

<b>INTRODUCTION</b>	2
<b>ASSOCIATION STRUCTURE</b>	3
<i>Board of Directors / Board Meetings</i>	
<i>Property Management and Accounting</i>	
<b>DEFINITIONS</b>	4-5
<b>ITEMS REQUIRING ARCHITECTURAL REVIEW</b>	6-18
<i>Roofing / Satellite Dishes / Solar Equipment / Mailboxes</i>	
<i>Retaining Walls / Doors and Windows</i>	
<i>Fences &amp; Screening / Yard Ornaments / Water Features</i>	
<i>Accessory Structures / Lighting / For Sale-Rent and Other Signage Outdoor</i>	
<i>Fire Wood Storage</i>	
<i>Flags &amp; Flagpoles / Painting-Repainting / Hut Tubs</i>	
<i>Air Conditioning Equipment / Vehicles and Parking</i>	
<i>Driveways and Parking / Play and Sports Equipment</i>	
<i>Decks / Patio Covers, Trellises - Other Shade Structures</i>	
<i>Construction &amp; Remodel Material Storage / Rain Barrels</i>	
<i>Artificial Turf</i>	
<b>LANDSCAPING STANDARDS</b>	19-24
<i>New Lawn / Existing Lawn / Turf and Lawn Materials</i>	
<i>Landscape Irrigation and Water Conservation</i>	
<i>Lawn Care &amp; Landscape Maintenance</i>	
<i>Wildfire Mitigation / Fire Wise</i>	
<i>Lot Maintenance / Xeriscape – Landscape Updating</i>	
<b>MAINTENANCE GUIDELINES</b>	24-27
<i>Common Area Maintenance / Association Responsibilities</i>	
<i>Board Determination / Owner Responsibilities</i>	
<i>Vacant Lots</i>	
<b>GENERAL RULES &amp; MISCELLANEOUS</b>	28-31
<i>Snow Removal / Living with Wildlife / Pets – Owner’s Duties</i>	
<i>Nuisances, Bright Lights, Loud Noise</i>	
<i>Trash / Pest &amp; Animal Control</i>	
<i>Quiet Hours / Home Business / Insurance / Use of Drones</i>	
<b>NEW CONSTRUCTION / ADDITIONS / MAJOR RENOVATIONS</b>	32-38
<i>Architectural Review Procedure</i>	
<i>Plan Review Requirements / Review Checklist Forms</i>	
<i>Hillside Development &amp; Height</i>	
<b>ARCHITECTURAL GUIDELINES &amp; REGULATIONS</b>	38-46
<i>Site Planning / Setbacks &amp; Home Size</i>	
<i>Common Flag Driveways / Home Styles</i>	
<i>Building Height / Exterior Materials / Roofs</i>	
<i>Fire Sprinklers / Walls / Patios, Decks and Paving Materials</i>	
<i>Landscaping / Preservation Area / Construction Boundary</i>	
<i>Daily Operation / Excavation and Grading / Drainage</i>	
<i>Erosion Control / Blasting / Restoration and Repair</i>	
<i>Dust, Noise &amp; Odor / Sight Triangle Maintenance</i>	
<i>Utilities / Site Cleaning / Port-o-Potties / Other Restrictions</i>	
<i>Amendment and General Provisions</i>	
<b>ATTACHMENTS</b>	47-49
<i>New Home Construction – Other Changes Checklist</i>	
<i>Landscaping – New Home and Changes</i>	
<i>Policies and Procedures / Resolutions</i>	

**These Design Guidelines and Rules & Regulations dated September 2019  
supersede any and all previous Rules and Design Guidelines including  
those dated September 2018, May 2018, August 2017, June 2013, June 2012 and April 2001.**

## **INTRODUCTION**

Early in the planning process for this community, the developers of The Spires recognized the unique, natural character of this foothills site and commissioned a development plan that conserves many of its distinctive features, especially the rocky outcrops and the steep, wooded hillsides. In order to ensure that a quality environment is created, these Design Guidelines (also referred to as Guidelines) have been adopted. They are a tool to be used by the designated Architectural Control Committee (ACC) [in conjunction with the Covenants, Conditions and Restrictions (CC&R's) in effect throughout the project] to guide development in a sensible, managed process while still allowing for individual freedom of expression.

The Board of Directors (the "Board") of The Spires Drainage Homeowners Association, Inc. a Colorado non-profit corporation (the "Association") is empowered by the Articles of Incorporation, Article III - Purposes, Section (d), Article IV – Additional Powers and the CC&R's, Article I, Covenants to Preserve the Residential Character of the Subdivision, Section 150, Article III, Association, Section 301 and Article V, General Provisions for Effect of the Covenants, Section 507 to adopt and enforce such Design Guidelines as it deems advisable for the operation, control, and clarification of the Articles of Incorporation, Bylaws and CC&R's. The Board is publishing this booklet with two purposes in mind:

1. To provide a set of guidelines that will address issues, which may not be specifically detailed in the "CC&R's" and to present those and other guidelines in a clearer, more concise manner.
2. To ensure all owners and residents are aware of the Association's policies and procedures and information.

Please note the majority of new home construction has been completed in the community with less than 10% of the total lots left to be built upon. This updated set of Design Guidelines has been created with two categories (Rules & Regulations and Construction Standards). If you are searching for information to build a new home, please see pages 24-35.

The governing documents of the Association are the Declaration of Conditions, Covenants, Restrictions and Easements affecting the Real Property known as The Boulders Broadmoor Filing No. 1 and The Boulders Broadmoor Filing No. 1 recorded under reception number #097077686-46 of the El Paso County records ("CC&R's"), the Articles of Incorporation, the Bylaws and these Design Guidelines herein after referred to as the governing documents. In the event of conflict between these documents the CC&R's shall prevail followed by the Articles of Incorporation, then the Bylaws. Buyers should read and review all governing documents prior to signing any contract or closing upon ownership of a home.

*These Design Guidelines are not comprehensive and are intended to supplement and or enhance the CC&R's and Bylaws. The Board may adopt individual Design Guidelines at particular times and amend these Design Guidelines from time to time. For clarification, fuller explanation or additional information, owners and tenants should refer to the CC&R's and the Bylaws. Copies of all governing documents are available from the Property Management Company.*

# *The Spires Drainage Homeowners Association, Inc.*

## **Design Guidelines and Rules & Regulations**

### *September 2019*

#### **1.0 ASSOCIATION STRUCTURE**

##### **Board of Directors**

The Association is a Colorado non-profit corporation, which is governed by its Board of Directors. The Board is an elected volunteer group of homeowners who meet on a regular basis to conduct the business of the Association; with some of their duties including but not being limited to, making improvements and repairs to the Common Area, overseeing all financial matters, exercising discretion, reasonable efforts and reasonable business judgment standards to keep up maintenance and repairs as needed, to take steps to ensure all contractors are honoring their service agreements, and to ensure that violations of the governing documents are corrected. Directors are elected during regular annual meetings by a vote of homeowners or are appointed to the Board to fill vacancies. Appointments to fill vacated positions will remain in place until the term expires. All board members terms are for three (3) years. Officers are elected by the Board and serve a one (1) year term.

##### **Board Meetings**

The Board meets with the Property Management Company (Property Manager) and other contracted representative(s) on a regular basis. All owners are welcome at the meetings to observe and/or present concerns during the agenda item allowing such concerns [Owner Forum]. If an owner wishes to discuss an issue at a meeting, he/she should notify the Property Manager at least one (1) week prior to the meeting so that said item can be placed on the agenda. The Board will limit the time allowed for anyone speaker to hold the floor. Robert's Rules of Order govern meeting procedures, provided that the Board may modify such rules as it deems necessary in order to run an efficient meeting.

##### **Property Management and Accounting**

Z & R Property Management is the company responsible for the management of our community. If you are not sure about whom to call or how to handle a problem, contact Z & R and ask for Derek Patterson.

Z & R Property Management  
6015 Lehman Drive, Suite 205  
Colorado Springs, CO 80918  
Email: [Derek@ZandRMgmt.com](mailto:Derek@ZandRMgmt.com)

Office: 719-594-0506 / Fax: 719-594-0473  
Website: [www.ZandRMgmt.biz](http://www.ZandRMgmt.biz)

The dues are \$300.00 annually and are payable in advance on the first day of January each calendar year and becomes delinquent after the 15<sup>th</sup> day of February, and then each month, a late charge of \$30.00 per month is assessed. Questions, please contact Bookkeeping at [Books@ZandRMgmt.com](mailto:Books@ZandRMgmt.com)

## 2.0 DEFINITIONS

*CC&R's - Article V, Definitions*

- 2.1 ARCHITECT: for the purposes of this text, shall refer to any person retained by a property owner as a qualified professional to assist in preparation of documents required for the appropriate review process.
- 2.2 ARCHITECTURAL CONTROL COMMITTEE (ACC): shall also be known as the Approving Authority or the Committee and should be composed of three (3) up to five (5) members, appointed by the Board, to review all plans for construction within The Spires.
- 2.3 ARCHITECTURAL GUIDELINES: shall be detailed guidelines as amended from time to time specifying the architectural, landscaping, fencing and other considerations for development and upkeep and maintenance of the lots in The Spires, which have been adopted by the Board of Directors.
- 2.4 BUILDER/CONTRACTOR: shall be a person or entity engaged by an owner for the purpose of constructing a dwelling on such owner's lot. The Builder/Contractor and owner may be the same person or entity.
- 2.5 CONSTRUCTION: shall include all items listed below and any other related processes designated by the ACC. Items included here are also referred to as "Improvements":
- a) Any grading and/or disturbance of vegetation;
  - b) Drainage alterations;
  - c) Road construction;
  - d) Walk construction;
  - e) Utility construction;
  - f) New construction of single family housing;
  - g) New construction of site features such as tennis courts, pools, greenhouses, gazebos, bridges, retaining walls, landscaping, fences (including dog runs), play/sports equipment, exterior lighting, columns, etc.;
  - h) Additions to or renovations of existing features (such as room additions, construction of solar features, etc.) which alter the exterior appearance.
- 2.6 CONSTRUCTION SITE: shall be an area designated on a recorded plat showing the portion of a lot upon which construction can occur. Ordinarily only minimal disturbance to existing ground cover, vegetation and grades will be allowed outside the construction site/building area.
- 2.7 DEBRIS FLOW BASIN: the structures known as the North and South basins constructed to control the flow of debris.
- 2.8 DECLARANT: was L'Auberge Communities, Inc. Masterplanned Land Venture, a limited partnership, d/b/a The Spires Broadmoor, and any person or entity to which The Spires Broadmoor specifically assigns its rights as Declarant under the Covenants by written document recorded in El Paso County, Colorado. NOTE: Declarant control was terminated in January 2009.

- 2.9 DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS: shall be that Declaration recorded for The Boulder Broadmoor Filing #1 and #1A and any subsequent amendments and any Supplemental Covenants.
- 2.10 DEVELOPER: L'Auberge Communities, Inc. Masterplanned Land Venture, a limited partnership, d/b/a The Spires Broadmoor.
- 2.11 DEVELOPMENT GUIDE: shall be the plan prepared by the Developer for any filing that illustrates height restrictions, setbacks and other special limitations on specific lots.
- 2.12 DWELLING: shall be a residence and/or accessory structure constructed or proposed to be constructed on a lot in The Spires Drainage Homeowners Association and any improvements constructed in connection therewith.
- 2.13 IMPROVEMENTS: shall be any action or activity on a lot which would change the existing exterior appearance of the lot or any vegetation, structures, buildings or other items located on it.
- 2.14 LANDSCAPING PLAN: shall be a plan depicting existing vegetation, changes in the existing vegetation on a Lot, and any proposed additional vegetation, landscaping, pathways, walls, driveways, lighting or other similar items.
- 2.15 LOT: shall be a platted lot as shown on recorded subdivision plat of any portion of The Spires.
- 2.16 OWNER: shall be any person or entity that holds fee simple legal title to a lot. If more than one person holds such title, all such persons are referred to collectively as "owner" and shall exercise their rights as an owner through such one of them as they may designate from time to time.
- 2.17 PRIVATE DRINAGE WAYS: These are established drainage areas that run through the Association. They are natural drainage areas which also serve as the exit pathways for each Debris Flow Basin. There are 17 total drainage channels established which are shown on the Plat in the Covenants. A map of their location can be viewed at [www.TheSpiresHOA.com](http://www.TheSpiresHOA.com), then click on the Debris Flow Basin tab. The areas on the map marked in green are the channels.
- 2.18 THE SPIRES DRAINAGE HOMEOWNERS ASSOCIATION: shall mean and refer to any property in Broadmoor Bluffs Filing #11, Broadmoor Oak Filing #6, and The Boulders Broadmoor Filing #1, #1A, #1B, #1C, #2 and #5, Stonecliff Filing #6 and 6A, any re-plats thereof, and any subsequent expansion property according to the recorded plat hereof. El Paso County, Colorado.
- 2.19 MASSING: shall mean and refer to the amount of area on a given wall of a structure.

### **3.0 ITEMS REQUIRING ARCHITECTURAL REVIEW**

*CC&R's - Article I, Sections 121 & 122*

These are some but not all of the type of items that require ACC approval. For any item not specifically listed here or in these Design Guidelines please contact the Property Management Company. This section details the requirements for common types of Improvements. It is not all-inclusive.

