

# University Park Design Guidelines

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## 1.0 GENERAL INFORMATION

The purpose of these Design Guidelines is to promote and retain the design excellence and high quality appearance of University Park. These Design Guidelines apply to all residential and commercial properties within the area known as University Park, including University Heights filings 1, 2 & 3; University Bluffs filings 1, 2, 3, 4 & 5; Hidden Canyon; The Villas; Sonnet Springs; Springs Canyon; several commercial properties; and The Resort. If there are any discrepancies between these Design Guidelines and any previously issued Design Guidelines for any area of University Park; any Declarations of Conditions, Covenants, Restrictions, and Easements for any area of University Park along with any subsequent revisions; or any other Design related requirement associated with any deed or title, then the more restrictive of the requirements that is in compliance with current laws shall prevail.

For example, these other controlling documents for The Villas, Sonnet Springs, Hidden Canyon, The Resort, Springs Canyon and the various commercial properties within University Park generally have greater restrictions regarding items such as, without limitation: exterior architectural changes; exterior materials and colors; landscaping changes; use of the Common Areas; and the addition of other Improvements to a property or Common Area by an Owner.

### 1.1 Definitions

- (a) ACC. The University Park Architectural Control Committee. The ACC is comprised of members appointed by the Board of Directors. The ACC may operate as a single committee or may operate with one or more Sub-Committees handling specific areas such as Landscaping.
- (b) Improvement. For purposes of these Design Guidelines, in simplification of the definition of Improvement contained in the Declaration, any activity on a lot that alters the previous exterior appearance of the lot or any Structures located on it shall be considered an "Improvement". This includes, without limitation, grading activity, removal of natural vegetation, landscape planting, addition of any structures, repainting, material changes to any previously approved structure and changes to landscaping.
- (c) Owner. The person(s) or legal entity that holds legal title to a property within University Park. For purposes of the Design Guidelines, it also includes the Owner's authorized representative, such as a builder, contractor, subcontractor, attorney or property manager.

- (d) Property Manager. The property management company hired by the University Park HOA to handle all the affairs as directed by the Board of Directors.
- (e) Screened. Blocked from the view of nearby neighboring properties and streets by use of a mixture of medium to large shrubs, an approved screening fence or any other approved screening device or structure. The shrubs must provide substantial coverage within a 2-year growth period. Unless the Declaration or these Design Guidelines expressly provide otherwise, "screened" shall be deemed to require full screening rather than partial or substantial screening.
- (f) Structure. Anything or device other than trees and landscaping which when placed on a lot might affect its architectural or external appearance. This includes, without limitation, any dwelling, building, porch, deck, patio cover, awning, shutter, lighting, air conditioner, fence, dog run, flagpole, antenna, driveway, walk, patio, pool, wall or play equipment. Structure shall also mean any lot grading change that affects the natural flow of surface runoff across the lot.

## 1.2 Legal Authority

The legal authority for these Design Guidelines and the specific duties and powers of the ACC are defined in the Declarations of Covenants, Conditions, Restrictions, and Easements for the various areas of University Park. The Declarations will prevail if there are any discrepancies between these Design Guidelines and the Declarations. Copies of the Declarations and current Design Guidelines are available from the Property Manager or online at [www.UniversityParkPoints.com](http://www.UniversityParkPoints.com).

## 1.3 Revisions to Design Guidelines

The ACC reserves the right to revise these Design Guidelines from time to time as changing conditions and priorities dictate, such changes being subject to approval by the University Park HOA Board of Directors.

## **2.0 ADMINISTRATION OF THE DESIGN GUIDELINES**

All proposed Improvements are subject to review under these Design Guidelines. This includes new homes, initial landscaping plans and all subsequent Improvements. All such Improvements, unless specifically stated otherwise herein, require written ACC approval prior to construction or installation. An Owner may seek ACC approval by submitting a properly completed request along with the required forms, drawings, samples, plans, etc. to the Property Manager. Financial penalties may be assessed against an Owner who makes an Improvement without prior ACC approval.

### 2.1 Action by ACC

The ACC will meet regularly to review all proposed Improvements submitted for approval. Submissions to the ACC for requested changes must be available to the ACC one business day prior to the regularly scheduled review meeting. The ACC will contact the Owner if additional information is needed to evaluate a request. A request will be placed on Review Hold while awaiting the receipt of additional information. The ACC will act on all requests within 30 days after full receipt of all required information, unless the time is extended by mutual agreement with the Owner. A written notice of the decision will be sent by email or by regular or registered mail in a timely manner after acting on a request.

### 2.2 Variances

The ACC shall have the authority to grant variances from compliance with any of the provisions of these Design Guidelines, when circumstances involving topography, natural obstructions, hardship, aesthetic or environmental considerations may require.

### 2.3 Revisions to Approved Plans

Any revision and/or addition to an approved Improvement plan must be resubmitted for review by the ACC. The ACC will treat the revised request in the same manner as an original request. In certain cases, additional fees may be required.

#### 2.4 Period of Plan Validation

If construction of an Improvement does not commence within 365 days after the date the Improvement plan was approved by the ACC, then the approval will automatically expire. If the Owner wishes to proceed with an Improvement having an expired approval, the Owner must submit a new request for approval to the ACC.

#### 2.5 Construction Completion

The exterior of all Improvements must be completed within nine months after the commencement of construction, unless the ACC approves a longer period of construction due to unusual circumstances or uncontrollable causes for delay. The date of commencement shall be the date excavation begins or for all other Improvements the date of undertaking any other visible exterior work. Landscaping of a new home must be completed within 6 months after the completion of the exterior of the home or within 15 months after commencement of construction, whichever date is earlier.

#### 2.6 Review of Work in Progress

The ACC may review work in progress to ensure that the construction or work complies with approved plans. Absence of such reviews during the construction period does not constitute either ACC approval of work in progress or compliance with these Design Guidelines. The ACC may withdraw approval of any project and require all activity at such project to be stopped immediately, if deviations from the approved plan, unapproved construction practices or unapproved landscaping techniques are not corrected within 10 days after written notification to the Owner.

#### 2.7 Survey Requirement

As a condition of approval, the ACC may require an Owner to have a property surveyed by a registered, licensed surveyor, at the Owner's expense, for one of the following purposes:

- (a) To verify that the proposed Improvement will comply with setback and other location requirements, prior to, during or after completion of construction.
- (b) To delineate preservation areas prior to construction.

By seeking ACC approval of a proposed Improvement, the Owner implicitly agrees to provide copies of requested survey certificates and allow the ACC site access as needed to check and verify any survey results.

#### 2.8 Fees

The ACC may establish reasonable processing, review and inspection fees. The required fee shall be paid at the time a request is submitted to the Property Manager. Contact the Property Manager for the current schedule of fees. The ACC may assess special or additional fees for unusual requests or more than two plan revisions.

#### 2.9 Effect of Governmental and Other Regulations

Approval of plans by the ACC shall not be deemed to constitute compliance with the requirements of any local, building, zoning, safety, health or fire codes, and it shall be the responsibility of the Owner to assure such compliance. Approval by a local or any other authority shall not waive any requirements on the part of the Owner to obtain ACC approval prior to the installation of an Improvement.

