

**Bradley Heights Metropolitan District No. 2
(the "District")**

**DESIGN GUIDELINES
(the "Guidelines")**

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Section 1: INTRODUCTION

- 1.1 **Basis for Guidelines.** These Guidelines are intended to assist Owners living in the District in implementing landscaping and other home improvements to their property. The Covenants and Restrictions of Century at Bradley Heights (the “Covenants”) for the requires prior written approval of the Architectural Review Committee (the “ARC”) before any Improvement (as defined in the Covenants) can be constructed, erected, placed, altered, planted, applied, installed or modified on any Lot in the District. For instance, Owners must submit for approval prior to any change to existing landscaping, installation of new landscaping, changes to the final grade of a Lot, construction or installation of accessory structures, installation of a patio deck or hot tub, demolition or removal of any accessory structure, or change in paint colors. In order to assist Owners, the Developer intends to establish certain pre-approved designs for several types of improvements and to exempt certain improvements from the requirement for approval.
- 1.2 **Contents of Guidelines.** In addition to the introductory material, these Guidelines contain: **(A)** a listing of specific types of improvements that Owners might wish to make with specific information as to each of these types of improvements; **(B)** a summary of procedures for obtaining approval from the ARC; and **(C)** helpful landscaping ideas and information. Unless otherwise defined in these Guidelines, initially capitalized terms used in these Guidelines shall have the meaning given to the same in the Covenants.
- 1.3 **Effect of Community and Supplemental Resolutions.** The Covenants for the District govern the property. Copies of the Covenants, including amendments, are available at any time by download from the District website or by request to District Management. Each Owner should review and become familiar with the Covenants including amendments. Nothing in these Guidelines supersedes or alters the provisions or requirements contained within the Covenants. In the event of conflict or inconsistency between the Covenants and these Guidelines, the Covenants, as amended, will control.
- 1.4 **Effect of Governmental and Other Regulations.** Use of property and any Improvements must comply with applicable building codes and other governmental requirements and regulations. For general information regarding the City of Colorado Springs and El Paso County requirements, Owners should visit the Pikes Peak Regional Building Department (PPRBD) website or request information in person at the PPRBD offices.
- 1.5 **Interference with Utilities.** In making Improvements to property, Owners are responsible for locating all water, sewer, gas, electric, cable television, telecommunication or other utility lines or easements. Owners should not construct any Improvements over such easements without the consent of the respective utilities. Owners will be financially responsible for any damage to utility lines occurring as result of Owner’s interference. Underground utility lines and easements can be located by contacting: **Utility Notification Center of Colorado 1-800-922-1987 OR 811.**
- 1.6 **Purpose of Guidelines.** Compliance with these Guidelines and the provisions of the Covenants will preserve the inherent architectural and aesthetic quality of the community. It is important that Improvements to property be made in harmony with and not detrimental to the rest of the community. A spirit of cooperation between the ARC and neighbors will go far in creating an optimum environment, which will benefit all Owners. By adhering to these Guidelines and obtaining prior written ARC approval for Improvements to property, Owners protect their financial investment and ensure Improvements are compatible with established standards. Questions arising as to the correct interpretation of any terms, phrases or language contained in these Guidelines, shall be subject to interpretation by the ARC and such interpretation shall be final and binding.
- 1.7 **Completion of Landscaping.** Subject to the provisions of section 3.14 of the Covenants, landscaping must be completed on a Lot no later than one-hundred eighty (180) days from the date first Owner closes on the Lot other than the Builder or Developer, if the closing occurred between April 1 and July 31; or by the following July 31 if the closing does not occur between April 1 and July 31. **See Landscaping Section IV.**

Section 2: SPECIFIC TYPES OF IMPROVEMENTS - GUIDELINES

- 2.1 **General.** The following is a listing, in alphabetical order, of a wide variety of specific types of Improvements which Owners typically consider installing, and pertinent information as to each. This is not an exhaustive, all-inclusive list. Contact District Management to confirm requirements or the need to submit PRIOR to commencing work on any exterior Improvements, modifications, alterations, or installations. **Unless otherwise specifically stated, drawings or plans for a proposed Improvement must be submitted to the ARC and written approval of the ARC obtained before the Improvements commence.** In some cases, where it is specifically so noted, Owners may proceed with the Improvements without advanced approval provided the stated guidelines are followed. In some cases, where specifically stated, some types of Improvements are expressly prohibited.

Approval by the ARC will not constitute assurance that Improvements comply with applicable governmental requirements or regulations or that a permit or approvals are not also required from applicable governmental bodies.

- 2.2 **Accessory Buildings.** See Sheds Section 2.57.
- 2.3 **Additions and Expansions.** Are not permitted.
- 2.4 **Address Numbers.** Approval is required to replace or relocate existing address numbers and must be displayed in contrasting color and be visible from the street in accordance with all governmental regulations.
- 2.5 **Advertising.** Approval is not required for trade signs, which include but are not limited to, landscaping, painting, and roofing. Trade signs may only be displayed while work is in progress and must be removed upon completion of the job. **Realty signs, etc. See Signs Section 2.59.**
- 2.6 **Air Conditioning Equipment/HVAC.** Approval is required for all air conditioning equipment including evaporative coolers (swamp coolers) and attic ventilators. No heating, air conditioning, air movement (e.g. swamp coolers) or refrigeration equipment shall be placed or installed on rooftops or extended from windows.
- 2.7 **Antennae.** In relation to any antenna which is one (1) meter or less in diameter and is designed to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite; any antenna which is one (1) meter or less in diameter or diagonal measurement and is designed to receive video programming services via broadband radio service (wireless cable) or to receive or transmit fixed wireless signals other than via satellite; any antenna which is designed to receive local television broadcast signals; or other antennas which are expressly permitted under applicable federal statutes or regulations (“**Permitted Antennas**”), approval is not required, but notification is. The District has adopted the following rules, regulations and restrictions, which shall be subject to all applicable laws for the installation and maintenance of exterior antennas in the community in compliance with the Federal Communications Commission Rule, which became effective October 4, 1996:
- A. **Notification.** In relation to the installation of any Permitted Antenna, the Owners of the property where the antenna is being installed must notify the District in writing using an Architectural Request Form.
 - B. **Location.** The primary installation location for a Permitted Antenna shall be in a location in the rear yard that is shielded from view from the street(s) and adjacent homes, provided such location does not preclude reception of an acceptable quality signal. If an acceptable quality signal cannot be received from such location, the Permitted Antenna should be installed on a location on the Lot that is the least visible from streets and other Lots from which an acceptable quality signal can be received and such installation does not unreasonably delay or increase the cost of installation, maintenance, or use of the Permitted Antenna.
- 2.8 **Artificial Turf.** Approval is required. Only high-quality artificial turf grass will be approved by the ARC. The

minimum standards for artificial turf require a Face Weight of sixty ounces (60oz) per square yard or higher, with a Gauge of one-half inch (1/2") or greater, and a minimum one-inch (1") Pile Height or higher. A physical product sample of the proposed turf must accompany any Architectural Requests involving artificial turf. When signs of deterioration occur, the artificial turf grass must be replaced. **See Landscaping. Section 2.39 and IV. Landscaping Suggestions.**

2.9 **Awnings. See Overhangs/Awnings Cloth or Canvas Section 2.42.**

2.10 **Balconies. See Decks Section 2.19.**

2.11 **Barbecue/Gas Grills/Outdoor Kitchens/Smokers.** Approval is not required. All barbecue grills, smokers, etc. must be stored in the side or rear yard or within an enclosed structure, not visible from the front of the home. BBQ grills that are fueled by wood, pellets, or charcoal, and/or liquid propane gas, natural gas, or liquid fuel shall be used and operated in compliance with all building and fire safety codes and regulations for the area, which prohibit operation within fifteen feet (15') of a neighboring structure or combustible material, such as a tree, bush, or common fence.

