



A Covenant Community

University Park Homeowners Association

Design Guidelines & Community Standards

www.UniversityParkPoints.com

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*This revision supersedes all prior revisions

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1.0 GENERAL INFORMATION

The purpose of these Design Guidelines and Community Standards is to promote and retain the design excellence and high-quality appearance of the University Park neighborhood.

These Design Guidelines and Community Standards 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 and 4A; Hidden Canyon; The Villas; Sonnet Springs; Springs Canyon; several commercial properties; and The Resort. If there are any discrepancies between these Design Guidelines and Community Standards and any previously issued Design Guidelines and Community Standards for any area of University Park; and the Declaration 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 are in compliance with current laws shall prevail.

For example, the 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 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 covenants of University Park Homeowners Association CC&R'S provide for the establishment of an Architectural Control Committee (ACC) whose responsibilities include enforcing the standards of design for new construction, as well as enforcing the Design Guidelines and Community Standards. 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.
- (b) **LAC.** The University Park Landscape Advisory Committee. The LAC is comprised of volunteers that review the neighborhood landscapes.
- (c) **Improvement.** For purposes of these Design Guidelines and Community Standards, in simplification of the definition of improvement contained in the CC&R's, 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): landscape modifications, addition of any structures, repainting, material changes to any structure.
- (d) **Owner.** The person(s) or legal entity that holds legal title to a property within University Park. For purposes of the Design Guidelines and Community Standards, it also includes the owner's authorized representative, such as a builder, contractor, subcontractor, attorney, or property manager. The legal property owner is ultimately responsible for all actions affecting their home/property done by any representatives.
- (e) **Property Manager.** The property management company hired by the University Park HOA to handle all the affairs as directed by the Board of Directors.
- (f) **Screened.** Blocked from the view of nearby neighboring properties and streets by use of a mixture of medium to large shrubs, any other approved screening device or structure. **The shrubs must provide substantial coverage upon installation.** Unless the CC&R's or these Design Guidelines and Community Standards expressly provide otherwise, "screened" shall be deemed to require full screening rather than partial or substantial screening.
- (g) **Structure.** Any device or thing 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, play equipment, etc. 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 of these Design Guidelines and Community Standards and the specific duties and powers of the ACC are defined in the Declarations of Covenants, Conditions, Restrictions (CC&R's), and Easements for the various areas of University Park neighborhood.

The CC&R's will prevail if there are any discrepancies between these Design Guidelines and Community Standards and the CC&R's.

Copies of the CC&R's and the current Design Guidelines and Community Standards are available from the Property Manager or online at www.UniversityParkPoints.com

1.3 Revisions to Design Guidelines

The ACC reserves the right to revise these Design Guidelines and Community Standards 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 COMMUNITY STANDARDS

This is an abbreviated and partial restatement of Community Standards taken from the Declarations of Condition, Covenants, Restrictions and Easements (CC&R's) for the various areas of University Park. **Some of the townhome and patio home areas have additional requirements beyond the standards shown in this section.** The CC&R's will prevail if there are any discrepancies between these Community Standards and the CC&R's.

2.1 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. All lots, including unbuilt lots, shall be kept free of trash.

2.2 Outside Storage. All maintenance equipment (lawnmowers, shovels, snow blowers, etc.) shall be stored in an enclosed garage or building.

2.3 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.

2.4 Landscaping. Landscaping of all NEW yards shall be completed within the time limit specified in Section 3.6, approved as in Section 4.2, and shall be maintained as specified in Section 6.3

2.5 Weeds. All lots, including unbuilt lots, shall be kept free of weeds.

2.6 Mowing and Pruning. All lots, including unbuilt lots, shall be kept mowed. Brush and other growth shall be groomed and pruned. All lots should be mitigated against wildfire as outlined in Section 5.33.

2.7 Grading Patterns. No material change may be made in the ground level, slope or drainage pattern of any lot without ACC approval. Surface water should not be concentrated and directed differently than the historic direction of flow across a lot.

2.8 Animals/Pets

- (a) No animals are allowed within the University Park neighborhood, except domesticated birds, fish, cats & dogs.
- (b) No pets shall be permitted to roam free.
- (c) Domesticated dogs and domesticated cats may be kept or maintained in or on any lot within the University Park neighborhood and the number of which may not exceed a total of four (4).
- (d) Animals are only allowed if kept as pets.

- (e) No animal of any kind shall be permitted which makes an unreasonable amount of noise or odor or is a nuisance.
- (f) No animals shall be kept, bred or maintained within the University Park neighborhood for any commercial purposes.
- (g) No dogs or other pets shall be chained or enclosed on a lot outside of the home for any extended period of time, except by means of an approved dog run or underground electronic fences or other invisible barrier/invisible fence.
- (h) Leash laws: 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, street, 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.
- (i) Pet owners must immediately clean up after their pets, whether on their property or others' property, including common areas. Pet waste stations are located in several areas including the parks and trails.
- (j) Owners must remove droppings from dog runs at least twice a week.

2.9 Parking of Vehicles.

- (a) No boat, trailer, recreational vehicle, camper (on or off supporting vehicles), tractor, commercial vehicle, mobile home, motor home, any towed trailer unit shall be parked upon any driveway located upon a lot except in a completely enclosed building such as a garage, unless permitted by the following exceptions:
 1. Recreational vehicles (motor homes, 5th wheel units, self-contained RV units, pop-up campers and boats on a trailer) may be parked on a driveway area for up to a maximum duration of 48 hours, for the purpose of loading, unloading or use preparation.
 2. A total of not more than eight (8) times per year. (Example loading=1, unloading=2)
- (b) No motor vehicles shall be driven or parked upon University Park neighborhood owned properties, except in designated location and except as authorized by the ACC.
- (c) All vehicles are prohibited from parking on unpaved or non-driveway areas on their lots.

2.10 Non-operative Vehicles.

No unused, stripped down, partially wrecked, or inoperative motor vehicle or part thereof shall be parked or on any lot in such a manner as to be visible from any neighboring property or street. An unused vehicle is defined as any vehicle which is not properly licensed as determined by the Department of Motor Vehicles.

2.11 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 neighboring properties.

2.12 Outdoor Burning / Fire Pits / Outdoor Fireplaces / Outdoor Fires.

UPHOA has been a Fire-Wise Community for several years. Therefore, the UPHOA has adopted the following rules regarding any flame and/or open fire type of conditions:

- a. There shall be no outdoor fires on any lot or on any University Park neighborhood properties, except fires in barbecues, braziers, grills, enclosed ovens (i.e., pizza ovens, smokers, etc.), or receptacles intended for such purposes AND all the above are installed with a spark arrestor.

