

**RULES, REGULATIONS, AND DESIGN  
GUIDELINES**

**OF**

**TWO BRIDGES  
METROPOLITAN DISTRICT**

**REVISED April 10, 2024**

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## **1 INTRODUCTION**

### **1.1 Basis for Rules, Regulations, and Design Guidelines**

These Rules, Regulations, and Design Guidelines (the “Rules”) are intended to assist Owners living in the Two Bridges community (the “Community”). Pursuant to the Amended and Restated Declaration of Protective Covenants and Easements of Two Bridges (“Declaration”), recorded at Reception No. 2017067682, the Two Bridges Metropolitan District (“District”) is authorized to adopt rules, regulations, and design guidelines for the Community.

### **1.2 Definitions**

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

### **1.3 Contents of Rules**

In addition to the introductory material, these Rules 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**

For purposes of these Rules and Regulations and Design Guidelines, the ARC shall mean DRC as defined in the Declaration. The Declaration sets forth the definition of the Design Review Committee (“DRC”). 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:

<b>NAME</b>	<b>TITLE</b>	<b>PHONE NUMBER</b>	<b>EMAIL</b>
Charles R. Wolfersberger and Annemarie Tucker	District Management	(720) 541-7725	<a href="mailto:charles@wolfersbergerllc.com">charles@wolfersbergerllc.com</a> <a href="mailto:atucker@wolfersbergerllc.com">atucker@wolfersbergerllc.com</a>

### **1.6 Effect of Declaration**

The Declaration governs the Community. Each Owner should review and become familiar with the Declaration. Nothing in these Rules supersedes or alters the provisions or requirements of the Declaration and, if there is any conflict or inconsistency, the Declaration 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 Douglas County (“County”) for further information and requirements for Improvements they wish to make. **Owners are encouraged to contact Douglas County (“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 Rules

Compliance with these Rules and the provisions of the Declaration 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 Rules 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 Rules and obtaining prior written approval for Improvements to property from the ARC, Owners will be protecting their financial investment and will help ensure 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 Rules, the ARC’s interpretation shall be final and binding.

## **2 PROCEDURES FOR ARC APPROVAL**

### **2.1 General**

The procedures set forth in this Article 2 are intended to clarify the terms, provisions and requirements of Articles of the Declaration. In the event of any conflict between these rules and the Declaration, the terms of the Declaration shall control. As indicated in Section 3 of these Rules, there are some cases in which advance written approval of the ARC is not required if the Rules, 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 a completed Architectural Review Request Form (“ARR”) and payment to the ARC, listed in Section 1.5. Forms are available from the person or entity listed in Section 1.5. Complete plans and specifications should show as applicable: 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/engineer, 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 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 your home, 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 home, 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 the 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 and full payment. Color photographs, brochures, paint swatches, etc. will help expedite the approval process. Specific dimensions and locations are required.

Any submitted drawings and diagrams need to be legible, to scale and support an accurate depiction of the landscaping, outbuilding or addition to the home. A list of plants and trees by size and location is required. See **Exhibit A**, Landscape/Paint Change Request Examples.

Any costs incurred by the ARC for review of submittals shall be borne by the Owner and shall be payable prior to final approval. Any reasonable engineering consultant fees or other fees incurred by the ARC in reviewing any submission will be assessed to the Owner requesting approval of the submission.

### **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 forty-five (45) days after the COMPLETE submission of payment, 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 forty-five (45) days after the complete submission of the payment, plans, specifications, materials and other information with respect thereto, such request is deemed approved by the ARC. If modifications are made during the initial 45-day period, the ARC review period resets to 45 days from the date of the new modification request form and payment submittal.

### **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 in Sections 2.2 and 2.3.

## **2.6 Completion of Work**

**AFTER** approval (which may be with conditions and/or requirements) of any proposed Improvement by the ARC, the proposed Improvement shall be completed and constructed as promptly and diligently as possible, and in complete conformity with all conditions and requirements of the approval. Failure to complete the proposed Improvement within one year from the date of the approval or such other date as may be set forth in the approval or as set forth in the Declaration (the "Completion Deadline"), 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 Submission Requirements for Initial Installation of Front, Back, and Side Yard Landscaping & Fencing**

Fencing and landscaping shall be completed within twelve (12) months after initial conveyance of the property to the owner, with consideration given to planting seasons. Should an extension be foreseen due to time of year, written notice must be made to the ARC (Architectural Review Committee) prior to the twelve (12) month expiration, at which time, the ARC will issue a new time requirement to the owner, but in no case later than eighteen (18) months after conveyance.

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 (Architectural Review Request Form) prior to installation of landscaping and fencing. The Owner should ensure submittal of these plans will allow for the review period of up-to forty-five (45) days for approval in accordance with the deadline for installation. Though an ARR may have been submitted, if it has not been approved and the installation completed by the deadline, the property may be sited for non-compliance. See Section 2.9.

## **2.8 Inspection of Work**

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

## **2.9 Notice of Non-Compliance**

If, as a result of inspections or otherwise, the ARC 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, 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.

## **2.10 Correction of Non-Compliance**

If the ARC determines that a non-compliance exists, the Person responsible for such non-compliance shall remedy or remove the same within not more than forty-five (45) days from the date of receipt of the Notice of Non-Compliance. 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 and if allowed by applicable law, 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 in accordance with the Declaration and applicable law. 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.

### **2.10.1 Fee Structure**

**Notice of Violation.** A Notice of Violation shall be sent upon a determination, following investigation, by the District Manager that a violation is likely to exist. Such Notice of Violation shall set forth the specifics of the alleged violation and the time period within which the alleged violation must be corrected, pursuant to the following classification guidelines:

#### **RESOLUTION OF THE TWO BRIDGES METROPOLITAN DISTRICT REGARDING POLICIES AND PROCEDURES FOR COVENANT AND RULE ENFORCEMENT**

**SUBJECT:** Adoption of a policy regarding the enforcement of covenants and rules and procedures for the notice of alleged violations, conduct of hearings and imposition of fines.

**PURPOSE:** To adopt a uniform procedure to be followed when enforcing covenants and rules to facilitate the efficient operation of the District.

**AUTHORITY:** To adopt a uniform procedure to be followed when enforcing covenants and rules to facilitate the efficient operation of the District.

**EFFECTIVE DATE:** June 14, 2023

**RESOLUTION:** The District hereby adopts the following procedures to be followed when enforcing the covenants and rules of the respective Declaration Documents:

1. **Reporting Violations.** Complaints regarding alleged violations may be reported by submission of a written complaint by an Owner or resident within the community, a group of Owners or residents, the District’s management company, Board member(s) or committee member(s).

2. Complaints. Complaints by Owners or residents, member of the Board of Directors, a committee member, or the manager shall be in writing and submitted to the Board of Directors. The complaining Owner or resident shall have observed the alleged violation and shall identify the complainant (“Complainant”), the alleged violator (“Violator”), if known, and set forth a statement describing the alleged violation, referencing the specific provisions which are alleged to have been violated, when the violation was observed and any other pertinent information. Non-written complaints or written complaints failing to include any information required by this provision may not be investigated or prosecuted at the discretion of the Association.
3. Investigation. Upon receipt of a complaint by the District, if additional information is needed, the complaint may be returned to the Complainant or may be investigated further by a Board-designated individual or committee. The Board shall have sole discretion in appointing an individual or committee to investigate the matter.

### **Owner Notification Policies**

4. Initial Warning Letter. If a violation is found to exist, a warning letter shall be sent to the Owner of the Property in Violation explaining (1) the nature of the violation, (2) the action required to remedy the violation and (3) the fine that will be levied if a Second Notice is issued by the District. The Owner of the Property in Violation will have 14 days from the date of the letter to correct the violation.
5. Preferred Language: The written notice shall be in English and in any language that the Unit Owner has indicated a preference for correspondence.
6. Notification Methods: All District enforcement notices shall be sent to Lot Owners via first class postal mail and, if the Lot Owner has provided the District with his/her email address, via email. For Second Notices only, such notices shall be sent to the Lot Owner via certified postal mail with return receipt requested by the District (which is in addition to sending such notice via first class mail).
7. Continued Violation After Initial Warning Letter.
  - A. If the Owner of the alleged Property in Violation does not correct the violation within 10 days of the *Initial Warning Letter*, a *Second Notice* shall then be sent to the Owner of the alleged Property in Violation providing the Owner with (a) an additional 30 days from the date of the letter to correct the violation and (b) an opportunity for a hearing, and explaining if a violation is found to exist, a fine may be imposed pursuant to this Resolution. The Second Notice shall further state that the alleged Violator is entitled to a hearing on the merits of the matter provided that such hearing is requested in writing within 10 days of the date of the second violation letter.
  - B. If the Owner of the alleged Property in Violation does not correct the violation within 30 days of the Second Notice, a *Third Notice* shall then be sent to the Owner of the Property in Violation providing the Owner with (a) an additional 30 days from the date of the letter to correct the violation, (b) notice of the fine posted to the

Property Account in accordance with the fine schedule set by this Resolution, (c) a warning that the District may file a covenant lien on the Property in Violation at any time, and (d) a warning that the Property Account may be turned over to the District's attorneys for additional legal action at any time after issuance of a Third Notice.

C. If the Owner of the Property in Violation does not correct the violation within 14 days of the Third Notice, a *Fourth Notice and Subsequent Notices* shall then be sent to the Owner of the Property in Violation providing the Owner with (a) an additional 14 days from the date of the letter to correct the violation, (b) notice of the fine posted to the Property Account in accordance with the fine schedule set by this Resolution, (c) a warning that the district may file a covenant lien on the Property in Violation at any time, and (d) a warning that the Property Account may be turned over to the District's attorneys for legal action at any time.

8. Notice Regarding Cured Violation: The District shall issue a notice to the Lot Owner when the District determines that a violation has been cured. Such notice shall include (1) a statement that the Lot Owner will no longer be fined regarding this particular violation instance and (2) any outstanding balance owed by the Lot Owner to the District.

#### **Owner Rights to Appeal Violation Notices**

9. Notice of Hearing. If a hearing is requested by the Owner of the alleged Property in Violation, the Board, committee or other person conducting such hearing as may be determined in the sole discretion of the Board, shall serve a written notice of the hearing to all parties involved at least 10 days prior to the hearing date.

10. Impartial Decision Maker: Pursuant to Colorado Law, the owner of the alleged Property in Violation has the right to be heard before an "Impartial Decision Maker". An Impartial Decision Maker is defined under Colorado law as:

"...a person or group of persons who have the authority to make a decision regarding the enforcement of the [Common Interest Community] covenants, conditions, and restrictions, including architectural requirements, and other rules and regulations of the [Common Interest Community] and do not have any direct personal or financial interest in the outcome. A decision maker shall not be deemed to have a direct personal or financial interest in the outcome if the decision maker will not, as a result of the outcome, receive any greater benefit or detriment than will the general membership of the [Common Interest Community]."

Unless otherwise disqualified pursuant to the definition of Impartial Decision Maker, the Board may appoint to act as the Impartial Decision Maker the entire Board, specified members of the Board, or any other individual or group of individuals.

11. Hearing. At the beginning of each hearing, the presiding officer, shall introduce the case by describing the alleged violation and the procedure to be followed during the hearing. Neither the Complainant nor the Owner or alleged Violation of the alleged Property in Violation are required to be in attendance at the hearing. Hearings will be held in

executive session pursuant to CRS 38-33.3-308(4)(e). The Impartial Decision Maker shall base its decision solely on the matters set forth in the Complaint, results of the investigation and such other credible evidence as may be presented at the hearing. The Impartial Decision Maker shall, within a reasonable time, not to exceed 30 days, render its written findings and decision, and impose a fine, if applicable.

12. Failure to Timely Request Hearing. If the Owner fails to request a hearing within 10 days of a Second Notice, or fails to appear at the hearing, the Impartial Decision Maker may make a decision with respect to the alleged violation based on the Complaint, results of the investigation, and any other available information without the necessity of holding a formal hearing. If a violation is found to exist, the District may attach a fine to the Lot pursuant to these policies and procedures.
13. Notification of Decision. The decision of the Impartial Decision Maker shall be in writing and provided to the Owner within 30 days of the hearing, or if no hearing is requested, within 30 days of the final decision.
14. Fine Schedule. The following fine schedule has been adopted for all Property Violations other than threats to health/safety/welfare:  
  
First Violation Warning Letter  
Continuous Violation – Second Notice (of same covenant or rule) \$50  
Continuous Violation – Third Notice (of same covenant or rule) \$100  
Continuous Violation – Fourth and Subsequent Notices (of same covenant or rule) \$0
15. Legal Action: The Board may turn over Property Violations to the District’s attorneys for legal action once the two (2) thirty (30) day periods described above have expired.
16. Covenant Liens: The Board may file covenant liens on any property within the Common Interest Community for violations that remain uncorrected subsequent to the issuance of a Fourth Notice for a continuing violation. The Board may consider any criteria in determining whether and when to file a covenant lien on any property. Such criteria may include recommendations submitted by the District Manager and/or Committee. All costs incurred by the District related to filing covenant liens will be charged back to the respective Property Accounts.
17. Fine Limitations: No limit exists on the number of fines that may be accrued in accordance with the other provision of this Resolution on a Property Account for failure to comply with the covenants, rules and restrictions of the Common Interest Community. However, the District shall not levy fines on a Lot in excess of \$500 for each particular outstanding, continuing violation of the Covenants and/or Design Guidelines. Property Accounts with accrued, unpaid fines will be turned over to the District’s attorneys for collection action in accordance with the Board’s collection policy.
18. Acceleration of Fine Schedule – Threats to Health/Welfare/Safety: With respect to any violation of the Declaration or Design Guidelines that the District reasonably determines threatens the public safety or health, the District shall provide the Lot Owner an initial letter of the violation informing the Lot Owner that the Lot Owner has seventy-two (72)

hours to cure the violation or the District may fine the Lot Owner. If after an inspection of the Lot, the District determines that the violation has not been cured within 72 hours of the District providing the initial notice, the District may levy fines on the property at the rate of \$50 every 48 hours (not to exceed \$500 cumulatively) until the violation is cured. The initial written warning notice must state (1) that, if the violation is not cured within 72 hours after the District has delivered such notice to the property Owner and/or resident, the District will levy fines on the property at the rate of \$50 every 48 hours until the violation is cured and (2) only one hearing will be allowed for the Lot Owner to address the Board regarding the violation.