#### **3.1 Roof Replacement, Rooftop Equipment, Attic Fans and Skylights**

- a) ACC approval is required prior to roof replacement, even if the new roof uses the same materials and colors as the old roof. Roofing must be complementary to other exterior materials and colors.
- b) Rooftop equipment such as, without limitation, attic fans, ducts, vents and louvers will preferably be located so as to minimize visibility from neighboring properties and streets, unless such a location would have an unreasonable negative effect on purchase price, operating cost or performance of the device.
- c) Rooftop equipment along with other roof hardware, such as pipes, exposed flashing and chimney caps must be painted to match the predominant roof color.
- d) Skylights incorporated into the structure, must be architecturally compatible with the home. Skylight frames and hardware must be of a color that blends in with the roof color.
- e) Roofing materials shall be Class A fire rated which includes tile, slate, copper; composition shingles or such other materials as may be approved by the ACC. No shake or cedar shingle will be permitted. Composite shingles will be permitted provided that they meet the following design specifications or as approved by the ACC. Pattern and color to be approved on a case-by-case per plan submittal.
- f) Composition shingles:
  1. Must be a minimum 2 ply laminated
  2. Must be class "A" fire rated / Must weigh at least 365 pounds per square

#### **3.2 Antenna / Satellite Dish / Over the air reception devices (OTARD)**

Any owner wishing to install a satellite dish, Internet dish, etc., may do so without prior consent of the Association if the maximum size of the dish is less than thirty-nine (39.37") inches. Homeowners are requested to install satellite dishes and other permitted antennas in side or rear yards and as low as possible, to minimize visibility from adjacent properties and streets, when such locations do not unreasonably delay installation, unreasonably increase cost or preclude receiving or transmitting an acceptable quality signal. ACC approval is required for all other types of external antennas not specifically permitted by the Telecommunication Act of 1996.

#### **3.3 Solar Equipment/Skylights**

All solar equipment and skylights, if incorporated into the structure and building mass, must be architecturally compatible with the residence. For information regarding Energy Generation Devices or Energy Efficiency Measures, please see Section 3.4.

### 3.4 **Renewable Energy Generation Device [HB 1270]**

A Renewable Energy Generation Device is defined as: 1) a solar collector or other device or a structural design feature of a structure which provides for the collection of sunlight and which comprises part of a system for the conversion of the sun's radiant energy into thermal, chemical, mechanical, or electrical energy or 2) a wind-electric generator. The preferred requirements for a renewable energy generation device are:

- Installed in a location that minimizes visibility from neighboring properties and streets;
- Integrated into the appearance of the home, through the use of matching, complementary or similar architecture, materials and colors;
- Screened when the installed location permits;
- Having a scale and size fitting with a residential setting.

The ACC will review requests to install renewable energy generation devices on a case-by-case basis and strive to approve a renewable energy generation device in a way that best preserves the aesthetic needs of the community, but does not significantly increase the cost of the device or significantly decrease its performance or efficiency.

Other energy generating devices such as a gas, propane or diesel generator must be located on the ground level in a rear yard only, and depending upon the proximity to neighboring homes (decks, windows, etc.), the unit may be required to be substantially screened from adjacent properties or the street. Substantially screened may include the installation of sound deadening materials, lattice or other screening type fencing, shrubs or trees.

All energy devices and generators are to be maintained in an attractive, clean, quiet, and safe condition. Any items which are creating an annoying condition or sound, will be repaired, replaced, or removed at the owner's expense.

### 3.5 **Mailboxes**

The U.S. Postal Service requires "cluster" mailboxes in The Spires Drainage Homeowners Association area. To determine location of your mailbox cluster, contact the U.S. Post Office, 1540 S. 8<sup>th</sup> Street, Colorado Springs, CO, 80906, 719-570-5472. The Association maintains the stone/mortar surrounds but the mailbox unit, locks and keys are the property of the U.S. Post Office.

### 3.6 **Retaining Walls**

Should any retaining walls be developed on the site, they should be as low as possible (maximum height 4 ft.). If retention higher than 4 feet is necessary, walls should be terraced to a maximum height of four (4') feet to minimize impact. Materials used should complement the natural surroundings and the architecture with the use of rock boulders, stone, masonry or timbers. The use of textures and/or colored concrete will require specific approval. Retaining walls must be properly anchored to withstand overturning forces. Retaining walls must not be located so as to alter existing drainage patterns and must be located on a Site Plan, Improvement Location Certificate or other plan.

The ACC requires a Licensed Engineer's Letter of Certification for retaining walls that exceed four (4') feet in height.

### 3.7 **Screen and Security Doors and Windows**

ACC approval is not required for the addition of screen/storm doors or storm windows if the material and color matches the primary home color(s) or is similar to existing doors and windows on the home. NOTE: External security treatments such as security doors, bar type window coverings, etc., require ACC approval. External security treatments must be compatible with the home in material, style and color.

### 3.8 **Garage Doors**

Garage doors shall be kept closed except when being used to permit ingress and egress to or from the garage in an effort to deter unwanted neighborhood theft, problems with animals and to maintain a pleasing appearance at the front of the residence. Doors may be left open while performing yard work, vehicle cleaning, etc., but someone must be monitoring the garage area. All garage doors must be matching in style, color, windows, etc.

NOTE: garage doors should match the body or primary color of the home unless approved by the ACC (such as wooden stained doors).

### 3.9 **Water Features**

The ACC will consider requests to install water features on a case-by-case, taking into account size, materials, location, impact on the neighborhood and other factors. A water feature is any decorative element in a homeowner's yard that is designed to retain or convey water, including but not limited to bird baths, fountains, ponds, waterfalls, and streams, but does not include irrigation systems (refer to the Rules for more information).

#### **Guidelines for water features:**

- Water feature design should be approved by the ACC prior to installation through the submission of a design plan. ACC will consider how a water feature fits into the surroundings with considerations for the home, water feature size, materials used and native area where placed. A water feature design approved for one yard is not to be automatically approved for another location.
- Professional design and installation services are recommended for ponds and water features.
- No more than one (1) water feature is allowed in street facing yard and no more than one (1) in rear yard (not-street facing). A water feature is limited to a single pump motor. A water feature counts against the number of yard ornaments allowed, see Section 3.12.
- The water feature pump motor should be kept in good order to prevent excessive noise and any other mechanical equipment must be hidden from street view.
- If the flow of water creates excessive noise, it should not run between [10 pm and 8 am]
- In warmer weather, mosquito preventative should be added to water to reduce growth of insects including mosquitoes.



- Water should be treated to prevent growth of algae and generally kept clean and free of odor.
- Coloring of water is not allowed.
- Water feature liners (e.g., rubber mats, PVC enclosures, etc.) should not be exposed but covered with rocks or other approved natural coverings.
- Homeowners are advised that water features may be an attractive nuisance and the home owner is solely liable for any consequences.
- Drains for servicing and winterizing are recommended.
- Water features should be drained and cleaned of debris during winter months when not running at least 4 hours per day.

### 3.10 Vegetable Gardens

Vegetable gardens should be located in the rear yard so that both the garden and its accessory operating areas are at least partially screened. Vegetable gardens require ACC approval prior to installation. Vegetable gardens must be located at least five (5') feet from the house, ten (10') feet from property lines. The ACC may, on a case by case basis, allow a protective fence to be placed around approved vegetable gardens during the growing season. The fence, like the vegetable garden, must be substantially screened. The height of the fence may not exceed five (5') feet. The fence may be wrought iron style or of a style using metal posts with welded wire fence fabric. Approved colors are black, dark gray, dark brown and dark green. Fences of a type other than wrought iron must be removed and stored out of view during the non-growing season, if the fence is readily visible from neighboring streets or properties. Chicken wire, chain link and split rail styles are not allowed.

### 3.11 Fences and Screening

*CC&R's - Article I, Section 129*

The use of fencing and screening will not be permitted except when used for privacy areas or animal control areas. Privacy fencing along property lines is strictly prohibited. Stained, natural coloration of a wood fence, vinyl or metal fencing shall be compatible with the coloration of the house, deck, etc. Painted fences are prohibited, but the uses of solid body oil based stains are acceptable.

- Deck/Patio Privacy / Other Fencing:** The ACC may allow solid wood or vinyl privacy or ornamental steel fencing surrounding or shielding patios and decks on a case-by-case basis. The location and size of the fence will be determined given its impact on adjacent properties and streets.  
The fence should not exceed six (6') feet in total height above grade and must be compatible with the home in material and color.
- Landscape Fencing:** The Association allows thin gauge wire fencing (which must be galvanized steel, dark green or black – to appear as unobtrusive as possible) and plastic net type fencing (which must be dark green or black) to surround or shield newly planted landscaping material and flowers from animal damage. This fencing may enclose small established planter areas not to exceed 100 square feet in total size.

Owners may not enclose large sections of shrubbery, trees, mulch beds or other areas with one fence, plants must have individual protection for areas not in established small beds.

- c) **Tree Fencing and Protection:** several forms of tree protective coverings are permitted; such as plastic hard and soft wraps, rigid black pipe and welded wire (which must be galvanized steel, dark green or black – to appear as unobtrusive as possible). These wraps are not to exceed five (5') feet in height on any tree and must be maintained/monitored to ensure they are not damaging the tree.

This fencing may not enclose multiple trees which would possibly be interpreted to be a perimeter fence. The use of this type of fencing is not permitted to be a permanent installation, but for short-term use to help establish the landscape material. The ACC will have the final determination as to the type, style and location of fencing and when it should be removed.

- d) **Electronic Fencing:** The ACC encourages the use of underground invisible dog run fences to promote the open character of the neighborhood. If electronic fencing is used, the owner is required to post a small sign near any sidewalk, identifying pedestrians of a system. Owners are not permitted to run the underground wire along sidewalks that border City streets and where a sidewalk is present. The fencing must be kept at least six (6') feet from the sidewalk edge on the interior side of the lot to keep any pet(s) from approaching persons on the sidewalk.

- e) **Dog Run Fencing:** The ACC may allow above ground dog run fencing on a case-by-case basis. Dog run areas will not exceed five hundred (500) square feet in size and the fence height should not exceed five (5') feet above grade. The location, size and type of material used for the dog run will be determined with consideration given its impact on adjacent properties and streets. Dog runs must be installed in the side or rear yard only. The fencing should be attached to the home and be compatible with the home in material, style and color. Dog runs must be adequately screened with landscaping from neighboring properties and streets as determined by the ACC. The ACC will consider alternative dog run fence designs on a case-by-case basis. Chain-link fencing shall not be permitted. Welded wire panel or fabric mesh (painted a neutral color conducive to the color of the home and/or surrounding environment is encouraged) may be used for animal control and must be fastened on the interior fence system.

### 3.12 Yard Ornaments

- a) An Owner may place a small number of yard ornaments on their property without ACC approval. No more than four (4) ornaments shall be located in the front of a home. A home located on a corner lot may have no more than six (6) additional ornaments in the rear yard. Yard ornaments must be of a color, design and appearance that fit the character of The Spires, as determined by the ACC. Yard ornaments may not exceed 36" in height, width or depth. Ornaments must be maintained in an attractive appearance.

- b) An Owner may request approval to install ornaments that exceed these limits in size and/or number. The ACC will consider these requests on a case-by-case basis. Items such as, without limitation, inflatable displays, animal figures, birdbaths, birdhouses, fountains, sculptures and statues are considered to be yard ornaments. The ACC shall have sole discretion in determining whether an item is considered to be a yard ornament. The intent of this guideline is to allow Owners to display small, personalized items, that allow individuality, but that do not clutter or detract from the overall aesthetics of The Spires.
- c) Approval is not required for the temporary placement of reasonable and tasteful seasonal decorations on an Owner's property. The ACC, as its discretion, may order the removal of any seasonal decorations it deems to be too numerous, in poor taste or otherwise objectionable. Seasonal decorations must be removed within thirty (30) days after the relevant season has ended, weather permitting.
- d) Artificial flowers and plants are permitted when located in containers on porches, decks, patios and other paved areas near the house. The flowers or plants must be seasonal, and realistic in appearance.

### 3.13 Accessory Structures

Should any accessory buildings or facilities be developed on the property (including but not limited to gazebos, stand alone garages, greenhouses, tennis courts, swimming pools, play/sports equipment, etc.), they should adhere to the guidelines outlined for buildings and site planning. It is important that the massing and scale, as well as forms, materials and other detailing be well coordinated with the main structure on the site. **NOTE: No storage sheds will be allowed.**

### 3.14 Lighting

All exterior illumination used for buildings, drives, walks, signs and general landscape purposes shall be of a "sharp cut-off design", minimizing impacts on adjacent properties. Lighted columns require specific approval by the ACC.

### 3.15 For Sale / For Rent / Other Signage

*CC&R's - Article I, Section 144(e)*

All signage on this property is subject to review under the Colorado Springs Zoning Ordinance. In addition, the ACC shall have the right to review signs for appropriate use of materials and suitable location.

ACC approval is not required for the following types of signs. All signs must have a professional appearance. Unless stated otherwise herein, no signs may be placed in windows.