- b. Fire pits: only enclosed-propane or natural gas fire pits are allowed. No open-flame wood fire pits are allowed.
- c. Outdoor fireplaces are permitted only if fireplace is propane or natural gas.
- d. Trash burning is not permitted.
- e. No owner shall permit any condition to develop on a lot that creates a fire hazard.
- f. If any ban on outdoor fires is at any time imposed by a governmental authority, such ban shall be observed with the entire UPHOA.

3.0 ADMINISTRATION OF THE DESIGN GUIDELINES AND COMMUNITY STANDARDS

All proposed improvements are subject to review under these Design Guidelines and Community Standards. This includes new homes, initial landscaping plans and all subsequent improvements. All such improvements, unless specifically stated otherwise herein, require ACC approval prior to construction or installation. An owner must submit a properly completed request along with the required form(s), drawings, samples, plans, color photographs, etc. to the Property Manager.

3.1 Action by the 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 at least **three (3)** business day prior to the regularly scheduled review meeting. Example: if the ACC meets the first and third Wednesday of the month, all requests must be time stamped before 5pm on the Friday before the 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 60 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.

3.2 Variances

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

3.3 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.

3.4 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 of the plan will automatically expire. If the owner wishes to proceed with the original request that has expired, the owner must submit a new request for approval to the ACC.

3.5 Construction Fees

Any new construction in University Park HOA must be reviewed and approved by the ACC. The ACC may impose a fee on the homeowner for this review, which may involve the services of outside experts. ACC approval will also be contingent upon approval of the proposed construction by appropriate government authorities.

3.6 New Home Construction Completion

The exterior of any new home construction must be completed within **twelve (12) 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 **six (6) months** after the completion of the exterior of the home.

3.7 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 and Community Standards. 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 observed.

3.8 Fines

Any change to the exteriors of an existing residence or landscaping of lot begun before approval of the proposed change by the ACC could result in the imposition of a fine for failure to comply with the requirements of the Design Guidelines and Community Standards.

Please see the UPHOA website for more information on Fine policy.

Universityparkpoints.com; HOA Information tab; Governing Docs tab; Policies and resolutions tab.

3.9 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 either 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.

3.10 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, 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 requirement(s) on the part of the owner to obtain ACC approval prior to the installation of an improvement.

3.11 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.

3.12 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 list of exterior materials and colors prior to installation.

4.0 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. All submissions must include an Improvement Request Form from Section 11.

4.1 All Improvement Requests

A request for approval of any improvement (such as, but not limited to): an addition, repainting, deck replacement, landscape modifications, dog run, solar panels, flag poles, awnings, play equipment, generators, patio cover, etc., 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 improvement(s). The site plan must include dimensions describing the size of the proposed improvement(s) and dimensions to nearby property lines.
- (b) Pictures of the area where the improvement(s) will be located are not mandatory but will aid the ACC in evaluating a request.
- (c) Architectural drawings, sketches or pictures that adequately describe the proposed improvement(s). These should include information such as dimensions, material descriptions, manufacturer, color, etc. Improvement(s) 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. are required to be submitted to the ACC to evaluate a request.
- (e) Reason for requesting the improvement.
- (f) If a dumpster, storage unit, portable toilet, etc. will be needed on site; the request must include a firm start and end dates.
- (g) Any additional information that may assist the ACC in evaluating a request

4.2 Landscape Plan Approval Requests

A request for approval of an initial or modified 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 4.1 for approval of those other non-landscape types of improvements.

- (a) A drawing or accurate sketch, clearly labeled, depicting property lines and showing all existing and all proposed improvements must be attached. 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 improvement, such as retaining walls, berms and paving, if these were not part of the New Home Plan approval.
- (d) Any additional information, reason for requesting the improvement, etc.

4.3 Landscape Change Request Exception

Replacement of existing landscaping material with the same or similar material, such as the replacement of a dying shrub, does NOT require approval.

4.4 Failure to submit Improvement Request

Any change to the exterior of an existing residence or lot begun before a request is submitted and approved by the ACC could constitute a violation of the Design Guidelines and Community Standards and could initiate the process described in the covenant enforcement policy.

A request for improvement that is not complete will result in deferral of the decision by the ACC and the request may be placed on **Review Hold**. All submissions must include an Improvement Request Form from Section 11.

5.0 REQUIREMENTS FOR COMMON TYPES OF IMPROVEMENTS

This section details the requirements for common type of Improvements. It is not all-inclusive. **All improvements, except those specifically exempted in Section 5, require ACC approval prior to installation, even if an improvement is of a type not specifically listed in Section 5.**

5.1 Air Conditioning Equipment

The preferred location for a window mounted refrigerant type air conditioning unit or an evaporative cooler is at the 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 may 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.

5.2 Artificial Turf

See Section 6.7 Artificial Turf Guidelines: Installation and Maintenance – page 27

5.3 Awnings / Shutters / Decorative Stone / Decorative Timbers

The design of these improvements must complement and integrate with a home's architecture. The color (s) of these Improvements must be complementary to the exterior color (s) of the home.

All retractable (automatic or manual) Awnings must be approved by the ACC prior to installation. Acceptable awning treatments include treated canvas fabric. Unacceptable awning treatments include thin wood lattice, metal, plastic and untreated fabric.

5.4 Clotheslines

Following the State of Colorado (HB1270-2008) Energy Saving Devices Law; clotheslines may be approved by the ACC on a case-by-case basis.

5.5 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. All decks will be reviewed and considered by the ACC on a case-by-case basis

Deck supports must have a substantial scale that visually anchors them to the ground. All deck supports: clearly visible or located under the deck, or cantilevered under the deck edge, must be a minimum cross section of:

- Ten inches by ten inches (**10"x10"**) in Hidden Canyon
- Twelve inches by twelve inches (**12"x12"**) in University Heights filing 2
- Eight inches by eight inches (**8"x8"**) in all other filings

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.

Requests for new, remodeling or replacement of a current deck must include: all dimensions, a lot site plan, color chips, rail materials/colors and deck flooring materials/colors.

Deck requests that will require a dumpster, outside storage or a portable toilet, etc. must include firm start and end dates and proposed location and have ACC approval prior to installation, see section 5.7.

Homeowners should be aware of the **CONSTRUCTION REGULATIONS, see section 8 (page 32)**.

Any deck request that includes a roof over the deck must utilize the same roof material as the main house, match the roof pitch of the home, must be supported by the same size supports as the deck, and if possible, incorporate architectural elements that match the style of the home.