2.12 **Basketball Backboards.**

A. **Permanent.** Are not permitted. No basketball backboards shall be attached to the home or garage and permanent backboard mounting poles shall not be permitted.

B. **Portable.** Approval is not required for portable basketball backboards provided the following guidelines are met: **(A)** portable units cannot be placed in public rights of way, streets, or sidewalks; **(B)** placement must be at least halfway up the driveway from the street when in use; and **(C)** the unit must be removed from the driveway and stored out of sight when not in use.

2.13 **Birdbaths.** Are not permitted in front yards. **See Statutes and Fountains Section 2.62.**

2.14 **Carports.** Are not permitted.

2.15 **Clothes Lines and Hangers.** Approval is not required when placed in the rear yard, screened from view of the streets and the ground level of adjacent Lots. All clotheslines must be retractable and retracted when not actively in use.

2.16 **Cloth or Canvas Overhangs. See Overhangs/Awnings Cloth or Canvas Section 2.42.**

2.17 **Compost.** Approval is required. Container must be located in the rear yard and must not be immediately visible to adjacent properties. In accordance with City Ordinance, composting must be conducted in a bear-proof container and resulting odors must be controlled. Underground and loose-pile composting is not permitted.

2.18 **Decks and Front Porches.** Approval is required. The deck must be constructed of redwood or composite-type decking products. Decking material (maintenance-free or otherwise) must be either redwood or of coloring generally accepted as a complementary color to the exterior of or masonry on the home.

Columns located on the front of the home or on elevations facing a public open space, shall have a minimum cross-section of 5 1/2". Decks or front porches that extend less than thirty inches (30") above surrounding grade may utilize a lattice skirting, provided the skirting is made of redwood boards a minimum one-half inch (1/2") thick and stained or painted to match the remaining portion of the deck or front porch.

Decks may not encompass more than 25% of the entire rear yard of the Lot. Construction shall not occur over easements beyond the side plane of the home and must be set back a minimum of ten feet (10') from the

property line, or greater where required by City code.

Deck railing is permitted to be wood, composite, or metal materials. Decks, decking, columns, and deck railing shall be of coloring generally accepted as a complementary color to the exterior of the home.

Owners are reminded that as with redwood, some types of “maintenance-free” decking products may also require periodic maintenance for proper care and to retain the product’s aesthetic conformity, including but not limited to, fading, warping, etc.

- 2.19 **Dog Houses.** Approval is required. Doghouses are restricted to ten square feet (10’²) and must be located in a fenced rear yard or dog run. Doghouses must be installed at ground level and must be of a material color or painted to be a color generally accepted as a complementary color to the home's exterior. Limit of one doghouse per Lot. **See Fences, Section 2.27 and Exhibit A.**
- 2.20 **Dog Runs.** Approval is required. Dog runs must be located in the rear or side yard of the Lot abutting the home and substantially screened from view by planting fast-growing or mature trees or shrubs. Dog runs will be limited to 200 square feet and cannot be higher than five feet (5’). **The fencing materials and design shall match Exhibit A.** The dog run fence should be left natural in color and sealed to prevent weathering. Tarpaulins and chain-link will not be permitted.
- 2.21 **Doors.** Approval is not required for replacement of an existing main entrance door to a home or accessory building, provided the material matches or is similar to existing doors on the home and the color is generally accepted as a complimentary color to that of existing doors on the home.
 - A. **Storm Doors.** Approval is required for storm doors. Storm doors should be absent of ornate patterns or designs, and of a color generally accepted as a complimentary with the exterior of the home.
 - B. **Security Doors and Windows.** All security or security-type doors and windows must be approved prior to installation. Barred security doors with grilles or ornamental designs may be restricted.
- 2.22 **Drainage.** Alteration is not permitted. The Covenants require no interference with the established drainage pattern over any Lot. The established drainage pattern is defined in the Covenants as the drainage which exists at the time final grading of a Lot by the Developer or a Builder is completed. When installing landscaping, it is very important to ensure that water drains away from the foundation of the home and that the flow patterns prevent water from flowing under or against the home foundation, walkways, sidewalks, driveways, or the same of any adjacent home. The ARC may require a report from a drainage engineer for landscaping or Improvement plan approval. Landscaping should conform to the established drainage pattern. Sump pump drainage should be vented a reasonable distance from the property line to allow for absorption. Adverse effects to adjacent properties will not be tolerated.
- 2.23 **Driveway Extensions or Expansions.** Are not permitted.
- 2.24 **Evaporative Coolers.** Approval is required. Rooftop or window mount installations are not permitted. **See Air Conditioning Equipment Section 2.6.**
- 2.25 **Exterior Lighting.** **See Lights and Lighting Section 2.41.**
- 2.26 **Fences.** Approval is required. Fences must be constructed in compliance with the fencing standards set forth in Exhibit A of these Guidelines.

Owners are encouraged, but not required, to share in the cost of fencing between the Lots. **The District is in no**

way responsible for ensuring the costs are shared or coordinating cost-sharing of the fences between Owners.