### **Board Discretion Regarding Owner Appeals**

19. Violation Classification: The Board reserves the right to determine whether identified violations on a Lot constitute one or more separate violations.
20. Waiver of Fines. The Board may waive all, or any portion, of the fines if, in its sole discretion, such waiver is appropriate under the circumstances. Additionally, the Board may condition waiver of the entire fine, or any portion thereof, upon the violation being resolved and staying in compliance with the respective Declarations, this Resolution and the Board's Covenant Violation Guidebook.
21. District Manager Fine Waiver Authority: The District Manager has the authority to waive up to \$100 in fines occurring within a calendar year on any Property Account if, in the District Manager's sole discretion, such waiver is appropriate under the circumstances. Any requests to waive more than \$100 in fines within a calendar year must be approved by the Board.
22. Owner Requests for Compliance Deadline Extensions: In situations where the Board agrees to an Owner's request to extend the compliance deadline for a violation, the District will continue to issue notices and assess fines in accordance with this Resolution. If the Owner corrects the violation within the extended compliance deadline, the District will reverse any fines accrued on the Property Account during the deadline extension period.

### **Compliance Expectations**

23. Failure to Identify Violations: Owners are responsible for identifying, correcting and preventing covenant violations from occurring on their Lots. The District's failure to identify one or more violations on a Lot does not constitute Board approval of such violations or prevent the Board from subsequently enforcing such violations, so long as the enforcement is in compliance with this policy
24. Owner Responsibilities:
  - A. Owners are responsible for maintaining their Lots in a manner that reasonably complies with the covenants and restrictions contained within the respective Declaration documents. The Board will hold Owners, who rent or lease their homes, responsible for the reasonable maintenance of their Lots—regardless of

any contractual maintenance arrangements that may exist between Owners and their renters or between Owners and their property management companies. In addition, the Board will hold Owners, who use their Lots as their primary residence, responsible for the reasonable maintenance of their lots—regardless of the Owners’ personal or business schedules that may cause the Owners to be away from their lots for extended periods of time.

B. Owners are responsible for being familiar with the covenants and restrictions contained within the respective Declarations and the Architectural Design Guidelines. In addition, Owners are responsible for being familiar with the Board’s interpretations of various covenants and restrictions as provided in the Board’s Covenant Violation Guidebook.

25. Rental Properties—No Reset on Turnover: Violation notices and fines will not be reset when a turnover in renter occupancy occurs on a Lot used as a rental property. Regardless of the contractual arrangements entered into between renters and Owners, Owners (not renters or other occupants of the Lot) are responsible to the District for ensuring their Lots are adequately maintained in a manner that complies with the covenants, conditions and restrictions of the Common Interest Community.
26. Change in Ownership—Violations Reset: Although violation notices and fines are attributed to the Lot rather than to the Lot Owner, the Board may reset any open violations back to a First Notice when a change in Lot ownership occurs. If the Board resets any violations due to a change in ownership of the Lot, the violation reset is offered as a courtesy to the new Owners but does not invalidate any previous violation notices. For purposes of this paragraph, a change in ownership occurs only when none of the original Owners on a lot’s title become Owners on the newly issued title for the lot.
27. Location or Proximity of Lots to Open Spaces: Generally, the Board will not excuse violations (especially related to yard maintenance) because of a Lot’s proximity to open spaces. (For example, Owners may indicate that weed violations on their Lots are due to the proximity of their Lots to unlandscaped open spaces.)
28. Compliance Deadlines: The compliance deadline date to correct a violation is the date by which the violation must be corrected. It is not the date by which Owners should start correcting the violation.
29. Results-Oriented Compliance Required: The act of taking corrective action does not itself constitute correction of a violation. For example, starting fence repairs, spraying weeds, scrubbing oil-stained driveways, installing weed barriers and painting the house do not constitute compliance until such actions have been completed and the related violation has been adequately corrected.
30. Violations Not Conditionally Excused: The Board will not excuse violations on an Owner Lot because violations may exist on other Owner Lots.



## **Violation Specific Policies**

31. Black-out Period & Reset Conditions for Yard Maintenance: Yard maintenance deficiencies specifically related to (1) lawn mowing, (2) weeds and (3) turf disrepair is subject to violation notices between May 1st and October 31st. For the 6-month period between November 1st and May 1st, violation notices will not be issued for such deficiencies. Yard maintenance-related violations that remain open as of October 31st will be carried forward and treated as a continuous violation when such deficiencies are subject to inspection beginning after May 1st. Conversely, yard maintenance-related violations that are closed as of October 31st will not be carried forward and classified as a continued violation when yard maintenance deficiencies become subject to inspection again beginning on or after the subsequent May 1st.
32. Weed Violations: When Owners receive a violation notice regarding excessive weeds (e.g., weeds in the lawn, weeds in the rock beds, weeds in the driveway, weeds throughout the Lot), Owners must correct such violations by removing such weeds. Applying chemicals and/or cutting down the height of weeds do not constitute correction of such violations.
- a) The Board encourages Owners to carry out preventative measures (e.g., apply weed and feed to lawns, install/replace weed barriers, spray weed killing chemicals on rock beds, sidewalks, driveways) to ensure an excessive number of weeds does not develop on their lots. However, when an excessive number of weeds already exists on a Lot, the application of chemicals alone fails to properly address the issue of an unsightly Lot with an excessive number of weeds.
  - b) Owners are required to remove weeds regardless of whether the Owners purposefully incorporate such weeds (e.g., “manicured” or trimmed weeds) into the overall landscaping plan for their Lot.
  - c) Weeds are defined in accordance with the Colorado-state listed Noxious Weed list as published by the Colorado State University Co-op Extension and includes all variations of dandelions, oxalis and bindweed.
33. Turf Disrepair: Owners who receive violations regarding the disrepair of the front lawn will have 28 calendar days from the date of the letter to correct the disrepair issues with their lawn. (All other types of violations are subject to the compliance timeline established in paragraph 4 and 5 of this Resolution.) The application of seed, fertilizer or other chemicals does not constitute a correction of a turf disrepair violation. Such actions are merely actions taken by an Owner to restore the damaged turf. Correction of a turf disrepair violation only occurs when the turf has returned to an acceptable condition as further defined in the Board’s Covenant Violation Guidebook.
34. Backyard Landscaping Maintenance Enforcement: For backyards that are visible to the public from public points of view (e.g., streets, sidewalks, open spaces), the District will issue violation notices if any such backyards fail to substantially comply with the requirements of the covenants and/or Design Guidelines. For backyards that are not visible from public points of view, the District will issue violation notices if (1) any such

backyards fail to substantially comply with the requirements of the covenants and/or Design Guidelines and (2) a verifiable complaint is received from an Owner. A verifiable complaint is defined as a complaint from an Owner who allows the Board or Board representative access to the Owner's lot to gain a vantage point that allows visual verification of the Lot subject to the complaint.

For backyard violations that require the District representative to visually verify the violation from another Owner's lot, the Owner in violation is required—after receiving the violation notice—to provide the Board with evidence in the form of photos of the corrected violation or access to the Lot for inspection. The District may advance the violation in accordance with this Resolution if the Owner fails to provide the Board with satisfactory evidence that the violation has been corrected.

35. Violations Regarding Noxious Odors from Marijuana: Violation notices regarding noxious odors caused by marijuana plants may be closed if the Owner of the Property in Violation provides a written representation to the District that either no marijuana is being grown on the Property or the Property complies with County and State regulations regarding marijuana grow operations. If the Property is subsequently cited by any governmental entity for failing to comply with County or State regulations regarding the growing of marijuana on the Property, the Board will retroactively assess fines on the Property Account in accordance with this Policy. Fines will be retroactively assessed back to the original violation date, unless facts and circumstances provided to the Board indicate that fines should be retroactively applied to a different date at the Board's sole discretion.
36. Noise/Odor Violations: The respective Declarations prohibit "unreasonably offensive" sounds or odors to originate from any Lot. The District will issue a violation notice to an Owner of a Lot when one or more Owners submit a complaint regarding unreasonably offensive or disturbing noises or odors originating from such Lot. Violations will be advanced if two or more complaints are subsequently submitted by Owners within 8 weeks of issuing the previous violation. The District defers all complaints regarding barking dogs to the County's animal control or police.
37. Livestock and Poultry Restrictions: The respective Declarations prohibit livestock and poultry from being raised, bred or kept on any Lot but does allow for up to three domesticated animals. Pygmy goats, miniature goats, dwarf goats and chickens of any kind are considered livestock (regardless of whether such animals are purported to be domesticated) and are consequently prohibited.

### **Miscellaneous Policies**

38. Other Enforcement Means. This Policy is adopted in addition to all other enforcement means which are available to the District through the respective Declarations and Colorado law. The use of this Policy does not preclude the District from using any other enforcement means.
39. Advice and Direction: Neither the Board nor its agents are responsible for or required to provide Owners with advice or direction on how to maintain their Lots. Owners are

responsible for acquiring the knowledge, tools, experience and/or assistance necessary to ensure their Lots are adequately maintenance in accordance with the covenants, conditions and restrictions applicable to the Common Interest Community.

40. Definitions. Unless otherwise defined in this Policy, initially capitalized or terms defined in the respective Declarations shall have the same meaning herein.
41. Supplement to Law. The provisions of this Policy shall be in addition to and in supplement of the terms and provisions of the respective Declarations and the laws of the State of Colorado.
42. Amendment. This Policy may be amended from time to time by the Board.

## **2.11 Questions**

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

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

#### **3.1 General**

The following (Sections 3.2 – 3.87) 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 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 Rules 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**

Unsightly conditions are not allowed. Oil or fluid stains on driveways, sidewalks and/or gutter areas larger than approximately six (6) inches in diameter must be removed. Tools and equipment (including snow removal and garden equipment) and other supplies used for repairs or construction may not be placed or stored outside except in an enclosed structure. Barbecue grills and recreational equipment must be stored in an enclosed structure or backyard when not in use.

##### **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.

### 3.2 Accessory Buildings

Approval is required. Once the ARC approves the request the homeowner must receive approval from Douglas County, if required, through the permit process and comply with all engineering requirements established by Douglas County. Please see Exhibit B, Accessory Building Example.

The homeowner must submit a detailed engineering plan for ARC review. The plan must include:

- Site plan showing dimensions to property lines and other structures.
- Floor plans including, room dimensions and intended use, location and size of all windows and doors.
- Elevation drawings showing complete construction including all exterior elevations.
- Cross-section(s) from the foundation to the roof.
- Typical wall detail(s) from foundation to roof showing all components (e.g., electrical, plumbing, HVAC, window, etc.).
- Foundation and structural framing plans.
- All trusses shall be engineered.

**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.**

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 and other homes in the same general area of the Community. In all cases, buildings shall be constructed on a level concrete pad, shall not alter drainage patterns on the Site, shall not exceed a maximum 25 by 50 feet in size (1250 square feet) and a height of 25 feet, and shall remain below the maximum elevation of the home. There will be a maximum of two accessory buildings per lot.
- B. The roof pitch must mirror the existing roof on the home, unless otherwise approved by the ARC. Such storage sheds and/or accessory buildings must be permanent in nature.
- C. Siding, roofing, stone, body and trim paint colors must be identical to the home, 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.
- 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, number of existing accessory buildings, 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. Accessory buildings may not exceed the front face of the residence. The building should be placed in close proximity to the garage side. The ARC reserves the right to make a case-by-case exception based on the elevation/terrain of the homeowner's property.
- H. 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 ARC submission.

### **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. 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.

Once the ARC approves the request the homeowner must receive approval from Douglas County, if required, through the permit process and comply with all engineering requirements established by Douglas County.

**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**

### **3.4 Address Numbers**

Approval is required to replace, alter or relocate existing address numbers, unless the address numbers are replaced using the same location, style, color and type of number currently on the residence. No more than two sets of address numbers are permitted. If address numbers are different in color from the original intent of the builder, it must be black/dark in color as close as possible to the original font. Maximum height is 8".

If numbers are placed on landscape materials such as rocks, they must be permanently affixed or etched into the rock. These number also must match size of original number on the house, and as close as possible to the original font. Approval is required by the ARC.

### **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 must be installed in the side or back yard and in a manner so as to minimize visibility from the street and minimize any noise to adjacent property Owners. Screening is required for new installations.

See **Exhibit C**, Non-Vegetative Screening Examples.

### **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, not visible from the street
  - (2) Rear yard or side yard, behind and below the fence line
  - (3) Rear yard or side yard, mounted on the house, in the least visible location below roofline
  - (4) Side yard in front of wing fence, 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.
- F.** Antennas no longer being used must be removed.

### **3.7 Awnings**

Approval is required and Owners must comply with all requirements of the County. Awnings should be an integral part of the house or patio design. The color shall be complimentary to the exterior of the residence.

See Section 3.42, Overhangs/Sunshades/Awnings – Cloth or Canvas.

### **3.8 Backyard Sport Pads and Sport Courts.**

Approval is required. The ARC will consider sport courts or pads based on pad size, Lot size, and proximity to other Lots. Back yard location preferred, and front yard location prohibited. May be allowed on side yard if required by drainage, well, septic, or utilities. Perimeter fencing must be dark colored chain link or similar. 50% screening (evergreen plants, evergreen trees, etc.) on roadside and adjoining properties exposure, and 20% on remaining sides and at least 3 feet in height. Sport equipment installed or stored on or around the pad must be maintained at all times in a neat and clean manner.

See Section 3.39, Lights and Lighting

### **3.9 Balconies**

See Section 3.17, Decks.



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

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

### **3.11 Basketball Backboards**

Approval is not required, 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.
- D. Permanent garage or pole mounted basketball hoops are not permitted, unless included in a backyard sport pad.

### **3.12 Birdbaths**

Approval is not required, subject to the following limitations. Placement in front or side yard is not allowed. Birdbaths are only permitted in the rear yard. See Section 3.69, Statues or Fountains.

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

Approval is not required, 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, 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 3.42, 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. 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 Declaration.