5.6 Driveways, Sidewalks and Patios

ACC approval is required when replacing a driveway, sidewalk or patio area. Notification must be given to the ACC prior to any work progression. Extension or expansion requires a site drawing with setbacks. Any changes in color, pattern or paving type will require color chips and a current color picture of the home and requested area to be submitted. Colored & patterned concrete must complement the color scheme of the home.

A driveway expansion for the purpose of parking or storage of any vehicle off the driveway or on a side area must be approved by the ACC. 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.

Certain lots fronting onto Rockhurst Boulevard and Collegiate Drive must provide an on-site turnaround so that vehicles are not required to back out onto Rockhurst Boulevard or Collegiate Drive. These lots are identified on the various development plans for University Park.

Per Colorado Springs zoning code #7.4.206 – driveway width shall not exceed 24' at the front property line.

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 on their lots.

5.7 Dumpsters / Storage Units / Moving Containers / Portable Toilets

Owners are not permitted to have any type of outside storage bin/container on the lot, to include a roll-off or drop dumpster, moving PODS/Mobile Mini type storage unit, Bagster storage bags or other storage container or similar device.

These units are only permitted for moving use or construction use and must be approved by the ACC prior to the unit delivery.

All construction portable toilets must be approved prior to the unit delivery. The ACC requires location placement information prior to installation.

Emergency situations will be evaluated on a case-by-case basis (ie. flood, fire, damage, etc.).

Please note that depending on the time line submitted for the unit placement, a contractor or insurance contract may be required to verify the time. Owners are not permitted to build any type of temporary collection, storage or construction collection structure on the lot.

The ACC requires all requests for dumpsters/etc. and portable toilets to include a firm start date and end date and the requested location of each on the owner driveway or near the homeowner lot.

5.8 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 areas. The light cone on structure lighting should stay within the property boundaries. Lighting that causes glare, discomfort or disrupts the visual environment of neighboring lots is prohibited. Flood lights should only be used as needed.

Substantial changes to lighting fixtures on the exterior of homes must be approved by the ACC prior to installation and will be considered on a case-by-case basis.

Exterior lighting, with the exception of flag lighting, must be directed towards the ground. Flag lighting must be directed upward in such a manner as not to cast objectionable glare onto adjacent properties.

Security lighting/motion detection lighting: location and fixtures must be submitted to the ACC prior to installation. Soft white soffit lighting may be used for security purposes by the homeowner.

Trim lights/professionally mounted permanent lights: the location of lights will vary by home. Lights may not adversely affect surrounding neighbors. The ACC will review all requests for trim lights/professionally mounted permanent lights on a case-by-case basis.

Holiday seasonal lighting: December Holiday seasonal lights are permitted from Thanksgiving Night thru January 15th. Use of lighting on all other holidays will be limited to 3 days before the holiday and the day of the holiday. These holiday standards do not require ACC approval during these days.

Special occasion lighting, such as a birthday or graduation, can be done by the owner only on the day of the celebration without submitting a request to the ACC for approval.

5.9 Fencing:

5.9.1 Underground Fencing for Dogs

This type of fencing is preferred since it helps maintain the open character of the neighborhood and requires ACC approval. The fence must keep pets at least three feet (3') away from the interior edge of street sidewalks and curbs and lot boundaries. Small signs, no larger than twelve inches by twelve inches (12"x12") in size, must be posted near street sidewalks and curbs to alert any passersby to the presence of this type of system. All underground lines must be buried so that the fencing system is not visible.

5.9.2 Fencing: Dog Run Fencing

All Dog Run Fencing must be approved by the ACC prior to installation. 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) A dog run area cannot exceed 300 square feet in size.
- (b) The height of the fence may not exceed five (5') feet.
- (c) The only style of dog run fencing permitted is wrought iron. The color of the fence must be black or dark brown.
- (d) Dog run fencing must be located adjacent to the home, rather than extending out into the yard area. Dog runs must be located at least five (5') feet from property lines.
- (e) The ACC may require that a dog run must be well screened on a case-by-case basis.
- (f) Dog runs which would propose to include an established patio will be considered on a case-by-case basis. Size and location will be considered.
- (g) Requests for dog runs must include a description of the surface area inside the dog run (ie. gravel, grass, artificial turf, dirt, etc.)

5.9.3 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 street in determining the allowed location and size of privacy fencing. The height of the fence may not exceed six feet (6') 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.

5.9.4 Fencing: Protective Fencing around new plantings

See Section 6.5 General Landscape Standards

5.9.5 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 six (6') feet and must be compatible with the home in material and color. Wood screening fences, **including wood lattices**, will not be allowed.

5.9.6 Fencing: Vegetable Garden Fencing

See Section 5.30 Vegetable Gardens.

5.9.7 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 January 1, 2005.

5.10 Fire Pits / Outdoor Fireplaces / Outdoor Fires / Outdoor Burning

See 2.12 in the Community Standards Section

5.11 Firewood

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.

5.12 Flags and Flagpoles

The UPHOA ACC has standards (in accordance with Colorado State laws) for flags that are attached to homes and flags that are flying from flagpoles.

All flags shall be professionally manufactured and lettered. No handwritten flags shall be allowed.

All flags must be maintained in good condition, free from fading, fraying and may not be torn or ripped.

All homes will be allowed one (1) free standing flagpole on any owner's lot once approved by the ACC. Homeowners requesting more than one (1) free standing flagpole will be considered by the ACC on a case-by-case basis.

(a) Flags attached to homes:

ACC Approval is not required to fly flags that are less than five feet (5') in the longest dimension, are flown from a pole mounted on the main house structure on the lot, are located no higher than the lower edge of the adjacent roofline and are properly displayed.

(b) Free standing flags (flying from a pole):

ACC approval is required for **all** free-standing permanent flagpole installations. Flagpole description, specifications, and site plan with location placement on lot is required. Flag poles may not exceed four inches (4") in diameter and may not exceed twenty feet (20') in height. Flags may not exceed five feet (5') in the longest dimension.

American Flags must be flown in accordance with the Federal and Colorado State Flag Codes.

Flags may only be displayed within the boundaries of a homeowner's lot.

No flags bearing Commercial messages may be displayed in the community.

5.13 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 garage door, replacing a current garage door or repainting/re-staining an existing garage door, an ACC submittal is required prior to installation. The ACC requires a color photo of the current garage door(s) and a color chip/color brochure/color picture of the proposed style or color change. See Section 11 for the required form.