1. **General** - Fences, walls, brick columns, and entrance monuments (individually and collectively "Fences") constructed by the Declarant or a Builder along or abutting Lot lines, arterial streets, collector streets, or local streets may not be removed, replaced, or altered, including adding a gate, without approval of the ARC. Perimeter fences may not have gates or removable sections. Gates are permitted in wing fencing only and only single gates are permitted. There can be no rear or side yard access through perimeter fences. Any such fences constructed by the Declarant or a Builder, which are located upon the Owners' Lot, and are damaged or destroyed by the Owners or the Owners' agents, guests, invitees, or tenants shall be repaired or reconditioned at the Owners' expense.
 - a) Maintenance - Fences in the right of way (ROW) is the responsibility of the Owner of the adjacent Lot to maintain.
 2. **Please note the following on fencing:**
 - b) Fences between the homes, if installed, must be installed on the property line and will be the responsibility of the Owners to maintain.
 3. **Drainage** - It is important to remember that certain drainage patterns may exist along or under existing or proposed Fence locations. When constructing a Fence, be sure to provide for a space between the bottom of the Fence and the ground elevation so as not to block these drainage patterns.
 4. **Specifications** - Fences must be constructed of materials consistent with City regulations and must adhere to any sight triangle regulations of the City.
 - a) Fences or Screening Located Within Lot Line - Must be an integral part of the landscape design.
 - b) Double Fences – Are not permitted.
 - c) Fences Between Lots (along the rear or side Lot line) - Must be placed along the property lines. Wing fences must be a minimum of eight feet (8') back from the front façade of the home, or one foot (1') back from the utility meters, whichever is greater.
 - d) Side Yard Fences - May not extend past the wing fence to which it abuts.
 - e) Front Yard Fences - Are not permitted.
 - f) Fence Material – PVC vinyl **See Exhibit A**
 - g) Fence Color – tan
 - h) Gates - Will only be considered in wing Fences. Double gates are not permitted. Gates opening to the street (other than installed by the Declarant or a homebuilder) or open space are not permitted.
 5. All property line Fence height differentials must be treated with a transition Fence similar in design to that shown on attached **Exhibit A** for solid Fences. Refer to Exhibit A for Fence type permitted by location.
 6. Fences shall not be constructed within right-of-way areas or side Lot easements and, therefore, must be set back from the sidewalk the distances established in City/Town requirements.
 7. Deteriorated materials must be replaced by the Owners with materials identical to the original in quality, quantity, and design. Owners are responsible for all maintenance for on-lot Fences that do not abut an open space or common space.
- 2.27 **Fire Pits.** No firepits may be operated within fifteen feet (15') of a neighboring structure or combustible material (plant material).
- 2.28 **Flag/Flagpoles.** Approval is not required for installation of a flagpole no more than five feet (5') in length affixed

to the front or rear of the home near the principal entry or balcony. No flag shall exceed twenty square feet (20'²) in surface area. Owners or occupants are permitted to display up to three (3) flags on a Lot at any given time.

Approval is required prior to installing vertical, freestanding flagpoles installed in the front or rear yard area of a Lot and are limited to eighteen feet (18') in height. The height of the pole includes any top caps on the pole.

Flags must be displayed and well maintained in clean and attractive condition. It is each Owner's or occupant's responsibility to comply with all applicable state and local statutes, ordinances and regulations. No flags may be displayed on common areas, unless displayed for marketing purposes by the Declarant or a homebuilder.

- 2.29 **Garbage Containers and Storage Areas. See Trash Containers, Enclosures and Pickup Section 2.64.**
- 2.30 **Gardens-Flower or Vegetable.** Approval is not required for flower or vegetable gardens that do not exceed one hundred square feet (100'²) in total. All flower and vegetable gardens must be consistently weeded, cared for, and maintained.
- 2.31 **Gazebos.** Approval is required. A gazebo must be an integral part of the rear yard landscape plan. A gazebo must be similar in material and design to the home and the color must be generally accepted as a complementary color to the exterior of the home. All gazebos shall meet all City/County requirements, including wildfire restrictions. Gazebos must adhere to a minimum of a 5' setback from property lines.
- 2.32 **Grading and Grade Changes. See Drainage. Section 2.23.**
- 2.33 **Greenhouses.** Approval is required. Generally, greenhouses will be discouraged due to the extensive maintenance required and the overall visual impact to neighboring lots. Approval will be based upon, but not limited to, general aesthetics, adequacy of screening, and quality and permanence of materials used. All greenhouses shall meet all City/County requirements, including wildfire restrictions. Greenhouses must adhere to a minimum of a 5' setback from property lines.
- 2.34 **Hanging of Clothes. See Clotheslines and Hangers Section 2.16.**
- 2.35 **Hot Tubs and Jacuzzis.** Approval is required. Hot tubs and Jacuzzis must be an integral part of the deck or patio area and of the rear yard landscaping, must be installed in such a way that they are not immediately visible to adjacent properties, and must not create an unreasonable level of noise for adjacent Owners. In some instances, additional screening material around the hot tub may be required. The size of the proposed hot tub/jacuzzi will be considered with consideration due to the wildfire restrictions, the size of the backyard, ability to screen, etc.
- 2.36 **Irrigation Systems.** Approval is not required for underground automatic irrigation systems. All homes must have an underground automatic irrigation system installed with the landscape. For recommended irrigation system treatment, **See Irrigation Section 4.8.**
- 2.37 **Kennels.** Are permitted so long as they do not exceed the height of privacy fencing. Refer to section 2.26.
- 2.38 **Landscaping.** Approval is required. Properties are within the Wildland Urban Interface (WUI) Overlay and are subject to fuel management requirements as defined in Chapter 8 of the City Code and Bradley Heights CC&Rs. Landscaping plans must be submitted to the ARC for review and approval prior to installation, except where installed by the Developer or a Builder as exempted in the Covenants. Owners shall maintain all landscaping on their Lot in a neat and attractive condition, including periodic and horticulturally correct pruning, removal of weeds and debris, and replacement of landscaping. All landscape plan submittals must clearly and professionally demonstrate, to scale, the proposed landscape installation. The plot plan of the home and yard must be provided with existing and proposed organic materials (plants, shrubs, trees, etc.), and building materials (stone, wood, edging, etc.)

clearly labeled in detail. Providing material samples is encouraged.

1. Irrigation. All landscaping shall include automatic irrigation.
2. Plant Material Location and Sizes. Landscaping shall consist of trees, shrubs, ground covers, annual and perennial flowers, mulches and automatic irrigation. In the case of shade or ornamental trees (deciduous), plantings cannot be installed closer than six feet (6') from the property line. In the case of evergreen trees (conifer), plantings cannot be installed closer than ten feet (10') from the property line. Landscaping plans shall include a variety of plant species, including deciduous and evergreen trees and shrubs. All plant material shall be installed in the following minimum sizes:
 - a. Shade trees - 2½" caliper
 - b. Ornamental trees - 2" caliper
 - c. Evergreen trees - 6' height minimum
 - d. All shrubs – 5-gallon container
 - e. Groundcover, annuals, and perennials - no restrictions
3. Turf and Plant Material Regulations. Owners' landscaping plans shall comply with all City regulations, including any restrictions on total turf area. As an alternative to traditional landscaping, xeriscaping is water conservation planning through creative landscaping. Please remember that xeriscaping requires as much or more maintenance as traditional landscaping. All xeriscape plans must incorporate the installation of a properly functioning irrigation system to maintain the plantings.
4. Streetscapes. The area between the sidewalk and street must be landscaped and maintained in accordance with City/County requirements and WUI requirements.
5. Any portion of the landscape that dies must be replaced in a timely manner. In some instances, the Builder is required to install plants in the streetscape. These plants are the property and maintenance responsibility of the Owners they are directly adjacent to in front of or to the side of.
6. Maintenance. Once installed, the landscaping must be maintained in a neat, sightly, and weed-free condition by the Owners thereof.
7. In accordance with City Regulations, Owners are responsible for the maintenance of the sidewalks and streetscapes (area between sidewalk and street) adjacent to their property.
8. Owners are responsible for ensuring at least ten (10) shrubs, a minimum of five (5) -gallons in size are planted in the front yard. Lots are subject to fuels management requirements. **See Exhibit B: Wildland Urban Interface (WUI) Notes** as review by the Colorado Springs Fire Department.