## 2.10 General Aesthetics Considerations

Aesthetic considerations relating to any improvement or other matter that is addressed in these Design Guidelines are within the scope of the review process, and the ACC may deny or condition any application or request on the basis of aesthetic considerations, including the design theme for the development and specific areas within the development as well as the aesthetic consistency of a proposed improvement or other matter with the surrounding landscape and structures.

## 3.0 INFORMATION REQUIRED IN AN IMPROVEMENT REQUEST

The Owner must submit all the information needed by the ACC to properly evaluate a proposed Improvement. All information shall be submitted to the Property Manager in duplicate. An incomplete request will require the ACC to request additional information from the Owner, delay the approval process and may necessitate additional fees. All submissions must include the applicable Improvement Request Form from Section 10 and, if required, the applicable fee.

### 3.1 New Home Approval Requests

A request for a new home approval must include a site plan and a complete set of architectural drawings, as required for approval by the City. The Owner must also submit a complete schedule of exterior materials and colors prior to installation.

### 3.2 Other Improvement Requests (excluding landscaping requests)

A request for approval of any other non-landscape type of Improvement (such as, without limitation: an addition, repainting, deck replacement, dog run, play equipment or patio cover) must include the following information, as appropriate for the specific type of Improvement being requested:

- (a) Site plan. This is a drawing or accurate sketch of the relevant portion of the lot, showing existing and proposed Improvements. The site plan must include dimensions describing the size of the proposed Improvement and dimensions to nearby property lines.
- (b) Pictures of the area where the Improvement will be located are not mandatory, but may aid the ACC in evaluating a request.
- (c) Architectural drawings, sketches or pictures that adequately describe the proposed Improvement. These should include information such as dimensions, material descriptions, manufacturer, colors, etc. Improvements such as additions, decks, fences and patio covers must include both layout and elevation drawings.
- (d) Samples of paint colors, roofing material, decorative stone, etc. as may be needed by the ACC to evaluate a request.
- (e) Any additional information that may assist the ACC in evaluating a request. This could include additional contact information, reason for requesting the Improvement, etc.

### 3.3 Landscape Plan Approval Requests

A request for approval of an initial landscape plan must include the information shown below. The landscape plan may include other proposed non-landscape types of Improvements. In this case, the submittal must include all information normally required in Section 3.2 for approval of those other non-landscape types of Improvements.

- (a) A drawing or accurate sketch depicting property lines and showing all existing and proposed Improvements. Existing Improvements must be clearly labeled.

- (b) The plan must show all proposed plant locations, types, quantities, sizes, location of turf and other ground cover materials, including the type and color of any rock and/or mulch used in the landscape. These must be clearly labeled.
- (c) The plan must describe the grading and layout of all proposed landscape Improvements, such as retaining walls, berms and paving, if these were not part of the New Home Plan approval.
- (d) Any additional information that may assist the ACC in evaluating a request. This could include additional contact information, reason for requesting the Improvement, etc.

### 3.4 Landscape Plan Change Requests

A request to change or expand an existing landscape must include the same information as specified in Section 3.3, but only for the affected portion of the lot. Replacement of existing landscaping material with the same or similar material, such as the replacement of a dying shrub, does NOT require approval.

## 4.0 GENERAL SITE DEVELOPMENT AND ARCHITECTURAL STANDARDS

All Improvements must comply with these site development and architectural standards. No mandatory architectural style is required for University Park. However, it is the intent of these standards that residential designs have proportions and details appropriate to the chosen style, home site and neighboring properties. To this end, careful scrutiny will be given to the massing, proportions, overall scale and a home's materials, colors and textures.

**Note:** for information specific to the 51 homes located in Hidden Canyon, please see Section 4.11.

### 4.1 Grading

Graded slopes may not be steeper than a 33% or 3:1 grade. Retaining walls must be utilized where graded slopes would exceed 3:1. See Section 6.22 Retaining Walls. No grading shall occur beyond the Owner's property lines. The original builder will grade the lot per the approved City drainage plan upon construction completion of a home. An Owner may not alter this approved grading without prior ACC approval.

### 4.2 Drainage

Surface drainage upon and across any lot must be addressed through the implementation of sound construction and grading practices. Existing points of entry and exit to and from a lot by historic surface drainage must be respected. Any Improvement, which creates a change in surface flows that result in a backup of water onto a neighboring lot or tract, is strictly prohibited. It is the responsibility of the Owner to insure that proper drainage around the home is provided and maintained. When installing landscaping, it is very important to insure that water drains away from the foundation of the house and that the flow patterns prevent water from flowing under or ponding near or against the house foundation, walkways, sidewalks, and driveways. Water should fully flow over walkways and driveways into the street.

### 4.3 Setbacks and Maximum Lot Coverage

Construction setbacks and lot coverage limits are established for each lot in University Park by the relevant Development Plan for that lot. Setbacks specify the minimum distances that the main structure on a lot, decks more than 18 inches above the ground, deck covers, accessory buildings and certain other Improvements must be located away from the lot property lines. Maximum lot coverage specifies that maximum percentage of the lot area that may be occupied by the total areas of the main structure on a lot, decks more than 8 feet above the ground, deck covers, accessory buildings and certain other improvements.

#### 4.4 Streetscape Variety

Homes of the same model or front elevation must maintain a minimum of 4 lots between one another, whether on the same or opposite sides of the street. In addition, homes with the same floor plan, but with different elevations, must maintain a minimum of 3 lots between one another, whether on the same or opposite sides of the street. Front yard setback must be offset by at least two feet from the setback of the home on either side.

Variation in colors and materials must be maintained from homes next to each other and immediately across the street.

#### 4.5 Massing

In reviewing the forms of a proposed building, careful scrutiny will be given to the massing, proportions, and overall scale of the building in relation to the building site. Appropriate residential scale is a requirement. Large, unbroken planes are not considered in keeping with the desired scale of the development. Therefore, courtyards, stepped walls, integrated decks with well-proportioned railings and covered entries are encouraged to develop well-balanced massing. This will avoid a “three-story look” on walkouts that will be reviewed with disfavor by the ACC. Upper floor levels that are smaller than the building footprint are encouraged in order to reduce overall building scale.

The ACC will also consider the location, type, and size of door and window openings for their effect on proportions and continuity. Side and rear elevations of the home which are prominently viewed from public streets, parks or other public areas will be given equal importance and must maintain the continuity of the building massing and detailing.

On corner lots, a ranch style home or other significant single story element, other than a garage, must be located on the side facing the intersecting streets. When a two-story home is located on a corner lot; the single story portion of the home that faces the intersecting street must be a significant part of the total square footage of the home, as determined by the ACC. This portion of the home must also have the appearance of a single story ranch home when viewed from the intersecting street.

#### 4.6 Walls and Openings

The walls of a building are an important part of its overall visual impact and must be carefully detailed. Exterior materials must be consistently used throughout the building. The connection from the walls to the foundation must be treated such that the foundation becomes a very minor element. Location, type and size of window openings must be carefully considered for effect on style, proportions and continuity. Entries must be well articulated but be at a reasonable scale. Covered entries and recessed openings at doors and windows are strongly encouraged to lend shadow and detail.