If there is more than one (1) garage door, the other garage doors must be matching in style and color (windows, door panel design, hardware, etc.). If the door(s) 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.

Within Hidden Canyon, there are special requirements regarding garage doors. See Section 9.0.

5.14 Hot Tub/Jacuzzi

All hot tub/Jacuzzis must be approved prior to placement by the ACC on a case-by-case basis. A hot tub/Jacuzzi must be located in a side or rear yard area only.

Hot tubs must be designed and located to visually blend with the residence or be adequately screened from the view of nearby homes, decks, patios and streets. Screening is usually a landscape treatment. The screening for all hot tubs must be approved by the ACC. The approved screening must be installed coincident with hot tub installation.

5.15 Mailboxes

The ACC has approved several non-locking and locking mailboxes, along with an approved support base. The only approved color for mailboxes and metal support posts is black. The following mailbox types/models are pre-approved that you can install without ACC submittal. If a homeowner would request a mailbox not included on this list, a request must be submitted to the ACC along with a color photograph of the requested mailbox before installation.

No plastic mailboxes are allowed. No mailboxes with metal or artistic adornment will be allowed.

Mailbox placement cannot block the pedestrian walkway.

The approved support post for mailboxes is the round, black, decorative-type post commonly seen throughout University Park (see picture below). All support posts must have the 2-piece decorative base kit installed. No wooden posts are allowed. **NOTE:** Oversize mailboxes may require a sturdier support base. All changes to the support base must be approved by the ACC prior to installation. The responsibility for the upkeep of the post is the homeowner and not the UPHOA. The post must not be allowed to tilt or fall over and must be clean, rust-free and painted black at all times.

In accordance with postal regulations for University Park, when possible, every two 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.

Additionally, some areas of University Park are allowed to install custom stucco/stone pillars to house their mailboxes.

All installations or changes to any custom stucco/stone pillar must be approved by the ACC prior to installation.

It is the homeowner's responsibility to ensure that a mailbox installation complies with all applicable legal and postal regulations.

The homeowner or resident is responsible to maintain the mailbox and/or post at all times.

The following brands, models & part numbers have been pre-approved by the ACC:

(a) **Standard non-locking mailbox.**



This picture shows the standard non-locking mailbox and decorative post for two homes. A single mailbox configuration is also available. This mailbox and replacement parts may be ordered from www.melnorthey.com at telephone 800-828-0302. The only approved model from the Mel Northey website is the "STANDARD Series Steel Mail Boxes".

This website has available: single mailbox, tubular steel post, 2-piece decorative bases, brackets, flag kits, latch kits and hardware kits.



Standard Mail Box # 18 size: 7"wide X 19" long X 9" tall, black in color

(b) **Oversize Standard Non-locking mailbox.**

NOTE: Oversize mailboxes may require a sturdier support base. All changes to the support base must be approved by the ACC prior to installation.



Gibraltar Storehouse non-locking mailbox (model #SH400B01)
14.3" wide X 18.1" long x 12.4" tall



Postal Pro Remington locking mailbox (model #PPT3LBL)
11.25" wide X 25" long X 12" tall



Oasis brand locking mailbox: 360 (model #6300P-10)
11.2" wide X 20" long X 11.5 tall



Mail Boss brand locking mailbox:
Mail Manager (model #7506BB)
10.75 wide X 21 long X 11.25 tall
Package Master (model #7206)
12" wide X 21.5" long X 16.5" tall



Oasis brand locking mailbox: Classic (model #6200B-10)
11.50" wide X 18.1" deep X 15.1" tall



Oasis brand locking mailbox: Junior (model #620010B-10)
11.50" wide X 18" deep X 15" tall

(c) 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 left, is also approved for installation only in stucco-stone pillars. It is the black locking model #4145BKP available from www.mailboxes.com.

All installations or changes to any custom stucco/stone pillar must be approved by the ACC prior to installation

5.16 Painting / Repainting / Staining

An owner must submit a properly completed Exterior Painting Approval Request for all exterior painting, repainting or staining of a home or other improvement. This includes any re-painting/re-staining of the same color. See Section 11 for the required form.

All exterior colors must be subdued earth tones as determined by the ACC.

The submittal must contain:

- **A color photograph of the current home or the area to be painted**
- **The manufacturer, paint name and code number**
- **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, Radon systems, Auxiliary equipment (i.e., utility lines, conduit, electric lines, solar conduit, etc.) need to match the color of the surface it is next to, or bordering next to, (which, in most cases) will be the primary color of the house: example: stucco, siding, soffits/facia, etc.

Garage door painting must be submitted and approved before installation. See Garage door Section 5.13 for more information.

5.17 Patio Covers / Trellises / Pergolas / Ramadas / Temporary Shade Structures

Patio covers, trellises, pergolas, 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 be located in a side or rear yard area only. The ACC will consider front yard locations when it can be shown that a requested structure reduces energy consumption.

Temporary shade structures must be approved by the ACC and will be considered on a case-by-case basis. Temporary shade structures may be located on a patio, on a deck, or in a yard. Material, color, frame and length-of-time the structure will be in use must be approved.

5.18 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 must be approved by the ACC.

5.19 Play and Sport Equipment / Toys

Temporary play equipment such as soccer goal nets, hockey goals, bikes, skateboards, toys, ball, sleds, 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. 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, black or a muted color. Support poles and mounting hardware must be dark in color.

ACC approval is required for permanent play and sports equipment such as playsets and trampolines, batting cages, climbing walls, etc. Requests must be:

- (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) Material, color, frame type and the length-of-time the structure will be in use must be approved.

The ACC will consider the impact on neighboring properties and streets when reviewing a request. Play equipment more than fourteen (**14'**) feet in height will generally not be allowed.

Play and sports equipment must be maintained in a near new appearance and condition.

5.20 Rain Barrels: Placement and Usage

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 collection of precipitation from a downspout of a rooftop.
2. Each home may have a maximum of two (2) rain barrel(s) with a combined storage capacity of 110 gallons.
3. Prior to placement of rain barrels on a lot, residents must obtain written ACC approval. In order to obtain such approval, a resident must submit a written application to the ACC 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 specification of the rain barrel(s) which 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.
 - d. If the resident submitting the ACC 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.
4. The placement of a rain barrel on any common areas in the community by anyone is prohibited.
 5. 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.

5.21 Renewable Energy Generation Devices

A Renewable Energy Generation Device is defined as 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. The ACC will review every request to install renewable energy generation devices on a case-by-case basis keeping with state laws and statutes.