2.39 **Latticework.** Approval is required for any type of trellis or latticework.

2.40 **Lights and Lighting.** Approval is required for exterior lighting. Exterior lighting should be directed toward the ground and be of low wattage to minimize the glare to neighbors. Lighting for walkways generally should be placed on wooden standards and lighting fixtures should be dark colored so as to be less obtrusive. The use of motion detector spotlights, high-wattage spotlights or floor lights, and ballasted fixtures (sodium, mercury, multi-vapor, fluorescent, metal halide, etc.) require approval. Permanent lighting systems (i.e. jellyfish lights, gemstone lights, etc.) must be pre-approved and will be subject to additional use regulations to prevent a nuisance and minimize light pollution, as further outlined in the Rules and Regulations as may be amended from time-to-time. **See Seasonal Decorations Section 2.55.**

2.41 **Overhangs/Awnings Cloth or Canvas. (Also known as Shade Structures).** Approval is required. An overhang should be an integral part of the home or patio design. The color must be the same as, or generally accepted as

a complementary color to the exterior of the home. Applicants must provide a swatch of the material to be used. Size and material proposed will be considered with special consideration given to WUI restrictions and the size of the rear yards. **See also, Patio Covers Section 2.44.**

- 2.42 **Painting.** Approval is not required provided the color and/or color combinations are identical to the original color established on the home. Any changes to the color of the home must be submitted for approval and must be generally accepted as a complementary color to the exterior of the home.

ARC requests involving a change in exterior color scheme must be accompanied by the paint/stain, manufacturer information, color name, and paint code or formula, as well as a diagram of the home, indicating the intended location for application of each proposed color. Each submission must also accompany the color schemes of neighboring homes to maintain diversity of color schemes.

- 2.43 **Patio Covers.** Approval is required. Patio covers must be constructed of material consistent with the home and color must be generally accepted as a complementary color to the exterior of the home. Freestanding patio covers may be permitted as well as extensions of the roof. Size and material proposed will be considered with special consideration given to WUI restrictions and the size of the rear yards.

- 2.44 **Patios (Enclosed).** Are not permitted. See Additions and Expansions Section 2.3.

- 2.45 **Patios (Open).** Approval is required. Open patios must be an integral part of the landscape plan. In some instances, additional plant material around the patio may be required for screening. Patio and materials must be similar or generally accepted as a complementary color to the exterior of the home.

- 2.46 **Paving.** Approval is required for pavement of all walks and patio areas. Allowable materials include concrete, brick, flagstones, steppingstones, pre-cast patterned or exposed aggregate concrete pavers, and compacted fine (trap rock) aggregate. Asphalt is not permitted. **See Driveways Section 2.24.**

- 2.47 **Pipes.** See Utility Equipment Section 2.66.

- 2.48 **Play Structures and Sports Equipment.** Approval is not required for structures or equipment under six feet (6') in height or moveable (bounce-back, net, etc.), provided they are contained within a fenced yard. Any items over six feet (6') in height require approval. Consideration will be given to adjacent properties (a min. five foot (5') setback from the side property line and 10' setback from the rear property line, for trampolines, swing sets, fort structures, etc.) so as not to create an undue disturbance. Trampolines must be anchored using a minimum of six (6), sixteen-inch (16") corkscrew anchors around the perimeter. Approval is required for structures or equipment more than ten square feet (10'²) and/or over six feet (6') in height. Combustible materials are not permitted. All play and sports equipment must be well maintained in a clean and attractive manner. The use of multi-rainbow-colored cloth/canvas tarps is discouraged.

- 2.49 **Playhouses.** Approval is required. Play structures may not exceed ten square feet (10'²) in footprint or exceed six feet (6') in height. Combustible materials are not permitted.

- 2.50 **Pools.** Permanent pools are not permitted (ie; pools that require alteration to grading or drainage of the lot). Temporary Wading pools are allowed without approval so long as they are removed when not in use. Other temporary pools require approval and must not exceed ten square feet (10'²) in area and may only be up seasonally as determined by the Board.

- 2.51 **Radon Mitigation.** Approval is not required, however, all exterior portions of the system shall be painted to match to the exterior trim of the home.

- 2.52 **Rooftop Equipment.** Approval is required.
- 2.53 **Roofing Materials.** Approval is required for all roofing materials. All buildings constructed on the properties should be roofed with the same or greater quality than originally used by the Declarant or participating builder. Repairs to an existing roof using the same building material that exists on the home, do not require prior approval, however, attention should be paid to avoid color fading discrepancies.
- 2.54 **Seasonal/Holiday Decorations.** Approval is not required for seasonal decorations, depicting generally accepted colors, animal, or nature themes associated with each season and are removed at the generally accepted close of the season. Approval is not required for holiday decorations installed no more than 30 days before the holiday and removed within 30 days after the holiday. The installation of seasonal or holiday décor on any property owned and/or managed by the District must first have written consent of the District.
- 2.55 **Sewage Disposal Systems.** Are not permitted.
- 2.56 **Sheds.** Require ARC approval. Sheds are restricted to a maximum size of ten square feet (10'²) and eight feet (8') in height. Sheds must be located in the rear yard, and must be set back from side property lines a minimum of five feet (5') and rear property lines a minimum of seven feet (7'). Sheds will be considered for placement in the side yard only with Lean-To style sheds placed against the home, and only if there is a minimum of five feet (5') from the side property line to the shed.
- Sheds must be constructed of non-combustible material. It is the Owners' obligation to verify whether a building permit is required by the City/County and such information shall be submitted to the ARC prior to the request being considered. No more than one (1) shed per Lot is permitted.
- 2.57 **Exterior Shutters.** Approval is required. Shutters should be of a similar color and design generally accepted as complementary to the exterior of the home. Shutters must be painted using the trim or accent color of the home.
- 2.58 **Signs.** Approval is not required provided the following conditions are met:
- A. **Section 3.6 Miscellaneous Improvements** of the Recorded Covenants and Restriction of Century at Bradley Heights.
 - B. **Number and Size.** Up to three (3) signs may be displayed on each Lot. Each sign shall be limited to six square feet (6'²) and, if free standing, is mounted on a single or frame post. The overall height of the sign from the finished grade of the Lot at the spot where the sign is located may not exceed four feet (4'). All signs must be well maintained in a clean and attractive condition.
 - C. **Non-Electrical.** Additionally, no lighted sign will be permitted unless utilized by the Declarant and/or a homebuilder.
 - D. **Not On Common Area.** No signs may be placed by Owners on any common area, including being attached to fencing that abuts an open or public space, without the written consent of the District. Declarant and/or homebuilder signage may be placed on common areas.
- 2.59 **Solar Energy Devices.** Approval is required. Owners must provide a drawing illustrating location of the device on the home including dimensions and color.
1. The solar energy devices must be located on the home's roof or entirely within a fenced area of the Owners' Lot.