#### 4.7 Architectural Detailing

In order to add definition and break up flat planes of walls, the use of architectural elements to create shadow lines is encouraged in the design of the home. Architectural elements to accomplish this definition include recessed windows, deep eaves, offset wall planes, window shutters, well- proportioned porches and similar features.

#### 4.8 Maximum Building Height

Building height and profile should be in scale with the surrounding structures and topography. Building height is determined according to the City of Colorado Springs hillside ordinance. The typical maximum height of structure is 35 feet. As specified in the development plans, some lots have been restricted to a maximum building height of 28-30 feet, or have been designated as one story with walkout permitted.

#### 4.9 Exterior Materials

The ACC encourages the Owner to incorporate a second material, such as stone, manufactured stone or masonry on the exterior front elevation wall surface of a home. An exception to this requirement shall be made for homes deemed by the ACC to be otherwise appropriately well detailed. Wrapping building masses, expressing chimneys and detached columns in stonework also add visual interest. Use of bright, unfinished, colored, reflective or mirrored surfaces or glass is not permitted. Concrete foundation walls shall not be exposed and shall be faced or finished to blend with the general architectural design of the building. The maximum width of lap siding is eight inches.

#### 4.10 Roofs

The roof form is the most prominent visual element of a home and central to define its architectural character. Therefore, the form and materials used to create a building's roof will be carefully reviewed by the ACC. Styles such as gable, hip, and shed roofs will generally be acceptable for residential construction, while mansard, flat and A-frame roofs are generally not permitted. Care must be given when combining roof forms to maintain the integrity of the architectural forms. Well-detailed fascia and eave treatments serve to frame the roof as a strong design element. Roofing materials must be considered with respect to harmony of color and texture with other materials on the home and adjacent properties.

All extensions from the roof, such as chimneys, flues, roof vents, gutters, skylights, etc. must be carefully located and finished to complement other elements of the design. Unfinished and exposed metal detailing will not be allowed if visually prominent. To the extent feasible, flues and vents should be located out of view from the front of the home. Most projecting roof hardware must be painted to match the dominant color of the roof. See Section 6.23.

Homes located in following areas must have tile roofs: All lots in University Heights Filings 1 & 3; lots 7-40 in University Heights Filing 2; The Villas; Hidden Canyon; and The Resorts. All other lots in University Park may have tile roofs or architectural asphalt shingle roofs with a minimum 30-year warranty.

#### 4.11 Hidden Canyon General Information

##### Architectural Standards

A mandatory architectural "style" has already been established for Hidden Canyon. However, it is the intent of these standards that residential design solutions develop proportions and details appropriate to the chosen style, home site and neighboring properties. To this end, careful scrutiny will be given to the massing, proportions, overall scale and the homes' materials, color and textures. To accomplish this goal the following minimum architectural standards shall apply to both new home construction and home remodels or renovations. Single story ranch plans with a walk out will only be permitted.

##### (a) Building Setbacks / Distance between Structures / Maximum Building Coverage

Refer to Hidden Canyon Patio Homes @ University Park Development Plan approved by City Planning Commission dated May 9, 2002, approved by City Council dated May 28, 2002, and approved by the City of Colorado Springs dated July 22, 2002, or subsequent amendments for specific building setbacks, distance between structures on adjacent lots and maximum building coverage per lot.

##### (b) Color schemes are pre-determined in Hidden Canyon with three different color variations. All homes are to be Ranch style homes.

##### (c) Awnings/Patio Covers/Shutters: Awning, patio covers, and shutter colors must be complementary to the exterior color of the home. Patio covers must be constructed of wood or material generally complementary to the home and be similar or complementary in color. Where utilized, support posts for patio covers must be a minimum 6"x6" in size.

(d) Play and Sports Equipment

Play equipment should typically be located in rear yard areas and set back a minimum of five (5) feet from property lines. Consideration shall be given in the location of play equipment so as not to create an undue disturbance on neighboring properties. Play equipment shall be of predominantly muted, earth tone colors and shall not exceed eight (8) feet in height unless otherwise approved by the ACC. Play equipment or items used for front yard play should be stored out of view when not in use. Play houses larger than 30 sq. ft. or over six feet in height shall be considered an accessory building.

(e) Roofing / Roof Replacement

All roofing and replacements must be the one pre-determined color selected for Hidden Canyon.

## 5.0 GENERAL LANDSCAPING STANDARDS

All landscaping improvements must comply with the requirements of this section.

### 5.1 Compliance with Hillside Area Overlay Zone and Wildland Urban Interface Requirements

University Park is located within, and must comply with, the requirements of City of Colorado Springs Hillside Area Overlay and Wildland Urban Interface Ordinances. The main objectives of these ordinances 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; to minimize water run-off and soil erosion problems incurred in adjustment of the terrain; and to minimize the risks of a wildland fire.

In reviewing a landscape plan submittal, the ACC will strive to ensure that these objectives are met to the maximum extent possible. Removing any native or natural rocks, trees, plants or topsoil from any portion of the property, other than the home site, without ACC approval is strictly prohibited. Certain preventive measures should be taken to protect improvements in case of a fire. These include trimming trees, brush and shrubs and keeping grass and natural areas mowed.

### 5.2 General Landscaping Requirements

Landscaping must consist of a combination of at least three (3) of the following: turf area, shrub beds, groundcover areas, any pre-existing natural areas and Xeriscape areas. A minimum of two (2) trees are required in the front yard area. Front yard turf areas must be irrigated by use of an automated, underground sprinkler system.

These trees must be greater than 2.5 inches in caliper for deciduous trees or 6 feet in height (planted depth) for evergreen trees after planting. The two trees do not need to be of the same type. Homeowners are encouraged to retain pre-existing natural areas in their landscapes. No bare ground areas are permitted.

Shrubs or groundcover plantings must be incorporated to break up large expanses of mulch or bed areas. Stone or gravel mulch areas must be lined with landscape fabric or another acceptable weed barrier. Stone or gravel mulch with harsh, unnatural or high contrast colors, such as lava rock, white marble and black granite, is strictly prohibited. Wood mulch must be natural or earth tone in color. No brightly colored wood mulches are permitted.



Other areas on the lot with rock or mulch ground cover or converting the turf, there will need to be some type of plant, tree or boulder installed to break up the density of the new ground cover. The density is five (5) to seven (7) plants or items per 150 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.

The ACC may allow thin gauge wire fencing on individual plants to surround and shield newly planted landscaping plants from animal damage. This fencing may not enclose multiple plants or trees, which would possibly be interpreted to be a perimeter fence, even though it may be temporary or seasonal. This type of fencing is not meant to be a permanent installation. It is for short-term use to help establish landscape plantings. The ACC will have the final determination as to the type, style and location of protective fencing and when it should be removed.

Front yard turf areas must be irrigated by use of an automated, underground sprinkler system.