All associated equipment, conduit, ductwork, wires, etc. must be painted to match the background & surrounding areas (i.e. stucco, roof color, soffits, gutter, trim work, etc.) and be painted at time of installation.

The ACC requires the following for Renewable Energy Generation Devices requests:

- (a) A drawing of the requested roof pattern design must be submitted by the installation company prior to ACC approval.
- (b) A continuous panel design is requested, but deviations will be considered on a case-by-case basis.
- (c) The total panel system should not cover more than 80% of the roof where visible to other homes and/or streets.
- (d) Aesthetic provisions in the Design Guidelines and Community Standards related to the dimensions, placement or external appearance of the Renewable Energy Generation Device that increases the cost of the device by more than 10% or decrease its performance by more than 10% will not be reasonable.
- (e) Bona fide safety requirement, as required by an applicable building code or recognized electrical safety standard, for the protection of persons or property must be followed.

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.

The homeowner, on their behalf, and all successors-in-interest affirms and assumes responsibility for maintenance, repair, and replacement of the Renewable Energy Generation Device; provided, however, that no such conditions shall increase the cost of the device by more than 10% or decrease its performance or efficiency by more than 10%. The homeowner will also be responsible for all costs of removal and reinstallation of the Renewable Energy Generation Device when roof replacement, repair, or maintenance is required to be performed by the Association or others.

5.22 Retaining Walls

ACC approval is required for all new and any re-constructed retaining walls. Materials, location and size (width/length/height) will be considered on a case-by-case basis.

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 four (4') feet in height.

5.23 Roof Replacement / Rooftop Equipment / Attic Fans / Skylights

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.

Rooftop hardware such as: attic fans, ducts, vents, pipes, exposed flashing and chimney caps must be painted to match the predominant roof color.

ACC approval is required for any replacement/upgrade/painting/improvement of any rooftop equipment, such as & without limitation, attic fans, ducts, vents, louvers and skylights.

ACC approval is required for the installation of skylights. 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.

Homes located in the 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. The Villas, Sonnet Springs, Hidden Canyon, Springs Canyon and The Resorts have only one approved type and color for each development.

5.24 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 of a size less than one meter (up to 39") and other specific types of antennas.

Homeowners are requested to install satellite dishes and other permitted antennas in a side or rear yards/roofs 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.

5.25 Screen doors / Security Doors and Windows

ACC approval is required for the addition of **ALL** screen doors/storm doors/security doors and storm windows. External security treatments for doors and windows require ACC approval. External security treatments must be compatible with the home in material, style and color.

5.26 Signs

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 any window.

Signs must be maintained in good condition, free from fading, fraying and may not be torn or ripped.

- (a) For sale or rent signs. Must be no larger than 30" in width and 66" in height. Up to two separate ground located signs are allowed per property.
- (b) Home security signs. Must be no larger than 12" by 12" in size. Up to two 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. A homeowner may place on their property only, not in common areas. Must be no larger than 36" by 48" in size. No more than one 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 seven days after the election date.
- (f) Dog fence warning/Dog trespassing signs. Must be not larger than 12" by 12" in size. Up to 2 signs are allowed per property. Must be placed in yard only.
- (g) No soliciting signs. Must be no larger than 12" by 12" in size. One sign only is allowed near the main entrance of a home.
- (h) Commercial signs. Are prohibited on any lot.

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.

5.27 Storage Buildings / Additions / Sunrooms / Gazebos / Greenhouses

Requests for approval of storage buildings, additions, sunrooms, 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 Design Guidelines and Community Standards.

- (a) Storage buildings, gazebos, and greenhouses must be located in a location not prominently visible from the street.
- (b) Storage buildings, additions and sunrooms 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/porte-cochere/parking structures 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 and will be addressed on a case-by-case basis.

5.28 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 The City of Colorado Springs ordinance. The ACC may require pool areas to be screened.

5.29 Trash and Recycling Service

University Park HOA has a yearly contract for community trash and recycling service.

Residents may sign up or opt out of the service once a year in November. New residents may sign up upon moving into the community. Residents are encouraged to join the UPHOA trash pickup program.

Residents 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 trash and containers must only be out the day of pick up and returned to the garage the same day.

Trash, if not placed in the toter, must be in sealed trash bags or sealed boxes and be at the street the day of pick up only.

The trash/re-cycling for the Sub-Associations and The Retreat Apartments may be a different service and day.

5.30 Vegetable Gardens

Vegetable gardens require ACC approval prior to installation. 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 five feet from the house, ten feet from all 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 vegetable plants will be planted and what plants will be planted as screening.

The ACC may, on a case-by-case basis, allow a protective fence to be placed around an approved vegetable garden during the growing season. The fence, like the vegetable garden, must be **substantially** screened. The height of the fence may not exceed five feet (5'). 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 or dark brown. 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.

5.31 Water Features

The ACC will consider requests to install water features on a case-by-case basis. The ACC will take into account size, materials, location and impact on the neighborhood and other factors. Water features must be maintained and in working order.

5.32 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, or **where the rear yard is visible to the street**, 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. Yard 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 the following (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 aesthetic 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, at its discretion, may order the removal of any seasonal decoration it deems to be too numerous, in poor taste or otherwise objectionable. Seasonal decoration must be removed within 14 days after the relevant season has ended, weather permitting. December Holiday seasonal decorations are permitted from Thanksgiving Night thru January 31st.
- (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.

5.33 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 can 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.

Defensible Space

The first defense against wildfire is to create and maintain a defensible space around the home. This does not mean the 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. The 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 about the 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.
- *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 a least two 920 shut off gas valves; one at the home and one at the unit. Please know where these valves are located.

NOTE:

No planting or replanting of Junipers, Conifers or other hazardous brush or trees are permitted within 15 feet of a home per Colorado Springs Fire Department Fire Ordinances and City of Colorado Springs Fire Prevention Code and Standards.

Plants with fire resistant characteristics can be found on the Colorado State Forest Service list of FireWise Plants.

The CSFD Fire Ordinance and list of FireWise Plants are available on the UPHOA website.

6.0 GENERAL LANDSCAPING STANDARDS

All landscaping improvements must comply with the requirements of this section

6.1 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.

6.2 General Landscaping Requirements

Landscaping must consist of a combination of at least three (3) of the following: turf area, shrub beds, ground cover 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.

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 ground cover plantings must be incorporated to break up large expanses of mulch or bed areas. Stone or gravel mulch with harsh, unnatural or high contrast colors (such as lava rock, white marble, red mulch 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 covering 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.

