval is required to modify or add exterior lighting.

Approval is required to install motion detector spotlights, spotlights, floodlights or ballasted fixtures (sodium, mercury, multi-vapor, fluorescent, metal halide, etc.).

- A. Considerations will include, but may not be limited to, the visibility, style and location of the fixture.
- B. Exterior lighting for security and/or other uses must be directed at the ground and house or building(s) on the Lot, whereby the light cone stays within the property boundaries and the light source does not cause glare to other properties (bullet type light fixtures are recommended).
- C. Ground lighting along walks must be maintained in a working and sightly manner. Low-voltage or solar powered ground lighting fixtures which are typically affixed by stakes or similar posts are to be maintained in good aesthetic repair, be functional, not be a tripping or other physical hazard along pedestrian pathways, and remain generally vertical in their presentation.
- D. The addition of a front yard light post on Residential Lots will be allowed with approval and pursuant to the following:
  - (1) Exterior lights must be conservative in design and be as small in size as is reasonably practical.
  - (2) Exterior lighting should be directed toward the ground and be of low voltage to minimize glare onto neighboring properties and the street.
  - (3) Soft, outdoor pedestrian-oriented lighting should be used with dark colored lighting fixtures so as to be less obtrusive.
  - (4) The light post should match or complement the architecture of the home in design, size, color, and finish along with any existing light fixtures.

- (5) Light posts shall be located at an appropriate distance from the right-of-way and property line to minimize glare onto neighboring properties and the street and should be integrated into the natural or architectural features of the site.
- (6) Light or lamp posts shall not be erected higher than 6' feet from ground level, unless approved by the ARC.
- (7) All lighting should not be intrusive to neighboring properties and must meet all County requirements.

Holiday lighting and decorations do not require approval. It is required that they not be installed more than thirty (30) days prior to the holiday. They shall be removed within thirty (30) days following the holiday.

### **3.38 Ornaments/Art - Landscape/Yard**

Approval is not required for yard ornaments which are installed in the rear yard of a Residential Lot and which are of a height less than three (3) feet.

Up to three (3) small (less than 12 inches in height) front yard ornaments may be installed in the front yard of a Residential Lot without approval, as long as the ornament is installed at ground level and the color and design integrate into the landscape.

Approval is required for any other yard ornaments.

See Section 3.66, Statues or Fountains.

### **3.39 Overhangs/Sunshades/Awnings- Cloth or Canvas**

Approval is required. An overhang should be an integral part of the house of building on the Lot or patio design. The color must be the same as, or generally recognized as, a complementary color to the exterior of the residence or building on the Lot. A swatch of material to be used must be provided with the review submittal.

See Section 3.41, Patio Covers.

### **3.40 Painting**

Approval is not required if color and/or color combinations are identical to the original manufacturer color established on the home, building and/or accessory improvement. Any changes to the color scheme must be submitted for approval and must conform to the general scheme of the Community.

- A. You will need to submit the ARR with your color samples, and for Residential Lots, a general description of the colors of the next four (4) houses on either side of your home (or photos showing the colors of the next four (4) houses on either side of your home).



- B. For Residential Lots, the ARC will not approve submittals without a description or photos of neighbors' paint colors.
- C. For Residential Lots, outlining the garage door panels in a contrasting color or in a checker board design is not permitted.
- D. Most homes on Residential Lots have multiple tone paint schemes (e.g., body color, trim color and accent color for shutters and doors). New colors submitted should preserve this multiple tone scheme.
- E. Color selections should be submitted to the ARC in the form of manufacturer's paint chips. Please indicate which color chips are for trim, body and accent (doors and shutters) color.
- F. In general, after approval, only those areas that are painted may be repainted and only those areas that are stained may be re-stained; unpainted and unstained areas (such as brick or stone) shall remain unpainted and unstained.

#### **3.41 Patio Covers**

Approval is required. Patio covers must be constructed of material consistent with the home or building(s) on the Lot and be similar or generally recognized as complementary in color to the colors on the house or building(s) on the Lot. Freestanding patio covers may be permitted as well as extensions of the roof.

#### **3.42 Patios - Enclosed**

See Section 3.3, Additions and Expansions.

#### **3.43 Patios - Open**

Approval is required. Open patios must be an integral part of the landscape plan and must be located so as not to create an unreasonable level of noise for adjacent property Owners. In some instances, additional plant material around the patio may be required for screening or integration into the landscape design. The patio and materials must be similar or generally accepted as a complementary color and design to the residence or building(s) on the Lot. Patios may not be more than twenty five (25) percent of the entire rear yard of a Residential Lot unless otherwise approved by the ARC.

See Section 3.17, Decks.

#### **3.44 Paving**

Approval is required, regardless of whether for walks, driveways, patio areas or other purposes, and regardless of whether concrete, asphalt, brick, flagstones, stepping stones,

pre-cast patterned, or exposed aggregate concrete pavers are used as the paving material.

See Section 3.22, Driveways.

### **3.45 Pipes**

Approval is required for all exterior pipes, conduits and equipment. Adequate screening may also be required.

### **3.46 Play Structures and Sports Equipment**

Approval is required and such will only be permitted on Residential Lots. Consideration will be given to adjacent properties (a minimum five (5) foot setback from the property line, is required for trampolines, swing sets, fort structures, etc.) so as not to create an undue disturbance. In some instances, additional plant material around the equipment may be required for screening. Wood structures must be constructed of pressure treated or other weather resistant materials. All play equipment must be maintained in a good and sightly manner. The use of multi-colored cloth/canvas tarps will not be approved. Height of any play structure or sports equipment may not exceed twelve (12) feet.

### **3.47 Playhouses**

Approval is not required for Residential Lots if a structure is less than twenty four (24) square feet and less than six (6) feet high, from highest point to the ground.

Approval is required for structures greater than twenty four (24) square feet and/or greater than six (6) feet high, from the highest point to the ground. Playhouses will only be permitted on Residential Lots.

See Section 3.2, Accessory Buildings.

### **3.48 Poles**

See Section 3.28, Flags/Flagpoles.

### **3.49 Ponds and Water Features**

Approval is required. Considerations by the ARC will include, but not be limited to, the following criteria:

- A. Must be integrated into landscape scheme.
- B. Setback shall be a minimum of five (5) feet from all property lines.
- C. Must not affect existing drainage on the lot or off the property.

D. Must be maintained at all times.

E. The maximum height of all fountain/pool elements and their spray is not allowed to be higher than four (4) feet from the ground plane.

### **3.50 Pools**

Approval is required and pools will only be permitted on Residential Lots. Pools must be placed in the rear yard and be an integral part of the deck or patio area. They should be located in such a way that they are not immediately visible to adjacent property Owners (i.e. screened with plant material). Above ground pools and temporary pools are prohibited. Notwithstanding, one (1) wading pool, if less than eighteen (18) inches high and eight (8) feet in diameter, per Residential Lot, is permitted on a temporary basis without prior approval, if placed in the rear yard.

See Section 3.34, Hot Tubs and Jacuzzis.

### **3.51 Radio Antennae**

See Section 3.6, Antennae/Satellite Dishes.

### **3.52 Radon Mitigation Systems**

Approval is required. Equipment must be painted a color similar or generally accepted as complimentary to the exterior of the house or building(s) on the Lot. All equipment shall be installed so as to minimize its visibility.

### **3.53 Roofing Materials**

Approval is required for all roofing materials other than those originally used by the Builder. All buildings constructed on a Lot should be roofed with the same or greater quality and type of roofing material as originally used by the Builder.