- a) **For Sale / For Rent:** Only one (1) professional temporary sign advertising a property for sale or lease, that is no more than six square feet in size and is conservative in color and style may be installed on the lot without ACC approval. Only one (1) sign per Lot is permitted. At no time shall such signage be installed upon any common area. No signs shall be placed in the common grass areas, entrance to the community, or any other portion of the community.

Open house advertisements are permitted in the front of the subject home only. Flags and banners are not allowed. For sale or rent signs must be removed within ten (10) days after a home sale has closed.

- b) **Trade signs:** which include, but are not limited to, landscaping, painting, remodeling, etc., may only be displayed while work is in progress and must be removed upon completion of the job.
- c) **Security / Alarm Monitoring signs:** The display of a home security system sign, maximum of four (4), must be placed in the ground within two (2') feet of the exterior of the home, and be close to the front/rear entrance doors or garages. Small window stickers are permitted.
- d) **Political signs:** No forms of political signs may be displayed earlier than forty-five (45 days) prior to election day and seven (7 days) after the election. The Association permits owners/residents to display a maximum of one (1) sign per candidate or issue, with the sign not to exceed thirty-six by forty-eight inches (3'x4'). No signs are allowed in the Common Areas.
- e) **Dog fence warning signs:** Must be no larger than 12" x 12" in size. Up to 4 signs are allowed per property.
- f) **No soliciting signs:** Must be no larger than 12" x 12" in size. One sign only is allowed near the main entrance of a home. No forms of solicitation and/or advertisement are allowed to be distributed or displayed within the community in any common area. This includes home businesses, Real Estate advertisements, open house signs, political signs, etc.
- g) **Temporary signs / Flyers / Lost and found:** Nothing is to be adhered or attached to the stone/mortar mailbox surrounds or any street or sign post. All items must be removed within 24 hours after any event.
- h) If an Owner has a sign placed on their Lot, please reference the **Temporary Sign Ordinance: City Code 3.2.218 D**. This code applies to all signage, whether garage sale, homebuilder, Realtor, work at home, etc. Temporary signs that are posted in the city/public right of way that has a Revocable Permit and an identification decal on the sign should be left where they are unless they pose a traffic hazard. Persons found posting illegal signage can be cited with a penalty of \$35 for each sign in their possession. Please notify Code Enforcement at 719-444-7891 to report an illegal sign. At [www.SpringsPolice.com](http://www.SpringsPolice.com) under Division/Units, Code Enforcement is where an online complaint form can be filled out and sent directly to the unit, anonymously, if necessary. Please contact the City of Colorado Springs Code Enforcement Department with any questions or objections to signs placed in City or Public right-of-way areas.

The ACC on a case-by-case basis shall consider requests for placement of one (1) additional temporary sign due to unique circumstances and lighted signs.

The ACC must approve all other signs, including address numbers and nameplate signs. If owners wish to paint “stencil” the address on the curb, the background must be white with black lettering and not exceed twelve (12”) inches wide by five (5”) inches tall. All other signs, including custom address and nameplate signs, require ACC approval prior to installation. No signs are allowed on The Spires Common Areas without ACC approval.

### 3.16 **Outdoor Fire Wood Storage**

ACC approval is not required for the storage of wood if the amount does not exceed one (1) cord (3’x3’x6’) and is located in the rear or side yard, not visible from the street and be neatly stacked and unobtrusive as possible. Any amounts larger than one cord must be stored inside due to the fire hazard.

### 3.17 **Flags and Flagpoles**

- a) ACC approval is not required to fly the American flag, American Service Flags and the State of Colorado flag, as long as the flags are less than five (5’) feet in the longest dimension, are flown from a pole mounted on the main Structure on the lot, are located no higher than the lower edge of the adjacent roofline and are not flown at night and properly displayed.
- b) ACC approval is not required for college flags, team flags and team banners when flown on game days, as long as the flags or banners are less than five (5’) feet in the longest dimension.
- c) ACC approval is required for all other flag displays and installation of permanent flagpoles. American Flags must be flown in accordance with the Federal Flag Code, P.L. 94-344; 90 STAT. 810; 4 U.S.C. 4 to 10. The pole should not exceed a maximum of 2”-4” diameter base and not exceed twenty (20’) feet total installed height, with a maximum 3’x5’ flag.

### 3.18 **Painting/Repainting**

ACC approval is required for all exterior home painting or repainting and accessory improvements. The submittal must contain the manufacturer, paint chips with name and code number or a color photograph or website link.

Approval will take into consideration, but not be limited to, the color tone and brightness, the home, architecture, stone or brick accents, roofing color, compatibility with other body/trim colors, and the colors of neighboring properties. Downspouts must be painted to match the primary background color (body color, stone, etc.) of the home unless specifically approved by the ACC (copper, etc.)

Garage doors must be painted to match the body color of the home unless specifically approved otherwise by the ACC (wood stained doors, etc.). **NOTE:** Duplicating existing colors and combinations does not constitute acceptability and may not be approved for repainting.

### 3.19 **Hot Tub/Jacuzzi**

Hot tubs and Jacuzzis should be designed as an integral part of the deck or patio area and must be located in the side or rear yard area. The unit may be required to be substantially screened from adjacent properties or the street. All hot tubs and Jacuzzis are to be maintained in an attractive, clean, quiet, and safe condition. Any unit that is creating an annoying condition or sound, will be repaired, replaced, or removed at the owner's expense. The use of full privacy fencing around a hot tub is permitted, with the maximum installed height not to exceed six (6') feet above grade. Please reference Section 3.10 (a) for information on privacy fencing.

### 3.20 **Air Conditioning Equipment**

Central air conditioning systems must be located on the ground level with the condenser being located in a side or rear yard only, and depending upon the proximity to neighboring homes (decks, windows, etc.), the condenser may be required to be substantially screened from adjacent properties or the street. Substantially screened may include the installation of lattice or other screening type fencing, shrubs or trees. Window mounted air conditioning systems may be permitted ONLY in the rear of the home upon approval by the ACC.

All central air conditioners (or similar appliances) and any related fixtures are to be maintained in an attractive, clean, quiet, and safe condition. Any air conditioner or similar appliance, which is creating an annoying condition or sound, will be repaired, replaced, or removed at the owner's expense.

### 3.21 **Vehicles and Parking**

*Article I, Section 116, Section 144 (b)*

All vehicles will be parked so as not to inhibit traffic or damage surrounding natural landscape or adjoining property.

Vehicles will not be parked on landscaped areas or on the sides of driveways that are not designed for parking.

Requests for extending paved parking areas must be submitted to the ACC.

Vehicles shall not be left on community roads overnight

- No stripped down, partially wrecked or junk motor vehicles, or sizeable part thereof, shall be permitted to be parked anywhere except within fully enclosed garages.
- A junk vehicle is described as any vehicle that is inoperable or not able to be moved under its own power, that has flat tires, broken glass, has expired registration, failure to display the proper license plates, or otherwise damaged to a point where the vehicle cannot be driven or is leaking fluids. The Board, ACC or other Association representative will make the final determination if a vehicle is considered a junk vehicle.

- No cars or motor vehicles can be worked on for mechanical repairs, except in fully enclosed areas where they are not visible from any adjacent property or street. Vehicles must be properly maintained and not create a disturbance or annoyance to others. All vehicles shall meet local noise requirements; automobiles and motorcycles must have mufflers in good working condition.
- Note: all forms of trailers are to be stored inside an enclosed garage (small utility, boat, garden, recreational trailers such as those used for ATV or Jet-Ski's, snowmobiles, golf carts, sail boats, canoes, kayaks, etc.).

*“No boat, trailer, camper (on or off supporting vehicles) tractor, commercial vehicle, mobile home, motor home, motorcycle, any towed trailer unit, or truck excepting only pick-ups solely for the private use of the residents or a dwelling shall be parked overnight within any Lot or Building Site except in a completely enclosed Structure, or fully screened in a manner approved by the Approving Authority so as not to be visible at ground level from any neighboring property or street.” ... unless permitted by the following exception:*

- Motor home - recreational vehicles may occasionally (not more than 4 times per year) be parked on a driveway area or street for up to a maximum duration of forty-eight (48) hours, for the purpose of loading, unloading or trip preparation.

### 3.22 **Driveways and Parking**

Access from the street should be as easy as possible without overly emphasizing the parking lot or garage. Parking areas should be located out of major sight lines and partially screened with grading and planting. When lot sizes allow, garage doors should be oriented away from the primary entrance view (i.e., side loaded or angle load garages).

Driveways should intersect the road at approximately ninety (90) degrees for maximum visibility and should not exceed eight (8) percent in slope, except where use of short pitches up to twelve (12) percent may lessen site impacts. Paving materials shall be either concrete or masonry pavers. Flag drives may be asphalt with a concrete apron where flag meets the street. Shared use of driveways can be an effective means of lessening site impacts.

No items are to be stored in the driveway area, such as storage PODS, Mobile Mini units, etc, without the prior approval by the ACC.

### 3.23 **Play and Sports Equipment**

All recreational structures, both permanent and portable, are required to be approved by the ACC for design, size, and placement prior to installation. All recreational/sports equipment (i.e., trampolines, swing sets, portable soccer nets “goals”, etc.) are to be placed so as to minimize its visual impact from adjacent properties. Screening of play/sports equipment may be required. Wood structures are encouraged. Metal equipment is required to be of subtle coloring that causes the structure to blend into the surrounding environment. Proposed paint color to be approved by the ACC at the time of plan submittal.

Recreational equipment should typically be located in rear yard areas and set back a minimum of ten feet (10') from property lines. Consideration shall be given in the location of recreational equipment so as not to create an undue disturbance on neighboring properties. Recreational equipment shall be of predominantly muted, earth tone colors and shall not exceed twelve feet (12') in height at grade unless otherwise approved by the ACC. Recreational equipment or items used for front yard play must be stored out of view when not in use.

Basketball backboards shall be located either on the home or by separate support based on the least visual impact at the Committee's discretion. Regulation backboards are required. Basketball backboards, if mounted on the home must be painted to match the body color of the home, or as approved by the ACC. The color of pole supports will be approved by the ACC on a case-by-case basis.

All equipment must be kept in a serviceable and operating condition.

Requests for pole mounted backboards will be considered by the ACC in the front yard along the side of the driveway only or in side and rear yards areas subject to the following considerations: proximity to the property lines, proximity to the neighbor, living areas, landscaping and vehicles. Portable freestanding basketball units may be conditionally approved if reasonably placed for use in the driveway area and properly stored when not in use. Properly stored when not in use means the unit should be kept inside the garage or stored in such a manner that it is not visible from the street, this is during the summer months only. During the winter, units must be stored inside a garage when not in use. Placement in the street or within the right-of-way is a violation of city ordinance and shall not be accepted. Portable units require the same approval for placement as permanent units. Pole supports must be black or white in color (or as approved by the ACC on a case by case basis.)

### 3.24 **Decks**

Outdoor living areas are encouraged. Design of such spaces should be coordinated with building construction, extending similar materials that are compatible in color and texture to the particular building (brick, pre-cast concrete pavers and treated wood are acceptable). Privacy screening for such spaces should extend just to those areas where it is essential. Light colored deck materials are discouraged. Decks must maintain the overall form and be a natural extension of a home's architecture. Decks and balconies must be integrated into the building through the use of similar materials and detailing. Deck supports must have a substantial scale that visually anchors them to the ground and should be a minimum cross section of [8"x 8", 10" x 10" / 12" x 12"]. Decks may be constructed of either natural wood or maintenance free materials. The colors of the deck structure, decking and railing must be compatible with the colors of the main structure. Deck materials and appearance must be appropriately maintained.



### 3.25 **Patio Covers, Trellises, Ramadas and other Shade Structures**

Patio covers, trellises, ramadas and other shade structures must be constructed of wood or material complementary to the home and must be similar or complementary in color. Any roofing material, siding material, fascia, trim, gutters and downspouts used in the structure must match the same material as used on the home. Where utilized, support posts must be at least six (6”) inches x six (6”) inches in cross section. These structures must generally be located in side or rear yard areas only. The ACC will consider front yard locations when it can be shown that a requested structure reduces energy consumption.

### 3.26 **Construction or Re-model material storage**

Owners are permitted to store a reasonable amount of building and construction material in the driveway only, to include a roll-off or other trash container. Contractor vehicles and trailers may be parked overnight but only during active construction and all equipment must be removed upon completion of the project.

### 3.27 **Placement and Usage of Rain Barrels**

Residents who choose to collect precipitation from their rooftops must use rain barrels. A “Rain Barrel” is defined as a storage container with a sealable lid located above ground outside of a residential home that is used for collecting precipitation from a downspout of a rooftop.

Prior to placement of Rain Barrels on a Lot, residents must obtain written Architectural Committee approval. In order to obtain such approval, residents must submit a written application to the Architectural Committee containing the following information:

- (a) The Rain Barrel(s) proposed location, which must be at the back corner of the house so as not to face, or be visible from, the street;
- (b) The size, dimension, and color specifications of the Rain Barrel(s), which shall not be more than two, with a combined storage capacity of 110 gallons, and must harmonize with the color scheme of the home or be a neutral color;
- (c) The Rain Barrel(s) shall be commercially manufactured and must be mosquito resistant; and
- (d) If the resident submitting the Architectural Committee application is the lessee of a Lot, then the application must be accompanied by written approval from the Owner or lessor of the Lot for placement of the Rain Barrel(s) on such Owner’s Lot.