### 5.3 Landscape Maintenance

All landscaping, to include Xeriscape, shall be maintained in a neat and attractive condition. Minimum maintenance requirements include watering, fertilization, mowing, edging, pruning, removal and replacement of dead or dying plant material, elimination of weeds and undesirable grasses and removal of trash. Trees and shrubs must be trimmed back from sidewalks, streets, pedestrian trails and public easements to allow unrestricted passage of vehicles and pedestrians.

- (a) Areas that shall be free of weeds and undesirable grasses include, but are not limited to, planting beds, wood or rock mulch, turf grass, and paved areas, including cracks and joints in concrete, driveways, sidewalks, and the curb-to-street joint.
- (b) Areas with rock or wood mulch shall be refreshed or raked as needed to insure there are no bare spots, exposed weed barrier fabric, or exposed irrigation lines. All turf adjacent to mulched areas shall have a clean maintenance edge to define the planting bed.
- (c) Lots, to include unimproved lots, with native areas which are not maintained weekly shall be monitored and cared for as needed, normally meaning the grasses and weeds will be cut 3 to 4 times a year. Any native area that borders a street must be maintained in a neat and attractive condition throughout the year. At the discretion of the Landscape Committee, this may include cutting or mowing the grass/weeds/wild flowers back from the curb and/or sidewalk a distance of 3' to 9' (as determined by terrain, lot features, etc.) at a height not to exceed 12 inches. Approved landscape plans that utilize existing vegetation and native grasses as the primary feature in a yard shall not exceed 18" inches in total height and must be kept weed free.
- (d) Dead trees, shrubs, plants, ornamental grasses, or turf must be removed and replaced within 30 days after appearing to be dead. If the homeowner does not wish to replace the removed plant or tree with like kind, ACC approval is required. Any dead material must be removed from the lot within 7 days.
- (e) Tree stakes must be removed no later than 3 years from the initial planting date unless required for high wind assistance. All stakes not actively attached to a tree must be removed promptly.
- (f) All grasses and plants adjacent to hard surfaces such as patios, driveways, sidewalks and curbs, and visible from the street, shall be edged regularly to prevent such grasses from extending on to the hard surface.

- (g) 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

- (h) 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 150 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.
- 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.

#### 5.4 Landscape / Tree Fencing:

- (a) Landscape Fencing: The Association allows thin gauge wire fencing (which must be galvanized steel, unpainted, dark green or black – to appear as unobtrusive as possible), plastic net type fencing (which must be dark green or black) or the round wood posts not exceeding 4” in diameter, in earth tone or in a natural color, to surround or shield newly planted landscaping material and flowers from animal damage. This fencing may enclose small established planter areas not to exceed ten (10’) square feet in total size and must be removed during the winter season [November to March]. 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.
- (b) 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, unpainted, dark green or black – to appear as unobtrusive as possible).
- (c) Fence posts are not to exceed five (5’) in total height and must be the standard green T- post style, black wrought iron or round wood posts, not to exceed 4” in diameter, earth tone or natural in color. Whatever fence post is used it must all be an exact match in type, size, and color.
- (d) These wraps are not to exceed five (5’) 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.

#### 5.5 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.

### **6.0 REQUIREMENTS FOR COMMON TYPES OF IMPROVEMENTS**

This section details the requirements for common types of Improvements. It is not all-inclusive. All Improvements, except those specifically exempted in Section 6, require ACC approval prior to installation, even if an Improvement is of a type not specifically listed in Section 6.

#### 6.1 Accessory Buildings, Additions, Gazebos and Greenhouses

Requests for approval of accessory buildings, additions, gazebos and greenhouses will be reviewed on a case-by-case basis, taking into consideration the lot size, square footage of the home, the proposed location, the visual impact on neighboring properties and streets, and other considerations. These structures shall adhere to the standards of Site Development and Architectural Standards.

- (a) Accessory buildings, gazebos and greenhouses must be located in a location not prominently visible from the street.
- (b) Accessory buildings and additions must match the original structure in all aspects of architectural style, mass, materials and colors. Accessory buildings generally must be attached to the home. Detached storage sheds, temporary sheds and carports will not be allowed.
- (c) Gazebos and greenhouses must be constructed using a style and materials that are architecturally compatible with the home and must be an integral part of the landscape plan.

## 6.2 Air Conditioning Equipment

The preferred location for a window mounted refrigerant type air conditioning unit or an evaporative cooler is at ground or basement level and in a side or rear yard area. Depending on the size and design of the cooler and the visibility from neighboring properties and streets, the ACC may require the cooler and any associated structures to be painted to match the adjacent house body or roof color. When such a location would have a significant negative effect on the purchase price, operating cost or performance of the cooler; the ACC will permit the Owner to install the evaporative cooler in a less preferred location if desired by the Owner. This location must balance the aesthetic needs of the community versus any impact on purchase price, operating cost and performance of the cooler. When the installed location permits, the evaporative cooler must be Screened. A ground located refrigerant type air conditioning unit must be located in a side or rear yard only and when feasible must be Screened.

## 6.3 Awnings, Shutters, Decorative Stone and Decorative Timbers

The design of these Improvements must complement and integrate with a home's architecture. The colors(s) of these Improvements must be complementary to the exterior color(s) of the home. Acceptable awning treatments include treated canvas fabric. Unacceptable awning treatments include thin wood lattice, metal, plastic and untreated fabric.

## 6.4 Decks

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 10" x 10" in Hidden Canyon, 12" x 12" in University Heights filing 2 and 8"x8" in all other developments. 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.

## 6.5 Driveways and Parking

Certain lots fronting onto Rockhurst Boulevard must provide an on-site turnaround so that vehicles do not need to back out onto Rockhurst. These lots are identified on the various development plans for University Park. Driveways must intersect the street at an angle of not less than 60 degrees and generally must not exceed 15% in slope. Circular driveway requests will be reviewed on a case-by- case basis by the ACC with consideration given to the setback of the home from the street, the size of the lot, the length of street frontage and other considerations.

ACC approval is required when replacing a driveway, only if the new driveway differs in color, paving type or dimension from the driveway being replaced. Extension or expansion of driveways requires ACC approval. A driveway expansion for the purpose of parking or storage of any vehicle off the driveway or on a side area will not be permitted.

Driving across any open space, preservation area or unpaved area is not permitted. Owners are prohibited from parking vehicles on unpaved or non-driveway areas of their lots.

## 6.6 Exterior Lighting

Exterior lighting may consist of Structure mounted lighting, landscape lighting and flag lighting. The ACC will consider visibility, style, color, location and quantity of requested exterior light fixtures. Exterior lighting must have a harmonious fit with the home and landscape areas. When evaluating energy efficient exterior lighting of any type, the ACC will consider the effect of these requirements on purchase price, operating cost and performance. Exterior lighting, with the exception of flag lighting, must be directed towards the ground and house whereby the light cone stays within the property boundaries and the light source does not cast objectionable glare onto adjacent properties. Flag lighting must be directed upward in such a manner as not to cast objectionable glare onto adjacent properties.