Approval is not required for repairs to an existing roof with the same building material that exist on the building.

### **3.54 Rooftop Equipment**

Approval is required. Equipment must be painted a color similar or generally accepted as complimentary to the roofing material of the house or building(s) on the Lot. All rooftop equipment shall be installed so as to minimize its visibility.

See Section 3.64, Solar Energy Devices.

### **3.55 Satellite Dishes**

See Section 3.6, Antennae/Satellite Dishes.

### **3.56 Saunas**

See Section 3.2, Accessory Buildings.

### **3.57 Screen Doors**

See Section 3.20, Doors.

### **3.58 Seasonal Decorations**

Approval is not required if installed on a Lot within thirty (30) days of a holiday, provided that an Owner is keeping with the Community standards, and provided that the decorations are removed within thirty (30) days of the holiday.

See Section 3.37, Lights and Lighting.

### **3.59 Security Devices.**

Approval is not required. Security devices, including cameras and alarms, must be selected, located and installed so as to be an integral part of the house or building(s) on the Lot and not distract from the home's or building's architecture and appearance. Cameras and housing sirens, speaker boxes, conduits and related exterior elements should be unobtrusive and inconspicuous. Such devices should be located where not readily visible and should be a color that blends with or matches the surface to which it is attached.

### **3.60 Sheds**

See Section 3.2, Accessory Buildings.

### **3.61 Shutters - Exterior**

Approval is required. Shutters should be appropriate for the architectural style of the home or building on the Lot and be of the appropriate proportion to the windows they frame. Shutters should be the same color as the "accent" color of the home or building (typically the same as the front door or other accent details).

### **3.62 Siding**

Approval is required. Vinyl siding will not be allowed.

### **3.63 Signs**

Approval is not required for one (1) temporary sign advertising property for sale or lease or one (1) open house sign, which shall be no larger than five (5) square feet and which are conservative in color and style; one (1) yard/garage sale signs which is no larger than 36" x 48" (for Residential Lots only); and/or burglar alarm notification signs, ground staked or window mounted which are no larger than 8" x 8" Such signs may be installed in the front yard or on the back yard fence of the Lot.

Political signs (defined as signs that carry a message intended to influence the outcome of an election, including supporting or opposing the election of a candidate, the recall of a public official, or the passage of a ballot issue) may be displayed within the boundaries of an Owner's or Occupant's Lot without approval, subject to the following:

- A. Political signs may not be displayed earlier than 45 days before the day of the election and must be removed no later than seven days after the election.
- B. No more than one political sign per political office or ballot issue that is contested in the pending election may be displayed.
- C. Political signs shall not exceed 36" by 48" in size.

Approval is required for all other signs. No lighted sign will be permitted unless utilized by the Developer and/or a Builder.

### **3.64 Solar Energy Devices**

Approval is required in order to review aesthetic conditions. Photovoltaic (PV) Solar panels must lay flat on the roof, meet all applicable safety, building codes and electrical requirements, including solar panels for thermal systems (solar water heaters). The ARC is allowed to request changes as long as they don't significantly increase the cost or decrease the efficiency of the proposed device and panels. Please also see Colorado Law C.R.S. 38-30-168, which governs the review and the Owner's installation of such devices.

### **3.65 Spas**

See Section 3.34, Hot Tubs and Jacuzzis.

### **3.66 Statues or Fountains**

Approval is not required on Residential Lots if statues or fountains are installed in the rear yard and are not greater than four (4) feet in height from the highest point, including any pedestal.

Approval is required if the statue or fountain is proposed for the front yard. Statue or fountain location in the front yard should be located close to the main entrance of the

house.

See Section 3.12, Birdbaths and Section 3.38, Ornaments/Art - Landscape/Yard

### **3.67 Storage Sheds**

See Section 3.60, Sheds and Section 3.2, Accessory Buildings.

### **3.68 Sunshades**

See Section 3.39, Overhangs/Awnings - Cloth or Canvas and Section 3.41, Patio Covers.

### **3.69 Swamp Coolers**

See Section 3.5, Air Conditioning Equipment, Section 3.23, Evaporative Coolers, and Section 3.54, Rooftop Equipment.

### **3.70 Swing Sets**

See Section 3.46, Play Structures and Sports Equipment.

### **3.71 Television Antennae**

See Section 3.6, Antennae/Satellite Dishes.

### **3.72 Tree Houses**

Approval will not be granted. Tree houses are not permitted.

### **3.73 Vanes**

See Section 3.77, Weather Vanes and Directionals.

### **3.74 Vents**

See Section 3.54, Rooftop Equipment.

### **3.75 Walls**

See Section 3.25, Fences and Section 3.76, Walls, Retaining.

### **3.76 Walls, Retaining**

Approval is required. For Residential Lots, front yard retaining walls shall not exceed thirty (30) inches in height. For Residential Lots, in the side yard, retaining walls up to thirty (30) inches high, with a planted slope above the wall, may be constructed. In no

event shall rear yard retaining walls on Residential Lots exceed four (4) feet in height unless installed by the Builder or Developer. All retaining walls shall comply with applicable requirements of Adams County and shall not significantly alter the drainage patterns on the Lot or adjacent properties (including District or public areas). Retaining walls shall be constructed with boulders, stone, brick or split face modular concrete block facing units installed per manufacturer instructions.

New or old creosote treated timber railroad ties are prohibited.

### **3.77 Weather Vanes and Directionals**

Approval is required.

### **3.78 Wind Electric Generators**

Approval is required. In addition to ARC approval, windmills and any other type of fixture, which fall under the criteria of a wind generator, or are used to generate power etc., must meet the requirement of the C.R.S. 40-2-124 and any regulations of the Colorado Public Utilities Commission.

### **3.79 Windows Replacement**

Approval is required. Considerations will include, but may not be limited to, size, color, existing and proposed window style and style of home or building(s) on the Lot.

### **3.80 Windows: Tinting, Security Bars, Well Covers, etc.**

Approval is not required for window well covers that are manufactured with metal or plexiglass. All others will require ARC approval.

Approval is required for any visible window tinting. Highly reflective and/or dark tinting is considered too commercial for residential applications and is not permitted on Residential Lots.

Approval is required for security bars and may not be approved on second story windows and other windows visible to the street.

### **3.81 Work Involving District Property**

Approval is required. Generally, driving vehicles, including wheelbarrows, across District property is not permitted. However, when circumstances warrant, the Board of Directors will consider requests provided that prior approval is requested and the Owner advances funds as may be reasonably required by the Board of Directors to repair any damage. The actual restoration of the District property will be done by the District.

### **3.82 Xeriscape**

Approval is required. Using drought tolerant plantings and other water conservation methods of landscaping is encouraged; however, the design must be approved. Xeriscape uses much less water than typical suburban residential landscape, but it does not mean that large areas of river rock or mulch will be allowed in place of green, growing plant material.