Upper-level decks shall be attached directly to the house. 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. The side walls of the house 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 and deck. Any lattice must be properly framed and recessed.

Railings and other features, such as privacy screens for attached decking, must match the original design, and be painted to match. Alternative railing options (cable, metal baluster, etc.) will require approval by ARC. (See **Exhibit D**, Railing Examples.)

### **3.18 Dog Houses**

Approval is required. Dog houses are restricted to ten square feet and must be located in a fenced back yard or dog run. Dog houses must be installed at ground level. Dog houses must also match the colors/materials of the exterior of the home. Limit of one dog house per Lot.

### **3.19 Dog Runs**

Approval is required. 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, 50% screening (evergreen plants, evergreen trees, etc.) on roadside and adjoining properties

exposure, 20% on remaining sides and at least 2 feet in height. 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. The ARC may adopt approved heights, stains and configurations for fencing. Covers (ex: tarps, sheets, blankets, etc.) on dog runs are not allowed.

### **3.20 Domestic Wells and Rural Water**

Refer to the Douglas County website:

<https://www.douglas.co.us/planning/water-resources/who-is-your-water-provider/>

### **3.21 Doors**

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

### **3.22 Drainage**

The Declaration requires 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 Master Developer or a Builder is completed. When installing your landscaping, it is very important to ensure 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 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 sidewalks, streets, and District lands, will not be tolerated and must be corrected at the Owner's expense.

### **3.23 Driveways**

Approval is required for any changes or alterations to driveways. The ARC will review the driveway submittal once the resident receives approval from Douglas County through the permit process and complies with all engineering requirements established by Douglas County.

This includes construction of a pull-off area to the side of the driveway and/or concrete driveway extensions. Owners will be required to maintain the driveways against oil spills, spalling, peeling, etc.

### **3.24 Evaporative Coolers and Equipment Screening**

Approval is required. No rooftop or window mount installations are allowed. See Section 3.5, Air Conditioning Equipment, and Section 3.48, Pipes.

### **3.25 Exterior Lighting**

See Section 3.39, Lights and Lighting.

### **3.26 Fences**

#### **3.26.1 General Statement**

Fences constructed by the Master 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. If any such fences constructed by the Master 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. Fences can be placed on the perimeter of the lot or can be placed closer to the house to allow for an enclosed yard.

#### **3.26.2 Fence Designs**

Must be approved prior to installation. See **Exhibit E** for fencing guidelines.

Only open rail or split rail fences with three (3) rails are allowed (no solid fences except, as approved, for equipment screening, such as pool filters). Wire mesh or welded wire is allowed to keep animals inside yard. Chicken wire is not allowed. See Section 3.26.4, Pet Fencing. No staining or coloring should be allowed. Wood may be sealed. Owners are not required to install fencing.

#### **3.26.3 Prior Approved Fencing**

Replacement of any existing fencing must comply with the then current guidelines or ARC adopted standards related to fencing.

#### **3.26.4 Pet Fencing**

Pet fencing may include any invisible fence on or within the perimeter boundary of an Owner's site per the above fencing standards. Wire mesh fencing may be permitted, subject to ARC approval on the inside of ARC approved fencing. Barbed wire, concertina wire, electrically charged fencing, or razor wired fencing is not allowed.

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

### 3.26.5 Pool Fencing

Pool fencing is required if a pool cover is not used. Either approach must comply with Douglas County requirements. The top of the fence shall be not less than 48 inches above grade around the entire perimeter and a distance of 3 feet measured horizontally from the outside of the fence. The vertical clearance between ground and the bottom of the fence shall not exceed 2 inches for non-solid surfaces, such as grass or gravel.

### 3.27 Fire Pits

Approval is required for all permanent or built-in structures. Approval is not required for portable units. Wood burning fire pits must be equipped with spark suppression, placed on a noncombustible surface, and surrounded by at least 5 feet of noncombustible materials. **All County and State burn restrictions must be followed.**

### 3.28 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. Firewood must not be stacked in a manner that attracts rodents or other pests.

### 3.29 Flags/Flagpoles

Approval is required for any freestanding flagpole.

Approval is not required for flagpoles mounted to the front of the residence 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. 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 dwelling.
- C. Flags and/or flagpoles shall be replaced as necessary in order to prevent wear and tear.

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 resident may display a service flag bearing a star denoting the Owner's or resident'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 on the Lot. The flag may not be larger the nine (9) inches by sixteen (16) inches.

### **3.30 Garden Beds – Flower or Vegetable**

Approval is required for flower or vegetable garden beds. The gardening season is considered from May 15 – November 1. All flower garden beds must be weeded, cared for and maintained. Vegetable garden beds shall be located in the rear or side yard. Plant coverings must be well maintained and aesthetically pleasing during the gardening season and removed thereafter. If fence fabric is used, it must be brown to blend in with the surrounding area.

See **Exhibit F**, Garden Beds

### **3.31 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. The color must be generally accepted as a complementary color to the exterior of the residence.

### **3.32 Generators/Power Sources**

Approval is required for all home generators and alternate power source equipment installed after the initial construction. Power units visible from the road or adjoining properties must be screened with evergreen plant material or approved fencing.

### **3.33 Grading and Grade Changes**

See Section 3.22, Drainage.

### **3.34 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. Siding, roofing, stone, body and trim paint colors must be identical to the home, unless otherwise approved by the ARC.

Screening is required on the road and adjoining properties exposure. Screening should be composed of material (evergreen shrubs or ornamental grasses) that grows to a minimum height of 3' and be evenly spaced.

Reference **Exhibit G**, Greenhouse Examples

### **3.35 Hanging of Clothes**

See Section 3.15, Clothes Lines and Hangers.

### **3.36 Hot Tubs**

Approval is required. Hot tubs must be fully fenced, or be fully covered when not in use per Douglas County permit rules and regulations. Hot tubs 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 evergreen plant material screening.

Reference **Exhibit C**, Non-Vegetative Screening Examples

### **3.37 Kennels**

Approval will not be granted. Breeding or maintaining animals for a commercial purpose is prohibited.

Also see Section 3.19, Dog Runs.

### **3.38 Front, Back, and Side Yard Landscaping**

Initial landscaping shall be completed within twelve (12) months after initial conveyance of the property to the owner, with consideration given to planting seasons and building status of adjoining lots to ensure landscaping does not negatively affect them. Any native areas on the Lot that were disturbed during construction must be re-seeded per Douglas County Requirements. Initial landscaping shall be defined as landscaping in the areas directly adjacent to the house. Should an extension be needed due to time of year or status of adjoining lots, written notice must be made to the ARC (Architectural Review Committee) prior to the twelve (12) month expiration, at which time, the ARC will issue a new time requirement to the owner, but in no case later than eighteen (18) months after conveyance. Complete landscaping deadlines will be determined on a case-by-case basis depending on seasons and status of adjoining lots, but no longer than twenty-four (24) months after initial conveyance.

Approval is required. All Owners must comply with any applicable landscaping requirements of the County and the landscape restrictions of the homeowners well permit. The plot plan of the residence 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.

Landscape improvements shall respect existing vegetation, emphasize use of indigenous species and minimize areas of intensive irrigation. The following guidelines apply to landscape design in all Lots:

- Landscape materials shall be planted in naturalistic clusters close to building improvements and/or as extensions of the surrounding natural landscape.

- New tree and shrub plantings shall be a mix of sizes that will blend naturally into surrounding vegetation:
  - a. Deciduous trees – minimum 2, with minimum 2” caliper.
  - b. Evergreen trees – Minimum 50% of total tree count. Evergreens in minimum count must be 10’ tall or greater. Additional trees, not used in minimum count may be any size.
  - c. Shrubs – 50% of mix: minimum 5-gallon containers; 50% of mix: minimum 7-gallon containers
- Irrigated areas will be allowed up to 10,000 square feet of home lawn, garden and trees.
- Turf is limited to no more than 1/3 of irrigated area allowance.
- Landscape plantings, including large specimen trees, are preferred in areas close to the house to screen driveways and roads and to help blend the building with the site.
- A mixture of deciduous and evergreen plant material should be selected to ensure seasonal interest. Composition of plant size, texture and color should be considered to provide visual diversity.

Required lot landscaping shall consist of a combination of trees and shrubs. Sodded turf, perennial and groundcover beds are not required, but strongly encouraged to provide variety and personalization. All planted areas will require 75% live coverage. Full use of the irrigation allotment is also encouraged and is recommended to be divided as follows:

- Front yard: 40% of irrigated allotment
- Side yard: 20% of irrigated allotment
- Back yard: 40% of irrigated allotment

Landscape and irrigation plans for each residence must be submitted for review and approval by the Architectural Review Committee.

The ARC may adopt approved landscape requirements and standards, and all new landscape installations and improvements must meet said requirements. Owners are responsible for compliance with all applicable laws. See **Exhibit H** for Landscaping Guidelines.

#### **A. Trees and Shrubs**

Tree and shrub requirements are dependent on the size of lots as outlined below. Existing trees on the lot can be counted toward the tree requirements if they are included on the ARR form and if they are considered healthy.



<b>Size of Lot</b>	<b>Trees</b>	<b>Shrubs</b>	<b>Ornamental Grasses</b>
2.99 square acres or less	6 (minimum 2 deciduous)	10 (5 gallon)	7 (1 gallon)
3.00-5.99 square acres	12 (minimum 2 deciduous)	20 (5 gallon)	14 (1 gallon)
6.00 square acres or more	18 (minimum 2 deciduous)	30 (5 gallon)	21 (1 gallon)

\*Note – Native pine trees greater than 10’ tall may be included in tree count.

Please see the Recommended Trees for Colorado Front Range Communities – A Guide for Selecting, Planting, and Caring for Trees, attached as **Exhibit I**. The trees listed within this guideline are considered approved trees.

Guide provided by Douglas County for plant types:

<https://plantselect.org/plants/our-plants/>

Please be aware that animals in the area can cause damage to and kill trees. When selecting trees, take into account ways to protect trees. Animals known to be in the area include deer (which can damage deciduous trees) and porcupines (which can damage evergreen trees). Measures taken to protect trees should be as unobtrusive as possible.

### **B. Turf**

1. Turf must be limited to no more than 1/3 of irrigated area.
2. Turf must be natural in appearance and integrated into the overall landscape design in a natural-looking matter.
3. Turf shall not be installed directly adjacent to property lines.
4. The general appearance of turf must be designed and installed in such a manner as to effectively simulate the appearance of a well- maintained lawn.
5. Uniformity must be maintained in all areas of turf.
6. All turf must be bordered by a 3’ rock or mulch bed at the property perimeter. The edges of turf rolls must not be exposed.

### **C. Compost Soil Amendment**

Soil amendment information must be included in plan notes. Soils must be amended with at least 3 cubic yards of compost per 1,000 square feet of soil.

### **D. Irrigation**

1. Spray irrigation shall be limited to lawn or low ground covers only. Drip, bubbler, or sub-surface irrigation shall be used in all other cases, and must

- be included in notes.
  - 2. Spray irrigation is not allowed within 5' of building foundations or as stipulated within a soils report, and must be included in notes.
  - 3. All irrigation systems must be identified and labeled and must be automated and programmable.
- E.** Whenever possible landscape material including plants, trees, rock, mulch, etc. should be delivered and stored on owner's lot. In the event this isn't possible and is stored on the public roads, it should be removed that day and traffic cones should be placed to alert drivers to the potential hazard. (Colorado Statutes 19- 9-107 and 43-5-301.)
- F.** Landscaping must be kept clean (free of debris), mowed weeded and in well maintained condition.
- 1. Dead trees and shrubs (including native) must be removed (or replaced if required to meet minimum requirements) within 60 days. Allowances will be made for season and availability of trees or landscaper.
  - 2. Landscaped area should be weeded regularly in spring and summer.
  - 3. A 10" perimeter (minimum) around landscaped area and the roadway should be mowed regularly during spring and summer to maintain aesthetics and control noxious weeds.
  - 4. Trash, dirt/rock, debris piles, etc. should be cleaned up timely. Trash is not to be left outside and visible to neighbors.
  - 5. Additional information regarding noxious weeds can be obtained at: <https://www.douglas.co.us/public-works/road-maintenance/noxious-weeds/>
  - 6. Owners are required to remove erosion fencing and wattles not later than 1 year from the completion of their landscaping.

### **3.39 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, 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).

Eave lighting (e.g., TrimLight, Jellyfish Lighting) is permitted but must adhere to the requirements in Section 3.39, Lights and Lighting. However, strobing or flashing type settings are not permitted. Minor holiday, game day and special event colors are allowed but must return to white after the event day. For the major holiday (year-end) refer to paragraph 3.39C.

Sport Court Lighting: Light poles must be no higher than 15 feet. Lights must be turned off by 10p Sunday-Thursday and 12a Friday-Saturday.

- 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.

Major year-end holiday lighting and decorations do not require approval. If strobing or flashing type settings are used, they must be turned off by 10pm. It is required that they not be installed more than forty-five (45) days prior to the holiday. They shall be removed within thirty (30) days following the holiday.

### **3.40 Livestock/Animals/Dogs**

Household pets and bees are allowed per “Douglas County Department of Community Development Guide to Animals” regulations and restrictions. Beehives must be approved and must be located and screened with evergreen shrubs or trees so they are not visible to the road or neighboring properties. All other livestock is prohibited. This includes, but is not limited to, chickens, horses, cattle, goats, sheep, pigs, mules, and llamas.

Dogs must be on a leash when off the owner’s property. Owners must pick up waste when their dog is not on their property. Owner must ensure their dog does not bite, injure, chase, threaten, bark, howl at or disturb anyone, pursuant to Douglas County Resolution 019-029.

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

Generally, yard art and garden ornaments do not require ARC approval. Ornaments must be tasteful and blend with the surrounding area, not changing the area’s aesthetics. Yard ornaments shall be family friendly. (Examples of items not permitted include flamingos, zombies, illuminated cartoon characters, and alien statues.)

Ornaments exceeding 3 feet in height, width, or depth and free-standing poles over 4 feet in height must be submitted to the ARC for approval. This includes, but is not limited to, such items as sculptures, fountains. Oversized decorative objects will be considered based on their size, color, scale, location, compatibility with architectural and environmental design qualities and their visual impact of adjoining lots.