#### 6.7 Fencing: Underground Fencing for Dogs

This type of fencing is preferred, since it helps maintain the open character of the neighborhood. ACC approval is not required. The fence must keep pets at least 3 feet away from the interior edge of street sidewalks and curbs. Small signs, no larger than 12" x 12" in size, must be posted near street sidewalks and curbs to alert passersby to the presence of this type of system.

#### 6.8 Fencing: Dog Run Fencing

The ACC may allow above ground dog run fencing on a case-by-case basis. The ACC will consider the impact on adjacent properties and streets in determining the allowed location and size of the dog run. The requirements for dog runs are:

- (a) Generally, a dog run area should not exceed 300 square feet in size. Decked areas less than 8 feet above the ground and hard surface paved areas will generally not be included in the calculated area of a dog run. These areas are often incorporated into a dog run to provide direct access from the house to the dog run or to reduce the amount of dog run fencing needed.
- (b) The only style of dog run fencing permitted is wrought iron. The height of the fence may not exceed 5 feet. The color of the fence must be black, dark green or dark brown.
- (c) Dog run fencing should be located immediately adjacent to the home, rather than extending out into the yard area. Dog runs must be located at least 5 feet from property lines.
- (d) Dog runs must be well Screened.
- (e) Owners must remove droppings from dog runs no less often than once a week.

#### 6.9 Fencing: Privacy Fencing

The ACC may allow solid privacy fencing on a case-by-case basis when used to shield patios or decks from public view. The ACC will consider the impact on adjacent properties and streets in determining the allowed location and size of privacy fencing. The height of the fence may not exceed 6 feet and must be compatible with the home in material and color. Wood privacy fences will not be allowed. Privacy fencing along property lines is not permitted. Privacy fences for the purpose of partial lot enclosure will not be permitted.

#### 6.10 Fencing: Protective Fencing around New Plantings

See Section 5.2 General Landscape Requirements.

#### 6.11 Fencing: Screening Fences

The ACC may allow a solid screening fence on a case-by-case basis when used to conceal an unsightly item such as an air conditioner, satellite dish, hot tub, play equipment or utility meter from public view. The ACC may allow this type of screening in lieu of landscape screening. A screening fence will not be allowed for purposes such as shielding an outdoor storage area, enclosing a dog run or enclosing a vegetable garden. The height of the fence may not exceed 6 feet and must be compatible with the home in material and color. Wood screening fences will not be allowed.

#### 6.12 Fencing: Vegetable Garden Fencing

See Section 6.29 Vegetable Gardens.

#### 6.13 Fencing: Yard and Perimeter Lot Fencing

To promote a more open, spacious feeling for the neighborhood, no yard or perimeter fences have been permitted since Jan. 1, 2005.

#### 6.14 Firewood Storage

Firewood must be stored in the rear yard only, must not be visible from nearby streets and must be neatly stacked. ACC approval is not required for the storage of wood.

#### 6.15 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 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, are not flown at night and are 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 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. Flagpoles may not exceed 4" in diameter and may not exceed 20 feet in height. Generally, flags may not exceed 5 feet in the longest dimension.

#### 6.16 Hot Tub/Jacuzzi

A hot tub or Jacuzzi must be located in a side or rear yard area only. The hot tub or Jacuzzi must be Screened from the view of nearby homes, decks, patios and streets.

#### 6.17 Mailboxes

The ACC has approved several locking and non-locking mailboxes, along with an approved support base for each type. Additionally, some areas of University Park are allowed to install custom stucco/stone pillars to house their mailboxes. The only approved color for mailboxes and metal support posts is black. The following mailbox types are approved:

- (a) Standard Non-locking Mailbox. The approved support base for this mailbox is the round, black, decorative type post commonly seen throughout University Park. See picture below. In accordance with postal regulations for University Park, when possible, every 2 houses are to share a common mailbox post. It is to be located near the property line between the two lots. ACC approval is not required when installing this type of mailbox.

This picture shows the standard non-locking mailbox and decorative post for 2 homes. A single mailbox configuration is also available. This mailbox and replacement parts may be ordered from [www.melnorthey.com](http://www.melnorthey.com) at telephone 800-828-0302.



Std. Single mailbox complete P/N 1018A. Std. Double mailbox complete P/N 1018-2. Std. Mailbox only P/N #18. Std. Single mailbox tubular steel post P/N 1018A. Ste. Double mailbox tubular steel post P/N 1018-2. Std. Mailbox 2 piece decorative base P/N #10 Base. Std. Single Mailbox mounting bracket P/N Bracket. Std. Double Mailbox mounting bracket P/N Bracket. Flag kit, Latch kit and hardware kit also available.

- (b) Oversize Standard Locking or Non-locking Mailbox. This mailbox is a larger version of the standard mailbox. It must be installed on the same type of support base as the standard mailbox described in section (i). Lowe's carries a pre-approved model #PPT3LBL (postal pro Remington 11.25"x12" lockable) mailbox unit and Oasis (model #6300P-10) that you can install without ACC submittal and approval.

(ii). Due to variations in available sizes of this type of mailbox, ACC approval is required before installing this type of mailbox. It is also available from the above listed website.

- (c) Gibraltar Mailsafe II Locking Post-mount: This mailbox must be installed on the same type of support base as the standard mailbox described in section (a). ACC approval is not required when installing this type of mailbox.



The Gibraltar mailbox is available from Home Depot or other home improvement stores. Model # SM16KB01.

\*\* Note: this is larger than the standard box shown above. This unit is roughly 20" deep, 11.5" wide and 11.6" tall.

- (d) Mail Boss 7506 Mail Manager locking security mailbox. Is available from Lowe's, Amazon or Home Depot. This mailbox must be installed on the same type of support base as the standard mailbox described in section (a). ACC approval is not required when installing this type of mailbox.



- (e) Oasis Large Parcel and Oasis Junior Locking Mailbox. This mailboxes are secure, US Post Office approved, locking mailboxes designed to receive large quantities of mail and small parcels. These mailboxes may be installed on the standard support base, as described in section (a) or on the optional 4" by 4" square steel pedestal type support base available for the Oasis mailboxes.



The Oasis mailbox and optional pedestal support post are available from most home improvement stores or can be ordered from the following online store: or at Home Depot. This picture shows the Oasis mailbox Model 5100B (18.5" depth, 13.7" width, 20" height), lockable black unit.



The Oasis – Tribolt Locking mailbox from Lowe's. (18.1" depth, 11.5" width), lockable black unit. Accepts parcels 9.75-in x 6.5-in x 2-in to 9.75-in x 4-in x 2.75-in

- (f) Stucco and Stone Support Pillars. Owners located in University Heights or University Bluffs may, at their option, install a custom stucco and/or decorative stone pillar to house their mailbox. The homeowner must submit plans for this type of support to the ACC prior to installation. These will be approved on a case-by-case basis, using existing pillar designs as a standard. Homeowners living in The Villas, Sonnet Springs, Hidden Canyon and Springs Canyon are not permitted to install this type of mailbox support.



Owners may install any of the approved mailbox types in stucco/stone columns. The Column mailbox, shown at the left, is also approved for installation only in stucco/stone pillars only. It is the black locking model

#4145BKP available from [www.mailboxes.com](http://www.mailboxes.com).