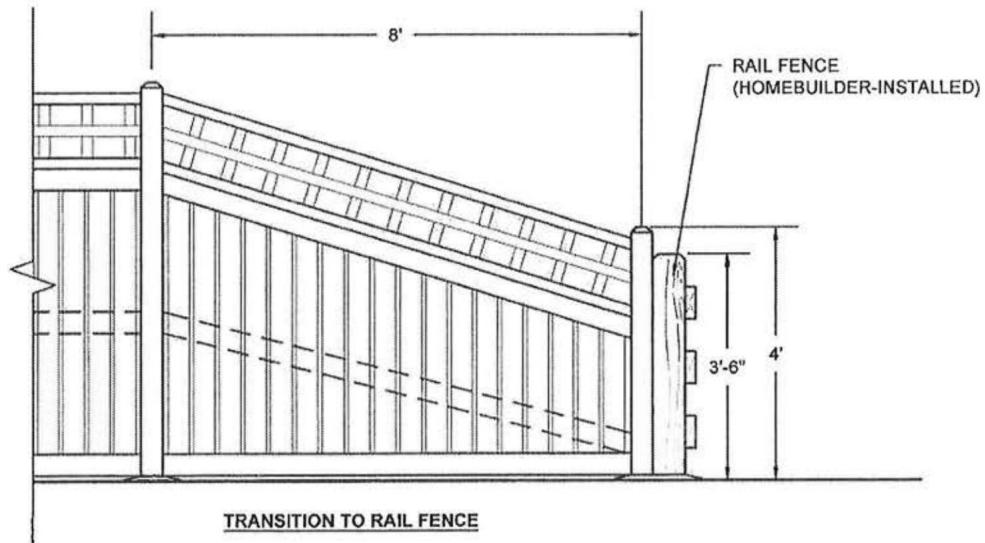
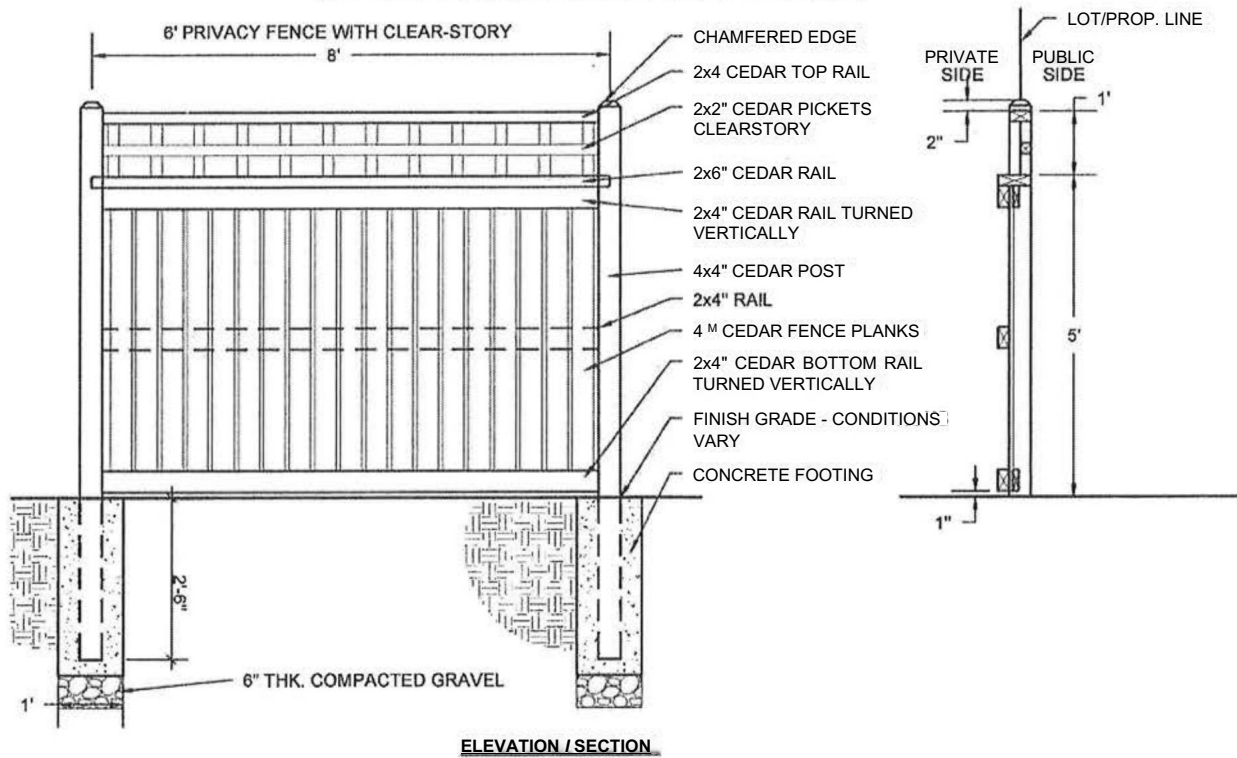
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**EXHIBIT A**  
**FENCE SPECIFICATIONS**

# EXHIBIT A FENCING SPECIFICATIONS

## PRIVACY FENCE / INTERIOR LOT / WING FENCE (HOME BUILDER AND/OR OWNER - INSTALLED)



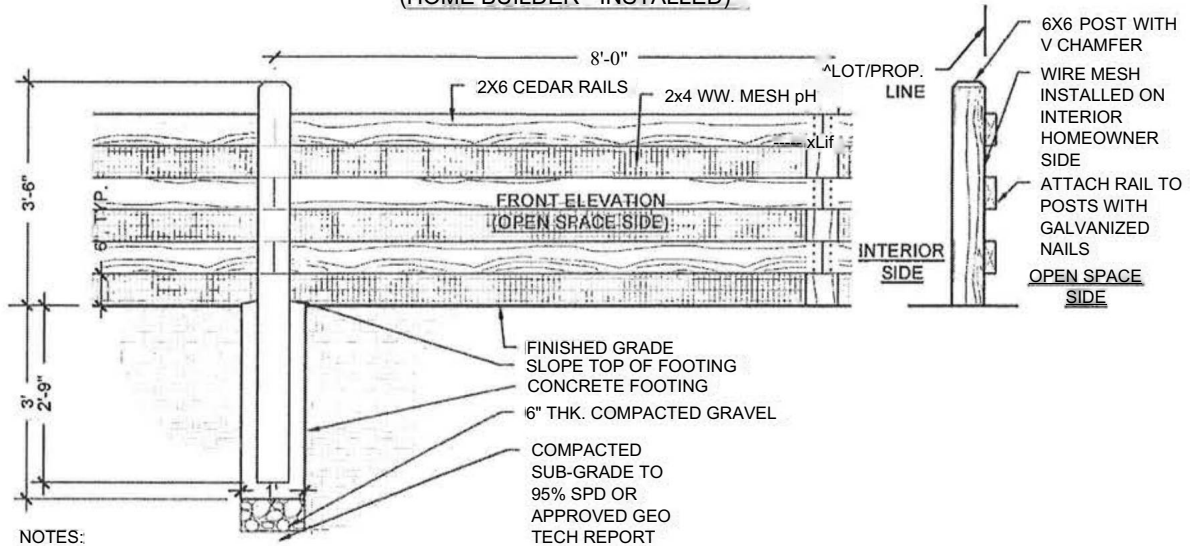
**NOTES:**

1. ALL LUMBER SHALL BE NO. 1 SELECT, CEDAR AND SHALL BE SOLID, STRAIGHT, FREE FROM KNOTS, SPLITS, SHAKES OR DISCOLORATION. ALL CHAMFERED EDGES & ROUTED AREAS SHALL BE UNIFORM AND FROM FROM SAW MARKS.
2. POSTS SHALL BE SECURELY BRACED IN THEIR FINAL POSITION A MIN. 24 HRS. BEFORE BOARDS ARE NAILED.
2. ALL NAILS, FASTENERS AND OTHER HARDWARE SHALL BE HOT DIPPED GALVANIZED. NAILS SHALL BE SHANK.
4. ALL LUMBER SHALL BE UN-STAINED