Upon receipt of a written application from a resident, which, in the sole discretion of the Architectural Committee, conforms to the above requirements, the Architectural Committee shall approve or deny such application in conformance with the Declaration.

Rain Barrels on Common Elements Prohibited. The placement of a Rain Barrel on the Common Elements in the community by any Owner is prohibited.

Use of Collected Precipitation. Collected precipitation must be utilized for the Lot upon which it is collected and may only be used for outdoor purposes such as lawn irrigation. Collected precipitation may not be utilized for any indoor purposes or as drinking water.

### 3.28 Artificial Turf Guidelines:

Any lot in the community is limited to having artificial turf in the rear yard only; that is not visible from the street or any area that abuts the street directly. There must be adequate screening/shielding so the turf is not visible from the street. The areas for possible installation are for any existing “developed” landscaped areas in the rear yard; whether existing turf, mulch beds, rock beds, islands, etc. All owners must submit an ACC request prior to installation and receive approval before beginning any work. The request should include the following:

- Photo(s) of the area to be covered by the artificial grass
- A sample of the product including model name and style
- Complete product specification sheet from the manufacturer
- The manufacturer's warranty on the product being submitted
- Proper drainage plan if required
- Photo(s) of proximity areas as well as description of the method of installation
- If the rear yard is open from the side or back and is easily seen from a neighboring lot, the Association “neighbor acknowledgement” form must be provided.

Guidelines: The design plan must incorporate natural curved boundaries where possible (avoid squares, rectangles, etc., except if abutting a concrete patio or other existing straight line item). The turf *may not* be installed directly up to the foundation of the home, there must be a border of rock or mulch to separate the turf. The artificial grass product must be made of Polyethylene and have a minimum face weight of 50 oz. with a 20 oz. weight permanent backing.

1. The color must be like the geographical area, as a blended, multi-color monofilament fiber and a minimum pile height of 1.5 inches.
2. Professional installation is required and must include a weed barrier and a properly prepared aggregate base for drainage. An infill system is required.
3. Artificial grass must be cleaned as necessary and periodically groomed to maintain its appearance.
4. The owner will inspect the turf annually after the expiration of the warranty period to ensure the aesthetic properties are maintained. The Association may require replacement if there are signs of damage, lifting, unevenness, worn areas, fading, deterioration, etc.

## **4.0 LANDSCAPING STANDARDS & GUIDELINES**

### *CC&R's - Living Environment Standards*

All area within The Spires Drainage Homeowners Association is within the City of Colorado Springs Hillside Area Overlay Zone. Two of the main objectives of the Hillside Zone are to conserve the unique natural features and aesthetic qualities of the hillside areas including the preservation of existing scrub oak, coniferous trees, and other natural features such as rock outcroppings and to minimize water run-off and soil erosion problems incurred in adjustment of the terrain. In reviewing Landscape Plan submittals, the ACC will be evaluating plans to insure that these objectives are met to the maximum extent possible.

#### **4.1 New Lawns**

##### *Article I, Section 124*

Homeowners shall be responsible for the installation of landscaping of their lot within six (6) months of occupancy of their residence, unless the home is first occupied during the period between October 1 and March 1, where completion of the installation may be delayed until September 1. Landscape should preserve areas of natural vegetation including existing trees, surface boulders, rock formations, and scrub oak. No existing trees, surface boulders, rock formations, or scrub oak shall be removed from any lot unless required by construction, as directed by the Fire Department for Fire Mitigation or as approved by the ACC.

#### **4.2 Existing Lawn / Modification**

##### *Article I, Section 126*

Homeowners must submit a plan for updates to their existing landscaping and shall have the work completed in a timely manner or as designated by the ACC. Work should be completed in a timely manner and projects are not to be initiated late in the fall if the work cannot be completed prior to winter. Owners are responsible for lawn maintenance even if the home is vacated, for sale or other circumstances arise.

Areas surrounding the primary dwelling may incorporate more manicured plant materials (unless otherwise restricted by a geo-technical report). It is recommended that a non-irrigated buffer exist between the foundation and sodded areas. When transitioning from manicured landscaping to natural areas, the transition area shall consist of native grasses and ground covers (found on site) having low water requirements. The use of artificial ground covers such as bark mulch, gravel and rock mulch shall be minimized and is not desirable unless such areas include substantial planting. Irrigation systems should efficiently distribute water to those plants that require it and be concealed below the topsoil. Temporary, drip, or other low-water consumption systems will be encouraged.

#### **4.3 Turf / Lawn Materials**

Landscaping should consist of a combination of sodded turf areas (where permitted) and shrub and ground cover bed areas. Large expanses of mulch or bed areas without substantial shrub or ground cover plantings are unacceptable. Stone or gravel mulch with harsh, unnatural or high contrast colors shall be strictly prohibited (i.e., black granite, white marble and lava rock are not acceptable rock mulch materials).

Bed areas on adjacent lots should be coordinated to provide visual continuity from one lot to another and minimize definition of property boundaries.

**Linear planting along property lines or other areas on the lot shall be prohibited.** The careless treatment of trees and other vegetation in the preservation areas shall be prohibited. Removing rocks, trees, plants, or topsoil from any portion of the property other than the Owner's lot shall be prohibited.

#### 4.4 **Landscape Irrigation & Water Conservation**

In the landscaping of residential lots, it is urged that plant materials, irrigation systems, and maintenance practices be utilized which conserve water.

It should be noted that in using Xeriscape landscape practices, a more traditional green appearance can still be achieved while using much less water than typical suburban residential landscapes. Care shall be given in the design of the system to minimize over spray onto walkways, driveways and streets. Because water conservation is a desired community goal, system design should utilize the most current state-of-the-art water conservation technologies. Digital controllers, drip irrigation, low water consumption irrigation heads and micro-jet spray heads are just a few examples of the technology currently available.

#### 4.5 **Lawn Care / Landscape Maintenance**

All landscaping upon any Lot shall be maintained in a neat, attractive and reasonably maintained condition. The minimum maintenance requirements include scheduled watering, mowing, aeration(s), fertilization(s), edging of grass where it meets concrete or other defined surfaces on the Lot, removal of all weeds and grasses from rock and mulch beds, maintaining edging around all bed areas, refreshing mulch and/or rock and ensuring weed fabric is not showing, pruning of shrubs, any ground cover, trees, scrub oak, etc., the removal and replacement of dead or dying plant material, the elimination of noxious and other weeds and undesirable grasses on the Lot to include the joints at the street and sidewalk areas and removal of any trash/debris.

Any dead trees must be removed as soon as possible or upon notification not to exceed sixty (60) days. As directed by the Association, any tree replacements should be conducted within thirty (30) days upon notification and any dead shrubbery or sod must be replaced within thirty (30) days unless additional time is granted by the ACC. Any dead material must be shredded on the lot or removed. Tree stakes should be removed after two (2) years of initial planning unless required for high wind assistance and must be actively attached to a tree.

Lots with native areas which are not maintained weekly should be monitored and cared for as needed, normally meaning the grasses and weeds will be cut three (3) to four (4) times a year. Any native area that borders a street must be maintained in a neat and attractive condition throughout the year, with the grass being cut back from the curb and/or sidewalk a minimum of five feet (5'), ranging from four (4") inches to nine (9") inches in total height.

## 4.6 **Wildfire Mitigation / Fire Wise**

A community approach to reduce structural ignitability and overall community vulnerability depends on our residents to engage in fuels reduction efforts around the home and reduce the ignitability of the components of the home. The Association's desire is to educate the members about how homes ignite and how to reduce ignition potential, with the end goal being for owners to modify their homes and surrounding landscapes most effectively.

If an owner wants to conduct wildfire mitigation work on their lot, they may do so without prior Association approval if the mitigation area is within the 15 feet distance from the structure and does not violate any other local fire code, City regulation, Hillside ordinance, etc. This includes pruning of Scrub Oak, shrubs, trees and any removal of the same items. It is recommended to give notice to the Association and immediate neighbors as a courtesy when performing mitigation work.

For the area outside of the 15 feet from any structure, the owner must submit an ACC request detailing what work is planned (pruning, removals, thinning, etc.) and receive approval before beginning any work.

From a fire-protection perspective, the Hillside Ordinance specifies a "Safety Zone" of 30 feet around buildings, not to extend past the property line, to protect from fire. Within this safety zone, maintenance is especially important. Trees should be checked for dead branches and overlapping limbs and these limbs should be pruned.

### **Removal of Vegetation**

The Hillside Overlay prohibits the out-right removal of existing vegetation except in certain situations. For example, a clear-zone of 10 feet surrounding a building is required by the Fire Department. Any vegetation may be removed within this area without approval from City agencies.

Dead and dying vegetation is also allowed to be removed within the "Safety Zone" but may later need to be replaced. Removal of any other vegetation may require approval from the Development Review Enterprise (DRE). Contact the DRE at (719) 385-5982.

During extreme wildland-urban fires homes ignite in two principal ways: 1) directly from flame impingement and, 2) from direct firebrand ignition (burning ember spot ignitions). If a homeowner modifies the home itself, through home hardening features and vegetation management, i.e., the home ignition zone, the home is less susceptible to ignite during a wildfire, and thus has a much greater chance of standalone survivability during a wildfire event.

### **A. Defensible Space**

Your first defense against wildfire is to create and maintain a defensible space around your home and ensure your home has hardened features. This does not mean your landscape must be barren.

Defensible space is an area around a structure where fuels and vegetation are treated, selectively thinned, or reduced to slow the spread of wildfire toward the structure. This area is typically defined as the first 30 feet around your home, not to extend past the property line. By creating defensible space, it reduces the chance of a structure fire moving from the building to the surrounding forest or neighboring home. Defensible space also promotes firefighter safety and allows for fire personnel to better protect your home. Your house is more likely to withstand a wildfire if grasses, brush, trees and other common forest fuels are managed to reduce a fire's intensity. The following are a few key steps to creating a defensible zone, but is not a comprehensive list.

- *Actively manage your roof.* Clean roof and gutters of pine needles and leaves at least twice a year to eliminate an ignition source for potential fires.
- *Stack firewood and woodpiles at least 30 feet from any structure.* Make sure they are uphill or on the same level as structures, and clear away combustible vegetation from within 10 feet of these woodpiles. Do not stack firewood under the deck.
- *Remove unhealthy vegetation.* Trees and shrubs that are stressed, diseased, dead or dying should be removed so that they do not become a fuel source for potential fires.
- *Thin out continuous tree and brush (shrub) cover around structures.* Remove combustible vegetation, items such as dead, diseased and weakened plants and/or trees, pine needles, leaves and debris on the ground, firewood, mulch and different species of Junipers and Pfitzer bushes (as noted in the Fuels Management Ordinance) from within the initial 15 feet around structures and do not plant any conifers within 15 feet of the structure.
- *Beyond the initial 15 feet, thin trees to achieve a 10-12 foot crown spacing.* Occasionally, clumps of two or three trees are acceptable for a more natural appearance, if additional space surrounds them.
- *Mow grasses and native areas to a height of six inches or less* for a distance of 30 feet from all structures.
- *Prune tree branches* within the defensible space up to a height of 10 feet above ground or to preserve 75% of the tree canopy.
- *Dispose of all slash and debris* left from thinning by either chipping or hauling away.
- *Remove shrubs and small trees* or other potential ladder fuels from beneath large trees. Left in place, these fuels can carry a ground fire into tree crowns.
- *Trim any branches extending over roofs 5 to 7 feet,* and remove branches within 15 feet of chimneys.
- *Clean pine needles, leaves and other debris from roofs and gutters.* This eliminates an ignition source for firebrands, especially during hot, dry weather.
- *Place liquefied petroleum gas (LPG) containers at least 30 feet from structures.* Clear anything flammable, including vegetation from within 10 feet of all tanks. For any outdoor gas operated devices (grills or fire pits) you should have at least two (2) shut off gas valves; one at the home and one at the unit. Please know where these valves are located.

## **B. Lot Maintenance**

Owners are encouraged to clean up the ground cover and scrub oak areas on the lot and work to improve the fire survivability by following the practices noted above. Many of the scrub oak areas on a lot can be pruned at the bottom roughly four to five (4'-5') feet which still provides for privacy in the upper areas. The immediate border around the home and other outdoor living areas should have the ground cover in rock.



**BEFORE**



**AFTER**

### **4.7 Xeriscape / Landscape Updating**

As a reminder, you must submit your plans for changing your landscaping to the ACC and receive approval before beginning any work. Xeriscape is the basic premise to promote a system of gardening principles that focus on creative, natural approaches for constructing low maintenance, water efficient, and sustainable landscapes.

For owners wishing to update their landscaping, make changes to reduce water consumption or install more drought tolerant plant materials, the following guidelines will apply:

- The area from the street curb to the sidewalk: if sod is removed, there will need to be some type of tree or plant(s) installed to break up the density of the ground cover. The recommended density is one (1) tree or shrub/cluster of 2-3 bushes every fifteen (15') feet. This will break up the massing of the ground cover, whether the cover is rock or mulch.
- Other areas on the lot (turf, native or ground cover): if sod is removed, there will need to be some type of plant, tree or boulder installed to break up the density of the new ground cover. The recommended density is five (5) to seven (7) plants or items per 100 square feet or as approved by the ACC. This will break up the massing of the ground cover, provide visual interest and soften the massing of the new ground cover.