The number of decorative ornaments may not exceed 8 items per lot and must remain in good repair.

See Section 3.69, Statues or Fountains.

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

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

See Section 3.44, Patio Covers.

### **3.43 Painting**

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

See **Exhibit A**, Landscape/Paint Change Request Examples

### **3.44 Patio Covers**

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

### **3.45 Patios - Enclosed**

See Section 3.3, Additions and Expansions.

### **3.46 Patios - Open**

Approval is required. Open patios must be an integral part of the landscape plan. In some instances, additional evergreen 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.

See Section 3.17, Decks.

### **3.47 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.

Once the ARC approves the request the homeowner must receive approval from Douglas County, if required, through the permit process and comply with all engineering requirements established by Douglas County.

**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**

See Section 3.23, Driveways.

**3.48 Pipes/Equipment Screening**

Approval is required for all exterior pipes, conduits and equipment. Exposed pipes and exterior equipment (pool filters, etc.) visible from the road or adjoining properties must be screened with evergreen plant material or approved fencing.

Reference **Exhibit C**, Non-Vegetative Screening Examples

**3.49 Play Structures and Sports Equipment**

Approval is required. Consideration will be given to adjacent properties (a minimum of a 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. Additional plant material around the equipment is required to provide a minimum of 50% evergreen screening evenly spaced on the road and adjoining properties exposure. Screening should be composed of material that grows to a minimum height of 6'. 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.

Inflatable play structures and equipment are not considered permanent and may be used for up to seven days before needing to come down and be removed from sight.

**3.50 Playhouses**

Approval is not required 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.

Evergreen screening is required on the road and adjoining properties exposure. Screening should be composed of material that grows to a minimum height of 6' and be evenly spaced.

See Section 3.2, Accessory Buildings.

**3.51 Poles**

See Section 3.29, Flags/Flagpoles.

### **3.52 Ponds and Water Features**

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

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

### **3.53 Pools**

Approval is required. 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 properties or street (i.e., screened with evergreen plant material). Above ground pools and temporary pools are prohibited. One (1) wading pool, if less than eighteen (18) inches high and eight (8) feet in diameter, per Lot, is permitted on a temporary basis without prior approval, if placed in the rear yard.

Pools must be fully fenced, or be fully covered when not in use per Douglas County permit rules and regulations. It is recommended the homeowner truck in potable water to fill the pool so their private well is not strained and, more importantly, the greater affect filling pools has on the water aquifer that supplies our wells.

Once the ARC approves the request the homeowner must receive approval from Douglas County, if required, through the permit process and comply with all engineering requirements established by Douglas County.

See Section 3.36, Hot Tubs and Section 3.26.5, Pool Fencing  
See **Exhibit E**, Fencing

### **3.54 Radio Antennae**

See Section 3.6, Antennae/Satellite Dishes.

### **3.55 Radon Mitigation Systems**

Approval is not required, but equipment must be painted a color similar or generally accepted as complimentary to the exterior of the house. All equipment shall be installed so as to minimize its visibility.

### **3.56 Roofing Materials**

For accessory buildings, see Section 3.2

Approval is not required for repairs to an existing roof using the same roofing materials that exist on the building.

Approval is not required for a roof replacement using the same or greater quality and similar colored materials to the existing roof.

Approval is required to significantly change color or type of roofing.

### **3.57 Rooftop Equipment**

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

See Section 3.67, Solar Energy Devices.

### **3.58 Satellite Dishes**

See Section 3.6, Antennae/Satellite Dishes.

### **3.59 Saunas**

See Section 3.2, Accessory Buildings.

### **3.60 Screen Doors**

See Section 3.21, Doors.

### **3.61 Seasonal Decorations**

Approval is not required if installed on a lot within forty-five (45) days of the major year-end 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. For all other holidays, decorations are permitted but must be installed within two weeks prior to the holiday and removed within one week after the holiday.

See Section 3.39, Lights and Lighting.

### **3.62 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 and not distract from the home'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.

### **3.63 Sheds**

Non-permanent storage containers (maximum of 3 total), deck boxes (3'x5', maximum 2 total), small sheds (under 3' wide by 5' long and no taller than 6', one only) do not need approval but must not be visible from the road.

Approval is required for all other shed structures. See Section 3.2, Accessory Buildings.

### **3.64 Shutters - Exterior**

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

### **3.65 Siding**

Approval is required.

### **3.66 Signs**

Approval is not required for one (1) temporary sign advertising property for sale or lease. The sign advertising the property for sale or lease must be posted on a wooden arm post sign. Signs can be no larger than five (5) square feet and must be conservative in style in color. Open house signs can be put up during the event and must be removed at the end of the event.

Approval is not required for one yard/garage sale sign which is no larger than 36" x 48"; 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 backyard 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 resident's Lot without approval, political signs shall not exceed 36" by 48" in size. Signs are only permitted to be up no sooner than 30 days before an election and must be taken down within 7 days after the election

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

### **3.67 Solar Energy Devices**

Approval is required in order to review aesthetic conditions. Photovoltaic (PV) Solar panels must 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. Pole mounted solar panels will not be allowed. Only roof top installed applications will be approved.

### **3.68 Spas**

See Section 3.36, Hot Tubs.

### **3.69 Statues or Fountains**

Approval is not required if statues or fountains are installed in the rear yard and are not greater than four 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 3.41, Ornaments/Art – Landscape/Yard

### **3.70 Storage Sheds**

See Section 3.63, Sheds and Section 3.2, Accessory Buildings.

### **3.71 Sunshades**

See Section 3.42, Overhangs/Awnings – Cloth or Canvas and Section 3.44, Patio Covers.

### **3.72 Swamp Coolers**

See Section 3.5, Air Conditioning Equipment, Section 3.24, Evaporative Coolers, and Section 3.57, Rooftop Equipment.

### **3.73 Swing Sets**

See Section 3.49, Play Structures and Sports Equipment.

### **3.74 Television Antennae**

See Section 3.6, Antennae/Satellite Dishes.

### **3.75 Trash Containers**

Trash containers must be stored in an enclosed, permanent structure (garage or accessory building). Place trash containers out for collection no earlier than the night before a scheduled trash pickup and remove trash containers from view the day of collection. Construction debris shall be removed from the premises weekly.

### **3.76 Tree Houses**

Approval is required.

### **3.77 Vanes**

See Section 3.82, Weather Vanes and Directionals.

### **3.78 Vehicular Parking, Storage and Repairs**

Vehicles may be parked only in the garages, in the driveways, if any, serving the Units, or in appropriate spaces or areas which may be designated by the entity with design approval rights under these Rules, Regulations, and Design Guidelines. Vehicles cannot obstruct normal flow of traffic (i.e., extend into the roadway). Exceptions include any vehicle temporarily parked for expedient loading, delivery, or an emergency.

Commercial vehicles, vehicles with commercial writing on their exteriors, vehicles primarily used or designed for commercial purposes, tractors, mobile homes, recreational vehicles, trailers (either with or without wheels), campers, camper trailers, boats and other watercraft, recreational vehicles, golf carts and boat trailers, shall be parked only in enclosed garages. Vehicles will only be permitted on driveways for up to seventy-two (72) hours. This restriction, however, shall not restrict trucks or commercial vehicles which are necessary for construction or for the maintenance of any portion of the Property or any Improvements located thereon, nor shall such restriction prohibit vehicles that may be otherwise parked as a temporary expedient for loading, delivery or emergency. Stored vehicles and vehicles which are inoperable or do not have current operating licenses shall not be permitted in the Property except within enclosed garages. For purposes of this Section, a vehicle shall be considered "stored" if, for example, it is up on blocks or covered with a tarpaulin and remains on blocks or so covered for seventy-two (72) consecutive hours without the prior approval of the entity with design approval rights under these Rules, Regulations, and Design Guidelines.

### **3.79 Vents**

See Section 3.57, Rooftop Equipment.

### **3.80 Walls**

See Section 3.26, Fences and Section 3.81, Walls, Retaining.

### **3.81 Walls, Retaining**

Approval is required except that an Owner may replace a builder-installed wall with like material. Dry stacked natural boulder retaining walls are the preferred type of retaining wall. Modular block walls to be approved on a case-by-case basis.

New or old creosote treated timber railroad ties are prohibited.

### **3.82 Weather Vanes and Directionals**

Approval is required.

### **3.83 Wells**

See Section 3.20, Domestic Wells and Rural Water.

### **3.84 Wind Electric Generators**

Wind Electric Generators are not approved.

### **3.85 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.

### **3.86 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.

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

### **3.87 Xeriscape**

Approval is required.

i. Definition. Per section 38.33.3-103(33) of the Colorado Statutes, xeriscaping is defined as the combined application of the seven principles of (1) landscape planning and design, (2) soil analysis and improvement, (3) hydro zoning of plants, (4) use of practical turf areas, (5) use of mulches, (6) irrigation efficiency, and (7) appropriate maintenance that results in water use efficiency and water-saving practices. Xeriscaping requires using native and adaptive plants that can grow and sustain themselves in dry natural conditions such as those in Colorado.

ii. Restrictions on District's Ability to Regulate. Section 38.33.3-106.5 of the Colorado Statutes states that notwithstanding any provision in the Declaration or these Guidelines, the District shall not prohibit any Owner's use of xeriscape or drought tolerant vegetative landscapes to provide ground covering to a Lot. Further, Section 37-60-126(11) of the Colorado Statutes states that any covenant either prohibiting xeriscaping or requiring the primary or exclusive use of turf grass is unenforceable as it is against public policy.

iii. Authorization to Regulate. Section 38.33.3-106.5 of the Colorado Statutes allows the District to adopt and enforce design and aesthetic guidelines or rules that (1) require drought-tolerant vegetative landscapes or (2) regulate the type, number and placement of drought-tolerant plantings and hardscapes that may be installed on an Owner's property.

iv. Advantages to Xeriscaping. The advantages of xeriscaping include:

- Substantial cost savings on water bills;
- Conservation of diminishing water resources;
- Prevention of pollution from environmentally harmful run-off;
- Reduced yard maintenance requirements;
- Aesthetic beauty and increased homeowner options for plant material.

v. “Zero-scaping”. The Committee makes a distinction between the terms “zeroscaping” and xeriscaping. Although the term zero-scaping does not exist, some owners may have the perception that xeriscaping utilizes large areas of hardscape such as boulders, rocks, gravel or other inorganic materials, with few plantings and little or no natural turf grass. Although this approach is indeed water-conserving, it is devoid of plants and grasses and not in keeping with the aesthetics of the neighborhood. Landscaping in this fashion is not allowed.

vi. Turf area. Variances to the requirement for full green lawn (turf) areas up to 70% of available front yard space may be allowed. It is preferred to choose a turf grass that has minimal water requirements. Owners should install turf that will survive in the amount of sun or shade it is situated in.

vii. Hardscapes. Hardscapes are encouraged to reduce lawn areas. The use of boulders, rocks, gravel, decomposed granite or other inorganic materials, generally referred to as hardscape, should not exceed 30% of the landscapable area of the combined front and backyard area. The reasons for limiting the coverage area with hardscape materials is two-fold:

- To avoid “zero-scape” appearances which are devoid of plantings or grasses
- Hardscape materials absorb and store solar energy and ambient heat. This considerable heat is then radiated to the surrounding soil, plantings and turf grasses, often throughout the night, with an adverse, withering impact on ground vegetation and nearby trees.

viii. Plant Variety. Owners should avoid planting large numbers of only one plant species, which can create a monoculture susceptible to pest or insect problems. The abundance of Xeriscape plants – trees, shrubs, perennials, groundcovers, vines and grasses – available in the nursery industry make it possible to choose plantings which give color and interest (flowers, fruits, berries, and foliage) year-round. Consequently, xeriscape plans should incorporate no less than four different types of shrubs, perennials, groundcovers, vines and grasses (excluding trees and grass in any remaining turf area).

ix. Weed Barriers. All hardscapes must be lined with weed fabric or other weed preventing barrier. Weed barriers deteriorate over time diminishing the effectiveness of such weed barriers. Owners are required to monitor the effectiveness of the weed barriers underlying all hardscapes and, if deemed substantially ineffective by the Owners or the Committee, shall replace such weed barriers.

x. Maintenance. Xeriscapes require ongoing maintenance and upkeep. Xeriscape owners are responsible for maintaining their xeriscapes using methods similar to those required of other owners having conventional landscaping designs. Each lot must be maintained in a neat, clean and orderly condition by the owner, so as not to be viewed as unkempt. Xeriscaping maintenance includes, but is not limited to:

- Mowing water-conserving turf such as Buffalo, Zoysia or Bermuda grasses,
- Employing weed control techniques, such as installing landscaping cloth in plant beds as weed barriers,
- Pruning and shaping plants,
- Replacing diseased and dead plantings,
- Owners should consider converting sprinkler heads to drip irrigation heads in plant beds, or grouping plants into water zones based on similar water needs so that sprinkler systems will not waste water on plants or turf grasses that do not need it.

xi. Decorative Objects. Hardscapes can include large boulders or other natural materials that are used as a part of the xeriphytic landscape design. The Architectural Review Committee prefers to see natural colored rock and masonry or masonry that matches the existing house color. Water features, urns, and other man-made ornamentation may be incorporated into the xeriscaping plans which require Committee approval.


xii. Pre-planned Water Wise Xeriscaping Plans for Front Yards. See **Exhibit J** for a list of pre-approved Water Wise Xeriscaping Design Plans for the front yard. If a homeowner desires to follow any one of the Plans with certain exceptions or deviations when modifying landscaping, such landscape plans require ARC approval.

#### **4. AMENDMENT.**

These Rules and Regulations/ Design Guidelines may at any time, from time to time, be added to, deleted from, repealed, amended, modified, reenacted, or otherwise changed by the Committee in its discretion, with the advice of the Board.

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THESE DESIGN GUIDELINES WERE UNANIMOUSLY APPROVED AND ADOPTED BY THE BOARD on the 10<sup>th</sup> day of April 2024. As provided in the Declaration and as provided in this document, these Design Guidelines are subject to amendment by the District, with the advice of the Committee.