All bushes and trees must be trimmed year-round so that they do NOT impede on the pedestrian walkways. If bush or tree is not trimmed in a timely manner the UPHOA retains the right to perform such to maintain the safety of the walkways. The homeowner will be billed for any maintenance issues performed by the UPHOA.

6.3 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, street, 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. Also, all asphalt and concrete areas including cracks and joints in 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 LAC, this may include cutting or mowing the grass/weeds/wildflowers back from the curb and/or sidewalk a distance of 3' to 9' (as determined by terrain, lot feature, etc.) at a height not to exceed 12 inches. Approved landscape plans that utilize 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/or 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 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 covered in rock.

BEFORE



AFTER



(h) Xeriscape / Landscape Updating:

Plans for landscaping changes must be submitted 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, boulder, plant, natural planting installed to break up the density of the ground cover. The recommended density is one (1) tree or shrub/cluster or 2-3 bushes every fifteen feet (15'). 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:
 - o Plants that are low-growing (generally less than 24 inches) and spread easily are suitable ground cover plants and suitable places include dry slopes.
 - o Consider ground covers on hot, dry, south and west exposures as well as for dense, dry shade. Improve soils before planting ground covers.
 - o Ideally, a ground cover should grow dense enough or be mulched to inhibit weeds.
 - o If rocks are used, ensure they are supported on all sides to keep them in place or use jagged shaped rock.
- 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:
 - o Grasses are adaptable and can grow in poorer soils better than many other garden plants and they require little effort to maintain.
 - o Grasses come in many heights, colors, textures, and have varying water requirements.
 - o 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.

6.4 Tree Maintenance in the city right-of-way

In addition to the above requirements, homeowners must be in accordance with the Forestry Rules and Regulations for the City of Colorado Springs:

Section 4.4.104 "The owner of any house, building or property within the city shall not permit the branches of any shade, ornamental or other tree to project over any street, avenue or sidewalk, in front of or alongside the house, building or property, lower than eight feet (8') from the surface of the sidewalk and fourteen feet (14') over the surface of the alley or street. In estimating these heights, the City Forester shall consider the variation of height due to normal rain, snow, sleet and foliage conditions."

Section 4.4.101 "It shall be unlawful for any person to plant, prune, control insects and diseases, remove, destroy, cut or deface or in any way injure any tree or shrub upon a public right of way of the city without the approval of the city Forester."

Please consult the City Forestry Office with questions concerning planting, trimming and removal of trees or shrubs on public right of way within University Park.

The City Forester's office number is 719-385-6550.

6.5 Landscape Fencing / 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 four inches (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 square feet (10’) 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.
- (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 feet (5’) in total height and must be the standard green “T-post” style, black wrought iron or round wood posts, not to exceed four inches (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) Tree wraps are not to exceed five feet (5’) in height on any tree and must be maintained/monitored to ensure they are not damaging the tree. Tree 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 LAC will have the final determination as to the type, style and location of fencing.

6.6 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.

6.7 Artificial Turf Guidelines: Installation and Maintenance

Artificial turf in UPHOA is limited to rear yard applications and cannot be visible from the street.

- A. Turf must be between 1.5” to 2” in height (variance may be granted for putting green application)
- B. Must have a face weight of at least 60 ounces / square foot
- C. Must be in a color that mimics local natural sod
- D. Professional installation is highly recommended to facilitate ACC approval (see below)

All owners must submit a completed UPHOA Improvement Request Form (signed and dated) and have written approval by the ACC before beginning any work. The request must include the following:

- 1. A sample of the product including manufacturer, model, and style
- 2. Complete product specification sheet including face weight and all color(s)
- 3. The manufacturers’ warranty on the product being submitted
- 4. Proper drainage plan of entire area to be installed
- 5. Color photo(s) of proximity of the area the homeowner is requesting to be covered by the artificial turf
- 6. Detailed description of the method of installation

INSTALLATION REQUIREMENTS FOR ALL ARTIFICIAL TURF:

- Professional installation is highly recommended and must include a weed barrier and a properly prepared aggregate base for drainage. An infill system is required.
- Commercial grade weed barrier must be installed at first layer in preparation of the space.
- A minimum of 4” of fine breeze material (non-road base) must be compacted as the next layer of the prepared space.
- Infill product must be at least 1.5# per square foot, 2# per square foot is strongly recommended only if pile height is greater than 1” and meets the face weight requirements.

- A non-toxic, microban infill product is required. Fine sand may be used as an alternative infill product. Silica or rubber crumble are not acceptable infill products.
- The turf may not be installed directly up to/next to the foundation of the home. There must be a border of rock or mulch to separate the turf from the foundation.
- A 2"-3" (minimum) border must be installed around all exterior edges for proper securing. Border can be made of rock with steel (4" tall) edging or pavers or rocks set in concrete.
- All seams must be Serpentine to avoid obvious visual seams.
- 6" landscape pins must be used every 6 inches along the perimeter, and every 4" along the serpentine seams.
- Knee-kick along perimeter and seams is required.
- If irrigation will be installed for cooling purposes, it must be along the perimeter of the product.

MAINTENANCE REQUIREMENTS FOR ALL ARTIFICIAL TURF:

Artificial turf must be cleaned as necessary and periodically groomed (raked) to maintain its appearance.

1. If sand is used as infill rather than recommended microban product, sand will have to be brushed into the product to keep blades from flattening annually.
2. If there are pets in the home that use the space, neutralizing mist must be used as often as necessary to avoid pet waste odors.
3. All artificial turf must be cleaned annually (washed with a cleaner/soap type).
4. Any animal (domestic/dog-cat or wild/deer-etc.) poop must be picked up immediately and the area cleaned to avoid any odor or staining.
5. All artificial turf must be repaired immediately upon any rips, tears, or other damage from human or animal.
6. Artificial turf that becomes discolored from sun or other means must be replaced immediately.
7. Artificial turf that becomes stretched/lifted/excessed must be re-set to be flat upon the ground.
8. Any part of the artificial turf that becomes a path or a worn must be replaced.
9. Artificial turf will become deteriorated and must be replaced as soon as any deterioration is noticed.
10. All artificial turf areas must be kept free from debris: leaves/pine needles/dirt/etc.
11. Any encroachment of weeds must be pulled immediately, and the artificial turf repaired where the hole was made.

Example of a border, turf and putting green that would meet requirements:



Example of face weight and height that would meet requirements:



Example of 1 3/4 inch height artificial turf:



Note: In accordance with HB23-178, UPHOA ACC has available to homeowners, three pre-approved, water-wise designs for installations in front yards. For more information, please contact the property manager or to obtain a copy of these plans.