- **Ground Cover:**
  - ~ Plants that are low-growing (generally less than 24 inches) and spread easily are suitable ground cover plants and suitable places include dry slopes.
  - ~ Consider ground covers on hot, dry, south and west exposures as well as for dense, dry shade. Improve soils before planting ground covers.
  - ~ Ideally, a ground cover should grow dense enough or be mulched to inhibit weeds.
  - ~ If rocks are used, ensure they are supported on all sides to keep them in place or use jagged shaped rock and ensure a weed barrier fabric is incorporated.
- Owners are strongly encouraged to install a rock border around the home. If there is mulch in place now, rock should be installed to help reduce fire risk.
- Soil analysis is very important if you are considering Xeriscaping. Which nutrients are available or deficient in the soil? What is the pH? This will affect which plants can thrive on your lot. You may need to amend the soil to create healthy soil.
- **Ornamental Grasses:**
  - ~ Grasses are adaptable and can grow in poorer soils better than many other garden plants and they require little effort to maintain.
  - ~ Grasses come in many heights, colors, textures and have varying water requirements.
  - ~ Grass seed heads and foliage add fall and winter interest.
  - ~ Grasses can be used as groundcovers, specimen plants, for erosion control, and as vertical design elements.

## **5.0 MAINTENANCE GUIDELINES**

### **5.1 Common Area Maintenance**

*Article I, Section 319*

Common Area shall mean and refer to all real property owned by the Association for the common use and enjoyment of the Owners. In the interest of safety, owners must supervise their family members to avoid potential hazards in the Common Areas (landscape or terrain hazards, utility boxes, easements, debris flow basins, rock areas, etc.). A map showing the Common Areas for The Spires may be found on the website, [www.TheSpiresHOA.com](http://www.TheSpiresHOA.com).

### **5.2 Association Responsibilities**

Private Drainage Ways (PDW's): are established drainage areas that run through the Spires development. They are natural drainage areas which also serve as the exit pathways for each Debris Flow Basin. There are seventeen (17) total drainage channel areas which are shown on the Plat in the Covenants. A map of their location can be viewed at [www.TheSpiresHOA.com](http://www.TheSpiresHOA.com) then click on the Debris Flow Basin tab. The areas on the map marked in green are the PDW's. The following street address have a PDW located on a portion of that Lot:



- Paisley Drive: 275 HOA property, lot line of 585 & 595, 625 HOA property; 715, 720-730-740 that adjoins 360 Ellsworth Street and 6010 Buttermere Drive;
- 590 Paisley and 6095 Buttermere lot line shared adjoining 580 Paisley, 6089 & 6085 Buttermere and 5950-5930-5940 Gladstone Street;
- 5935-5955 Gladstone adjoins 443-427-411 Darlington and 380-390-410-420 Paisley;
- Darlington Way: 332, 348 & 5830 Broadmoor Bluffs Drive;
- Colfax Terrace: 6285, 6290, 6295 that adjoins with 515, 485 and 475 Paisley;
- Buttermere Drive: 5955-5965 that adjoins 5711-5723 Adrienne;
- Adrienne Court: 5748 that adjoins 5620 Gladstone;
- Irvington Court: 342-350-358, 351-359 that adjoins 270 Ellsworth HOA property;
- Wellfleet Street: 5798 that adjoins 327 & 351 Irvington and then to 270 Ellsworth;
- Ellsworth Street: 285 adjoins 295, 281-275-225-215 Balmoral and 5906-5904 Buttermere;
- Balmoral Way: 210-220 adjoins 150-160-170 that tie into 95 Kirkstone Lane;
- Balmoral Way & Ellsworth: runs behind the following lots: 286-280-274-268-262-256 that meet with 139-143-147-151 Kirkstone Lane, and runs behind the following lots: 185-175-165-145-115-105-101 and 95 Ellsworth;
- Stonebeck Lane: 275-265-255, 235 that meets 5610 Jarman Street, continuing downstream to 5595-5615 Jarman and behind the following Jarman lots: 5585-5565-5535-5447-5455-5425 and 5415.

All of the PDW's are inspected at a schedule as determined by the Board of Directors and after any significant rainfall event. Owners are encouraged to report any problems they see in these areas. The Association will make any necessary repairs, perform clean-up actions and remove any items/debris in these areas to ensure the drainage flow is not interrupted. It is important to ensure no landscaping, debris, dead trees, vegetation or adjacent lot erosion will impact the natural flow of water through the drainage channels.

All portions of the lot outside of the channel easement area are each owner's responsibility. Most of the easement areas generally extend into each Lot about 20' from the property boundary, but each lot varies. As stated above, the Association asks that each owner monitors that portion of their Lot to ensure no items are in the flow area. Owner's are not to dump any items in the drainage area and need to keep the area free from landscaping and other debris; such as fallen trees, grass clippings, rocks, boulders, dead plant material, left over landscaping materials, etc. Owners are encouraged to check the area and report any unusual items to the Management Company.

Debris Flow Basins (DFB's): These two (2) North and South dams are located in the wooded area uphill of Irvington Court and Wellfleet Street and are accessed through an easement over another person's property. The physical location of each dam is located on Association owned property. Each dam is inspected yearly by the State of Colorado, Department of Natural Resources, Division of Water Resources. In addition the Association may have an Engineering firm conduct an inspection and seasonal inspections (spring and fall) as determined by the Board of Directors. In the event there are any significant rainfalls throughout the year, prompt inspections are conducted. For more information, please visit [www.TheSpiresHOA.com](http://www.TheSpiresHOA.com), and click on the Debris Flow Basin tab.

Purpose of the Association: “Section 303. The Association shall be formed for purposes of maintaining and repairing the "Debris Flow Channels" as indicated on the Plats of The Boulders Broadmoor Filing No. 1 and The Boulders Broadmoor Filing No. 1-A or as may be indicated on any supplemental plats thereof. The Owners hereby acknowledge that the Debris Flow Channels benefit all of the Owners, regardless of the location thereof.

As such, all Owners shall be obligated to contribute to the maintenance and insurance thereof as provided in these Covenants and the Association Articles of Incorporation and Bylaws. The Owners hereby also acknowledge that the Debris Flow Channel which is contained within Tract A of The Boulders Broadmoor Filing No. 1-A (Tract A) shall initially be maintained by the owner thereof; which is currently the Declarant. At such time as the Owner of Tract A shall replat Tract A into Lots and shall subject Tract A to these Covenants, the Debris Flow Channel within Tract A shall be maintained by the Association and shall be deemed to be a Maintenance Area as described in these Covenants.”

Association Easement: “Section 112. There is hereby reserved to the Association, a perpetual easement in, over, under, and across those portions of each Lot, upon which a Maintenance Area is located, which easements shall be for the purpose of maintaining and repairing the applicable Maintenance Area. The Owners of Lots 26, 28, 29, 32, 37, 40, 42, 43 and 44, all in The Boulders Broadmoor Filing No. 1 and Lots 4, 5 and Tract A, as defined in Article 11 hereof and subject to the terms of Section 303 hereof, all in The Boulders Broadmoor Filing No. 1-A, each hereby acknowledge that a Maintenance Area exists within their respective Lots and that the Association has been granted an easement to repair and maintain the Maintenance Area located thereon pursuant to the terms of this Section 112.

Mailbox Units – Stone Enclosures & Concrete Pads: The Association shall be responsible for the maintenance and replacement of the stone/mortar mailbox surrounds and will also maintain the concrete pad the units rest on and the front portion of sidewalk. Please note, the mailboxes are property of the United States Postal Service. Nothing is to be adhered or attached to the stone/mortar mailbox surrounds.

### 5.3 **Board Determination of Maintenance Responsibilities**

The Board shall exercise reasonable business judgment in determining the respective maintenance responsibilities of the Association. Determination of whether such repair or maintenance is the obligation of the Association shall rest solely with the Association, which shall have the sole responsibility for determining the kind and type of materials used in such repair and maintenance. Decisions by the Board shall be final and conclusive. The Board may make such decisions either by Design Guidelines, Resolution or by decisions made in particular instances.

#### 5.4 **Owner Responsibility**

*Article I, Sections 137, 138,*

Maintenance of Homes / Individual Lots: In order to keep The Spires an attractive, quality environment, each owner shall maintain the exterior or any Improvements, including buildings, other structures, landscaping, walks, driveways and parking areas on his lot in good condition and shall cause them to be repaired as the effects of damage or deterioration become apparent. Exterior building surfaces and trim shall be repainted periodically and before the surfacing becomes weatherbeaten or worn off as determined by the Board or other Association representative, such as the ACC or Management Company. Any dead or diseased landscaping will promptly be replaced, all lawns will be properly mowed and maintained, and weeds and other noxious plants will be controlled.

The Board of Directors, ACC or Management Company shall have the final approval as to the condition of a home and if maintenance is required.

The ACC will review requests for modifications to a home for persons with disabilities in accordance with the Federal "FAIR HOUSING ACT OF 1968", 42 U.S.C. SEC. 3604 (f) (3) (A).

Lawn Care / Landscape Maintenance: All landscaping upon any lot shall be maintained in a neat, attractive and reasonably maintained condition. The minimum maintenance requirements include scheduled watering, mowing, aeration(s), fertilization(s), edging of grass where it meets concrete or other defined surfaces on the Lot, removal of all weeds and grasses to include chemical treatments for rock and mulch beds, maintaining edging around all bed areas, refreshing mulch and/or rock and ensuring weed fabric is not showing, pruning of shrubs, any ground cover, trees, scrub oak, etc., the removal and replacement of dead or dying plant material, the elimination of noxious and other weeds and undesirable grasses on the Lot to include the joints at the street and sidewalk areas and removal of any trash/debris.

Any dead trees must be removed as soon as possible or upon notification not to exceed sixty (60) days. As directed by the Association, any tree replacements should be conducted within thirty (30) days upon notification and any dead shrubbery or sod must be replaced within thirty (30) days unless additional time is granted by the ACC. Any dead material must be shredded on the lot or removed. Tree stakes should be removed after two (2) years of initial planning unless required for high wind assistance and must be actively attached to a tree.

#### 5.5 **Vacant Lots**

Lots with native areas which are not maintained weekly should be monitored and cared for as needed, normally meaning the grasses and weeds will be cut three (3) to four (4) times a year. Any native area that borders a street must be maintained in a neat and attractive condition throughout the year, with the grass being cut back from the curb and/or sidewalk a minimum of five feet (5'), ranging from four inches (4") to nine inches (9") in total height.

## **6.0 GENERAL RULES & REGULATIONS / MISCELLANEOUS**

### **6.1 Snow Removal**

Each owner is responsible to remove snow from his or her sidewalks; this includes all sidewalks on the Lot that border a street. If a lot has sidewalks on the front and rear or multiple sides, all sidewalks must be cleared. Owners are encouraged to place snow on the lot, not in the street or curb.

Please reference Colorado Springs City Code, updated by Ordinance 06-162 passed September 26, 2006, the following information and policies apply:

*“3.4.202: It shall be unlawful for the owner to permit snow or ice or both to remain on the sidewalk which abuts the real property, or to which the real property is adjacent, or upon any sidewalk located upon the real property subject to a public easement or right of way, at any time after: residential property, twenty four (24) hours after the termination of falling snow.”*

Violation shall constitute negligence and an unlawful act, subjecting the violator to civil liability for any injury proximately caused by the violation, civil liability for the costs of removal and criminal prosecution.

### **6.2 Living with Wildlife**

Living in a foothills environment also creates an appropriate need for caution where wildlife is concerned. It is a violation to feed and/or harass wildlife. Any persons caught doing this will be subject to State, City and Association penalties. The State fine for a dog harassing wildlife is \$274. Colorado considers big game animals as state property. That means pet owners could be billed for any wildlife injured or killed by their dog. Colorado law also allows any peace officer to capture or kill a dog that is caught chasing wildlife.

Under Colorado law, intentionally feeding big game animals is illegal. The prohibition applies to deer, elk, antelope, mountain goats, bighorn sheep, mountain lions and bears. Violators face a State fine. Please visit the Colorado Division of Wildlife’s web page, (<http://wildlife.state.co.us/>).

### **6.3 Pets**

*Article I, Section 144*

These Rules are necessary for the health, safety, welfare, comfort and property values of The Spires Drainage Homeowners Association.

- a) No pet shall be permitted to run loose anywhere in the community and must be fenced or restrained by electronic fence controls at all times within the Lot.
- b) No pet shall be permitted to bark, howl, whine or otherwise create any obnoxious sound, odor, or disturbance. No animal of any kind shall be permitted which, in the opinion of the Board makes an unreasonable amount of noise, odor or is a nuisance.