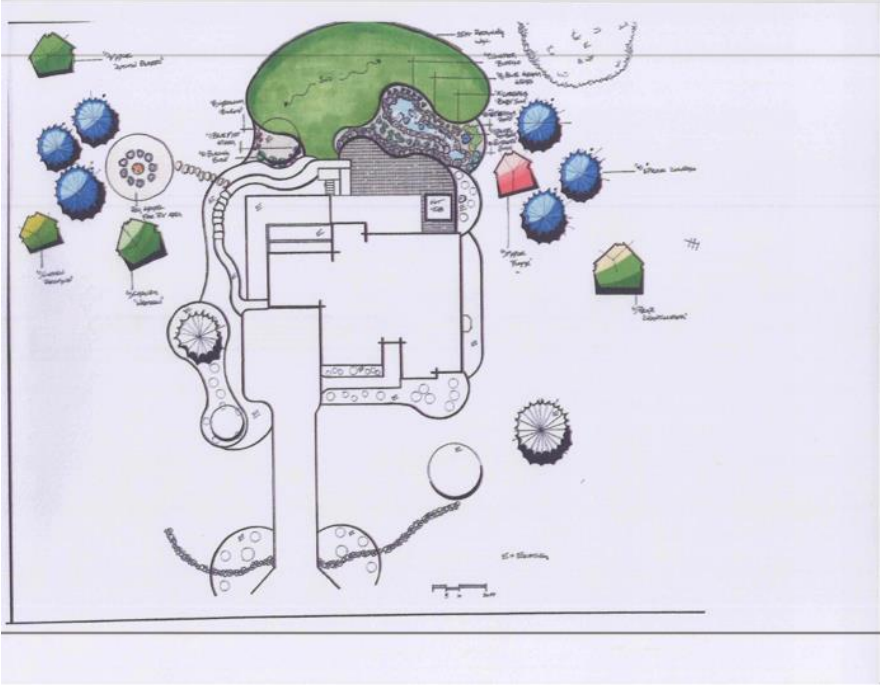
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President

## EXHIBIT A – Landscape/Paint Change Request Examples

Landscaping plan with plant details and location, followed by an itemized list of plant/trees and size.



Landscape request with change details and location layout

### Description of Improvements:

The attached submission consists of multiple projects in order to improve the appearance and functionality of our lot. Below is a description of each project.

### Driveway

We would like to widen our driveway to provide more room for vehicles and to allow for easier egress. The plan is to add a 6' wide extension running the length of 49' down the driveway. The concrete will be the same color and finish as existing driveway.

### Hot Tub

We plan to have a freestanding hot tub placed into our backyard. This hot tub will ultimately integrate into the rest of the design as trees and foliage will be placed around it for privacy.

### Fire Pit

This will be a lower fire pit area in front of the pool, the pit will be a natural wood burning and will be integrated into concrete pad and will be constructed out of landscaping wall blocks. Crushed gravel walkways will go around the front of the pool and lead to the fire pit area.

### Play Area

This area will contain a play structure with a slide and swings and will be made of primarily wood and metal, no bright colors will be present will make best effort to blend the structure into the surroundings. We will also have an above ground 10ft round trampoline with safety net. We will securely fasten the trampoline to the ground to ensure it remains in place. Lastly the entire Play Area will be covered with brown/black decorative rubber mulch (depending on availability) for safety and to tie into existing aesthetics.

### General backyard

We plan to reduce the backyard sod by over 50% leaving a smaller patch of grass that is more suitable for the well. We will add no less than 10 trees of varying sizes and types for privacy and aesthetics. We will add more granite rock around edges of sod and

### Pool

We have signed a contract with Premier Pools and Spas to provide a 16'x32' in ground pool and surrounding concrete patio. This will be a gunite/plaster pool and the raised portion in front will contain stacked stone that closely matches existing stone on house. See pictures below of renderings. More cad drawing can be provided if needed.



Paint change request with color sample and overall intended affect



## EXHIBIT B – Accessory Building Example

Accessory building roof line/pitch, paint/trim, stone work and windows match the primary residence.

Primary residence



Accessory building





### EXHIBIT C - Non-Vegetative Screening Examples

Wood slats painted the color of the house body or trim



## EXHIBIT D - Railing Examples

Wood railing painted the color of the house body or trim



## EXHIBIT E - Fencing Guidelines

Approval is required for all fencing. Fencing must conform to the requirements listed below:

- All fencing must be 3-rail fencing
  - Wood fencing made from naturally resistant species: cedar, redwood, or equivalent.
  - No pressure treated wood.
  - Post and Rail fence must use 4"x6" or 6"x6" posts, and 2"x6" rails.
  - Split rail design allowed.
  - Wire mesh or welded wire allowed. No chicken wire.
  - Max top rail height of 48".
- Pool fencing is to be metal or metal/wood combination. The wood should be painted the color of the house or trim.
- Vegetable garden, dog run, or other specialty application fencing considered on a case-by-case basis.

Split Rail Fence Example



Split Rail Gate Style Example

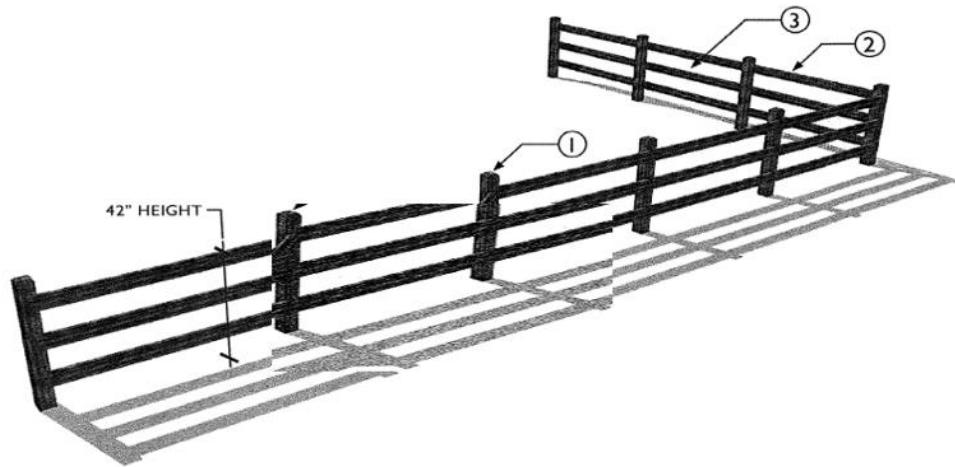


Pool Fencing Examples



## Split Rail Fencing Configuration

### GENERAL LAYOUT AND FENCE CONFIGURATION



#### THREE RAIL SPLIT FENCE

1. 6" X 6" PRESSURE TREATED POST, 1" CHAMFER ALL FOUR SIDES AT TOP.
2. 2" X 6" PRESSURE TREATED RAIL. ATTACH TO POSTS WITH 3/8" X 6" LAG SCREWS WITH WASHERS.
3. 2" X 4" WELDED WIRE MESH, ATTACH TO RAILS WITH 4 STAPLES PER RAIL. Permitted, not required.

## EXHIBIT F – Garden Bed Examples

Types of garden beds allowed

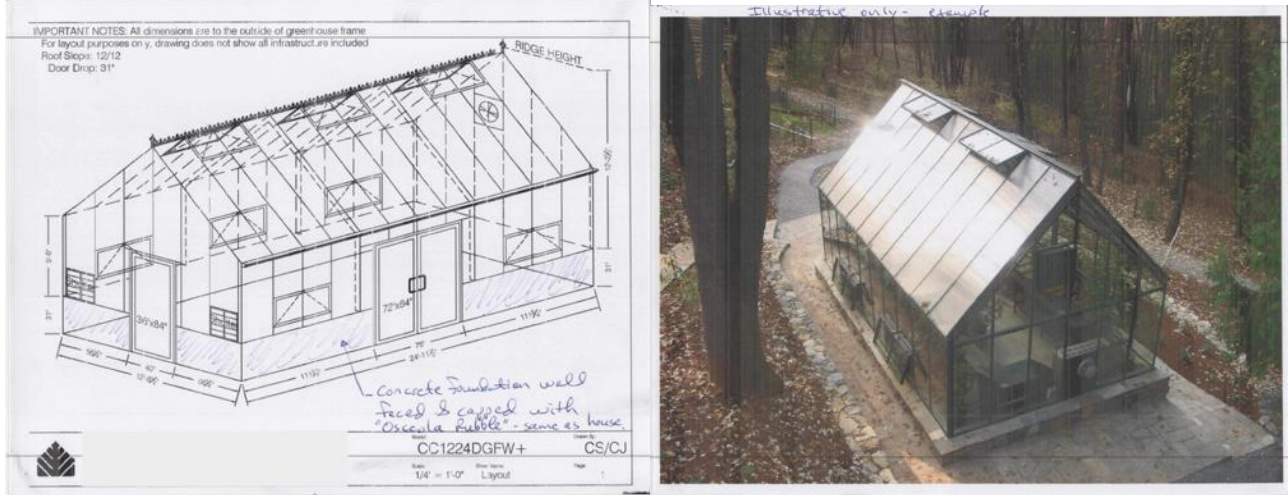


Types of garden beds not allowed

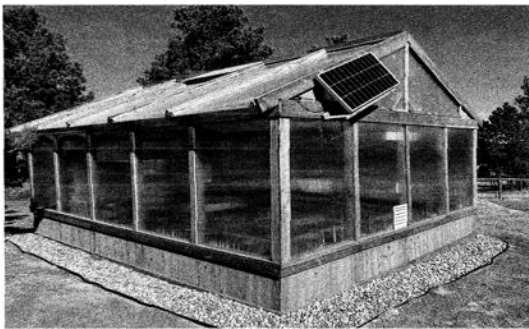


### EXHIBIT G - Greenhouse Examples

Allowed:



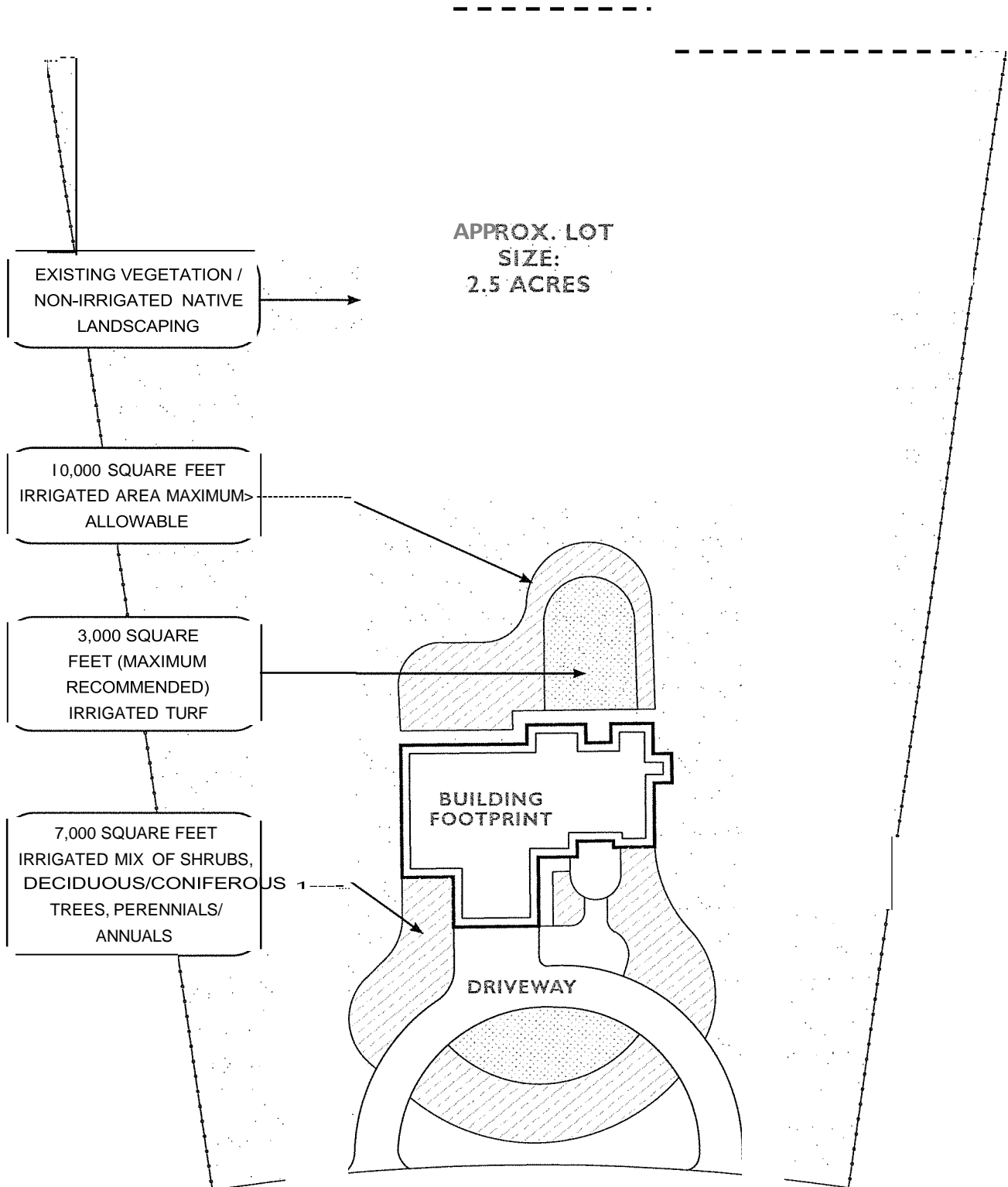
Not Allowed. The example below would not be approved due to material type. Specifically, because of the use of flimsy fiberglass/plexiglass materials that would not withstand high winds and hail.



## **EXHIBIT H - Landscaping Guidelines**

These Landscape Guidelines are generally intended to assist Owners as a template for landscape design within the Two Bridges community. These guidelines have been prepared to provide basic information in regards to satisfying planting requirements and alternatives for on-lot landscape design. We hope you find this information helpful, and will refer to it when preparing a request for the Architectural Review Committee.