7.0 NEW HOME DEVELOPMENT

GENERAL SITE DEVELOPMENT AND ARCHITECTURAL STANDARDS

All new home plans must be submitted directly to RowCal. Plans must be submitted prior to any type of work being performed on lot. Fees will be determined at the time of submission.

7.1 Grading

Graded slopes may not be steeper than 33% or 3:1 grade. Retaining walls must be utilized where graded slopes would exceed 3:1. See Section 5.21 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.

7.2 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 ensure that proper drainage around the home is provided and maintained. When installing landscaping, it is very important to ensure that water drains away from the foundation of the house and that the flow patterns prevent water from flowing under or ponding near or against the house foundation, walkways, sidewalks, and driveways. Water should fully flow over walkways, and driveways into the street.

7.3 Setbacks and Maximum Lot Coverage

Construction setbacks and lot coverage limits are established for each lot in The University Park neighborhood 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, and certain other Improvements must not encroach on the setback area. Maximum lot coverage specifies that maximum percentages 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 and certain other improvements.

7.4 Streetscape Variety

Homes of the same model or front elevation must maintain a minimum of four (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 three (3) lots between one another, whether on the same or opposite sides of the street. Front yard setback must be offset by a 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.

7.5 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 a 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.

7.6 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 with paint or building materials to match the home. 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.

7.7 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.

7.8 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 the 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.

7.9 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.

7.10 Roofs, Roof Replacement, Rooftop Equipment, Attic Fans and Skylights

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 for the roof, such as chimneys, flues, roof vents, gutters, skylights, solar panels, 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.

Homes located in the 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. The Villas, Sonnet Springs, Hidden Canyon, Springs Canyon and The Resorts have only one approved type and color for each development.

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.

Rooftop equipment, such as and 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.

Rooftop equipment, along with other roof hardware, such as pipes, exposed flashing and chimney caps must be painted to match the predominant roof color.

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.

8. 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 regulation and guidelines must be strictly observed at all times.

- (a) Construction Hours. Construction activity is allowed only between the hours of **7:00am and 7:00pm**, Monday through Saturday.
- (b) Debris and Trash Removal. Weekly cleanup of the construction site is mandatory. The entire job site shall be monitored for loose trash and debris daily and 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 seven (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, street 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, changes to 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 owners 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 street 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.
- (k) Fire Lanes. Designated Fire Lanes must be always kept clear. No parking in Fire Lanes. No storage of materials in Fire Lanes.

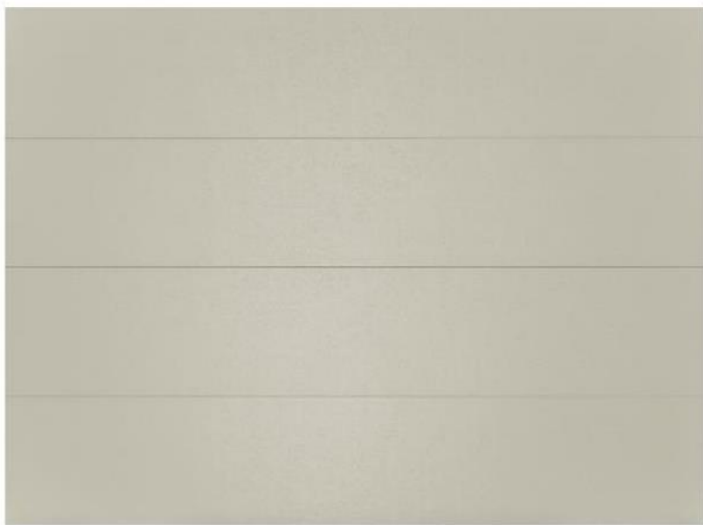
9.0 HIDDEN CANYON GENERAL INFORMATION

Architectural Standards

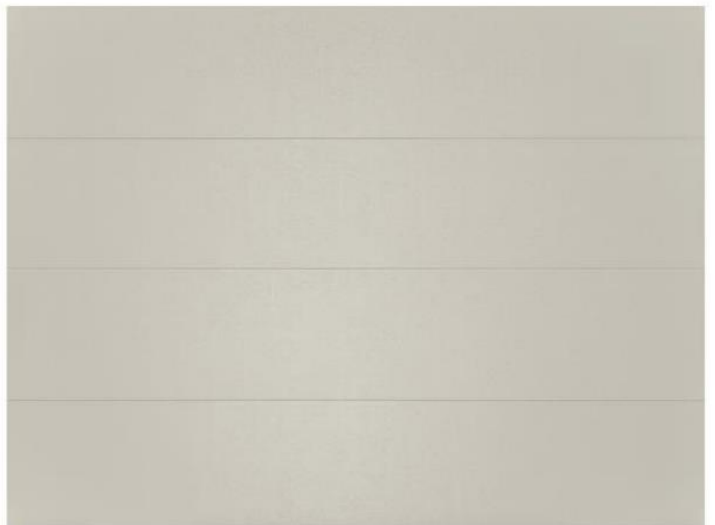
A mandatory architectural “style” has already been established by the Hidden Canyon CCR’S. However, it is the intent of these standards that residential design solutions develop proportions and detail appropriate to the chosen style, home site and neighboring properties. To this end, careful scrutiny 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 / Easements / Distance between Structures / Maximum Building coverage
Refer to Hidden Canyon Patio Homes @ University Park Development Plan, approved by City Planning Commission May 9, 2002 and approved by City Council May 28, 2002, and approved by the City of Colorado Springs dated July 22, 2002. Also refer to the official plat map filed for the Hidden Canyon Patio Homes subdivision recorded August 28, 2002 and amended December 12, 2002 by the El Paso County Clerk & Recorder.
- (b) Color schemes are pre-determined in Hidden Canyon with three different color variations.
See the UPHOA web site for specific colors and color numbers.
- (c) All homes are to be single-story Ranch style homes.
- (d) 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 composite materials generally complementary to the home and be of similar or complementary color. Where utilized, support posts for patio covers must be a minimum 6”x6” in size.
- (e) Garage Doors – must be approved by the UPHOA ACC prior to replacement or installation.
 - 1. Original wood-composite garage doors must be the same color as the home body stucco color.
 - 2. Replacement garage doors may be steel insulated doors, with flush finish panels matching as closely as possible the woodgrain surface of the original wood-composite doors (see example below.)
 - 3. If replacement door(s) cannot be “custom-color-ordered” to match home body stucco color, then doors may be ordered in either Almond or Desert Tan factory-finish (Ankmar, Amarr, Overhead Door, Safeway, or DH Pace) to preserve the manufacturer’s door surface warranty.
 - 4. Style of door – overhead opening, steel, flush-panel insulated or non-insulated.
 - 5. Raised-panel design is not allowed because most of the homes have arched garage doorways.
 - 6. Windows in garage doors: One horizontal row of windows at the top of the door will be allowed. Windows are not allowed in the top panel where doorway is arched.
 - 7. If windows are elected, both garage doors must have windows.
 - 8. No carriage doors, rustic wood-panel look doors or all-window doors will be allowed.
 - 9. No non-functional garage decorative accents (hinges, handles, artwork, etc.) will be allowed.
- (f) Play and Sports Equipment / Toys – See 5.18
- (g) Roofing / Roof Replacement
All roofing and replacements must be the original type and color selected for Hidden Canyon by the builder or, if unavailable, a new standard cement-shingle type will be approved by the UPHOA ACC. Any replacement or repair shingle must be as close to the original shingles possible.
- (h) Gutters/downspouts: Gutters and downspouts must be painted the same color as the surface on which they are predominately mounted.