- c) If the Association determines a pet is an unreasonable burden or is a danger to the community because of a bite or attack, excessive barking, wildlife chasing or attacks, noise or other activities, the Association may require the owner of the pet involved take measures to mitigate or eliminate the problem, including permanent removal of the identified pet from home. If an owner has more than one dog/pet and the individual dog/pet causing the violation cannot be determined, the owner may be subject to remove all pets from the home.
- d) All pet(s) must be on a physical leash in the hands of the owner or responsible person outside the confines of your Lot. No pet shall be allowed to damage the grass, trees, shrubs, or any other portion of the Common Areas.
- e) Incessant, unreasonable barking can be disturbing to the peace and quiet of a neighborhood and violates this Rule and both City and County ordinances to harbor such a disturbance. City law dictates it shall be unlawful for any person to own or keep any pet, which by barking, howling, yelping or other utterance disturbs the peace and quiet of the neighborhood (City Law 11-1-115).
- f) No pet shall be permitted to defecate on the common area walks, landscape areas, or elsewhere outside your Lot without it being cleaned up immediately.
- g) No pet(s) shall be kept for the purpose of breeding, boarding, or any other commercial purposes. Number of pets allowed per household will be in compliance with the laws of Colorado Springs.

**NOTE: for lost pets, please contact the Management Company so an Email Alert can be issued.**

#### 6.4 Owner's Duties

The owner of any pet shall assume any and all liability for the pet and its compliance with the governing documents. The owner of a pet hereby releases the Association, its agents and representatives, from any claims regarding such pet and shall indemnify and hold the Association, its agents and representatives, harmless from any and all liability for bites, enforcement of these Design Guidelines, injuries, damages, claims or expenses, including without limitation reasonable attorney's fees, relating to the pet.

The owner of a pet shall insure that it is kept in a clean, quiet and controlled condition. An owner of a Lot shall advise his guests, occupants or tenants of the governing documents and any future Design Guidelines or Rules, and the owner shall be responsible for compliance by such persons, including without limitation, the payment of fines and the removal of any persons dogs or pets from the premises if any violations occur. Contractors, subcontractors and employees are prohibited from bringing dogs and other pets to the construction site.

## 6.5 **Nuisances - Bright Lights/Loud Noises**

*Article I, Sections 135 & 136*

No noxious or offensive activity shall be carried on any lot nor shall anything be done or placed in any lot that is or may become a nuisance or cause embarrassment, disturbance, or annoyance to others. No activities shall be conducted on the lots and on improvements constructed on the lots, which are or might be unsafe, hazardous or cause any annoyance to any person or property - no firearms shall be discharged, no open fires, no outdoor music shall be permitted on the property, no foul or obscene language, domestic disturbances, discharging firearms, endangering wildlife, feeding wildlife and no fireworks. No light shall be emitted from any lot that is unreasonably bright or causes unreasonable glare; no sound shall be emitted from any lot or automobile that is unreasonably loud or annoying; and no odors shall be emitted from any lot that are noxious or offensive to others.

## 6.6 **Trash Receptacles**

Trash is collected during the week. Owners on each street are strongly encouraged to select the same provider to lessen vehicle traffic, noise and damage to the street. Trash must be placed in sealed bags or containers with serviceable lids and be placed out the day of pick up and removed the same day. Homeowners must store trash and recycling containers in the garage, except for the day of collection services. All trash and recycling containers are to have an attached lid or be secured in a manner to prevent the container contents from blowing away or being accessed easily by animals.

All areas used for storage of solid waste including compost receptacles, shall be screened from off-site views, using materials and forms complimentary to the main structure(s). Enclosed commercial trash containers and maintenance thereof will be required at time of construction.

## 6.7 **Pest / Animal Control**

The Association only provides for the treatment and/or removal of nuisance & biting and stinging insects/animals from the Common Areas. Each owner is responsible for his Lot, for the removal of bees, hornets, wasps, skunks, snakes and squirrels, mice, ants, gnats, etc. If you find a dead animal on your Lot, you can call All Large Animal Removal at 719-444-8988, if the animal is on City property, you can call 719-385-5934.

## 6.8 **Quiet Hours**

Quiet hours are from **10 p.m. through 7 a.m.** At all times, residents shall take care not to disturb their neighbor's right to the quiet enjoyment of their property and the neighborhood. Any resident observing a violation of this rule is encouraged to call the Police Department to file a noise complaint in addition to filing a written complaint to the Property Management Company.

**6.9 Home Business**  
*Article I, Section 101*

Home businesses are permitted to the extent they do not: 1) Violate any Federal or State law or any other ordinance of the City of Colorado Springs, 2) Violate any provision of the governing documents of this homeowner's association and these Design Guidelines & Rules, 3) Infringe on the peaceful enjoyment of the immediate neighbors, specifically or the community in general and/or 4) Engage in outdoor repair or restoration services. Any type of home business that falls into one of the categories above will be deemed to be an unreasonable annoyance or nuisance.

**6.10 Insurance Issues**

For specific questions regarding the Master Policy, please contact the Property Management Company. The Association carries a master insurance policy which covers the Common Areas – Commercial General Liability, the Association's funds – Fidelity, a Directors and Officers Liability policy and a Flood policy. Each owner is responsible to obtain adequate insurance coverage for your home and personal belongings.

**6.11 Use of Drones**

Drones are becoming more common place in society and are used by both companies and individuals; and the Board of Directors has determined that it is in the best interest of the Community to regulate drones so as to maintain the character and privacy of the community.

1. Common Elements: Drones shall be prohibited from taking off from and/or landing on Association Common Elements;
2. Nuisance: Drones shall not be operated in such a manner as to constitute a nuisance, invasion of privacy, or unsafe condition in the community which includes, but is not limited to, hovering directly over (50 feet or less) of any individual, any individual's personal property (including cars), or any real property.
3. Hours of operation: Drone use shall be permissible from dawn until dusk.
4. Commercial uses: Drone usage shall not be prohibited by commercial vendors including, but not limited to real estate agents or roofers, etc., as long as the drone usage occurs only on the individual owner's Lot and is utilized solely in conjunction with the vendor's occupation or business.

## **7.0 NEW CONSTRUCTION / ADDITIONS / MAJOR RENOVATIONS**

These Guidelines, pertaining to all site and building development, have been adopted to provide a basis for consistency of development as such, these Design Guidelines are just that - guidelines, clear and concise enough to give a strong direction, yet flexible enough to be adapted to different sites and different development programs. It will be the express purpose of the ACC to consistently and reasonably interpret these Design Guidelines. Any item covered in this section must be submitted for review by the ACC.

All new home construction plans must be accompanied by a payment of \$175.00 to The Spires DHA. This fee pays for the review of the Site Plan, Elevations, home plans and the landscaping plan.

The primary areas of concern addressed by these Design Guidelines are site development and architectural appearance, especially as they relate to harmonious relationships with the existing terrain and among neighboring developments. In general, the goals are to minimize harsh contrasts in the landscape, to conserve pleasing and significant natural systems, and to encourage unassuming architecture appropriate to this unique environment

These Architectural Guidelines are supplemental to regulations normally in effect for this community, including the City of Colorado Springs Zoning and Subdivision Regulations, applicable federal and state regulations as well as pertinent building codes. All construction shall comply with these Guidelines and all other applicable regulations. It is strongly recommended that all persons proposing any construction subject to review under these Design Guidelines seek the assistance of a qualified design professional, with skills appropriate to the task at hand, such as an architect, landscape architect, civil engineer, surveyor, etc.

### **7.1 Architectural Review Procedures**

The process for establishing the ACC and defining the specific duties and powers conferred on it is defined in the "Declaration of Covenants, Conditions and Restrictions.

This process is hereby incorporated as part of these Guidelines and shall be referred to when necessary.

All construction that is to be undertaken in this community, whether new residential. construction, subsequent exterior renovations, or site construction such as walks, driveways, drainage improvements, landscaping, etc. is subject to review under the Design Guidelines. After Final Plan approval through this process, a building permit may then be requested from the City of Colorado Springs. All owners (hereinafter referred to as "owners", but including all owners, builders, consultants, and any other designated representatives) shall comply with the following process, in order to gain approval from the ACC for any construction:



The owner shall provide one set of plans at the beginning of the plan review to be retained by the committee for permanent record. Plans are to be submitted to The Spires DHA, care of the Management Company. The Board of Directors, ACC members and the Property Management company will be responsible for enforcement of these Guidelines and to ensure compliance with all of the governing documents.

After review, the ACC shall respond in writing to the owner within thirty (30) calendar days, giving any recommendations for changes or adjustments deemed necessary or giving final approval, if appropriate. The committee reserves the right to require that staking of the dwelling be completed in the field for review prior to granting final plan approval. The committee should be notified upon completion of staking to arrange for on-site inspection.

Once the committee has approved the Final Plan and Construction Documents, demonstrating compliance with the Design/Architectural Guidelines, a letter of compliance will be issued. NO construction may begin until the approval letter is issued. It should be noted that this approval is valid for only one (1) year.

Should construction not begin within that time period, the entire process may have to be repeated at the discretion of the ACC. In order to monitor compliance of construction with the approved plans, a representative of the committee or other Association representative may make periodic visits during construction.

## **7.2 Plan Review Requirements**

Plans shall contain enough information for the Committee to accurately assess impacts on the site and adjacent sites, and should give an exact indication of building location(s), mass and materials, access, grading, limits of disturbance and erosion control methods. The following information shall be provided.

*New Home Construction / Other Changes – Review Checklist*

Applicant's Name \_\_\_\_\_

Lot# \_\_\_\_\_ Lot Address \_\_\_\_\_

Applicant Mailing Address \_\_\_\_\_

Phone #(s) \_\_\_\_\_ Date Submitted \_\_\_\_\_

Email Address \_\_\_\_\_

May the ACC respond to your application via email if available to expedite its response?

Yes       No

Builder's Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone #(s) \_\_\_\_\_

Email Address \_\_\_\_\_

May the ACC respond directly with your Builder to answer questions?       Yes       No

**SITE PLAN / FLOOR PLANS / OTHER ITEMS REQUIRED:**

**Site Plan** at a scale of 1"=10' or 1"=20' to include the following:

- Lot lines and dimensions, building setbacks, street right of way, curb lines, easements and preservation areas.
- Existing and proposed contour lines at 2' intervals extending to all property lines, existing or proposed street elevations, finish grade at building corners, drainage swales.
- Building footprint, main finish floor and garage slab elevations.
- Walks, driveways, decks, accessory structures, privacy fencing (no fencing on property lines permitted), retaining walls with top and bottom of wall elevations.
- Any other required submittals under the hillside regulations of the City of Colorado Springs.
- Survey and legal description of property boundaries and any easements provided by a licensed surveyor.
- Existing topography with a minimum two (2') feet contour intervals and extending to all property lines with indications of significant drainage ways;
- Precise locations of all shrub masses, trees with five (5") inch or greater caliper, and rock outcrops;
- Name, address and phone of legal owner(s), surveyor and architect.
- Site Plan to include the following:
  - Tree removal plan / Erosion control plan;
  - Driveway culvert size, location and design if required.
- All Elevations:
  - lower level elevation if a walk-out;
  - to show design elements and material variation on all four (4) sides of the home.
- One (1) set of all floor plans showing total square footage for each.
- Driveway monument details (if monument is to be installed).
- Routing of any required utilities including locations of any above- grade enclosure (switching boxes, transformers, etc.)
- Location of any exterior enclosures required for solid waste removal & outdoor toilets.
- Location of on-site storage for building materials.

**Architectural Plans** at a scale of 1/4"=1' to include the following:

- Architectural elevations (front, side and rear)
- Hillside submittal package showing typical proposed grade lines, finished floor elevations, top of slab elevations, building height calculations, and any other required submittals under the City of Colorado Springs hillside regulations.
- Floor plans, including square footage for each floor.
- Roof plans indicating pitches, ridges, valleys and location of mounted equipment.
- Indication of all proposed exterior materials.
- Location of any other outbuildings, solar apparatus, decks, terraces, fences, paths, tennis courts, lighting, etc.
- Any other proposed improvements (decks, awnings, hot tubs, unique features, etc.).
- Exterior details, including items such as chimneys, exterior stairs and decks, railings, and deck supports.

**Exterior colors, materials and finishing**, to include the following:

**\*\* Samples of products, photographs and/or brochures must be provided at the time of the submittal.**

**MATERIALS & COLORS**

*Please include as much information as possible regarding product names/numbers*

ROOF	_____
BRICK	_____
STUCCO	_____
STUCCO ACCENT / POP-OUTS	_____
SIDING	_____
DOWNSPOUTS	_____
TRIM	_____
FASCIA	_____
GUTTERS	_____
DOWNSPOUTS	_____
ACCESS DOOR	_____
GARAGE DOOR(S)	_____
EXTERIOR LIGHTING	_____

ADDITIONAL MATERIALS INFO OR COMMENTS FOR THE BENEFIT OF THE ACC REVIEW PROCESS:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Mail or drop off this completed application form **and submittal fee of \$175**  
(Payable to The Spires DHA) to:

Z & R Property Management  
6015 Lehman Drive, Suite 205  
Colorado Springs, CO 80918.

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

## Plan Requirements “Landscaping”

Landscaping plans, including: (May be submitted at later date.)

- Planting plan indicating all existing & proposed plant locations & sizes, including plants to be removed.
- All erosion control materials should be detailed.
- Plan indicating areas to be irrigated.
- Location of on-site storage for landscaping materials.
- Complete set of specifications.
- Provide proposed schedule of construction.