2. If the solar energy device is located in the fenced area of the Owners' Lot, no portion of the solar energy device may extend above the fence line.
3. If the solar energy device is mounted on the roof of the home', then:
 - a. The solar energy device may not extend higher than or beyond the roofline;
 - b. The solar energy device must conform to the slope of the roof and the top edge of the device must be parallel to the roofline; and
 - c. The frame, support brackets, visible piping, or sheathed wiring associated with the solar energy device must be silver, bronze or black in color, and secured to the structure.
 - d. The use of "critter guards" is encouraged.

2.60 **Sprinkler Systems. See Irrigation Systems Section 2.37 and Irrigation Section 4.8.**

2.61 **Statues or Fountains.** Approval is required. Statues or fountains greater than five feet (5') in height, including the pedestal must be installed in a fenced rear yard. Statues of or fountains proposed for the front yard require approval and should be located near the main entrance of the home.

2.62 **Temporary Structures.** Approval is required. No structure of a temporary character, including but not limited to, a house trailer, tent, shack, storage shed, or outbuilding shall be placed or erected upon any Lot without ARC approval. However, during the actual construction, alteration, repair or remodeling of a structure or other Improvements, necessary temporary structures for storage of materials may be erected and maintained by the Declarant or Declarants' agents. **See Sheds Section 2.57.**

2.63 **Trash Containers, Enclosures and Pickup.** Approval is required for any trash or garbage enclosure. Refuse, garbage, trash, lumber, grass, shrub or tree clippings, plant waste, compost, metal, bulk materials, scrap, refuse or debris of any kind may not be kept, stored or allowed to accumulate on any Lot except in sanitary containers or approved enclosures and with bear-proof containers. Garbage or trash receptacles must be maintained in clean and attractive manner and stored within the enclosed garage or other approved enclosure with bear-proof containment when not actively placed out for collection. In accordance with City Ordinance, trash receptacles may be brought out for collection no earlier than 5:00 a.m. on the day of collection and must be brought back in no later than 7:00 p.m. that evening. **See Compost Section 2.18.**

2.64 **Tree Houses.** Are not permitted.

2.65 **Utility Equipment.** Approval is required for installation of utilities or utility equipment. Pipes, wires, poles, utility facilities must be kept and maintained, to the extent reasonably possible, underground or within an enclosed structure.

2.66 **Walls-Retaining. See Retaining Walls Section 4.5.**

2.67 **Weathervanes and Directionals.** Are not permitted.

2.68 **Wood Storage.** Is not permitted outside of the home.

2.69 **Work Involving Common Areas.** Approval and deposit are required. Vehicles, equipment, or wheelbarrows may not be trekked across common areas. The Board of Directors may consider allowing access across common areas with the advance of funds sufficient to repair any potential resulting damage. The District will address any necessary restoration of the common area.

Section 3: PROCEDURES FOR ARC APPROVAL

- 3.1 **General.** All exterior Improvements to the home and Lot require written approval in advance before the work on such Improvements begins. Article 2 of the Covenants explains how such approval can be obtained.
- 3.2 **Submittal Requirements.** A complete submittal is required for review. A completed Architectural Improvement Request Form (**Exhibit C**) accompanied by an overhead diagram of the Lot, illustrating the location of all existing Improvements, in addition to all necessary documents, photos, drawings, product samples, brochures, and additional information necessary for the ARC to evaluate the appropriateness of the Improvement and determine its acceptance or denial. Requests for additional information may be made by the ARC and must be fulfilled by the applicant prior to a submission being deemed a "Complete Submittal".
- 3.3 **Timeline.** The ARC shall have forty-five (45) days from the date of receipt of a Complete Submittal, to review and provide a response. Approvals shall be valid for one (1) year from the date of approval, after which the approval will be considered void and resubmittal will be required prior to revisiting the Improvement.
- 3.4 **Prosecution of Work.** Owners must provide Notice of Completion to the ARC once work is completed. Upon receipt of a Notice of Completion, the ARC may inspect the work. Should a final inspection of Improvements reveal any deviance from the approved application, a Notice of Non-Compliance shall be issued to the Owner who shall have forty-five (45) days in which to remedy all non-compliance issues.
- 3.5 **Questions.** Owners having questions regarding ARC submission requirements, they should review Article 4 of the Covenants and contact District Management with specific questions regarding the plans to be submitted.

Section 4: LANDSCAPE/HARDSCAPE SUGGESTIONS

- 4.1 **General.** Approval is required for all landscape and hardscape installations, replacements, and modifications, without exception. The purpose of this section is to aid Owners in preparing an appropriate landscaping plan for Lots. Careful landscape planning and design will greatly enhance the appearance of the community. The information set forth in this section is suggestive only and not mandatory.
- 4.2 **Slopes.** In some cases, there may be relatively steep slopes on Owners' property. It is important to note that slopes that are not landscaped may experience severe erosion and silting. Therefore, it is recommended that Owners landscape slopes as soon as possible following closing. Slopes and banks should be planted with drought-tolerant plants. Terracing, or surfacing with stone or other free draining materials can lessen erosion of slopes. Loose aggregate or wood chips are not recommended on slopes unless measures are taken to prevent erosion or displacement by wind and/or water. Slopes can also be seeded with ground cover or planted with shrubs and bushes to prevent erosion. Rock gardens are another technique to prevent slope erosion and create a landscape amenity. Slopes given proper design treatment can become an attractive, interesting part of the landscape.
- 4.3 **Soils/Drainage/Grading.** A home may be constructed on "expansive soils". Prime characteristic of expansive soils is that they swell when water is introduced. The soil, in essence, acts as a sponge. When this expansion takes place, extreme pressures are exerted on foundations and other man-made structures, which are placed in the ground. The result can be severe structural damage to a home. A potential hazard exists when proper drainage is not maintained and/or when water is introduced to these "expansive soils" adjacent to a foundation.

Owners should investigate the existing drainage conditions and preserve and accommodate the drainage situation, which exists on their Lot at the time they purchased their home. **See Section 2.23 Drainage.** Minor drainage modifications may be made to a Lot provided there is not alteration to the engineered drainage pattern of the Lot. Owners are ultimately responsible for all drainage off of their Lot and any issues that may be caused by changing the drainage pattern, no matter how minor. It is suggested that berm slopes not exceed

three feet (3') of horizontal distance to one foot (1') of rise or vertical height (3:1 slope) in order to permit greater ease of mowing and general maintenance.