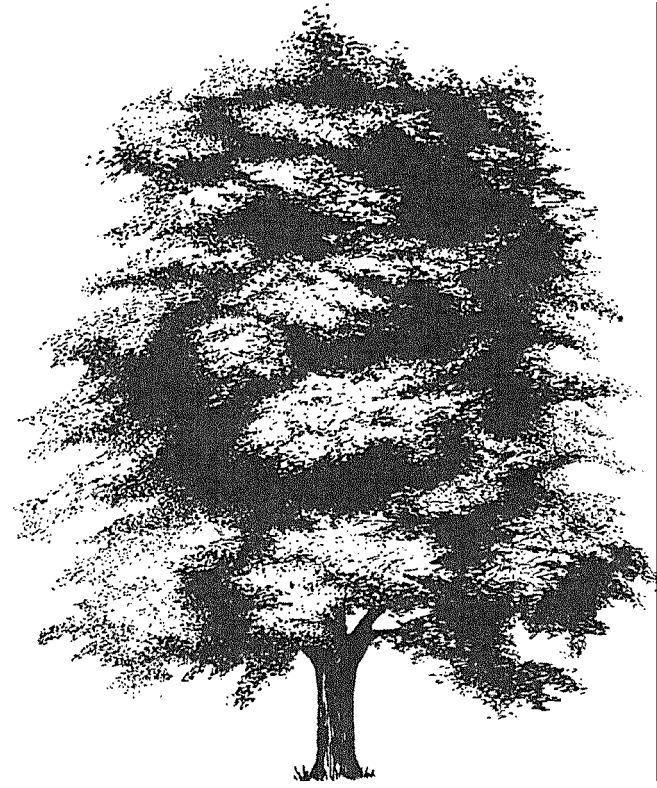
### EXAMPLE LOT LANDSCAPING



### LANDSCAPE REQUIREMENTS



## **EXHIBIT I - Recommended Trees for Colorado Front Range Communities**



# Recommended Trees for Colorado Front Range Communities

*A Guide for Selecting, Planting, and Caring For Trees*



## Do Not Top Your Trees!



*Trees that have been topped may become hazardous and unsightly.*

Avoid topping trees. Topping leads to:

- Starvation
- Shock
- Insects and diseases
- Weak limbs
- Rapid new growth
- Tree death
- Ugliness
- Increased maintenance costs

<http://csfs.colostate.edu>



[www.coloradotrees.org](http://www.coloradotrees.org)



[www.fs.fed.us](http://www.fs.fed.us)



*Special thanks to the International Society of Arboriculture for providing details and drawings for this brochure.*

## Trees to avoid!

Selecting the right tree for the right place can help reduce the potential for catastrophic loss of trees by insects, disease or environmental factors. We can't control the weather, but we can use discernment in selecting trees to plant. A variety of tree species should be planted so no single species represents more than 10-15 percent of a community's total tree population. Many trees are not recommended because of brittle wood, susceptibility to insects and diseases, or their ability to spread in to native ecosystems and out-compete native species, while others simply do not grow well in our climate. The following is a list of tree species **NOT** recommended for the Front Range of Colorado:

Species **NOT** recommended

**Austree** (*Salix alba x matsudana*) **Aspen** (*Populus tremuloides*) **Silver maple** (*Acer saccharinum*)

**Russian-olive** (*Elaeagnus angustifolia*) **Tree-of-Heaven** (*Ailanthus altissima*) **Tamarisk** (*Tamarix pp.*)

**Willows** (*Salix spp.*)

**White-Barked Birches** (*Betula spp.*)

**Non-native hybrid poplars/cottonwoods** (*Populus spp.*)

**Siberian elm** (*Ulmus pumila*)

## Tree Selection

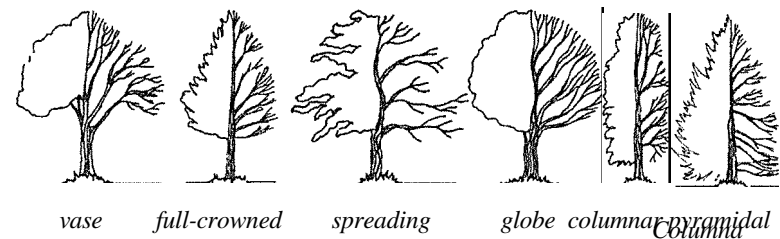
Tree selection is one of the most important investment decisions a home owner makes when landscaping a new home or replacing a tree lost to damage or disease. Most trees can outlive the people who plant them; therefore, the impact of this decision is one that can influence a lifetime. Matching the tree to the site is critical; the following site and tree demands should be considered before buying and planting a tree.

### Site Considerations

- Available space above and below ground
- Water availability
- Drainage
- Soil texture and pH
- Sunlight levels/exposure
- Weather and other environmental factors

### Tree Considerations

- Growth rate of the species selected
- Mature size
- Form
- Hardiness - ability of a plant to survive low temperatures
- Heat tolerance and drought tolerance
- Pest resistance
- Maintenance issues
- Native vs. non-native species

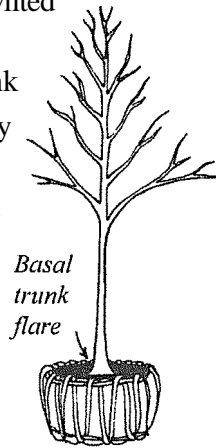


## Selecting Trees at the Nursery

When you buy a high-quality tree, plant it correctly, and treat it properly, you and your tree will benefit greatly for many years. When you buy a low-quality tree, you and your tree will have many costly problems even if you take great care in planting and maintenance.

Consider the following when selecting a tree at the nursery:

- Tree should appear healthy. No discolored bark, wilted leaves, etc.
- Branches should be spaced evenly around the trunk
- Tree trunk should taper from a solid base, gradually becoming more slender towards the top.
- Tree foliage and branches should be distributed on upper 2/3 of tree.
- Tree should contain a central, dominant leader.
- Tree should be free from mechanical damage.
- Tree should be free from insects and diseases.
- Roots should not be girdling, circling or pot bound.



## Tree Planting Tips

- Plant the top of the root ball slightly above ground level. The root collar (flare) must be visible one inch above final grade.
- Set root ball on solid ground and not on loose backfill in the hole; this will eliminate settling.
- Remove at least the top 1/2 of all wire and baskets from balled and burlapped trees and completely remove containers from containerized stock.
- Adding peat moss or manure to soil in the planting hole is not necessary. (Too much can cause a "potted tree" effect and

restrict root growth.) Backfill hole with original soil.

- Do not fertilize at planting time.
- Optimum planting periods are from March 15 to June 15 and from

## Large Evergreens

**(30 - 60 feet mature height) Do not use as street trees!**

### Colorado blue spruce (*Picea pungens*)

State tree, sharp stiff needles, color of needles range from bright green to silver blue

### Austrian pine\* (*Pinus nigra*)

Long needle pine, works well in a windbreak

### Concolor (white) fir\* (*Abies concolor*)

Long soft blue-green needles, plant in a protected site, shade and drought tolerant

### Scots pine (*Pinus sylvestris*)

Short needle pine, orange bark with age

### Ponderosa pine\* (*Pinus ponderosa*)

Long needle pine, native to Colorado, hardy tree

### Southwestern white pine\* (*Pinus strob (formis)*)

Soft, dark bluish-green needles, native to Colorado

### Limber pine\* (*Pinus flexilis*)

5-needle pine with rounded top, informal habit, blue-green needles with silvery bark



Colorado blue spruce

White fir

Ponderosa pine

## Small evergreens

**(15 - 25 feet mature height)**

### Pifion\* (*Pinus edulis*)

September 1 to October 15.

*Dense, bushy pine, short grayish-green needles, getting hit hard by fps beetle in parts of State*

**Bristlecone pine\*** (*Pinus aristata*)  
*Bushy dark green needles, very slow growing*

**Hawthorn species\*** (*Crataegus spp.*)

*Flowers in the spring, small fruit produced, most varieties contain small thorns*

**Crabapple species\*** (*Malus spp.*)

*Flowers in the spring, most varieties produce ji-uit, select a variety that has a high resistance to fire blight*

**Amur maple\*** (*Acer ginnala*)

*Yellow white flowers, abundant seed, orange to red fall colors; does better in lower pH soils*

**Tatarian maple\*** (*Acer tataricum*)

*Winged seeds good for birds, fall color orange-red, hardy tree*

**Serviceberry** (*Amelanchier spp.*)

*Small trees or large shrubs with showy white. Flowers and edible. Fruits*

**Gambel (scrub) oak\*** (*Quercus gambelii*)

*Native acorn-producing oak with great variability in size and shape*

**Japanese tree lilac** (*Syringa reticulata*)

*Creamy, white flower clusters with showy, dark bark*

**Callery pear\*** (*Pyrus calleryana*)

*Brilliant display of showy, white flowers in spring, glossy green leaves that change to red in fall, many varieties to choose from but avoid Bradford*

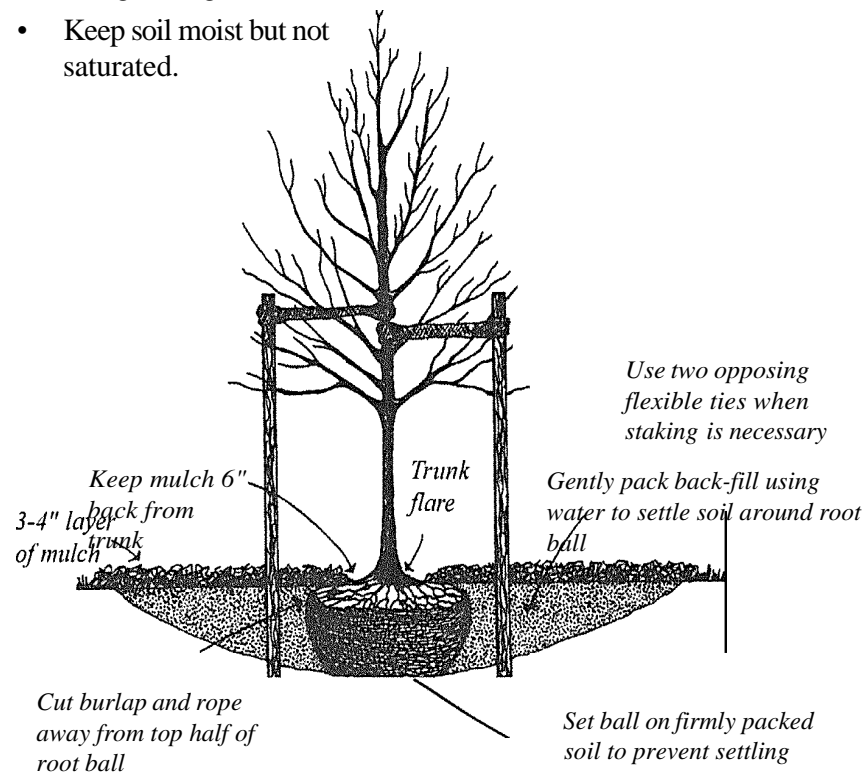
**Redbud** (*Cercis canadensis*)

*Early spring magenta-colored flowers followed by heart-shaped leaves, plant only northern strains in protected locations*

**European mountain-ash** (*Sorbus aucuparia*)

*Dark green, pinnately compound leaves with silvery undersides, creamy white flowers followed by clusters of orange-red fruit*

- Use mulch 3--4 inches deep, pull back 6 inches from the trunk of the tree, and extend the mulch ring one foot beyond the root ball. This will protect roots, hold soil moisture, reduce weed growth, and provide a protective strip to eliminate mechanical damage from lawnmowers and weedeaters. Porous landscape cloth may be placed between the soil and the mulch. Do not use plastic. Keep grass and weeds out of mulched area as they compete for the same resources as your new tree.
- If necessary, stake tree properly to keep root ball from shifting. Main tree stem must be able to sway slightly; if it is too rigid, root growth, diameter of stem, and height growth will be adversely affected.
- Use wide straps for tying trees to stakes. Do not use wire, string, rope, or rubber hose around tree.
- Remove stakes and straps after roots are established, usually one or two growing seasons.
- Keep soil moist but not saturated.





## Tree Watering

The correct amount of water is the most important factor in ensuring proper tree establishment. Too much water can be as damaging to a newly planted tree as too little water, so be sure to periodically check soil moisture by examining the soil in the area of the roots. Follow these recommendations to help your tree establish in the landscape:

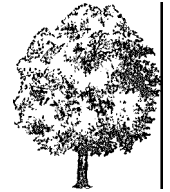
- **Water deeply and slowly.** Apply water so it moistens the critical root zone (from near the trunk of the tree to the dripline) to a depth of twelve inches. Methods for watering include a deep root fork or needle, soaker hose or soft spray wand. Apply water to many locations under the dripline. If a deep root fork or needle is used, insert the device no deeper than eight inches into the soil.
- **Consistent moisture is essential.** Maintaining consistent soil moisture allows for better root water absorption. Drought stressed or over-watered trees are more vulnerable to disease and insect infestations, as well as branch dieback.
- **When should I water?** Generally, water a newly planted tree every 3-5 days during the growing season, depending on weather and soil conditions. Remember that newly planted trees need water during dry periods in the winter months as well. Try to water at least once a month in the dormant season.
- **How much water should I apply?** Utilize the following "rule of thumb" for watering: apply 10 gallons of water per inch of tree diameter, for instance a 1 inch tree will require 10 gallons of water each time it is watered. For mature trees 10 inches in diameter or more, apply 15 gallons of water per inch of tree diameter. Use a ruler to measure your tree's diameter.
- **Mulch helps conserve soil moisture.** Mulch is **critical** to conserve soil moisture. Apply organic mulch within the dripline, at a depth of three to four inches. It's best to eliminate turf prior to

### Japanese pagodatree\* (*Sophorajaponica*)

*Rounded crown, olive green bark, abundant white flowers*

### Ohio buckeye\* (*Aesculus glabra*)

*Very similar to horse chestnut with a bit smaller leaf that can occasionally scorch*



Ohio buckeye

### Amur corktree\* (*Phellodendron amurense*)

*Round broad spreading tree, bark is cork like, leaves dark green on top and light green on bottom*

### Turkish filbert\* (*Corylus colurna*)

*Tolerant of a wide variety of soil conditions, dark green leaves turn yellow in fall, may produce small nuts in fall*

### Thinleaf alder (*Alnus tenuifolia*)

*Native tree with medium green leaves turning yellow in fall giving way to cone-like fruits in winter*

## Small Ornamental Trees

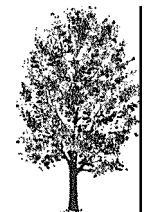
(<25 feet mature height)

### Canada red cherry\* (*Prunus virginiana*)

*'Shubert')* White flowers, small fruit, new growth on plant is bright green and turns maroon, can sucker profusely

### Mayday tree (*Prunus padus*)

*White flowers, black drupe fruit, yellow to orange fall color*



Ussurian pear

### Ussurian pear\* (*Pyrus ussuriensis*)

*White flowers, small fruit, red wine fall color*

### Canyon maple\* (*Acer grandidentatum*)

adding mulch. Leave a six-inch space between the mulch and trunk of trees. Mulch materials may include wood chips, bark, leaves and evergreen needles.