### *Landscape Approval Request – New Home and Changes*

Date \_\_\_\_\_

Homeowner \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

Email \_\_\_\_\_

#### **Please submit 2 sets of documents to:**

Z & R Property Management  
6015 Lehman Drive, Suite 205  
Colorado Springs, CO 80918

Tel: 719-594-0506, Fax: 719-594-0473, Email: [Derek@ZandRMgmt.com](mailto:Derek@ZandRMgmt.com)

#### **Landscape Plan Checklist:**

- Lot lines, setbacks, easements, no build areas.
- Lawn or turf (type and location).
- Proposed trees (types, sizes and locations).
- Irrigation plan (heads and drip systems).
- Water features.
- Xeriscape plans with planting schedule and irrigation plan which must have an automated system (manual watering is not permitted as the primary source).
- Indicate building location, driveway, walks, patios, decks, stairs, etc.
- Drainage: specify plans for turf or native area drainage plans for underground piping, downspout extensions, rock “dry” streambed features, and/or plans to control silt runoff from the Lot, etc.
- Existing trees to be saved or removed.
- Deciduous trees must be a minimum of 2.5” caliper in size and Evergreen trees must be a minimum of 6’ tall after planting.

- Shrubbery types, quantity and locations. All plants must be a minimum of 5-gallon in size.
- Groundcover, low growing perennials, flowers, etc. (types, sizes, quantity and locations). All groundcover and perennials must a minimum of 1-gallon in size.
- Vegetable garden location (type, size, location, any irrigation, screening, etc.).
- Mulch/Rock: indicate area on Site Plan to include (type, size, color, weed barrier). Materials may not be dropped off/stored on the street; they must be kept in the Lot.
- Retaining or decorative rock/boulder walls: indicate location on Site Plan (height, material type, colors, method of construction “mortar, dry stack, etc.”, wall height not to exceed forty-eight inches.).
- Raised berms, planting beds, drainage control or any other grade alterations (size or area, height above finished grade, etc.).
- Other (specify).
- Photographs and/or drawings or brochures are suggested.
- Any disturbed ground that has not been landscaped must be reseeded to control erosion. In the event one builder builds on lots adjacent to each other, the ACC reserves the right to require exterior modifications minimizing the appearance of duplication.

ADDITIONAL MATERIALS INFO OR COMMENTS FOR THE BENEFIT OF THE ACC REVIEW PROCESS:

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#### 7.4 **Hillside Height**

How to calculate for Hillside Height for Single-Family homes? If you have any questions regarding the height calculation methodology, please call City Zoning at 719-578-6919 or view the Hillside Manual at <http://www.springsgov.com/Files/Hillside.pdf>.

#### 7.5 **Building in Hillside Development**

The ground located within The Spires Drainage Homeowners Association is in a Hillside Overlay Zone established by the City of Colorado Springs. Hillside areas may pose special development challenges and some additional risk to homeowners. The Hillside Overlay Zone was established to focus special attention on the protection of hillsides, slope stabilization and to maintain the natural environment. To that end, certain areas on the recorded plat map may be designated as areas of geotechnical concern requiring soils testing, or, preservation areas that may not be built on due to existing animal life, natural constraints such as natural drainage areas or steep slopes with over 25% grade. The entire area has been mapped and described by the United States Geologic Survey as “Landslide deposits which include slumps, debris flows, earth flows, rock fall avalanche deposits and similar masses of locally derived debris moved down slope by gravity.”

### 8.0 **ARCHITECTURAL GUIDELINES & CONSTRUCTION REGULATIONS**

In the interest of all owners and contractors, the following regulations shall be enforced during the construction period. All contractors and owners shall abide by these regulations. It is also required that the contractor be familiar with and abide by the applicable sections of the Declaration and the Design Guidelines. The following criteria apply to all construction in The Spires Drainage Homeowners Association Subdivision.

#### 8.1 **Site Planning**

Each building site in this community has its own specific qualities and characteristics. The ACC will critically review site plans. A preference will be expressed for plans, which minimize disturbance of existing vegetation, rock/boulders and drainage patterns. Respect for adjacent development is also essential; coordination of elements such as building massing and material compatibility will help make for better neighbors. All construction must comply with applicable city zoning for the city of Colorado Springs, which is PUD, R1-9000 within a Hillside Overlay Zone.

#### 8.2 **Setbacks / Home Size**

It is understood that setbacks required by The Spires Drainage Homeowners Association may be more restrictive than the City setbacks. Where lot terrain dictates, the ACC will consider the City setback requirements. However, the City may require a lesser setback than The Spires Drainage Homeowners Association, in which case the lesser City setbacks may apply.

**The Spires DHA      City**

Front Setback	30 feet	18 ft., or 15ft. from garage
Side Setback	10 feet	5 feet
Rear Setback	25 feet	25 feet
Height Requirement	35 feet	30 feet

(Note: please contact the Land Review Office at 719-385-5905 for information on Height.)

The size of the primary dwelling will be no less than 2,200 square feet based on the following formula:

- 100% of gross square footage on the main level may be counted.
- 75% of gross square footage on finished upper stories above main level or garden level may be counted.
- 50% of gross square footage of finished garden level with direct walkout access to outside may be counted.
- 25% of square footage of basement level may be counted.

25% of gross square footage of balconies, raised decks and covered patios may be counted. 50% of gross square footage of attached garage space in excess of 400 square feet may be counted. A minimum two (2) car garage is required. Gross square footage shall be defined as the total area contained within the exterior perimeter of the area being measured.

No more than one dwelling shall be erected or maintained within any lot or the combination of two or more lots or portions thereof (unless approved by the ACC). No lot may be subdivided into two or more lots unless approved by the ACC.

The recorded plat may restrict access from some lots onto certain specified streets. (These are called "Restricted Lots".) All persons or entities having any interest in any of the Restricted lots are required to and shall arrange and maintain any drives, dwellings or other structure so that ingress and egress to and from their lots is in compliance with the restrictions shown on the recorded plat and the approved development plan.

**8.3 Common Flag Driveways** - for further information, please reference the following documents:

- Declaration of Conditions, Covenants, Restrictions and Easements (CC&R's), Easements, Section 111;
- CC&R's, Appendix 1, Flag Lot Easement as recorded under Reception 097077686, 1-9-2002; Amendment 8. Appendix 1. Flag Lot Easements.
- Amended Declaration, as recorded under Reception 206091207, 6-21-2006;
- Amended Declaration, as recorded under Reception 205044135, 3-30-2005;
- Annexation Amendment Expanding The Boulders Broadmoor Filing No. 1 and The Boulders Broadmoor Filing No. 1-A Covenants (Stonecliff Filings No. 6 and 6A) as recorded under Reception 202004097, 1-9-2002; Amendment 8. Appendix 1. Flag Lot Easements.

- Amended Declaration, as recorded under Reception 099012810, 1-26-1999;
- Amended Declaration, as recorded under Reception 97128592, 11-3-97; Sections (a) and (c) of Appendix 1 – Flag Lot Easement.

#### 8.4 **Home Styles**

Architectural standards are established so that the subdivision may benefit from the natural advantages of its particular location. While the standards for architectural style are flexible, compatibility with the informal natural environment is required. All buildings must be designed to fit the natural contours of the lot without excessive grading outside of the building envelope/foot print.

In reviewing the plans of a proposed building, careful scrutiny will be given to the massing, proportions, and overall scale of the building in relation to the site and neighboring properties.

In all of the filings in The Spires DHA not more than three (3) similar elevations will be allowed and one similar elevation may not be visible from another similar elevation. The ACC may grant a variance to this rule, conditional (case by case basis) on home locations being separated by geography, topographical elevations, traffic flow patterns or street layouts.

#### 8.5 **Height**

Specific maximum building heights are identified on the current Development Plan maps. In addition to these regulations it is strongly suggested that the owner consider the qualities of the site, especially the visual and climatic exposure created by the combination of existing slopes, vegetation and orientation. Lower buildings are generally more appropriate on more exposed sites, while taller buildings can be incorporated into those sites which are less visible and/or more protected.

(Refer to Development Plan maps to determine whether specific height limitations are designed within identified building envelopes). For reference, it should be noted that the means of measuring building height is established in the City Zoning Regulations. The maximum height shall be thirty-five (35) feet. See Section X of this document for city height calculation formula.

#### 8.6 **Exterior Materials**

All materials and finishes should be harmonious with the surrounding environment, with natural wood, brick, stone, colored/textured concrete, or stucco generally being acceptable. Light colored stucco is discouraged. Manufactured siding such as Masonite will be allowed in combination with the above materials. Other materials such as metals and plastics may be approved if used with restraint and of a color that harmonizes with the primary materials. Finishes used should also be subdued in nature, though brighter accent colors will be acceptable for occasional highlights. The use of multiple contrasting exterior materials of three (3) or more mediums (including colors) is discouraged other than all colors must be complimentary to each other. All clear wood finishes to be treated with not less than a 10% pigment.



Exterior materials to be finished to six (6”) inches above grading minimizing exposed foundations. On stepped foundations, maximum exposed vertical height to be eighteen (18”) inches. No cantilevered chimneys in excess of six (6”) inches above grade.

No bright, unfinished surfaces shall be allowed. All metallic surfaces, such as solar panels, roof vents, fireplace flues, gutters and aluminum window frames, should be coated or painted unless otherwise approved by the ACC (such as metal roofs, copper gutters, etc.) Exposed concrete foundations shall be concealed with siding, stucco, or masonry. Exterior white windows are not permitted.

## 8.7 **Roofs**

The form of the roof and the materials used on it create a significant part of the visual impact of a building, and will be carefully reviewed by the ACC. Gable, hip and shed roofs will generally be acceptable for residential construction, while gambrel, flat, mansard and A-frame roofs are not encouraged. However, these roofs and any other unique forms developed will be reviewed on their merits on a case-by-case basis.

All extensions from the roof, such as chimneys, flues, solar collectors, skylights, etc., should be carefully located and finished to compliment other elements of the design. Roofing materials shall be Class A fire rated which includes tile, slate, copper, composition shingles or such other materials as may be approved by the ACC.

**No shake or cedar shingle will be permitted.** Composite shingles will be permitted provided that they meet the following design specifications or as approved by the ACC. Pattern and color to be approved on a case-by-case per plan submittal.

Composition shingles:

- Must be a minimum 2 ply laminated;
- Must weigh at least 365 pounds per square (recommended 40 & 50 year shingles);
- Any shingle that meets the UL 2218 Type 4 rating is permitted but must be submitted;
- Must be class “A” fire rated.

## 8.8 **Fire Sprinklers**

A fire sprinkler system is required in all homes built on lots located in Stonecliff Filing #6 and 6A. For further information, please contact Pikes Peak Regional Building Department at 719-327-2900. The minimum number and type of fire extinguisher(s) required by the City shall be located on each Lot in a conspicuous location.

## 8.9 **Walls**

The walls of a building are obviously an important part of its overall visual impact and should be carefully considered for effect on proportions, continuity and illumination. The connection from the walls to the foundation should be treated so that the transition from one material to the next is smooth.

## 8.10 Patios, Decks and Paving Materials

Outdoor living areas are encouraged. Patios, decks and other paving materials should be compatible and harmonious in color and texture with the structure and surrounding neighborhood and must be an integral part of the landscape architectural design.

## 8.11 Landscaping

All planting that occurs on this property shall conserve and complement existing landscape.

Within six (6) months after occupancy of a dwelling or within any extension period granted by the ACC, all yards and open space shall be landscaped and thereafter maintained in lawn or landscape.

Landscape should include areas of natural vegetation and preserve existing trees, scrub oak, surface boulders and rock formations. No existing trees, surface boulders, rock formations, or scrub oak shall be removed from any lot unless required by construction and unless approved by the ACC. Areas surrounding the primary dwelling may incorporate more manicured plant materials (i.e., sod). It is recommended that a buffer exist between the foundation and sodded areas. When transitioning from manicured landscaping to natural areas, transition is to consist of native grasses and ground covers (found on site) having low water requirements.

Xeriscaping is highly recommended but must be supplemented with an automated irrigation/drip system. Irrigation systems should efficiently distribute water to those plants that require it and be concealed below the topsoil. Drip or other low-water consumption systems are encouraged. Spray irrigation is limited to 15% of the square footage of the lot area.

Any type of outdoor fire pit must be natural or propane gas. No wood burning units are allowed.

The use of non-living ground covers such as bark, gravel and small rocks shall be minimized and be kept in a clean and serviceable condition and remain maintained throughout the year. Any disturbed ground that is not landscaped, must be reseeded or sodded to control erosion.

## 8.12 Designation and Use of the Preservation Area

Certain areas within the Community Area that are not suitable for development because of geologic constraints, natural drainage, areas or steep slopes, together with certain areas with lots, may be designated on the Plat, a Supplemental Plat or a recorded subdivision plat approved by the City of Colorado Springs as "Preservation Areas." The Preservation Area shall be used by each lot owner only in such a manner as is consistent with the preservation of the natural growth and, except for driveways, utilities and drainage structures as approved by the Approving Authority, shall not be subjected to any kind of intensive or destructive use or any activity which might result in permanent damage to the existing natural growth. In amplification and not in limitation of this general restriction the following specific restrictions are imposed on the Preservation Area:

- No planting or cultivation shall be permitted except planting and cultivation of plants native to the Pikes Peak region.