4.4 **Soil Preparation.** Soil conditions may vary throughout the community. Individual soil testing is suggested for each Lot to determine the exact nature of the soil and the desired level of amendment needed, such as mulch, sand and fertilizer to optimize plant growth. Local nurseries may offer assistance in determining the proper quantity and type of soil amendment. A general guide for amendment of all turf area soils is a minimum of three (3) cubic yards per one thousand square feet (1,000'²), and ten pounds (10lb) per one thousand square feet (1,000'²) of lawn area. These materials are to be tilled to a depth of six to eight inches (6"-8") into the soil. Acceptable organic matters include aged compost, wood humus from soft/non-toxic trees, sphagnum moss (excluding that from Colorado origin), or aged/treated manures. Topsoil is not considered an acceptable organic matter.

4.5 **Retaining Walls.** New or old creosote treated timber railroad ties are not permitted. Rock, brick or interlocking modular units, that are generally accepted as a complementary color to the exterior of the home, are preferred materials for walls. Retaining walls may be used to accommodate or create abrupt changes in grade. Such walls should be properly anchored to withstand overturning forces. Stonewalls should be made thicker at the bottom than at the top to achieve stability. To avoid destructive freeze-thaw action, all retaining walls should incorporate weep holes into the wall design to permit water trapped behind them to be released. Walls should not be located so as to alter the existing drainage patterns and should provide for adequate drainage over or through (by means of weep holes) the wall structure.

Any retaining/landscaping wall in excess of 36" in height is required to have a professional engineer's certificate accompany the request. The ARC must also receive an engineer's certificate of completion when complete. The engineer's certificate must certify structural soundness and that historical water flows onto adjacent lots will not be impacted. Retaining walls are only allowed to be installed with dry stack material including Allan Block. No other materials will be allowed.

4.6 **Screening Views and Directing Winds.** Plant materials can frame pleasant vistas such as views of the mountains. Less desirable views of adjacent land (e.g. highways) can be screened with dense coniferous plantings, earth mounds, fences or walls. High-velocity winds can be effectively directed by dense planting.

4.7 **Rockscapes.** Boulders and cobbles present an attractive alternative landscape element where used in harmony within the overall landscape composition. Large expanses of rock mulch without substantial shrub or groundcover plantings are unacceptable. Stone or gravel mulch with harsh, unnatural or high contrast colors are not allowed, including the use of black granite, white marble and lavarock. Boulders, cobbles, river rock, etc. is not acceptable as the only landscaping in a front or rear yard. Please see **4.14 Xeriscaping** for more information.

4.8 **Irrigation.** The semi-arid climate along the Front Range makes watering necessary. It is recommended that watering be done in the early morning or late evening. A common tendency is to over-saturate the Lot. Owners are urged to conserve water, minimizing potential problems on their own Lots as well as on adjacent property Owners' Lots caused by over-watering. Owners are responsible for meeting all City requirements related to irrigating their Lots.

The following are some factors to consider in selecting the type, location, and operation schedule of the irrigation system:

1. Size and shape of areas to be watered to ensure full coverage.
2. Type of turf or ground cover.
3. Available water supplies and pressure.

4. Environmental factors in the area to minimize water loss, such as wind, rain, temperature, exposure, and grading.
5. Installation of an irrigation system directly adjacent to front decks, sidewalks and walkways may eventually cause undermining and deterioration to subsidence and erosion.
6. Type of soil and its ability to accept water. Local nurseries or do-it-yourself sprinkler stores have detailed information concerning the type and installation of irrigation systems.
7. Drip irrigation systems are recommended for tree and shrub areas.

4.9 **Paved Areas.** Paving may be used to define areas of intense activity and circulation patterns, such as patios, walks, and steps. Materials that can be used to create attractive patterns and textures are brick, flagstones, steppingstones, pre-cast patterned or exposed aggregate concrete pavers. These materials are often more desirable than asphalt or poured concrete. It is suggested that paving materials be earth-toned in color. Sufficient slope should be maintained in all paved areas to insure proper drainage. Asphalt is not permitted.

4.10 **Shade.** Owners should avoid shading solar energy devices or inhibiting the effectiveness of passive solar design measures. For example, broad-leaved deciduous trees screen out the intense summer sun but allow winter warmth to penetrate. Trees and shrubs in general should not be planted within existing drainage swales so as to block designated drainage patterns or disrupt anticipated absorption and evaporation rates.

4.11 **Landscape Materials.** Deciduous trees and evergreen trees provide summer shade and can be used as a windbreak. Evergreens provide attractive backdrops for displaying ornamental trees and contrasting flowers as well as providing a visual screen.

1. Shrubs such as junipers may be used as specimens or in masses. Shrubs can also be used in combination with trees as windbreaks or to add color and texture to the landscape. Low-profile, spreading shrubs may be used as groundcover treatment and present an attractive method of reducing water consumption.
2. Ornamental trees such as flowering crabapples provide accent, color, and additional interest to the residential landscape and may be a more appropriate scale for small areas of a Lot.
3. Groundcovers such as creeping mahonia play an important role in consolidating the surface of fine-grained soils to prevent erosion and sedimentation. They may be useful in place of a lawn, especially on steep banks where they will also require less water than turf grass.
4. Vines may be used as a groundcover or as a shading element over a trellis or as a screen when planted adjacent to a fence.
5. Garden flowers may be used as elements of seasonal color. Perennials and annuals should be considered.
6. Vegetable gardens may be integrated with planting beds and used ornamentally.

4.12 **Mulch.** Mulch modifies extreme soil temperatures and improves soil by producing humus and reducing evaporation loss. Suggested minimum depth for mulches is four inches (4"). Mulches are typically used in shrubs and groundcover beds and may consist of a variety of organic materials such as ground bark, woodchips, pole peelings or chipper chips. Natural wood mulch has environmental advantages to plant material. Synthetic mulch relocated by high winds may contaminate neighboring planters and the surrounding environment and is therefore prohibited. Stone or gravel mulch with harsh, unnatural or high contrast colors are not allowed, including the use of black granite, white marble and lava rock.