*Slow growing, Rocky Mountain native, shades of yellow, orange and red in fall*

**Golden raintree\*** (*Koelreuteria paniculata*)

*Yellow flowers in summer; papery pods, leaves red and turn green*

**Ginkgo** (*Ginkgo biloba*)

*Few insect and disease problems, pretty. Fall colors; distinctive leaf shape*

**American linden** (*Tilia americana*)

*Excellent street tree, dark green leaves, yellow-green fall color*

**Black walnut** (*Juglans nigra*)

*Edible nuts, great. For squirrels and birds, nuts may create a mess*

**Northern catalpa\*** (*Catalpa speciosa*)

*Fragrant white flowers, pencil sized seedpods, large heart shaped leaves*

**Norway maple** (*Acer platinoids*)

*Shapely tree, leaf color varies with variety,*

*protect. From sun scald*

**Sugar maple** (*Acer saccharum*)

*Does better in lower pH soils, glossy dark green leaves turn to reds, oranges and yellows in fall*

**Sycamore** (*Platanus occidentalis*)

*Fast growing and long-lived, distinctive mottled brown, green, tan and white bark, prefers floodplain type soils*

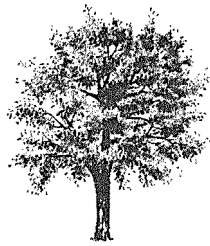
**Horse chestnut\*** (*Aesculus hippocastanum*)

*Greenish-yellow flowers, prickly seed pod, yellow to orange fall color*

**Medium Shade Trees  
(30 - 45 feet mature height)**

**Littleleaf linden** (*Tilia cordata*)

*Yellow flower clusters, pea sized. Fruit, formal pyramidal form, excellent street tree*



**Black walnut**



**Northern catalpa**



**Norway maple**



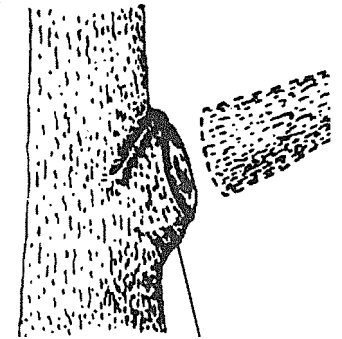
**Horse chestnut**



**Little leaf**

**Tree Pruning**

Limit pruning of newly planted trees to corrective pruning. Remove torn or broken branches (save other pruning measures for the second or third year). Once the tree has established a good root system after planting (usually within 1 to 3 years), proper pruning is essential in developing a tree with a strong structure and desirable form. Trees that receive the appropriate pruning measures while they are young will require little corrective pruning when they mature.



Location of a pruning cut is critical to a tree's response in growth and wound

closure. Pruning cuts should be made just outside the branch collar. Since the branch collar contains trunk or parent

*Branch Collar  
pruning cuts should be made  
just outside the branch collar*

branch tissues, the tree will be damaged unnecessarily if you remove or damage it. In fact, if the cut is large, the tree may suffer permanent internal decay from an improper pruning cut.

For most young trees, maintain a single dominant leader. Do not prune back the tip of this leader. Do not allow secondary branches to outgrow the leader. Sometimes a tree will develop double leaders known as co-dominant stems. These can lead to structural weaknesses, so it is best to remove one while the tree is young. A good structure of primary scaffold branches should be established while the tree is young. The scaffold branches provide the framework of the mature tree. Properly trained young trees will develop a strong structure that will require less corrective pruning as they mature. The goal in training young trees is to establish a strong trunk with sturdy well-spaced branches.

**linden**

## Need Help?

This booklet does not provide all information, on all trees, for all locations. Each tree species has its own particular needs. The Colorado Tree Coalition strongly urges you to contact your local tree expert for more information, please call your:

- Community tree board
- City Forester
- City's Parks Department
- Arborist
- Forestry Consultant
- Tree Nursery
- Colorado State University Cooperative Extension
  
- Colorado State Forest Service District Office

## Recommended Trees for Colorado Front Range Communities

*\*Signifies trees that can withstand drier conditions*

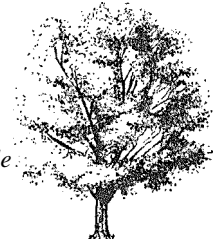
### Large Shade Trees (>50 feet mature height)

#### **English oak** (*Quercus robur*)

*Produces acorns, rounded crown, dark green leaves turn brown and remain on tree through winter*

#### **Hackberry\*** (*Celtis occidentalis*)

*Very hardy, can be susceptible to nipple gall, reddish purple cherry like berries*



**Hackberry**

#### **Chinkapin oak\*** (*Quercus muehlenbergii*)

*Produces acorns, tolerant of alkaline soils, attractive glossy leaves*

#### **Bur oak\*** (*Quercus macroca, pa*)

*Produces acorns, fall color yellow to brown and occasionally red, very hardy and long lived*



**Honeylocust**

#### **Swamp white oak** (*Quercus bicolor*)

*Produces acorns, deep green leaves white underneath, not tolerant of high pH soils*

#### **Shumard oak** (*Quercus shumardii*)

*Produces acorns, fall color yellow, brown to red*

#### **Honeylocust\*** (*Gleditsia triacanthos inermis*)

*Hardy trees, dark green. Fern-like leaves, yellow fall color*

**Kentucky coffeetree\*** (*Gymnocladus dioica*) *Fragrant white flowers, persistent seed pods can be produced, large shade tree, no known pest problems*

**American elm** (*Ulmus americana*)

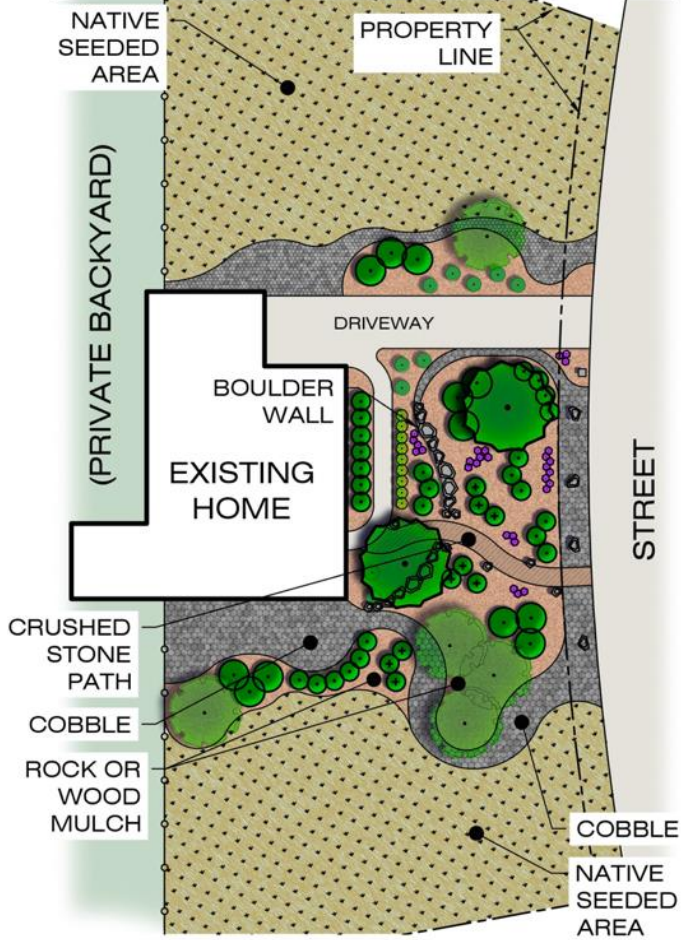
*Disease-resistant cultivars can be very hardy, broad shaped crown, excellent street tree*

## **EXHIBIT J – Xeriscape Design and Plants**

**BEFORE**



**WATER-WISE DESIGN EXAMPLE**



**LANDSCAPE LEGEND**

- EXISTING TREES
- EXISTING SHRUBS
- TREES
- SHRUBS
- ORNAMENTAL GRASSES
- PERENNIALS
- LANDSCAPE BOULDERS
- EXISTING SOD LAWN
- COBBLE
- NATIVE SEED MIX

**INSPIRATION**



**WATER WISE - LARGE LOT EXHIBIT**

Wolffersberger LLC Properties

November 15, 2023

  
**OUTDOOR**  
—DESIGN GROUP—

OUTDOOR DESIGN GROUP, INC.  
3650 WEATHER STREET  
ARAPAHO, CO 80002  
(303) 993-8111  
WWW.ODGDDESIGN.COM



**PLANTING LOCATION NOTES:**

· Keep all intersection & driveway sight-triangles visually clear for motorist, pedestrian, and bicyclist safety. Any plant materials within a sight triangle should be no taller than 24-inches (trees excluded).

· Fire hydrants must remain completely visible. Do not plant closer than 5 feet from any fire hydrant, and do not plant trees closer than 10 feet from any fire hydrant.  
· Call 811 to locate underground utilities on your property before you begin to dig.

**DECIDUOUS SHRUBS**

COMMON NAME	BOTANICAL NAME	MATURE HEIGHT	MATURE SPREAD	WATER USE	SUN/SHADE
Leadplant	<i>Amorpha canescens</i>	2-4'	2-4'	Very Low	Sun
Silver Sagebrush	<i>Artemisia cana</i>	1-6'	2-3'	Very Low	Sun
Tall Western Sagebrush	<i>Artemisia tridentata</i>	3-12'	3-6'	Very Low	Sun
Four Wing Saltbush	<i>Atriplex canescens</i>	3-6'	2-4'	Very Low	Sun
Japanese Barberry Varieties	<i>Berberis thunbergii</i>	2-4'	2-5'	Low	Sun
Silver Fountain Butterfly Bush	<i>Buddleja alternifolia</i> 'Argentea'	10-15'	10-15'	Low	Sun
Siberian Peashrub	<i>Caragana arborescens</i>	10-15'	8-12'	Low	Sun
Blue Mist Spirea	<i>Caryopteris x dandonensis</i> 'Blue Mist'	3-4'	2-3'	Low	Sun
Common Mountain Mahogany	<i>Cercocarpus montanus</i>	6-8'	4-6'	Very Low	Sun / Part Shade
Fernbush	<i>Chamaebatia millefolium</i>	3-5'	3-6'	Very Low	Sun
Rabbitbrush	<i>Ericameria nauseosa</i>	2-6'	2-6'	Very Low	Sun
Apache Plume	<i>Fallugia paradoxa</i>	3-6'	3-6'	Very Low	Sun
Rock Spiraea	<i>Holidiscus dumosus</i>	3-6'	3-6'	Low	Sun / Part Shade
Cheyenne Privet	<i>Ligustrum vulgare</i> 'Cheyenne'	6-8'	4-6'	Low	Sun / Part Shade
Potentilla Varieties	<i>Potentilla fruticosa</i>	1-3'	2-4'	Low	Sun
Creeping Western Sand Cherry	<i>Prunus besseyi</i> Pawnee Buttes	15-18"	4-6'	Low	Sun
Western Sand Cherry	<i>Prunus besseyi</i>	4-6'	4-6'	Low	Sun
Smooth Sumac	<i>Rhus glabra</i>	8-15'	8-10'	Low	Sun
Boulder Raspberry	<i>Rubus deliciosus</i>	3-6'	3-6'	Low	Adaptable
White Snowberry	<i>Symphoricarpos albus</i>	3-4'	3-5'	Low	Sun / Part Shade
Common Purple Lilac	<i>Syringa vulgaris</i>	10-20'	8-12'	Low	Sun
Mohican Wayfaring Tree	<i>Viburnum lantana</i> 'Mohican'	6-8'	6-8'	Low	Sun / Part Shade

**EVERGREEN SHRUBS**

COMMON NAME	BOTANICAL NAME	MATURE HEIGHT	MATURE SPREAD	WATER USE	SUN/SHADE
Joint Fir Bluestem	<i>Ephedra equisetina</i>	3-5'	2-3'	Low	Sun / Part Shade
Mormon Tea	<i>Ephedra viridis</i>	2-4'	2-3'	Very Low	Sun
Bar Harbour Juniper	<i>Juniperus horizontalis</i> 'Bar Harbour'	8-12"	6-8'	Low	Sun
Mugo Pine	<i>Pinus mugo</i>	5-20'	5-20'	Low	Sun / Part Shade
Soapweed Yucca	<i>Yucca glauca</i>	2-3'	2-4'	Very Low	Sun

## ORNAMENTAL GRASSES

COMMON NAME	BOTANICAL NAME	MATURE HEIGHT	MATURE SPREAD	WATER USE	SUN/SHADE
Big Bluestem Grass	<i>Andropogon gerardii</i>	4-6'	2-3'	Low	Sun
Blue Grama Grass	<i>Bouteloua gracilis</i>	1-2'	1-2'	Very Low	Sun
Blonde Ambition Grama Grass	<i>Bouteloua gracilis</i> 'Blonde Ambition'	2-3'	1-2'	Very Low	Sun
Feather Reed Grass	<i>Calamagrostis acutiflora</i> 'Karl Foerster'	4-5'	18-24"	Low	Sun / Part Shade
Blue Fescue Grass	<i>Festuca glauca</i> spp.	6-12"	6-12"	Low	Sun
Blue Avena Grass	<i>Helictotrichon sempervirens</i>	2-3'	18-24"	Low	Sun
Heavy Metal Blue Switch Grass	<i>Panicum virgatum</i> 'Heavy Metal'	3-4'	12-18"	Low	Sun
Little Bluestem Grass	<i>Schizachyrium scoparium</i> 'Blaze'	3-4'	24-30"	Low	Sun
Giant Sacaton Grass	<i>Sporobolus wrightii</i>	3-6'	3-5'	Low	Sun