# EXHIBIT A FENCING SPECIFICATIONS

## RAIL FENCE

(HOME BUILDER - INSTALLED)



**NOTES:**

1. ALL LUMBER SHALL BE NO. 1 SELECT, ROUGH SAWN CEDAR AND SHALL BE SOLID, STRAIGHT, FREE FROM KNOTS, SPLITS, SHAKES OR DISCOLORATION. ALL CHAMFERED EDGES & ROUTED AREAS SHALL BE UNIFORM AND FROM FROM SAW MARKS.
2. ALL NAILS, FASTENERS AND OTHER HARDWARE SHALL BE HOT DIPPED GALVANIZED. NAILS SHALL BE SHANK.
3. POSTS SHALL BE SECURELY BRACED IN THEIR FINAL POSITION A MIN. 24 HRS. BEFORE BOARDS ARE NAILED.
4. ALL LUMBER SHALL BE UN-STAINED

**EXHIBIT B**

**LANDSCAPE REQUIREMENTS**

# EXHIBIT B - LANDSCAPE DESIGN STANDARDS

## 1.0 GENERAL DESIGN STANDARDS

### 1.1.1 LANDSCAPE TERMINOLOGY

There are some technical words and phrases that are helpful in the planning, installation and maintenance of landscape. **Appendix D** lists those words and phrases. Refer to Appendix A for typical lot landscape area diagrams.

### 1.1.2 PLANT MATERIAL SELECTION

See Appendix A for plant selection.

### 1.1.3 MINIMUM PLANT MATERIAL SIZES

Deciduous Tree:	1 - 1.5-inch caliper
Evergreen Trees:	5 - 6 foot height
Ornamental Trees:	1 -1.5-inch caliper
Shrubs:	#5 container
Ornamental Grasses:	#1- #3 container (#5 container, if substituted for a required front yard shrub)
Perennials:	4-inch pot

### 1.1.4 TURF

- a) Bluegrass (or equivalent) is acceptable.
- b) Turf must be irrigated by a subsurface, automatic system.
- c) Turf is not permitted on slopes that are 4:1 (one foot of vertical rise to four feet of horizontal run) or greater.
- d) Turf and associated irrigation must be kept a minimum of 4 feet from all foundations.
- e) Turf areas may not exceed 75% of the non-paved area in the front or rear yard. The recommended minimum width of a turf area is 4 feet.
- f) No irrigated turf is permitted within side yard use easements.
- g) All turf areas are required to be amended with a minimum of 3 cubic yards per 1000 square feet of an acceptable soil amendment (either a peat moss/compost mixture, or a peat moss/compost/manure mixture), rototilled to a depth of 4-6 inches.
- h) Artificial turf is permitted in the side yards of fenced/walled yards and within side yard use easements. The artificial turf shall appear like natural sod and be maintained in a like new condition. Bright or unnatural colors of turf are not permitted.

### 1.1.5 PLANTING

- a) No trees may be planted within utility easements.
- b) Trees shall not be planted closer than 6-foot from water & sewer service lines.
- c) Planting locations shall not impeded access to utility appurtenances.
- d) Rock planting beds must incorporate weed barrier fabric.
- e) Planting beds must be irrigated with a subsurface drip/bubbler system.
- f) Wood mulch beds do not require weed barrier fabric but must be of depth to prevent weed infestation.

### 1.1.6 GRADING & DRAINAGE

- a) Positive drainage must be maintained away from all dwellings shall be provided at completion of initial construction of the home by the builder and maintained thereafter by the homeowner. Homeowner shall not alter the approved, engineered drainage patterns of the lot as this may cause flooding, erosion to adjacent properties or void the owner's foundation warranty.
- b) Swales with a minimum of 2% slope shall be maintained on side property lines for proper drainage.
- c) Roof downspouts shall be designed to carry water away from house foundations. Where possible, downspout and sump pump drainage shall be directed towards the front yard to flow into internal streets. Downspout and sump pump outlets shall avoid surface erosion.

### 1.1.7 ROCK AND WOOD MULCH AREAS

- a) Shrub and perennial beds must be lined with landscape fabric or other acceptable landscape weed barrier if covered with rock mulch.

- b) A similar type and color of mulch must be used in abutting planting beds on adjacent lots to unify the landscapes. The use of two different colors of rock mulch in the same bed is not allowed unless it is matching abutting plant beds.
- c) Rock mulch size shall be a minimum of 3/4 inch diameter and a maximum of 1-1/2 inch diameter. Drainage rock is allowed up to 8 inches. Smaller mulch may be used in sandboxes and larger sizes may be used in drainage and accent areas as specifically approved by the ARC. Acceptable rock mulch color includes natural, earth-toned colors. Prohibited rock mulch includes: lava rock, white marble or any similar types and colors to these materials. Dyed or painted rocks are also prohibited.
- d) Wood mulch must be of professional grade and consistent in size. It shall be of natural color without added pigment.
- e) All mulched areas adjacent to turf shall utilize a metal, concrete, brick or professional quality edger to define the planting bed and provide a clean maintenance edge. However, edging shall not be placed to impede drainage. The ARC recommends utilizing perforated edging in areas of drainage should edging need to be utilized. Other types of edging materials will be reviewed on a case-by-case basis.

#### 1.1.8 IRRIGATION DESIGN

- a) An automated, underground irrigation system is required for all yards. Overhead spray irrigation is recommended for turf areas only. Drip irrigation is strongly encouraged for shrub/perennial beds to conserve water. Drip irrigation lines must be buried beneath rock or wood mulch cover. Irrigation shall be designed and maintained to avoid over-spray onto any paved surface, wall or fence. Water efficient irrigation system parts and maintenance practices shall include, but not be limited to, the following:
  - o Multi-programmable irrigation controller
  - o Master valve
  - o Rain sensor
  - o Check valves
  - o Routine maintenance of system

Irrigation plans do not require ARC review and approval.

#### 1.1.9 INTERIOR REAR YARD & WING FENCING

- a) Interior lot and wing fencing shall be constructed of high-quality cedar
- b) The maximum height of interior and wing fencing is 6 feet.
- c) Front yard wing fencing must be set back a minimum of 5 feet from the front corner of the residence. Wing fencing shall match the setback of existing wing fencing on the adjacent property where possible.
- d) Side yard wing fencing adjacent to alleys shall be installed 5' from the alley edge.
- e) If adjacent lots are fenced at approximately the same time, the homeowners shall coordinate with their neighbors to determine on which side of the fence the pickets will be located. A fence may also be double-picketed if the owners choose.
- f) Refer to Exhibit A for typical fencing details

#### 1.1.10 LANDSCAPE INSTALLATION TIMING

- a) Front yards must be fully landscaped within 6 months of occupancy.
- b) Rear and side yards must be fully landscaped within 6 months of occupancy.

#### 1.1.11 ADAMS COUNTY PERFORMANCE STANDARDS, SINGLE-FAMILY DETACHED RESIDENTIAL USES

- a) Front and Side Setbacks: the entire front and side setbacks shall be landscaped, except for driveways.
- b) Back Yard Setback: a minimum of thirty percent (30%) of the back yard shall be landscaped.
- c) Required Ground Cover: a minimum of thirty percent (30%) of the required front and side landscape area must be covered by living ground material, such as low growing ground cover, shrubs, or grass, within one (1) year following occupancy and thereafter.
- d) Required trees and shrubs: a minimum of one (1) large tree and five (5) shrubs, or two (2) ornamental trees and five (5) shrubs, shall be required for each lot. Evergreens shall be considered ornamental. Due to space limitations, large deciduous or evergreen trees shall not be permitted within the front yards of rear-loaded lots. Requirements may be subject to review/change pending site constraints such as utility locations and limited planting areas.
- e) All landscape may subject to enforcement by the PTMD.