4.13 **Landscape Maintenance.** Consistent maintenance is essential for healthy plant materials. The following are

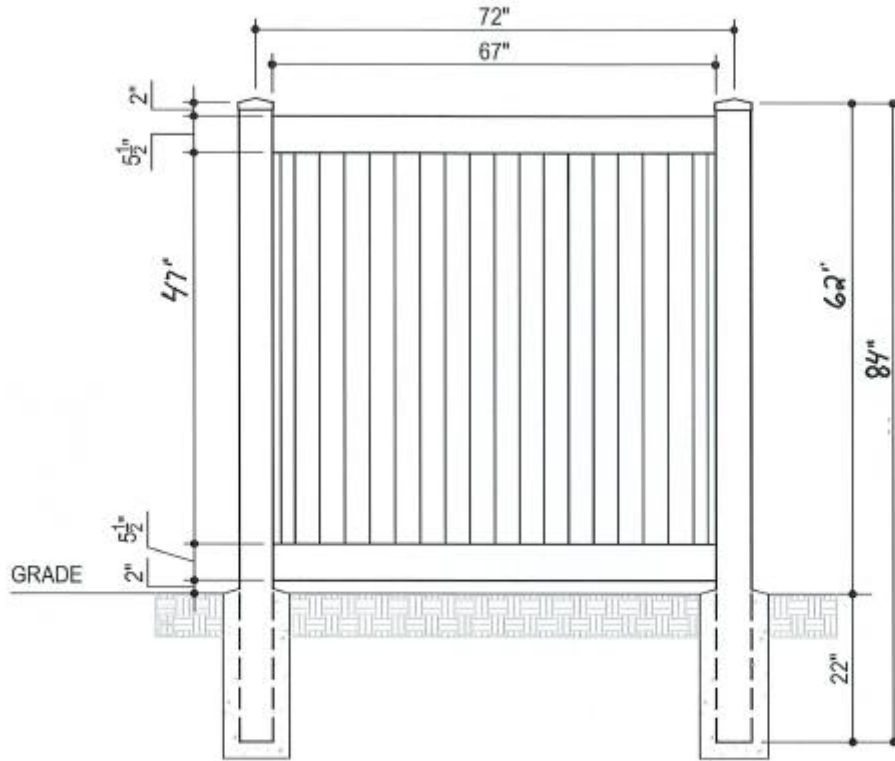
some suggested maintenance considerations and ways of minimizing maintenance problems:

1. Plant with regards to climate. Consider the ultimate size, shape, and growth rate of species.
2. Locate plants and irrigation heads out of the way of pedestrian-bicycle traffic and car bumpers.
3. Provide simple guying systems for trees for a minimum of two (2) years and wrap trees most susceptible to sun scald with burlap or paper during fall or winter months.
4. Make provisions for efficient irrigation; drain and service sprinkler systems on regular basis and conduct operational checks on a weekly basis to ensure proper performance of the system.
5. Provide quality soil mixes with sufficient organic material. 30% organic material per tilled depth is desirable.
6. Maintain mulch at least three inches (3") deep to hold soil moisture and to prevent weeds and soil compaction.
7. Provide required fertilization, weed and pest controls, etc., as required for optimum plant growth.
8. Prune woody plants when needed. Avoid pruning more than 1/3 of foliage.
9. Space trees to allow for efficient mowing and root system growth.
10. Locate plants with similar water, sun and space requirements together.

4.14 **Xeriscaping** Xeriscape landscaping involves the use low water, drought tolerant plant material. Rocks, mulch, pavers, etc. may be used to accentuate landscaping but cannot be the only materials used. Living plant material requirements from local and state municipalities must be followed.

EXHIBIT A
Fencing Guidelines

5 FT PRIVACY FENCE
6 FT ON CENTER



Vinyl Fence Color- Tan

EXHIBIT B
Wildland- Urban Interface (WUI) Notes

WILDLAND-URBAN INTERFACE (WUI) NOTES:

1. FUELS MANAGEMENT- SAFETY ZONE. ALL LOTS WITH HOMES CONSTRUCTED OR RECONSTRUCTED AFTER THE ADOPTION OF THE ORDINANCE, WITHIN THE WILDLAND URBAN INTERFACE, REGARDLESS OF DEVELOPMENT PLAN APPROVAL DATE, SHALL BE SUBJECT TO THE FOLLOWING FUELS MANAGEMENT REQUIREMENTS:

K102.1.1 SAFETY ZONE: BRUSH PATCHES OR CLUSTERS MAY BE LEFT IN THE SAFETY ZONE, BUT SHALL BE SEPARATED BY CLEAR AREAS OF AT LEAST TEN FEET (10') OR MORE OF NONCOMBUSTIBLE MATERIALS AND/OR GRASS MOWED TO NOT MORE THAN FOUR INCHES (4") IN HEIGHT. (ORDINANCE 18-50, 8.4.105, K102.1)

2. FUELS MANAGEMENT- CLEARANCE TO MAIN STRUCTURE. ALL LOTS WITH HOMES CONSTRUCTED OR RECONSTRUCTED AFTER THE ADOPTION OF THE ORDINANCE, WITHIN THE WILDLAND URBAN INTERFACE, REGARDLESS OF DEVELOPMENT PLAN APPROVAL DATE, SHALL BE SUBJECT TO THE FOLLOWING FUELS MANAGEMENT REQUIREMENTS:

K102.1.2 CLEARANCE TO MAIN STRUCTURE. NO HAZARDOUS BRUSH OR TREES (I.E. JUNIPERS AND CONIFERS) SHALL BE ALLOWED WITHIN FIFTEEN FEET (15') OF THE MAIN STRUCTURE OR SIGNIFICANT ACCESSORY STRUCTURE. CONIFERS OR OTHER SIMILARLY COMBUSTIBLE PLANTS SHALL NOT BE PLANTED UNDER SOFFIT VENTS.

EXCEPTION: WHEN APPROVED BY THE FIRE CODE OFFICIAL, SMALL BRUSH PATCHES OR TREES, NOT EXCEEDING ONE HUNDRED (100) SQUARE FEET IN SIZE AND NO MORE THAN FIFTEEN (15) LINEAR FEET IN ANY DIRECTION, MAY BE ALLOWED TO ENCR OACH INTO THIS ZONE. VEGETATION MUST BE MAINTAINED IN ACCORDANCE WITH THE APPLICABLE COLORADO SPRINGS COMMUNITY WILDFIRE PROTECTION PLAN. PLANTS WITH FIRE RESISTANT CHARACTERISTICS FOUND ON THE COLORADO STATE FOREST SERVICE LIST OF FIREWISE PLANTS ARE ALLOWED WITHIN 15 FEET OF THE MAIN STRUCTURE OR SIGNIFICANT ACCESSORY STRUCTURE. (ORDINANCE 18-50, 8.4.105, K102.1.2)

3. PRUNING OF DEAD LIMBS. LARGE TREES SHALL NOT BE ALLOWED TO HAVE LIMBS OVERLAP ANOTHER TREE AND SHALL BE PRUNED OF DEAD LIMBS TO A HEIGHT OF UP TO TEN FEET (10') ABOVE THE GROUND. TREE CLUSTERS MAY BE ALLOWED IF SUFFICIENT CLEAR AREA IS PROVIDED AND APPROVED. (ORDINANCE 18-50, 8.4.105, K102.1.3)
4. CLEARANCE OF TREE BRANCHES TO STRUCTURES OR APPURTENANCES. TREE BRANCHES SHALL NOT EXTEND OVER OR UNDER THE ROOF OR EAVES, AND SHALL NOT BE WITHIN FIFTEEN FEET (15') OF A DECK OR SIMILAR COMBUSTIBLE PROJECTION, WOOD BURNING APPLIANCE OR CHIMNEY. (ORDINANCE 18-50, 8.4.105, K102.1.4)