## PERENNIALS

COMMON NAME	BOTANICAL NAME	MATURE HEIGHT	MATURE SPREAD	WATER USE	SUN/SHADE
Colorado Yarrow	<i>Achillea millefolium</i> 'Paprika'	18-24"	2-3'	Low	Sun
Coronado Red Hyssop	<i>Agastache</i> 'Pstissene'	15-18"	12-15"	Low	Sun / Part Shade
Kinnikinnick	<i>Arctostaphylos uva-ursi</i>	3-6"	2-6'	Low	Sun / Part Shade
Butterfly Weed	<i>Asclepias tuberosa</i>	18-36"	18-24"	Low	Sun
Purple Rockress	<i>Aubrieta deltoidea</i> 'Purple Gem'	4-6"	8-12"	Low	Sun
Prairie Winecups	<i>Callirhoe involucrata</i>	6-12"	2-3'	Low	Sun
Purple Iceplant	<i>Delosperma cooperi</i>	2-4"	12-18"	Low	Sun
Sulphur Flower	<i>Eriogonum umbellatum</i>	6-12"	12-24"	Very Low	Sun
Cushion Spurge	<i>Euphorbia polychroma</i>	1-2'	2-3'	Low	Sun
Native Blanket Flower	<i>Gaillardia aristata</i>	18-24"	18-24"	Low	Sun
Red-hot Poker	<i>Kniphofia uvaria</i>	3-4'	2-3'	Low	Sun
Native Gayfeather	<i>Liatris punctata</i>	12-18"	6-12"	Low	Sun
Native Gayfeather	<i>Liatris punctata</i>	12-18"	6-12"	Low	Sun
Silvery Horehound	<i>Marrubium rotundifolium</i>	6-8"	12-18"	Very Low	Sun
Little Trudy Catmint	<i>Nepeta</i> 'Pstike'	8-12"	18-24"	Low	Sun
Rocky Mountain Penstemon	<i>Penstemon strictus</i>	18-24"	12-18"	Low	Sun
Little Spire Russian Sage	<i>Perovskia atriplicifolia</i> 'Little Spire'	2-3'	2-3'	Very Low	Sun
Prairie Yellow Coneflower	<i>Ratibida columnifera</i>	18-24"	18-24"	Very Low	Sun
Black Eyed Susan	<i>Rudbeckia fulgida</i> 'Goldsturm'	18-24"	18-24"	Low	Sun
Stoncrop Veriefies	<i>Sedum</i> spp.	2-24"	12-24"	Low	Sun
Hens and Chicks	<i>Sempervivum</i> species	2-6"	12-18"	Very Low	Sun
Partridge Feather	<i>Tanacetum densum amani</i>	6-8"	18-24"	Very Low	Sun
Native Verbena	<i>Verbena bipinnatifida</i>	3-6"	12-18"	Low	Sun
Golden Flowered Prairie Zinnia	<i>Zinnia grandiflora</i> 'Gold on Blue'	8-10"	18-30"	Very Low	Sun

**APPENDIX A - ARCHITECTURAL REVIEW REQUEST FORM**

## TBMD ARCHITECTURAL REVIEW REQUEST FORM

Two Bridges Metropolitan District  
Attn: Charles Wolfersberger and  
Annemarie Tucker  
12210 Brighton Road #8  
Henderson, CO 80640  
720-541-7725  
[charles@wolfersbergerllc.com](mailto:charles@wolfersbergerllc.com)  
[atucker@wolfersbergerllc.com](mailto:atucker@wolfersbergerllc.com)

For Office Use Only Date Received _____ Crucial Date _____
--

HOMEOWNER'S NAME(S): \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
E-MAIL ADDRESS: \_\_\_\_\_  
PHONE(S): \_\_\_\_\_

My request involves the following type of improvement(s):

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Painting        | <input type="checkbox"/> Patio Cover             | <input type="checkbox"/> Drive/Walk Addition  |
| <input type="checkbox"/> Fencing         | <input type="checkbox"/> Roofing                 | <input type="checkbox"/> Basketball Backboard |
| <input type="checkbox"/> Landscaping     | <input type="checkbox"/> Room Addition           | <input type="checkbox"/> Other:               |
| <input type="checkbox"/> Deck/Patio Slab | <input type="checkbox"/> Accessory/Building/Shed |   |

Include one copy of your plot plans, and describe improvements showing in detail what you intend to accomplish (see Section 2 of the Rules, Regulations, and Design Guidelines of Two Bridges). Be sure to show existing conditions as well as your proposed improvements and any applicable required screening. Example: if you will be building a storage shed, be sure to indicate lot size, fence locations, dimensions, materials, any landscape or other screenings, etc. (see the Rules and Regulations for requirement details for your specific proposed Improvement).

*I understand that I must receive approval from the ARC in order to proceed with installation of Improvements if Improvements vary from the Rules and Regulations or, are not specifically exempt. I understand that I may not alter the drainage on my lot. I understand that the ARC is not responsible for the safety of Improvements, whether structural or otherwise, or conformance with building codes or other governmental laws or regulations, and that I may be required to obtain a building permit to complete the proposed Improvements. The ARC and the members thereof, as well as the District, the Board of Directors, or any representative of the ARC, shall not be liable for any loss, damage or injury arising out of or in any way connected with the performance of the ARC for any action, failure to act, approval, disapproval, or failure to approve or disapprove submittals, if such action was in good faith or without malice. All work authorized by the ARC shall be completed within the time limits established specified below, but if not specified, not later than one year after the approval was granted. I further understand that following the completion of my approved Improvement the ARC reserves to right to inspect the Improvement at any time in order to determine whether the proposed Improvement has been completed and/or has been completed in compliance with this Architectural Review Request.*

All work to be completed no later than: \_\_\_\_\_

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

Homeowner Signature: \_\_\_\_\_

Homeowner Signature: \_\_\_\_\_

ARC Action:

- Approved as submitted
- Approved with following exception:
- Approved subject to the following requirement:
- Disapproved for the following reasons:

All work to be completed no later than: \_\_\_\_\_

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

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

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

**SUBMITTAL FEES**

Submittal Fees shall be charged on the following schedule each submittal:

- Structural/Major Landscaping: Fee - \$100 total for up to two Structural/Major Landscaping category selections. **Please make separate submissions for each Structural/Major Landscaping project but pay only \$100 for two projects.**
- Accessory: Fee - \$50 total for up to three Accessory category selections
- Decorative: Fee - \$20 total for up to three Decorative category selections
- Combined: Fee - higher fee of three items submitted

Notes: The following items have been highlighted (due to a history of issues) and must be acknowledged and included in your plan:

- \_\_\_ 1. The homeowner has read and understands Section 3 of the Rules, Regulations, and Design Guidelines posted on the TBMD website in its entirety. For landscaping submittals, the homeowner understands the requirements of Section 3.38 (Front, Back, and Side Yard Landscaping) delineating the minimum requirements for tree and shrub sizes, numbers, and types, per lot size. In addition, a list of planting material must be included with your submission.
- \_\_\_ 2. Maximum amount of sod/turf allowed is 3,333 square feet.
- \_\_\_ 3. Building and landscape materials WILL NOT be dumped in the roadway. It is a covenant violation as well as a traffic violation.
- \_\_\_ 4. Construction vehicles must be legally parked and delineated with safety cones while on the roadway.

**This is an “At a Glance” reference guide for ARC Form Rules, Regulations and Fees\*  
For further details refer to the TBMD website under  
Rules, Regulations and Design Guidelines**

\*These are TBMD fees only, other government or professionals (e.g. Engineers, architects) may require fees as well.

If your Improvement is not listed, please contact the management company (Section 1.5) for guidance.

Homeowners may select up to three items per category for one submission fee.  
For selections across categories, homeowners may select three items and default to the highest fee category for the one submission fee.  
A maximum of three items per submission, for more items (an) additional submission(s) are needed.

**Structural/Major Landscaping: Fee - \$100 total for up to two Structural/Major Landscaping category selections**

- 3.2 Accessory Buildings
- 3.3 Additions and Expansions
- 3.9 Balconies / see 3.17 Decks
- 3.17 Decks
- 3.23 Driveways
- 3.26 Fences (includes pet and pool fencing)
- 3.31 Gazebos
- 3.34 Greenhouses
- 3.38 Front, Back and Side Yard Landscaping
- 3.44 Patio Covers
- 3.45 Patio – Enclosed / see 3.3 Additions and Expansions
- 3.46 Patio – Open / ref 3.17 Decks
- 3.47 Paving
- 3.53 Pools
- 3.59 Saunas / ref 3.2 Accessory Buildings
- 3.63 Sheds (greater than 3’x5’x6’) / ref 3.2 Accessory Buildings
- 3.70 Storage Sheds / see 3.2 Accessory Buildings
- 3.80 Walls / see 3.26 Fences and 3.81 Walls, Retaining
- 3.81 Walls, Retaining
- 3.85 Window Replacement
- 3.87 Xeriscape

**Accessory: Fee - \$50 total for up to three Accessory category selections**

- 3.5 Air Conditioning Equipment (not required for replacement of existing unit)
- 3.8 Backyard Sports Pads and Sports Courts / ref 3.39 Lights and Lighting
- 3.10 Barbeque/Gas Grills (permanent or built ins)
- 3.18 Dog Houses
- 3.19 Dog Runs
- 3.21 Doors (security style or color/material change)
- 3.24 Evaporative Coolers / ref 3.5 Air Conditioning Equipment, and 3.48 Pipes
- 3.25 Exterior Lighting / see 3.39 Lights and Lighting

- 3.27 Fire Pits (permanent or built in)
- 3.29 Flagpoles (freestanding)
- 3.30 Garden Beds – flower or vegetable
- 3.32 Generators/Power Sources
- 3.36 Hot Tubs
- 3.39 Lights and Lighting
- 3.43 Painting (color change)
- 3.48 Pipes/Equipment Screening
- 3.49 Play Structures and Sport Equipment
- 3.50 Playhouses (greater than 24 sq ft, greater than 6 ft high) / ref 3.2 Accessory Buildings
- 3.51 Poles / see 3.29 Flags/Flagpoles
- 3.52 Ponds and Water Features
- 3.56 Roofing Materials (different color/materials as existing roof) / ref 3.2 Accessory Buildings
- 3.57 Rooftop Equipment
- 3.65 Siding
- 3.67 Solar Energy Devices
- 3.68 Spas / see 3.36 Hot Tubs
- 3.72 Swamp Coolers / see 3.5 Air Conditioning Equipment
- 3.73 Swing Sets / see 3.49 Play Structures and Sport Equipment
- 3.76 Tree Houses
- 3.79 Vents / see 3.57 Rooftop Equipment
- 3.86 Windows: Tinting, Security Bars, Well Covers, etc.

**Decorative: Fee - \$20 total for up to three Decorative category selections**

- 3.4 Address Numbers
- 3.7 Awnings
- 3.16 Cloth or Canvas Overhangs / ref 3.42 Overhangs/Sunshades/Awnings - Cloth or Canvas
- 3.41 Ornaments/Art – Landscape/Yard (greater than 3 ft high, poles greater than 4ft high)
- 3.42 Overhangs/Sunshades/Awnings - Cloth or Canvas
- 3.64 Shutters – Exterior
- 3.66 Signs (Other than specified as ‘approval not required’ in Section 3.66 Signs)
- 3.69 Statues or Fountains (front yard and/or greater than 4ft high)
- 3.71 Sunshades / see 3.7 Awnings
- 3.77 Vanes / see 3.82 Weather Vanes and Directionals
- 3.82 Weather Vanes and Directionals

**No approval required**

- 3.6 Antennas/Satellite Dishes (as permitted under federal statutes or regulations)
- 3.11 Basketball Backboards (portable only)
- 3.12 Birdbaths (back yard only) / Ref 3.69 Statues or Fountains
- 3.13 Birdhouses and Bird Feeders (size and quantity limitations)
- 3.15 Clothes Lines and Hangers (temporary mount, back yard only)
- 3.21 Doors (unless color/material change or security door)
- 3.27 Fire Pits (portable only)
- 3.29 Flagpoles (house mount only)
- 3.35 Hanging of Clothes / See 3.15 Clothes Lines and Hangers
- 3.39 Lights and Lighting (holiday lighting only)
- 3.41 Ornaments/Art – Landscape/Yard (less than 3 ft high, poles less than 4ft high)
- 3.43 Painting (no color change only)
- 3.50 Playhouses (less than 24 sq ft and less than 6 ft high)

- 3.54 Radio Antennae / see 3.6 Antennae/Satellite Dishes (as permitted under federal statutes or regulations)
- 3.55 Radon Mitigation Systems
- 3.56 Roofing Materials (same color/materials as existing roof only)
- 3.58 Satellite Dishes / see 3.6 Antennae/Satellite Dishes
- 3.60 Screen Doors / see 3.21 Doors
- 3.61 Seasonal Decorations / ref 3.39 Lights and Lighting
- 3.62 Security Devices
- 3.63 Sheds (less than 3'x5'x6') / 3.2 Accessory Buildings
- 3.66 Signs (As specified in 3.66 Signs)
- 3.69 Statues or Fountains (rear yard and less than 4ft high only)
- 3.74 Television Antennae / see 3.6 Antennae/Satellite Dishes
- 3.85 Windows: Tinting, Security Bars, Well Covers, etc. (Well covers only, per Section 3.85 specifics)

**Not allowed**

- 3.6 Antennas/Satellite Dishes (if not permitted under federal statutes/regulations)
- 3.14 Carports
- 3.37 Kennels
- 3.40 Livestock/Animals/Dogs
- 3.84 Wind Electric Generators

**Other: Informational**

- 3.20 Domestic Wells and Rural Water
- 3.22 Drainage
- 3.28 Firewood Storage
- 3.33 Grading and Grade Changes / See 3.22 Drainage
- 3.75 Trash Containers
- 3.78 Vehicular Parking, Storage and Repairs
- 3.83 Wells / See 3.20 Domestic Wells and Rural Water