## **2.0 FRONT YARD LANDSCAPING (FRONT & REAR-LOADED RESIDENCES)**

### **2.1 FRONT YARD LANDSCAPE**

Shrubs and perennials must be planted 4 feet to 6 feet on center, at a maximum. Grouping plantings together to create a visual impact or focal point is also allowed.

- a) Front yards shall be fully landscaped.
- b) Turf areas may not exceed 75% of the non-paved area of the front yard. The recommended minimum width of a turf area is 4 feet.
- c) Front yards without sod are permitted but must include plant/ground cover coverage of at least 75% within the first two growing seasons. The ARC may require additional landscape enhancements for front yards without irrigated sod.
- d) Front yards without sod must include a mix of wood and rock mulch types.
- e) Exposed house foundations visible from the street or common areas must be landscaped with rock/mulch beds and planted with shrubs at a maximum spacing of 4 to 6 feet on-center. Foundations shall be screened using a mixture of 3-foot to 6-foot shrubs and provide a minimum 75% visual coverage within two growing seasons. Plantings may be grouped to allow for visual impact and layering effect. Please note that plants of similar water requirements should be grouped together. Evergreen plant material is recommended for winter interest.
- f) Irrigation must be maintained a minimum distance from building foundations in accordance with applicable soils and geotechnical reports.
- g) Between lots, front yard turf areas must be separated by a minimum 4-foot wide rock/wood mulch bed. For example, adjacent lots would require a 2-foot bed along their shared front yard property line. Continuous front yard lawns extending across lot lines is not permitted.
- h) The minimum width of an entry walk is 4 feet.
- i) Refer to Appendix B for typical front yard landscape treatment.

## **3.0 SIDE YARD USE EASEMENT LANDSCAPING (REAR-LOADED RESIDENCES)**

### **3.1 SIDE YARD USE EASEMENT LANDSCAPE**

- a) Side Yard Use Easements shall be fully landscaped.
- b) Shrubs and perennials may be planted.
- c) The use of irrigated turf in the side yard use easement is prohibited.
- d) Drip irrigation is permitted but must be maintained a minimum of 4' from building and foundations or in accordance with an applicable soil and/or geotechnical report.
- e) The planting of trees with a canopy width greater than 8' is prohibited within the use easement.
- f) Plantings shall not impede access to the adjacent residential structure by its owner.
- g) Pavers, poured concrete or other patio hardscape is permitted but must maintain positive drainage away from all foundations and structures.
- h) No permanent landscape structure may be attached or in contact with an adjacent residential structure comprising one side of the side yard use easement and owned by the adjacent homeowner.
- i) The side yard use easement must incorporate fence gate access from either or both front, rear yards.

## **4.0 REAR & SIDE YARD LANDSCAPING (FRONT-LOADED RESIDENCES)**

### **4.1 REAR YARD LANDSCAPE**

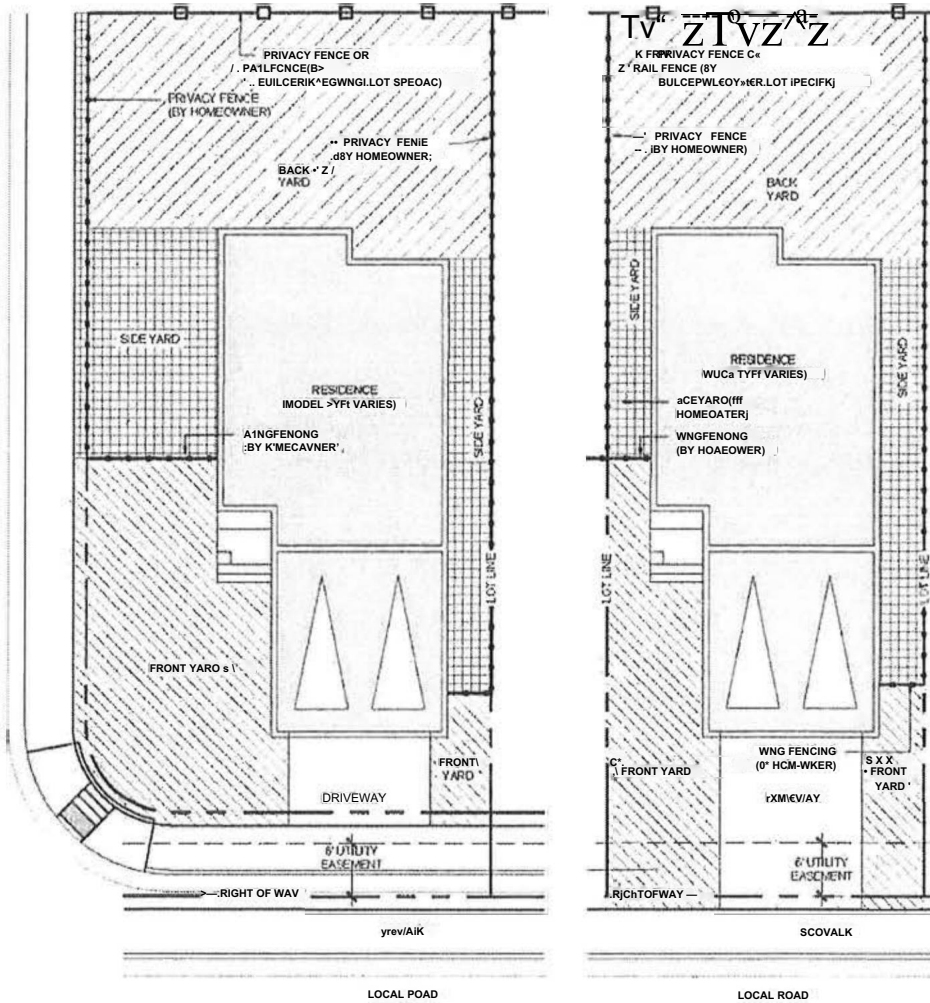
- a) The use of turf in the rear yard must not exceed a maximum of 75% of the non-paved area. The recommended minimum width of a turf area is 4 feet.
- b) Rear yards shall be fully landscaped.
- c) Turf areas may not exceed 75% of the non-paved area of the front yard. The recommended minimum width of a turf area is 4 feet.
- d) Irrigation must be maintained a minimum distance from building foundations in accordance with applicable soils and geotechnical reports.
- e) Refer to Appendix B for typical rear & side yard landscape treatment.