When installing a mailbox, the face of the mailbox should be 6-9" back from the face of the curb. The bottom of the opening where the mail is placed should be 42-48" above the street level. It is the homeowner's responsibility to ensure that a mailbox installation complies with all applicable legal and postal regulations.

#### 6.18 Painting and Repainting

An Owner must submit a properly completed Exterior Painting Approval Request for all exterior painting or repainting of a home or other Improvement. See Section 10 for the required form. All exterior colors must be subdued earth tones as determined by the ACC. The submittal must contain the manufacturer, name, code number and a color sample for each color included in the request. The ACC will consider, without limitation, the color tone and brightness, the home's architecture, stone or brick accents, roofing color, compatibility with other body or trim colors, and the colors of neighboring properties. Downspouts must be painted to match the body color of the surface over which the downspout passes, including decorative stone and/or stucco. Generally, garage doors must blend with other colors of the home.

#### 6.19 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 6" x 6" 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.

#### 6.20 Paving

The ACC will consider the size, location, material type, design, color and architectural fit when reviewing paving requests for driveways, steps, sidewalks, patios and other paved areas. Paved areas must be compatible and harmonious with the home, neighborhood and landscape. Natural, colored and stamped concrete as well as inlaid brick and paver stones will all generally be approved. Paving colors must be muted and earth tone.

#### 6.21 Play and Sports Equipment

Temporary play equipment such as soccer goal nets, hockey goals, etc., do not require ACC approval, but must be stored out of view from the street and neighboring properties when not in use. Temporary basketball backboards are prohibited. ACC approval is not required for permanent play and sports equipment that complies with all the following requirements.

- (a) Located in rear yard areas and set back a minimum of 5 feet from property lines.
- (b) Located so as not to create an undue disturbance on neighboring properties.
- (c) Predominately muted and earth tone in color.
- (d) Not more than 8 feet in height.
- (e) Not occupying a play area more than 150 square feet in size.

Play and sports equipment that do not meet the preceding requirements require ACC approval. The ACC will consider the impact on neighboring properties and streets when reviewing a request. Play equipment more than 12 feet in height will generally not be allowed. A playhouse larger than 30 square feet in size or over 8 feet in height will be considered an accessory building and will be subject to the requirements of the Accessory Buildings section.

The ACC will consider requests to install permanent pole mounted basketball backboards on a case- by-case basis. The ACC will consider the proximity to property lines and the impact on the neighbors' living areas, landscaping and vehicles. Backboards mounted directly to the house, garage or other structures are not permitted. Backboards must be transparent, white or off-white in color. Support poles and mounting hardware must be dark in color. As a courtesy, Owners should notify affected neighbors before installing permanent play equipment. Play and sports equipment must be maintained in a near new appearance and condition.



## 6.22 Renewable Energy Generation Device

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 ACC will review requests to install renewable energy generation devices on a case-by-case basis. The preferred requirements for a renewable energy generation device are:

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

The ACC will 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.

## 6.23 Retaining Walls

Retaining walls must be properly anchored to withstand overturning forces. Retaining walls must not be located so as to alter existing drainage patterns. The ACC requires a Licensed Engineer's Letter of Certification for retaining walls that exceed 4 feet in height.

## 6.24 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. The Villas, Sonnet Springs, Hidden Canyon, The Resorts and Springs Canyon have only one approved type and color of roof for each development. Also see Section 4.10 Roofs.
- (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 must be incorporated into the structure and must be architecturally compatible with the home. Skylight frames and hardware must be of a color that blends in with the roof color.

## 6.25 Satellite Dishes/Antennas

ACC approval is not required for installation of satellite dishes or antennas that are permitted by the Telecommunications Act of 1996 and subsequent related rulings. These laws permit digital television satellite dishes less than one meter (about 39") in size and other specific types of antennas.

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.

## 6.26 Screen and Security Doors and Windows

ACC approval is not required for the addition of screen doors or storm windows if the material and color matches or is similar to existing doors and windows on the home. External security treatments for doors and windows require ACC approval. External security treatments must be compatible with the home in material, style and color.

## 6.27 Signs/Address Numbers

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 or rent signs. Must be no larger than 30" in width and 66" in height. Up to 2 separate ground located signs are allowed per property. One additional "Open House" sign is allowed for up to 3 days before and on the day the open house is held. Flags and banners are not allowed. For sale or rent signs must be removed within 10 days after a home sale has closed or the home has been removed from the market.
- (b) Home security signs. Must be no larger than 12" by 12" in size. Up to 2 exterior signs may be placed near the home. Small window security warning stickers or decals may also be placed on the house windows.
- (c) Trade signs. Must be no larger than 30" in width and 66" in height. One sign may be placed on a property while a contractor is actively performing work on the property. Trade signs may not be placed on a property for longer than 60 days and must be promptly removed upon completion of work.
- (d) Legal signs. All signs required by legal notices or proceedings are allowed on lots and in windows.
- (e) Political signs. May be placed by a homeowner on his/her property only, including window locations. Must be no larger than 36" by 48" in size. No more than 1 sign per candidate or issue is allowed. Signs may not be displayed more than 45 days before the election date and must be removed within 7 days after the elections date.
- (f) Dog fence warning signs. Must be no larger than 12" x 12" in size. Up to 4 signs are allowed per property.
- (g) 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.

All other signs, including custom address and nameplate signs, require ACC approval prior to installation. No signs are allowed on University Park Common Areas without ACC approval. 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.

## 6.28 Swimming Pools

Requests for swimming pools will be reviewed on a case-by-case basis. The ACC will consider the size of the yard area, the setbacks from property lines, the impact on neighboring properties, the size of the pool enclosure and other factors. Certain types of swimming pools must be enclosed with a protective fence as required by Colorado Springs ordinance. The ACC may require pool areas to be Screened.

## 6.29 Vegetable Gardens

Vegetable gardens require ACC approval prior to installation. In general, vegetable gardens must be located in the rear or side areas of the home site so that both the garden and its accessory operating areas are substantially Screened. Vegetable gardens must be located at least 5 feet from the house, 10 feet from property lines and must be no larger than 200 square feet.

Tall plants, such as corn and sunflowers, must be completely screened from view. The request shall include what type of plants will generally be planted.

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 5 feet. The fence may be wrought iron style or of a style using metal posts with welded wire fence fabric.

Chicken wire, chain link and split rail styles are not allowed. 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.

### 6.30 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.

### 6.31 Yard Ornaments

- (a) An Owner may place a small number of yard ornaments on their property without ACC approval. No more than 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 University Park, 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, 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 University Park.
- (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 14 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, natural and realistic in appearance.

### 6.32 Trash and Recycling Service /Container Storage

The Association has a yearly contract for community trash and recycling services (this does not include Sub-Associations or The Resort Apartments). The service day is Tuesday. Residents may sign up or opt out of the service once a year in November. Trash, if not in placed in the toter must be in sealed bags and be at the street 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. Trash is collected during numerous days of the week. 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. Owners on each street are strongly encouraged to select the same provider to lessen vehicle traffic, noise and damage to the street.