Additional information is available on the Colorado Springs website

Exhibit C
Architectural Improvement Request Form



Bradley Heights Metropolitan District NO. 2 Architectural Submission/ Application Form

Home Owner (applicant): _____ Account #: _____
Property Address: _____ Zip: _____
Tenant/ Renter (if applicable): _____
Other Home Owner (if applicable): _____

Home Owner Contact Information:

Day Time Phone: _____ Night Time Phone: _____
Mailing Address (if different than property address): _____
State: _____ City: _____ Zip: _____
Email address: _____

Tenant Contact Information (if applicable):

Day Time Phone: _____ Night Time Phone: _____
Email address: _____

Contractor Information:

Contractor Name/ Company: _____
Contractor Phone: _____ Contractor Email: _____
Project Start Date: ___/___/___ Project End Date: ___/___/___

Modification or Addition Requesting (check all that apply):

- | | | |
|---|---|--|
| <input type="checkbox"/> Detached Structure/ Building | <input type="checkbox"/> Fence | <input type="checkbox"/> New Construction |
| <input type="checkbox"/> Paint | <input type="checkbox"/> Play Equipment | <input type="checkbox"/> Retaining Wall |
| <input type="checkbox"/> Satellite Dish | <input type="checkbox"/> Solar Panels | <input type="checkbox"/> Exterior Modification |
| <input type="checkbox"/> Landscaping | <input type="checkbox"/> Ornamentation | <input type="checkbox"/> Patio/ Arbor/ Deck |
| <input type="checkbox"/> Pool/ Spa | <input type="checkbox"/> Shed | <input type="checkbox"/> Other: _____ |

Legal Description of Modification:

Make sure you have attached/ included all of the following information:

- A completed Submission Form (**including signature below the Owner Acknowledgement notice on next page**)
- A description of the project, including; height, width, depth, materials, colors, etc.
- A complete materials list of the project, including; paint samples and/or stain color

- A picture or drawing of the intended/ existing project (sketches, clippings, catalog illustrations and other data or links to websites)
- A site plan showing the location of the house along with any other structures on your lot and the proposed structure (including dimensions from the property line or other structures)

Please send your request to:

**Bradley Heights Metropolitan
District NO.2**
C/o WSDM
614 North Tejon St
Colorado Springs, CO 80903

Phone: (719) 447-1777
Website: <https://wsdistricts.co/projects/bradley-heights-metropolitan-districts-1-2-3/>
Email: rebecca.h@wsdistricts.co

****For Office/ Committee Use Only:**

Date submission received: ___/___/_____ Committee Approval/ Denial Date: ___/___/_____

APPROVED APPROVED W/ STIPULATIONS DENIED DENIED – INSUFFICIENT INFORMATION

Stipulations/ Comments/ Suggestions:

Authorized By:

Owners Acknowledgements:

I understand:

- That no work on this request shall commence until I have received approval of the Architectural Review Committee (ARC)
- Any construction or alteration to the subject property prior to approval of the Architectural Review Committee is strictly prohibited. If I have commenced or completed any construction or alteration to the subject property and any part of this application is disapproved, I may be required to return the subject property to its original condition at MY OWN EXPENSE. If I refuse to do so and the District incurs any legal fees related to my construction and/or application, I will reimburse the District for all such legal expenses incurred.
- That any approval is contingent upon construction or alterations being completed in a neat and orderly manner
- That there are architectural requirements covered by the Covenants and a board review process as established by the Board of Directors
- All proposed improvements to the property must comply with city, county, state and local codes. I understand that applications for all required building permits are my responsibility. Nothing herein shall be construed as a waiver of modification of any codes. My signature indicates that these standards are met to the best of my knowledge.
- That any variation from the original application must be resubmitted for approval
- That if approved, said alteration must be maintained per the Declaration of Covenants, Conditions and Restrictions for the Bradley Heights Metropolitan Districts NO. 2 Review Community.
- This alteration will not detrimentally affect the proper drainage of any common areas or surrounding lots. I will be responsible at my expense to correct any drainage problems to such areas that may occur as a result of this work or alteration. Additions or alterations must not affect the grades, swales, and drainage patterns established by

Builder which assure that any water falling on the property surrounding the Residence whether from natural precipitation or lawn irrigation, will flow positively away from the Residence. I will be responsible at my expense for any damage caused to my house resulting from grading modified by this work or alteration.

- *The Builder/Applicant acknowledges and agrees that the Committee and District assume no liability resulting from the approval or disapproval of any plans submitted. The Committee and the District assume no liability and make no representations regarding the adequacy or quality of any submitted plans or whether such plans comply with any or all governing authority requirements. The Committee's review, comments, and/or approvals do not relieve the Builder/Applicant of their responsibility and obligation to comply with the Master Declaration, Master Design Guidelines, or Subdivision Guidelines as applicable. The Builder/Applicant agrees to grant the District accesses to property at any reasonable hour to inspect for compliance issues.*
- *It is the duty of the owner and the contractor employed by the owner to determine that the proposed improvement is structurally, mechanically and otherwise safe and that it is designed and constructed in compliance with applicable building codes, fire codes, other laws or regulations and sound practices. Your district, the ARC Committee and any employee or member thereof, shall not be liable in damages or otherwise because of the approval or non-approval of any improvement.*

I certify that the above information is an accurate representation of the proposed improvements and that the work will conform to applicable codes, covenants and standards. I also certify that the improvements will be completed in accordance with the approved application. I understand that construction is not to begin until approval has been received from the Architectural Review Committee. The Architectural Review Committee has permission to enter the property to make inspections, as they deem necessary.

Owner/Applicant Signature: _____ **Date:** ___/___/___
Co-Owner/Applicant Signature: _____ **Date:** ___/___/___

Informational Addendum:

REVIEW PROCESS – Your district's governing documents stipulate the amount of time the ARC may take to render a decision. However, the ARC will make every reasonable effort to expedite the review process. Applications will be reviewed during the time frame for completeness and the ARC may request additional information to help clarify your proposal.

APPLICATION – The application must be accompanied with necessary documents, photos, drawings, brochures, and information necessary to present to the ARC. Property owners must sign the application. Contractor’s signatures for property owners will not be accepted. Modifications are not permitted to commence until the modification has been reviewed and approved by the ARC.

NOTIFICATION - All owners will be notified in writing by mail (USPS) once the request has been approved or denied.

APPEALS – If your district allows appeals of an ARC Committee decision, requests must be based on the association documents and time frames stated by the documents.