# APPENDIX A - LANDSCAPE AREAS




## LANDSCAPE AREAS (FRONT-LOADED LOTS)




CORNER LOT

TYPICAL LOT



**LEGEND**

-  BACK YARD LANDSCAPE - TO BE INSTALLED & MAINTAINED BY HOMEOWNER
-  SIDE YARD LANDSCAPE - TO BE INSTALLED & MAINTAINED BY HOMEOWNER
-  FRONT YARD LANDSCAPE - TO BE INSTALLED BY HOMEOWNER. MAINTAINED BY HOMEOWNER

-  SIDE YARD LANDSCAPE - TO BE INSTALLED & MAINTAINED BY HOMEOWNER
-  PRIVACY/RAIL FENCING TO BE INSTALLED BY BUILDER OR HOMEOWNER, MAINTAINED BY HOMEOWNER (LOT SPECIFIC)
-  PRIVACY FENCING TO BE INSTALLED & MAINTAINED BY HOMEOWNER

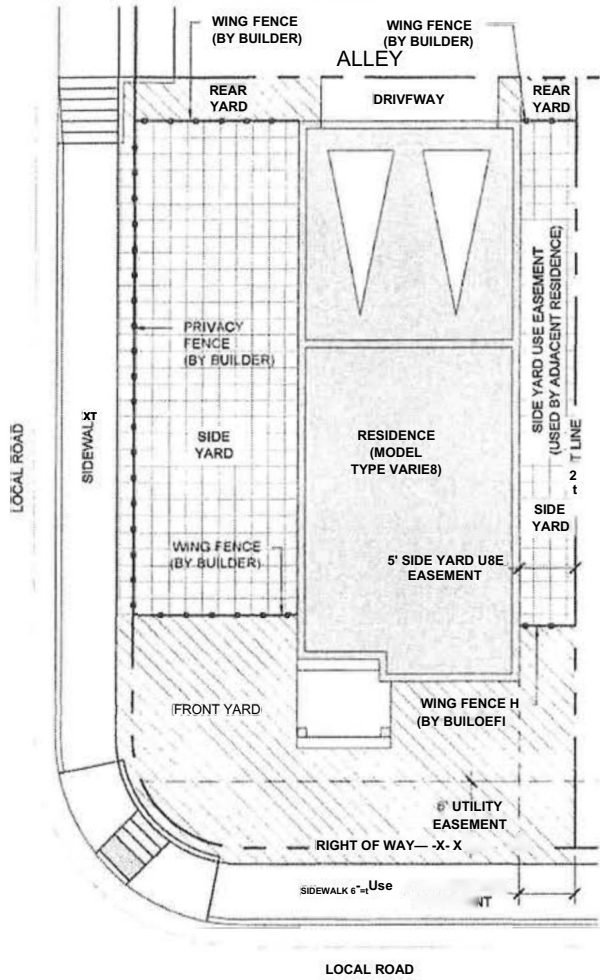
**Residential Improvement Guidelines and Site Restrictions**