### 6.33 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.

Whether installing a new door or repainting existing doors an ACC submittal must be submitted for the type of door and color/style.

If you have more than one (1) garage door the other doors must be matching in style (windows, door panel design, hardware, etc.). If the door will not be painted to match the main body color of the home, the color must be matching to other existing color(s) on the home or be complimentary to all existing color schemes on the home. Duplicating existing colors and combinations does not constitute acceptability and may not be approved for repainting.

### 6.34 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.

During extreme wildland-urban fires homes ignite in two principal ways: 1) directly from flame heating and, 2) from direct firebrand ignition (burning ember spot ignitions). If a homeowner modifies the home itself and its immediate surroundings, i.e., the home ignition zone, the home is much less likely to ignite during a wildfire, and thus has a much greater chance of surviving a wildfire.

#### (a) Defensible Space

Your first defense against wildfire is to create and maintain a defensible space around your home. This does not mean your landscape must be barren. Defensible space is an area around a structure where fuels and vegetation are treated, cleared or reduced to slow the spread of wildfire toward the structure. It also reduces the chance of a structure fire moving from the building to the surrounding forest. Defensible space also provides room for firefighters to do their jobs. 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 flammable 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 flammable 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 30 feet around structures.
- *Beyond the initial 30 feet, thin trees to achieve a 10-to 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.
- *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*, 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.

6.35 Placement and Usage of Rain Barrels.

1. 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.
2. 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:
  - (i) 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;
  - (ii) 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;
  - (iii) The Rain Barrel(s) shall be commercially manufactured and must be mosquito resistant; and
  - (iv) 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.

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.

## 7.0 CONSTRUCTION REGULATIONS

An Owner shall abide by these regulations during initial home construction and during all subsequent changes and Improvements. All applicable OSHA, federal, state and local regulations and guidelines must be strictly observed at all times.

- (a) Construction Hours. Construction activity is allowed only between the hours of 7:00 A.M. and 7:00 P.M., Monday through Saturday.
- (b) Debris and Trash Removal. Weekly cleanup of the construction site is mandatory. All trash and debris shall be stored in a dumpster or otherwise out of public view. Dumpsters must be emptied promptly when full. All soil and debris that flows into the street, open space or neighboring lots from a construction site shall be removed from these adjacent areas within 7 days.
- (c) Dust, Noise and Odor Control. It is the Owner's responsibility to prevent offensive dust, noise and odors from emanating from a property during construction activities.
- (d) Erosion Control. During construction, the Owner must use silt fences, straw bales and similar methods, to prevent runoff from carrying sediment and debris onto neighboring lots, streets and open space areas.
- (e) Excavation. Excess excavation material shall be removed from the property promptly and shall not be placed in common areas, on roads or on any lot without permission of the Owner of that lot. Excavation, except for utility trenching, shall be on the Homeowner's home site only.
- (f) Pets. Contractors, subcontractors and their employees are prohibited from bringing dogs and other pets to a construction site.
- (g) Preservation Areas. None of the following activities are allowed on those portions of any lot designated as a Preservation Area without ACC approval: changes to grading, vegetation or natural features; plantings of any kind; addition of any Structures or Improvements; driving or parking of vehicles.
- (h) Restoration and Repair. Damage to any property other than the Owner's shall be promptly repaired at the expense of the person or entity causing the damage.
- (i) Storage of Building Materials. No building materials may be stored on any lot in a manner visible to neighboring streets and properties, except during periods of active approved construction.
- (j) Vehicles and Parking. All vehicles must be parked so as not to inhibit traffic or damage surrounding natural landscape areas. Vehicles shall not be left on community roads overnight

## 8.0 MISCELLANEOUS

### 8.1 Non-liability

ACC approval pursuant to these Design Guidelines does not approve or guarantee engineering design or compliance with law and applicable governmental ordinances or regulations (such as zoning and building ordinances), and does not reflect any representation by the ACC as to such matters. By approving plans and specifications, the ACC, its members and the Association do not assume any liability or responsibility for engineering design or compliance with law and applicable governmental ordinances or regulations or any other matter relating thereto, other than these Design Guidelines.

Neither the ACC, its members, its agents, the Association, the directors of the Association nor any successors, assigns, agents, employees or officers of them shall be liable to any Owner or other person for any damage, loss, or prejudice suffered or claimed on account of: 1) approval or disapproval of any plans, (2) performance of any work, whether or not pursuant to approved plans, drawings and specifications: or (3) development of any property within the subdivision.

## 9.0 COMMUNITY LIVING ENVIRONMENT STANDARDS

This is an abbreviated and partial restatement of Community Living Environment Standards taken from the Declarations of Conditions, Covenants, Restrictions, and Easements for the various areas of University Park. Some of the townhome and patio home areas have additional environmental standards beyond the standards shown in this Section. The Declarations will prevail if there are any discrepancies between these Design Guidelines and the Declarations.

- 9.1 Building and Grounds Maintenance. Each Owner shall maintain the exterior of the Main Building, all other Improvements and all Landscaping on the Lot in good condition.
- 9.2 Outside Storage. All maintenance equipment shall be stored in an enclosed building or be Screened.
- 9.3 Nuisances. No noxious, hazardous or offensive activity shall be carried on upon any Lot or in any Improvement tending to cause embarrassment, discomfort, annoyance or nuisance to the area. No annoying lights, sounds or odors shall be permitted to emanate from any Lot or Improvement.
- 9.4 Landscaping. Landscaping of all yards shall be completed within the time limit specified in Section 2.5 and shall be maintained as specified in Section 5.3.
- 9.5 Weeds. Unbuilt Lots shall be kept free of trash and noxious weeds.
- 9.6 Mowing and Pruning. Unbuilt Lots shall be kept mowed and free of unsightly brush, weeds and other unsightly growth.
- 9.7 Grading Patterns. No material change may be made in the ground level, slope or drainage pattern of any Lot without ACC approval. Surface waters should not be concentrated and directed differently than the historic direction of flow across a Lot.
- 9.8 Animals. No animals except domesticated birds or fish and other small domestic animals permanently confined indoors, and except for domesticated dogs and cats as described below, may be maintained in or on any Lot and then only if kept as pets. Domesticated dogs and domesticated cats may be kept or maintained in or on any Lot within the Community Area only if kept as pets and the total number of which may not exceed 4. No animal of any kind shall be permitted which, in the opinion of the Association, makes an unreasonable amount of noise or odor or is a nuisance. No animals shall be kept, bred or maintained within the Community Areas for any commercial purposes. No dogs or other pets shall be chained or enclosed on a Lot outside of the Improvements for any extended period of time, except by means of underground electronic fences or other invisible barriers or fences. Dogs or pets may also be kept in an approved dog run.

The City of Colorado Springs Leash Law requires that animals be restrained by the owner at all times, by confinement or by collar and leash. This includes whether on the animal owner's lot or on neighboring lots, sidewalks, streets, parks or other public places. The City requests that complaints regarding violations of the leash law, incessant barking dogs, biting animals and cruelty to animals be reported to City personnel for remedy of the situation.