- (i) Dumpster / Storage Units / Moving Containers / Portable Toilets – See 5.7
- (j) In addition to the design requirements in this section, Hidden Canyon homes are required to follow the UPHOA Design Guidelines and Community Standards contained this document.
- (k) All improvements to the exterior of the home and lot are to be submitted to the UPHOA ACC prior to beginning installation, modification, improvement, or construction.
- (l) All landscape improvements in Hidden Canyon require ACC approval when the improvement/change includes any hardscape changes, relocation of existing landscape items (as defined in CC&R's), new plantings, garden/sustainable areas, putting greens, patio re-locations, pathways, enclosures, dog-runs, foundation borders, fire-wise areas and walk-way easements.



Desert Tan



Almond



10.0 MISCELLANEOUS

10.0 UPHOA ACC Non-liability

ACC approval pursuant to these Design Guidelines and Community Standards 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 director 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.

11.0 IMPROVEMENT REQUEST FORM

PLEASE GO TO THE UPHOA WEBSITE: Universityparkpoints.com

1. Print both pages
2. Check off if your request is improvement, painting or landscape
3. Fill out your information
4. Provide any pictures, color chips, additional information, etc.
5. Be sure to fill in all the yellow sections
6. Date and Sign your request

PLEASE SUBMIT YOUR REQUEST TO:

Email: Derek.Patterson@RowCal.com
 Or mail to: Rowcal ATTN: DEREK, 3720 Sinton Road #200, Colorado Springs, CO 80907 Tel:
 Care Team: 719-471-1703

*****FORM MUST BE COMPLETED, DATED AND SIGNED *****

SAMPLE: front page

SAMPLE: back page

UNIVERSITY PARK
 A Covenant Community

IMPROVEMENT REQUEST FORM 4-13-2023

Be sure to fill out the areas in Yellow

ALL SUBMISSIONS MUST BE APPROVED BY THE ACC PRIOR TO THE START OF YOUR IMPROVEMENT OR YOU MAY BE SUBJECT TO WORK DELAYS AND/OR FINES

REQUEST: IMPROVEMENT PAINTING LANDSCAPING

By initialing here, you authorize UPHOA ACC to share any information relating to this request in the review process
 By initialing here, you decline UPHOA ACC to share any information relating to this request in the review process

Homeowner Name: _____ Telephone: _____
 Address: _____ Email: _____

PLEASE RETURN TO:
 Email: Derek.Patterson@RowCal.com
 RowCal, 3720 Sinton Road #200, Colorado Springs, CO 80907 CARE TEAM: 719-471-1703

IMPROVEMENTS REQUIRED INFORMATION:

Will your improvement require the use of a dumpster _____ or a portable toilet _____?
 If your answer is yes, you must submit the approximate delivery and pickup date to Z&R

- ___ 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.
- ___ Architectural drawings, sketches or photos 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, paint colors, roofing material, decorative stone, etc.
- ___ Please provide a short description of the requested improvement below along with any additional information that may help to evaluate your request or submit your information on a separate document.

PAINTING REVIEW CHECKLIST: To better assist your review and to prevent any delays in decisions, please be sure to include the following information with your submittals:

EXTERIOR PAINTING REQUESTS

Exterior Feature or Improvement	Existing Color	Proposed 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 be painted a muted color and blend with other house colors)		
Trim / Shutters / Doors		
Deck		

1. The UPHOA Design Guidelines require homeowners to obtain approval before repainting or re-staining ANY portion of the exteriors of their homes - even when no color change is being made.
2. You must use muted, subdued earth tone colors as determined by the ACC.
3. You must submit color pictures of the area(s) that are to be painted/stained.
4. You must supply paint chips with the manufacturer name and paint color number.

LANDSCAPE PLAN CHECKLIST:
 Your plan must show all of the applicable existing and proposed items from the checklist below for that portion of the lot where landscaping work is to take place. BE SURE TO CHECK FIRE CODE ORDINANCE

- ___ 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 extension, rock "dry" streambed features, and/or plans to control soil 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 2 Deciduous or Evergreen or one of each totaling 2. Deciduous trees must be a minimum of 2.5" caliper in size and evergreen tree must be a minimum of 6" tall after planting. BE SURE TO CHECK FIRE CODE ORDINANCE.
- ___ 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 be a minimum of 1-gallon in size.
- ___ Mulch/Roots: 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 on the lot.
- ___ Retaining or decorative non-loadbearing 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.).
- ___ Photographs and/or drawings or brochures of area to be modified
- ___ Plant list with type & number of each plant & drawing with new plant locations
- ___ Other /Additional comments (if needed)

Please indicate if you have reviewed the appropriate section of the UPHOA Design Guidelines and Community Standards which outlines the modifications regarding the improvements you are requesting: Yes No

I understand that I must receive approval of the ACC in order to proceed with any exterior improvement of my lot or home before work can begin. I understand that if any exterior change is made before the request has received ACC approval, the ACC and the UPHOA have the right to levy a fine or require alterations to the changes that have not been approved. I understand that the ACC approval does not constitute approval of the local building department and that I may be required to obtain a building permit or other city permits. I understand any approved requests are valid for 365 days and must be completed per specifications or approval is withdrawn and a new request must be submitted to the ACC. I also understand that UPHOA is not responsible for costs associated with approved improvements.

By signing and submitting this request, I/we agree that the ACC may inspect any project/improvement to insure conformity with the approved request.

_____, DATE _____ SIGNATURE OF HOMEOWNER