Pomponio Terrace  
Aishu Extry, Ccncd

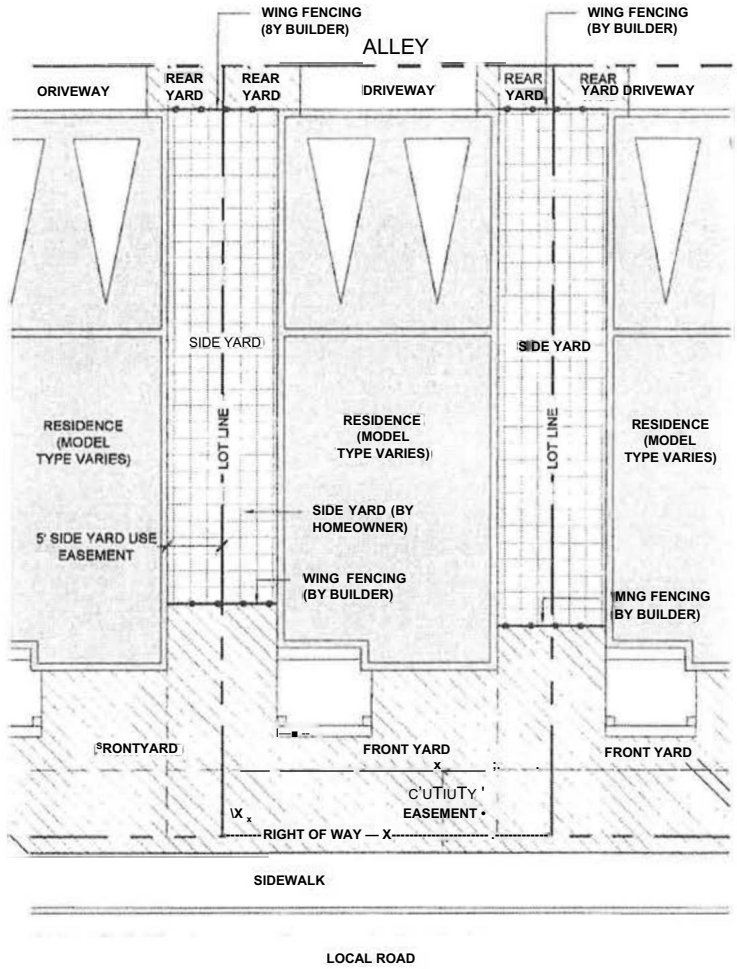


# LANDSCAPE AREAS (REAR-LOADED LOTS)

## CORNER LOT



## TYPICAL LOT



### LEGEND

SIDE YARD LANDSCAPE - TO BE INSTALLED & MAINTAINED BY HOMEOWNER

FRONT YARD & REAR YARD - TO BE INSTALLED BY BUILDER, MAINTAINED BY HOMEOWNER

PRIVACY/RAIL FENCING TO BE INSTALLED BY BUILDER, MAINTAINED BY HOMEOWNER

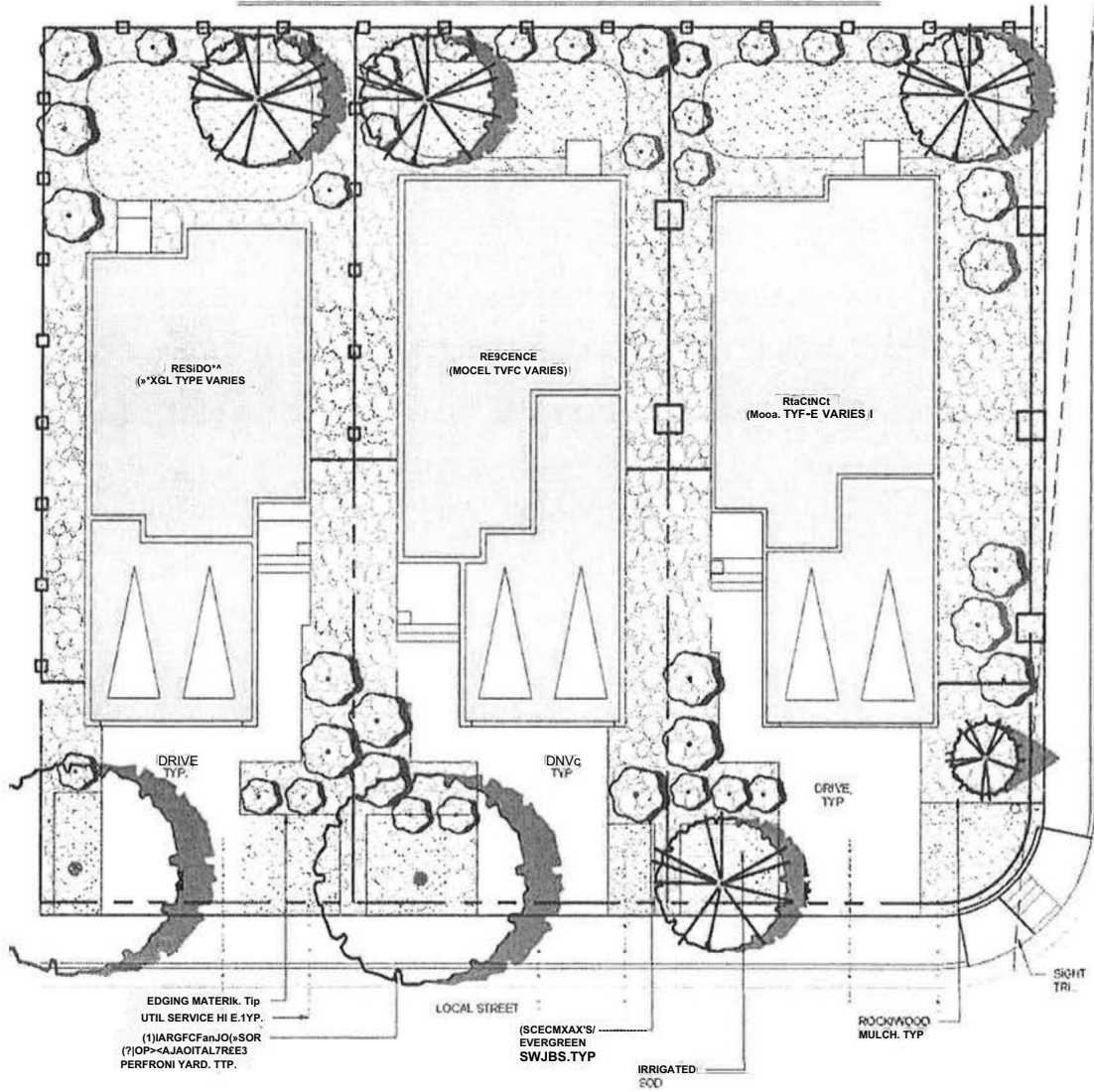
PRIVACY FENCING TO BE INSTALLED BY BUILDER & MAINTAINED BY HOMEOWNER

## Residential Improvement Guidelines and Site Restrictions

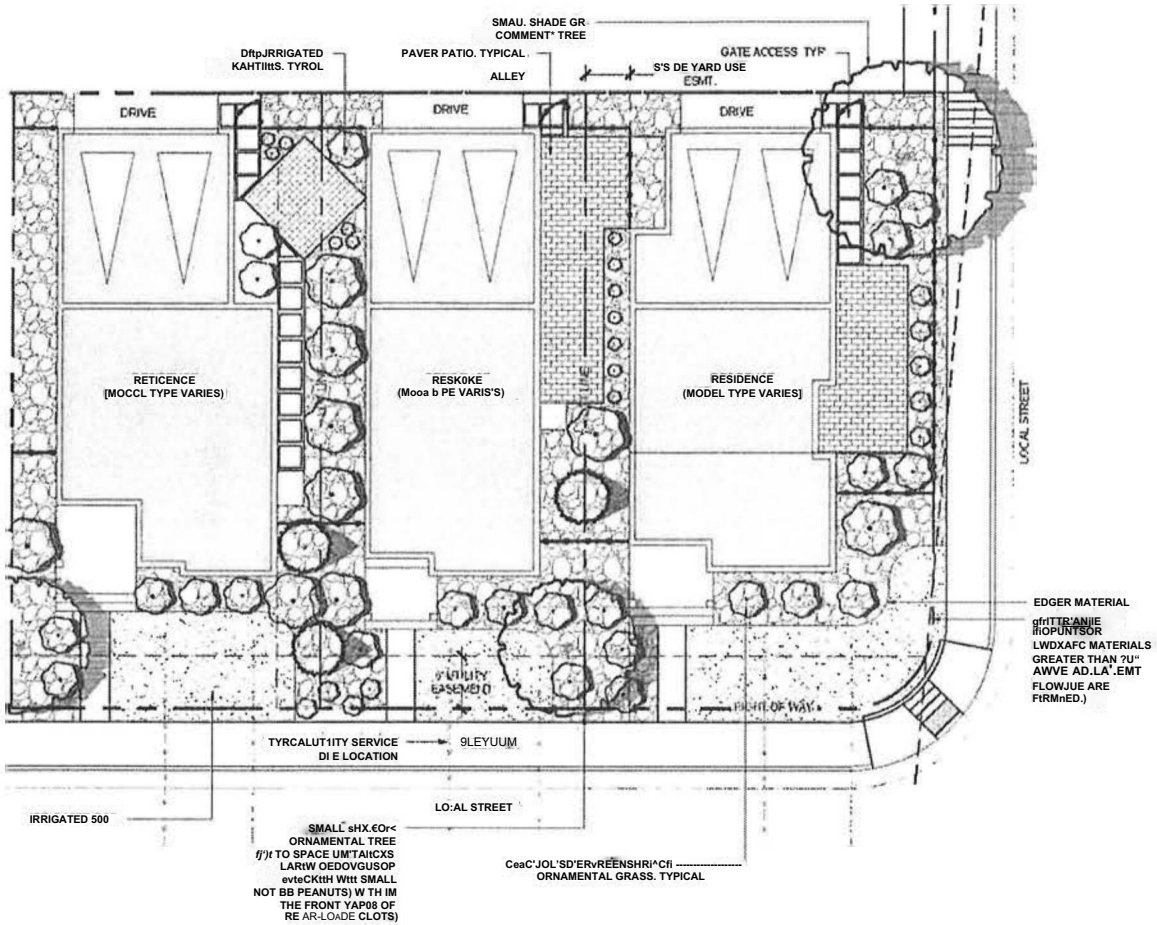
Pomponio Terrace  
Adams County, Colorado

# APPENDIX B - LOT TYPICALS

## FRONT-LOADED LOT-TYPICAL LANDSCAPING



## REAR-LOADED LOT-TYPICAL LANDSCAPING



### Residential Improvement Guidelines and Site Restrictions

Pomponio Terrace  
Adams Olmty, c-krred

## APPENDIX C- SAMPLE PLANT PALETTE

A palette of plant materials has been established for use in Pomponio Terrace. This list provides information on plant species suitable for installation within residential lots.

### DECIDUOUS AND STREET TREES

Common Name	Botanical Name	Water	Maintenance	Street Remarks
Norway Maple	<i>Acer platanoides</i>	Medium	Low	Good fall color (yellow)
Red Maple	<i>Acer rubrum</i>	M	L	Good fall color (yellow to red)
Autumn Blaze Maple	<i>Acer rubrum</i> 'Autumn Blaze'	M	L	Good fall color (red)
Ohio Buckeye	<i>Aesculus glabra</i>	M	L	Poisonous seeds, good fall color
Native Riverbirch	<i>Betula fontinalis</i>	H	L	Tolerates moisture
Western Catalpa	<i>Catalpa speciosa</i>	M	M	Fruits can be messy
Western Hackberry	<i>Celtis occidentalis</i>	M	L	Slow to leaf out in spring
Green Ash	<i>Fraxinus pennsylvanica</i>	M	L	Good fall color (yellow)
Honeylocust	<i>Gleditsia triacanthos inermis</i>	M	L	small leaves
Bur Oak	<i>Quercus macrocarpa</i>	M	L	Slow growing
Columnar Oak	<i>Quercus robur</i> x 'Crimscilmid'	M	L	Narrow variety
English Oak	<i>Quercus robur</i>	M	L	Good fall color
Northern Red Oak	<i>Quercus rubra borealis</i>	M	L	Slow growing
American Linden	<i>Tilia americana</i>	M	L	White flowers
Redmond Linden	<i>Tilia euchlora</i> 'Redmond'	M	L	White flowers