- 9.9 Parking of Vehicles.
  - (a) No motor vehicles, owned, leased, rented or used by Owners, Residents, contractors, or any other person shall be parked overnight on any street within the Community Area between the hours of 12:00 am to 6:00 am each night.
  - (b) No boat, trailer, recreational vehicle, camper (on or off supporting vehicles), tractor, commercial vehicle, mobile home, motor home, any towed trailer unit or truck shall be parked overnight on any street or upon any driveway located upon a Lot except in a completely enclosed building such as a garage, unless permitted by the following exception:

Recreational vehicles [motor homes, 5<sup>th</sup> wheel units, self contained RV units, pop-up campers and boats on a trailer] may occasionally (not more than 8 times per year) be parked on a driveway area (not any street) for up to a maximum duration of 48 hours, for the purpose of loading, unloading or use preparation.

- (c) Truck: pickup trucks having a  $\frac{3}{4}$  ton or less manufacturer's rated capacity, with or without bed toppers, and passenger vans for the private use of residents of a Dwelling Unit as primary transportation on a day-to-day basis, shall not be considered trucks for purposes of the foregoing restriction noted in Item (b).
- (d) No motor vehicles shall be driven or parked upon Association owned Properties, except in designated locations and except as authorized by the Association.

- 9.10 Non-operative Vehicles. No unused, stripped down, partially wrecked or inoperative motor vehicle or part thereof shall be parked on any street or on any Lot in such a manner as to be visible from any neighboring property or street. An unused vehicle shall be any vehicle which is not properly licensed as determined by the Association.
- 9.11 Vehicle Repairs. No maintenance, servicing, repair, dismantling, sanding or repainting of any type of vehicle, boat, machine or device may be carried on except within a completely enclosed Improvement which screens the sight and sound of the activity from adjoining streets and neighboring properties.
- 9.12 Signs. See Section 6.2.
- 9.13 Outdoor Burning. There shall be no outdoor fires on any Lot or on the Association Properties, except fires in barbecues, braziers and outside fireplaces contained within facilities or receptacles intended for such purpose. No outdoor burning of trash is permitted. No Owner shall permit any condition to develop on a Lot that creates a fire hazard. If any ban on outdoor fires is at any time imposed by a governmental authority, such ban shall be observed within the Community Area.

## 10.0 SUBMISSION FORMS

All Improvement requests must include a properly completed approval request form. Choose the appropriate form from the following list. Blank forms are included herein.

- (a) New home approval request.
- (b) Architectural change approval request.
- (c) Exterior repainting approval request.
- (d) Landscaping approval request – new home and changes.



**University Park Homeowners Association  
New Home Approval Request**

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

Address \_\_\_\_\_

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

- By checking this box, you AUTHORIZE the Association to share any information relating to your request in the review meeting process.
- By checking this box, you DECLINE the Association to share any information relating to your request in the review meeting process.

**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)

**Required Information:**

**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
- Exterior details, including items such as chimneys, exterior stairs and decks, railings, and deck supports
- Any other proposed improvements (decks, awnings, hot tubs, unique features, etc.).

**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.

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

- Schedule of all finished exterior materials and colors for roof, house body, decorative stone, window frames, sliding door frames, roofline trim, fascia, soffits, gutters, downspouts (downspouts must match house body color beneath downspouts), main entry door and surrounding trim, decorative timbers, shutters, other entry door and surrounding trim, garage doors and surrounding trim, deck, decking, deck railing,
- Cut sheets for exterior lighting
- Samples of materials at appropriate size may be required at the discretion of the ACC.

**Comments:**

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**University Park Homeowners Association  
Architectural Change Approval Request**

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

Address \_\_\_\_\_

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

- By checking this box, you AUTHORIZE the Association to share any information relating to your request in the review meeting process.
- By checking this box, you DECLINE the Association to share any information relating to your request in the review meeting process.

**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)

**Required Information:**

Site plan. Required for Improvements such as additions, decks, fencing, hot tubs, patio covers, paving changes, play equipment and yard ornaments. This is a drawing or accurate sketch of the relevant portion of the lot, showing existing and proposed Improvements. The site plan must include dimensions describing the size of the proposed Improvement and dimensions to nearby property lines.

Pictures of the area where the Improvement will be located are not mandatory, but may aid the ACC in evaluating a request.

Architectural drawings, sketches or pictures that adequately describe the proposed Improvement. These should include information such as dimensions, material descriptions, manufacturer, colors, etc. Improvements such as additions, decks, fencing and patio covers must include both layout and elevation drawings.

Samples of paint colors, roofing material, decorative stone, etc. as may be needed by the ACC to evaluate a request.

Please provide a short description of the requested Improvement below along with any additional information that may help the ACC evaluate this request or submit this information on a separate document:

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**University Park Homeowners Association  
Exterior Repainting Approval Request**

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

Address \_\_\_\_\_

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

- By checking this box, you AUTHORIZE the Association to share any information relating to your request in the review meeting process.
- By checking this box, you DECLINE the Association to share any information relating to your request in the review meeting process.

**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)

Exterior Feature or Improvement	Existing Color	New Color
House body or siding		
Windows		
Roofline trim, soffits and gutters		
Downspouts (must be painted to match house body or stucco color)		
Garage doors (must blend with other house colors)		
Garage door trim		
Other entry doors		
Other entry doors trim		
Main entry		
Main entry trim		
Decorative timbers		
Shutters		
Decking surfaces		
Deck framing		
Deck railing		
Other		
Other		
Other		

**Instructions:**

1. The University Park Design Guidelines require homeowners to obtain approval before repainting or re-staining any portion of the exteriors of their homes and any other Improvements, even when no color change is being made.
2. You must use muted, subdued earth tone colors, as determined by the Architectural Control Committee.
3. Complete the lines above for the items you will be repainting or re-staining. Leave the other lines blank.
4. You must supply paint chips or samples for each color you will be using, even when the new color is the same as the old or existing color.
5. If you don't know the actual manufacturer's color or name for the existing color, attempt to describe it as best you can.

**University Park Homeowners Association  
Landscape Approval Request – New Home and Changes**

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

Address \_\_\_\_\_

Telephone \_\_\_\_\_ E-mail \_\_\_\_\_

- By checking this box, you AUTHORIZE the Association to share any information relating to your request in the review meeting process.
- By checking this box, you DECLINE the Association to share any information relating to your request in the review meeting process.

**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, E-mail: [Derek@ZandRMgmt.com](mailto:Derek@ZandRMgmt.com)

A proposed Landscape Plan is required at 1"=10' or 1"=20' scale. This plan must show all of the applicable existing and proposed items from the checklist below for the portion of the lot where landscaping work is to take place.

**Landscape Plan Checklist:**

- Lot lines, setbacks, easements, no build areas.
- 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.
- Lawn or turf (type and location).
- Proposed trees (types, sizes and locations). All front yard areas must have a minimum of two (2) trees, either two Deciduous or Evergreen or one of each totaling two is the minimum requirement. 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.

**Comments:**

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