- No alteration of ground conditions and no clearing of living growth shall be permitted except for driveways, utilities, and drainage structures as approved by the ACC.
- No structures or installations of any kind shall be permitted except for approved driveways, utilities, and drainage structures as approved by the ACC.
- No vehicles or conveyances of any type shall be permitted within the Preservation Area except to preserve order or to protect, preserve or maintain the Preservation Area.
- No activity tending to produce litter shall be permitted.
- No obstruction, or any kind, of the natural flow of water through any drainage channels or Preservation Areas shall be allowed.
- No activity tending to weaken or destroy the animal habitat or to interfere with game trails shall be permitted.
- No domesticated dogs or cats will be permitted in the Preservation Areas at any time, unless on leash.
- Preservation Areas may not be fenced, except temporarily during construction, at which time a temporary fence will help preserve and protect the Preservation Areas.

### 8.13 **Construction Site Boundary Limits**

The contractor shall provide a detailed plan of construction site boundary limits prior to construction. The plan shall be implemented with snow fencing, rope barricades or like material prior to construction. The plan shall include size and location for construction material, storage areas, limits of excavation, access areas, parking, chemical toilet location, temporary structures, dumpster, fire extinguisher, utility trenching and a construction sign.

### 8.14 **Daily Operation & Construction Times**

Operating hours for each construction site shall be 7:00 a.m. to 7:00 p.m. Monday through Saturday. No construction activities shall occur on Sunday.

### 8.15 **Excavation / Grading**

Excess excavation material shall be removed from the property and shall not be placed in common areas, roads or other Lots (except as approved on a site specific basis by the ACC). Excavation, except from utility trenching, shall be on the Owner's site only. Contractors are expressly prohibited, during backfill and final grading operations, from spreading excess debris of material over the remainder of the Lot.

All plans should be designed to minimize the extent of grading required. Techniques for doing this include “stepping” down slopes, providing access across slopes instead of down them, and using low retaining walls where necessary. Where grading is necessary, cut and fill slopes should be kept to a minimum of 2:1 with steeper slopes permitted (if permitted by soils engineer) when excessive disturbance of ground would otherwise result. All graded slopes should be “rolled” back into existing slopes so that after re-vegetation, no sharp contrast exists between existing and disturbed slopes.

All areas which are to be preserved (trees, shrubs, rock outcrops, etc.) shall be marked and protected throughout the construction period. ALL GRADING PLANS REQUIRE THE APPROVAL OF THE ACC PRIOR TO ANY GRADING ACTIVITY.

#### 8.16 **Drainage**

In addition to minimizing the extent of disturbed land, disruption to existing drainage courses should also be minimal. Where disruption or realignment must occur, reconstruction should occur in a naturalized manner allowing water to flow in a nondestructive historic course. If culverts or structural channels are required, they should blend in with the existing environments.

Owner will provide all on-lot drainage in accordance with applicable drainage plans approved by the City. Except as specified above, Owner shall establish the finished grade of the Property and install or construct such underground drainage improvements as are necessary to assure that surface run-off water properly drains from the Property. Additionally, Owner shall locate all improvements upon the Property in such locations and manner so as to not interfere with drainage of surface waters over and across the Property nor cause damage to improvements from surface runoff water. However, the locations and the volume of water that has historically entered and departed lot must be accepted.

#### 8.17 **Erosion Control**

During all site disruptions, approved techniques for controlling erosion within the site onto other sites shall be used. Methods include sedimentation basins, filtration materials such as hay bales or permeable geo textiles, and slope stabilization fabrics or tackifiers. Proper re-vegetation shall begin as quickly as possible after soil disturbance. Grading shall be maintained at all times so as to conduct irrigation and surface waters away from structures. Any disturbed ground that is not landscaped, must be reseeded to control erosion.

#### 8.18 **Blasting**

Any plans to blast shall be brought to the attention of the City of Colorado Springs and The Spires Drainage Homeowners Association ACC before commencement and shall be approved by the City. Proper safety and protective actions shall be used.

#### 8.19 **Restoration and Repair**

Damage to any property other than the Owner's shall be promptly repaired at the expense of the person/entity causing the damage.

#### 8.20 **Dust / Noise & Odor**

Every effort shall be made to control dust, noise and odor emitted from a construction area. The contractor will be responsible for watering or screening dust problem areas as well as controlling noise and offensive odors from the Lot.

## 8.21 **Sight Triangle Maintenance**

The Owner of a property containing a traffic sight triangle is prohibited from erecting or growing any obstructions that may cause a traffic visibility hazard at the affected intersection. The ACC shall follow the applicable City regulations when evaluating sight triangle obstructions.

## 8.22 **Utilities**

Construction of utilities shall be carefully coordinated with existing site conditions so that minimal disturbance occurs. All ditches to be compacted. All construction, including storage of excavated and backfill materials, shall respect all boundaries of areas to be preserved.

## 8.23 **Debris and Trash Removal (Site Clean-up)**

Daily cleanup of the construction site is mandatory. All trash and debris shall be stored in a commercial container that requires a lid and is covered and shall be removed from the trash disposal area on a weekly basis. This method will help control blowing trash/debris and problems with animals. All soil and debris flowing onto the street(s) from the construction site shall be cleaned on a daily basis. Any debris or materials will be cleaned off the streets in a timely manner.

## 8.24 **Chemical Port-o-Potties**

Chemical toilets shall be provided by the contractor and placed in an approved location. All chemical toilets shall be confined to the street side of the lots.

## 8.25 **Additional Restrictions**

The following items are prohibited in this community:

- Oil changing of vehicles and equipment without proper receptacles and removal procedures.
- Concrete equipment cleaning or concrete dumping.
- Removing any rocks, trees, plants or top soils from any portions of the property other than the Owner's lot.
- Careless treatment of trees or preservation area.
- Careless use of cigarettes or flammable items.
- Use of firearms

## 8.26 **Amendment and General Provisions**

- a) The Board hereby reserves the right, at any time and from time to time, to modify, amend, repeal or recommend amendments to these Design Guidelines in accordance with the Covenants, the Articles of Incorporation and Bylaws of the Association, and applicable law.

- b) Failure by the Association, the Board or any person to enforce any provision of these Design Guidelines shall in no event be deemed to be a waiver of the right to do so thereafter.
- c) Unless the context provides or requires to the contrary, the use of the singular herein shall include the plural, the use of the plural shall include the singular, and the use of any gender shall include all genders. The provisions of these Design Guidelines shall be deemed to be independent and severable, and the invalidity of any one or more of the provisions hereto, or any portion thereof, by judgment or decree of any court of competent jurisdiction, shall in no way affect the validity or enforceability of the remaining provisions, which shall remain in full force and effect.
- d) The captions to the sections are inserted herein only as a matter of convenience and for reference, and are in no way to be construed so as to define, limit or otherwise describe the scope of these Design Guidelines or the intent of any provision hereto. The Association shall be entitled to recover its attorney's fees and expenses in any enforcement of the Covenants or these Design Guidelines, or both.

**ATTACHMENTS:**

*New Home Construction / Other Changes – Review Checklist*

Applicant's Name \_\_\_\_\_

Lot# \_\_\_\_\_ Lot Address \_\_\_\_\_

Applicant Mailing Address \_\_\_\_\_

Phone #(s) \_\_\_\_\_ Date Submitted \_\_\_\_\_

Email Address \_\_\_\_\_

May the ACC respond to your application via email if available to expedite its response?

Yes       No

Builder's Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone #(s) \_\_\_\_\_ Email Address \_\_\_\_\_

May the ACC respond directly with your Builder to answer questions?       Yes       No

**SITE PLAN / FLOOR PLANS / OTHER ITEMS REQUIRED:**

**Site Plan** at a scale of 1"=10' or 1"=20' to include the following:

- Lot lines and dimensions, building setbacks, street right of way, curb lines, easements and preservation areas.
- Existing and proposed contour lines at 2' intervals extending to all property lines, existing or proposed street elevations, finish grade at building corners, drainage swales.
- Building footprint, main finish floor and garage slab elevations.
- Walks, driveways, decks, accessory structures, privacy fencing (no fencing on property lines permitted), retaining walls with top and bottom of wall elevations.
- Any other required submittals under the hillside regulations of the City of Colorado Springs.
- Survey and legal description of property boundaries and any easements provided by a licensed surveyor.
- Existing topography with a minimum two (2') feet contour intervals and extending to all property lines with indications of significant drainage ways;
- Precise locations of all shrub masses, trees with five (5") inch or greater caliper, and rock outcrops;
- Name, address and phone of legal owner(s), surveyor and architect.
- Site Plan to include the following:
  - Tree removal plan / Erosion control plan;
  - Driveway culvert size, location and design if required.
- All Elevations:
  - lower level elevation if a walk-out;
  - to show design elements and material variation on all four (4) sides of the home.

- One (1) set of all floor plans showing total square footage for each.
- Driveway monument details (if monument is to be installed).
- Routing of any required utilities including locations of any above- grade enclosure (switching boxes, transformers, etc.)
- Location of any exterior enclosures required for solid waste removal & outdoor toilets.
- Location of on-site storage for building materials.

**Architectural Plans** at a scale of 1/4"=1' to include the following:

- Architectural elevations (front, side and rear)
- Hillside submittal package showing typical proposed grade lines, finished floor elevations, top of slab elevations, building height calculations, and any other required submittals under the City of Colorado Springs hillside regulations.
- Floor plans, including square footage for each floor.
- Roof plans indicating pitches, ridges, valleys and location of mounted equipment.
- Indication of all proposed exterior materials.
- Location of any other outbuildings, solar apparatus, decks, terraces, fences, paths, tennis courts, lighting, etc.
- Any other proposed improvements (decks, awnings, hot tubs, unique features, etc.).
- Exterior details, including items such as chimneys, exterior stairs and decks, railings, and deck supports.

**MATERIALS & COLORS**

*Please include as much information as possible regarding product names/numbers*

**\*\* Samples of products, photographs and/or brochures must be provided at the time of the submittal.**

ROOF	_____
BRICK	_____
STUCCO	_____
STUCCO ACCENT / POP-OUTS	_____
SIDING	_____
DOWNSPOUTS	_____
TRIM	_____
FASCIA	_____
GUTTERS	_____
DOWNSPOUTS	_____
ACCESS DOOR	_____
GARAGE DOOR(S)	_____
EXTERIOR LIGHTING	_____

ADDITIONAL MATERIALS INFO OR COMMENTS FOR THE BENEFIT OF THE ACC REVIEW PROCESS:

\_\_\_\_\_

Mail or drop off this completed application form **and submittal fee of \$175**  
(Payable to The Spires DHA) to:

Z & R Property Management  
6015 Lehman Drive, Suite 205  
Colorado Springs, CO 80918.

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_



*Landscape Approval Request – New Home and Changes*

Date \_\_\_\_\_ Homeowner \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Email \_\_\_\_\_

**Please submit 2 sets of documents to:**

Z & R Property Management  
6015 Lehman Drive, Suite 205  
Colorado Springs, CO 80918  
Tel: 719-594-0506, Fax: 719-594-0473, Email: [Derek@ZandRMgmt.com](mailto:Derek@ZandRMgmt.com)

**Landscape Plan Checklist:**

- Lot lines, setbacks, easements, no build areas.
- Lawn or turf (type and location).
- Proposed trees (types, sizes and locations).
- Irrigation plan (heads and drip systems).
- Water features.
- Xeriscape plans with planting schedule and irrigation plan which must have an automated system (manual watering is not permitted as the primary source).
- Indicate building location, driveway, walks, patios, decks, stairs, etc.
- Drainage: specify plans for turf or native area drainage plans for underground piping, downspout extensions, rock “dry” streambed features, and/or plans to control silt runoff from the Lot, etc.
- Existing trees to be saved or removed.
- Deciduous trees must be a minimum of 2.5” caliper in size and Evergreen trees must be a minimum of 6’ tall after planting.
- Shrubbery types, quantity and locations. All plants must be a minimum of 5-gallon.
- Groundcover, low growing perennials, flowers, etc. (types, sizes, quantity and locations). All groundcover and perennials must a minimum of 1-gallon in size.
- Vegetable garden location (type, size, location, any irrigation, screening, etc.).
- Mulch/Rock: indicate area on Site Plan to include (type, size, color, weed barrier). Materials may not be dropped off/stored on the street; they must be kept in the Lot.
- Retaining or decorative rock/boulder walls: indicate location on Site Plan (height, material type, colors, method of construction “mortar, dry stack, etc.”, wall height not to exceed forty-eight inches.).
- Raised berms, planting beds, drainage control or any other grade alterations (size or area, height above finished grade, etc.).
- Other (specify).
- Photographs and/or drawings or brochures are suggested.
- Any disturbed ground that has not been landscaped must be reseeded to control erosion. In the event one builder builds on lots adjacent to each other, the ACC reserves the right to require exterior modifications minimizing the appearance of duplication.

ADDITIONAL MATERIALS INFO OR COMMENTS FOR THE BENEFIT OF THE ACC REVIEW PROCESS:

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