### EVERGREEN TREES

Common Name	Botanical Name	Water	Maintenance	Remarks
White Fir	<i>Abies concolor</i>	M-H	L	Does well in slightly moist areas
One seed Juniper	<i>Juniperus monosperma</i>	L	L	
Rocky Mountain Juniper	<i>Juniperus scopulorum</i> 'Varieties'	L-M	L	Susceptible to snow damage
Red Cedar	<i>Juniperus virginiana</i> 'Varieties'	M	L	
Baby Blue Eyes Spruce	<i>Picea pungens</i> 'Baby Blue Eyes'	M	L	Narrow and dwarf. Good for small areas
Black Hills Spruce	<i>Picea glauca densata</i>	M-H	L	
Colorado Blue Spruce	<i>Picea pungens</i> 'Glauca'	M-H	L	
Bristlecone Pine	<i>Pinus aristata</i>	L-M	L	Slow growing
Pinon Pine	<i>Pinus edulls</i>	L-M	L	Slow growing. Edible seeds
Limber Pine	<i>Pinus flexilis</i>	L-M	L	Soft needles
Austrian Pine	<i>Pinus nigra</i>	L-M	L	Casts needles in fall
Ponderosa Pine	<i>Pinus ponderosa</i>	L	L	Casts needles in fall
Southwestern White Pine	<i>Pinus strobiformis</i>	L-M	L	Has large spread
Scotch Pine	<i>Pinus sylvestris</i>	L-M	L	
Douglas Fir	<i>Pseudotsuga menziesii</i> 'Taxifolia' M		L	

## ORNAMENTAL TREES

Common Name	Botanical Name	Water	Maintenance	Remarks
Amur Maple	<i>Acer ginnala</i>	M	L	Good fall color (orange to red)
Shadblow Serviceberry	<i>Amelanchier canadensis</i>	M	L	Nice fall color (yellow to red)
Thornless Cocksbur	<i>Crataegus crus-galli inermis</i>	L	L	Thornless, good fall color (orange to red)
Washington Hawthorn	<i>Crataegus phaenopyrum</i>	L	L	Thorns, good fall color (orange to red)
Toba Hawthorn	<i>Crataegus x mordenensis</i>	L	L	
Golden Rain Tree	<i>Koelreuteria paniculata</i>	M	L	Showy flowers
Flowering Crab	<i>Malus</i> varieties	L-M	M	Look for persistent fruit varieties
Aspen	Botanical Name	Water	Maintenance	Remarks
Canada Red Cherry	<i>Populus tremuloides</i>	M	M	Suckers heavily
Japanese Tree Lilac	<i>Prunus virginiana 'Schubert'</i>	M	L	Red-purple foliage White flowers
European Mountain Ash	<i>Syringa reticulata</i>	L-M	L	Showy flowers, good fall color
	<i>Sorbus aucuparia</i>	L	M	White flowers, Red-orange berries

## DECIDUOUS SHRUBS

Common Name	Botanical Name	Water	Maintenance	Remarks
Thin Leaf Alder	<i>Alnus tenuifolia</i>	M	L	Nice fall color (yellow)
Serviceberry	<i>Amelanchier alnifolia</i>	L	L	Nice fall color
Chokeberry	<i>Aronia melanocarpa</i>	H	M	Good fall color (red)
Sagebrush	<i>Artemisia</i>	L	L	
Four Wing Saltbush	<i>Atriplex canescens</i>	L	M	
Barberry	<i>Berberis</i>	M	M	Thorns
Blue Mist Spirea	<i>Caryopteris x clandonensis</i>	L	L	
Mountain Mahogany	<i>Cercocarpus</i>	L	M	
Quince	<i>Chaenomeles</i> spp.	M	M	Showy flowers
Rabbit Brush	<i>Ericameria nauseos</i>	L	M	
Dogwood	<i>Cornus</i>	M-H	M	Colored twigs provide winter color
Cotoneaster	<i>Cotoneaster</i>	M	M	
Silverberry	<i>Elaeagnus commutata</i>	M	M	
Burning Bush	<i>Euonymus alatus</i>	M	M	Nice fall color (red)
New Mexico Privet	<i>Forestiera neomexicana</i>	M	M	
Forsythia	<i>Forsythia intermedia</i>	M	M	Showy flowers in spring, Tolerates clay soil
Honeysuckle	<i>Lonicera</i>	M	M	Tolerates clay soil
Mockorange	<i>Philadelphus</i>	L-M	M	
Ninebark	<i>Physocarpus</i>	L	L	
Potentilla	<i>Potentilla fruticosa</i>	M	M	Showy flowers
Sandcherry	<i>Prunus besseyi</i>	M	M	
Cistena Plum	<i>Prunus cistena</i>	M	M	
Nanking Cherry	<i>Prunus tomentosa</i>	L	L	Edible fruit
Scrub Oak	<i>Quercus gambelii</i>	L	L	
Columnar Buckthorn	<i>Rhamnus frangula columnaris</i>	M	M	
Sumac	<i>Rhus</i>	L	M	Suckers
Currant	<i>Ribes</i>	L-M	M	
Shrub Rose	<i>Rosa</i>	L-M	M	Look for varieties on their own root
Willow	<i>Salix</i>	M-H	M-H	Best in moist areas
Elder	<i>Sambucus</i>	M-H	M	
Buffaloberry	<i>Shepherdia argentea</i>	L	M	
Spiraea	<i>Spiraea</i>	M	M	
Snowberry	<i>Symphoricarpos</i>	M	M	
Lilac	<i>Syringa</i>	M	M	
Viburnum	<i>Viburnum</i>	L-M	M	Nice fall color (varies)
Privet	<i>Ligustrum</i>	M	M	

## EVERGREEN SHRUBS

Common Name	Botanical Name	Water Requirement	Maintenance Requirement	Remarks
Juniper	Juniperus sp.	L-M	L	
Yew	Taxus x media 'Hicksii'			

## PERENNIALS, GROUND COVERS AND ORNAMENTAL GRASSES

Due to the large quantity, variety and changing availability of these plants, please consult your local nursery. Height, color, texture, moisture, light requirements and hardiness need to be considered when specifying these plants. USDA Zone 4, Hardy to -20 to -30 degrees plants perform best.

L= Low water usage or amount of maintenance time

M= Medium water usage or amount of maintenance time

H= High water usage or amount of maintenance time

## APPENDIX D - LANDSCAPE DEFINITIONS

Front Yard	The landscape area generally from the front corners of the home to back of sidewalk and laterally to side property lines.
Irrigation System	A watering system designed to transport and distribute water to the landscape. Types: <ul style="list-style-type: none"><li>• Pop Up or Rotor Head Irrigation System: an overhead spray system utilizing spray heads (shorter distances), or rotor heads (long distances).</li><li>• Drip System: an above ground, separate low pressure, low water use irrigation zone to irrigate plants.</li><li>• Subterranean Irrigation System: an underground drip system to properly irrigate sod.</li></ul>
Landscape	The designed layout of plants, sod, paving and other elements on a property.
Landscape Area	The area outside of the home foot print not covered with concrete.
Landscape Plan	A scaled diagrammatic drawing showing the placement and relationship of plants, sod, paving, and other elements.
Modified Landscape	Any change (or renovation) to an existing landscape.
Mulch	Rock, wood or other ground cover material approved by the ARC.
Net Lot Area	Total lot square footage minus the house footprint.
Paved Area	An area covered with concrete.
Positive Drainage	A minor slope (minimum of 2%) away from an area or structure.
Rear Yard	The area from the rear corners of the home to the side and rear property lines.
Side Yard	The area on the side of the house, between the "front yard" and "rear yard".
Soil Amendment	Organic materials introduced into the existing soil that assist in water retention, plant nutrition, air circulation and overall soil improvement.
Turf/Sod	<u>Common Bluegrass or (Equivalent)</u> High water use grass (typically in sod form).